

West Area Plan West Plan Small Working Group Meeting #5



Date and Time: July 6, 2022 at 4 pm

Location: Zoom

Attendees

WORKING GROUP MEMBERS (PRESENT)

Chala Mohr

Kathy Sandoval

Heidi Newhart

Jonathan Pira

Sean Brady

Elizabeth Walsh

ELECTED OFFICIALS/COUNCIL DISTRICT AIDES

Katie Heideman, Council Aide, District 3

COMMUNITY PLANNING PROJECT TEAM

Valerie Herrera

Eugene Howard

Courtland Hyser

Chelsea Bennouna

Meeting Summary

Main Takeaways:

Overall:

- Add policies such as rent stabilization and anti-gouging ordinances into recommendations, regardless of their feasibility in the near-term
- The affordability overlay doesn't go far enough, especially for workforce, transit options, etc. in the west plan
- Consider the plan's potential to comment on other areas of the city with regards to upzoning
- Suggestion to broadly soften the upzoning by bringing all areas up a bit instead of a few areas up a lot
- Suggestion to look deeper to see if there are pockets that want higher density like Barnum
- make space for workforce housing
- We need to think about cultural and civic infrastructure as land use too
- Our plan is trying to enhance access to walkable and commercial opportunities, but the recommendations in this plan to separate heights and uses make it harder for us to reach that
- we need policies that allow lower income residents to defer the taxes on their home so that they can stay in place
- How does EHA apply to lower height starting points?
- Request to get an environmental hazard map to see how that intersect with the industrial areas
- Suggestion to consider expanding along 1st and Knox in Barnum
- The higher density has been showing across the city the lost of families with the higher density and the lost of students in local schools. Can we check with DPS where we are at in this regards as this impact our land use discussion?

AGENDA

1. Continuation of map analysis for the following maps

- Existing Land Use
- Existing Zoning
- BP Future Places
- Environmental Quality Recommendations
- Recommended Opportunities
- Recommended Building Heights

NOTES

Kathy:

Interested in understanding better how these maps relate to QoL

Heidi:

I was thinking the same things, if we can talk about how we are integrating the QoL section thru this land use section...particularly around affordable housing, mobility, transit-oriented development, vitality zones, and green ways.

Jonathan:

- If our core goals are affordability, reducing displacement, safe mobility, good employment, etc. then expanding on what I mentioned last time, talking a lot about reducing heights and density limits in certain areas is at best a non sequitur, and at worst, a detriment to those aims, but there are things we can focus on within the recommendations of this plan that would be much nearer to accomplishing those goals and fall within the scope of the west area plan
- This document will almost exclusively be used for support of decision making of Denver govt for the west area
- What can our plan do to help us reach those goals?
- Can we focus the plans recs on policies that have the impacts of more affordability, stability, mobility, low carbon impacts, etc. regardless of whether its legal now
- Rent stabilization and anti-gouging ordinances
- We should put these things in the plan to say these are the things the community wants to document we have support for it

Kathy:

- Curious about missing middle and how that plays out in changing the zoning
- We also need to tie these maps to policies

Elizabeth:

- In the right conditions, increased density can allow for increased affordability, through reduced transport, affordability, walkability, etc.
- But this does not always happen
- TOD is talked about a lot, but most of Denver that says its TOD is transit adjacent but not truly TOD
We need to look at how we are using land governance and zoning to allow for governance that allows for mutually beneficial zoning and uses

Heidi:

- Some of our mobility recommendations, we talk about decreasing auto dependence, but we don't emphasize increasing connectivity, and walkability, rollability, etc.
- We need more connectivity between those things
- The land use only addresses density and height, but not the amenities we need to put around it – and so we have an anxious trauma response around it

- The affordability overlay doesn't go far enough, especially for workforce, transit options, etc. in the west plan

Sean:

- I really like Jonathan's thinking, but I am stuck because I like density, but I don't want to upzone and have the increase in price
- Other parts of the city aren't upzoning, and I think other parts would have to make it work
- Increased density right now would come with the side effect of higher prices right now

Jonathan:

- A lot of what I struggle with, a lot of what we see here in terms of successes of preventing upzoning from increasing displacement is creating a buffer, but there is a limitation of what our plan can control
- I think the 2010 downzoning of the entire city was one of the worst decisions the city ever made
- We then reaffirmed that in Blueprint Denver, and made it worse by saying areas of stability, most of our high-cost neighborhoods, so that's the position we are coming from
- The ideal thing for us would be if the whole city upzoned evenly, but this all feels outside of what our West area can state
- We don't want to prevent ourselves getting nice things, but we also don't want to bear the brunt of all the new development
- So the one thing we can control in our neighborhood is ensuring that we don't do the thing of concentrating our upzoning in one segment, but instead broadly upzone
- In our future places we see 60% is no change – so we are doing the same thing that the whole city is doing by sequestering the upzoning to some areas of west
- If we want to see some change, let's make sure it's seen throughout the region, instead of just SV and other corridors
- That being said, CAN the west area plan comment on other areas of the city?
- I advocate for broadly softening the upzoning by bringing ALL areas up a but instead of a few areas up a LOT
- Can we redefine what low residential is?? So that it allows for some missing middle, this should be city wide

Courtland:

- Does not think we can change what the definition of residential low is
- If res low is too low, and the vision is for more throughout, we should explore what category is more appropriate
- If we change the definition of res low it will be too difficult to use

Kathy:

- How do residents stay in place when the upzoning exists?
- Future places needs to be viewed with the opportunity areas.,

Jonathan:

- @kathy I think that depends on the type of resident. If it's a renter, the only way to stay is if we have stability policies (like tenant protection, displacement compensation, right of return, rent control etc). If it's an owner, that depends on what would cause them to sell

Kathy:

- I know renters would be displaced, and the upzoning would cause the market to drive that displacement
- That is what I am concerned about bc it doesn't increase generational wealth if we have a lot of rentals and people we don't know
- I am looking for more generational wealth opportunities for people with modest income
- Its important to differentiate how these policies impact different neighborhoods
- We need to look deeper to see if there are pockets that want higher density like Barnum

Heidi:

- If the end of our block weren't so car intensive and were more multi modal, Colfax has not been able to address these issues, everything being built is so amenity focused, and we don't have anything there, so how do we encourage or require that?
- Along transit, the lot over at 10th and Knox that is SFH being removed, and those townhomes being built that are 700K , I don't know how . . . is this what we are defining as the missing middle?
- How do we make space for workforce housing?
- I would rather see efficiency units at the end of my block than luxury townhomes
- It doesn't matter if we have walkability if there is nowhere to walk to

Jonathan:

- The current zoning makes it really hard to have a corner store with apartments over it on Colfax
- Bc of parking minimums and setback requirements and height, it is impossible to build
- Our plan is trying to enhance access to walkable and commercial opportunities, but the recommendations in this plan to separate heights and uses make it harder for us to reach that
- I also want to understand Kathy's comment about displacement of property owners and renters
- The type of owner and reason they are being displaced impacts our recommendations
- There's the involuntary displacement like taxes are increasing and my income is fixed and I can't afford it
- Separately, there is voluntary displacement of people saying wow, my land is valuable, and I want that windfall
- If people want to move, they want to move, and that's fine
- But the former is a problem, and we need policies that allow lower income residents to defer the taxes on their home so that they can stay in place

Heidi:

I guess if it is market rate townhome in the front and affordable housing in the back.

Kathy:

- What I am talking about is existing zoning allowing for 2-3 stories and you are right against a SFH, we see it on Colfax, it gives the sense to that person that has a SFH not having the sun or access to open space bc they are intimidated by the higher zoning
- That ripple effect changes block to block
- The intimidation of the larger scale buildings pushes people out bc they don't want to live next to something like that

Jonathan:

- I do not think we should do anything about that, it is still leaving by choice
- I am talking about involuntary displacement where people literally cannot choose to leave

Chala:

- A lack of intimidation cannot create more affordability
- We do still need density
- Barnum is getting the easiest side of this with this plan
- I think homeowners can stay in place and develop their own properties with ADUs, and the rec talking about city wide policies for ADUs and WDRCs, that is an encouragement of keeping affordable rents bc they require 80% or below AMI tenant
- I am fine w density for the Barnum neighborhood
- Everyone I speak to locally is concerned about neighborhood change
- If we consider expanding along 1st and Knox, that could be good

Sean:

- In terms of displacing owners, my next door neighbor is thinking about taking an offer from the developer. In exchange for the sale, he wanted to get one of the developed triplex units. The numbers are close, lot worth 600K, triplex unit probably around 800K. I see that working or close, and adding some neighbors.
- Denver does have a program of fixing houses and allowing low income owner to not pay for fixes until time of sale.

Jonathan:

- That's interesting, Sean. Sounds a lot like a mini-version of Greece's polykatoikia, where a homeowner gives their land to a developer in return for one or more residences in a larger building that the developer builds on that land.
- Our even German baugruppen, where neighbors get together and collaboratively build and live in a multifamily building they design together

Heidi:

yes! Great! I think that those multi modal lanes, they need to be large enough to include motorized/electric vehicles to pass each other, and the trees, so the mobility plan is so important.

Elizabeth:

- Chala named the concern about neighborhood character and ADUs as a solution for this

- The missing middle question is there, and I keep repeating we need to be clear on what forms of housing we need to be prioritizing around missing middle
- I also personally suggest we call it something that is clearer . . . it is confusing bc the way people talk about missing middle is also the way people talk about housing for middle class. It doesn't refer to income or anything, just the form.
- It is important to recognize, in terms of neighborhood character, we need to talk about policies along with missing middle options, WDRC's programs are helping people to know what the range of options are
- Oftentimes people in these neighborhoods might choose to take the cash and move, but then they regret it when they get to the suburbs . . . it's a legacy of living in a redlined neighborhood, so we need to be careful when we talk about it as a free choice to move
- Can we think through the creative policy investments and creative placemaking strategies – what supports people in knowing that they belong and that they can afford to stay
- We need to think about cultural and civic infrastructure as land use too
- Speculative markets just erase the history of a place and make it a blank space for the next pioneer, and we need to be able to name that in land governance, we need to plan and design for things that help keep people in place (and know that free choice might not always be just free choice, there's more context than that)

Heidi:

- By viewing the opportunity areas and future place maps with an equity analysis the stability of having a sfd along with the adu. This encourages the current owner to live in place and has two units in reality and would state as intention verses the upzoning as a preference.

Sean:

- Ghetto has a stigma to it. But, originally considered a neighborhood with a minority group, and not derogatory. So, being considered a ghetto historically may not have been meant derogatorially.

Val:

- This is a great point Sean. In Latino/Mexican culture, we call neighborhoods "barrio" which meant community back in the day, but over time that has a negative stigma (ghetto/hood) so we use the more formal word "vecindario".

Elizabeth:

- "The name ghetto, probably derived from an iron foundry in the neighbourhood, was first used in Venice in 1516. In that year an area for Jewish settlement was set aside, shut off from the rest of the city, and provided with Christian watchmen. It became a model for ghettos in Italy."
- Also, in terms of the way we use words, I am pretty excited that this plan recognizes that "gentrification" is about gentry-ification; e.g. when people of a higher class status overtakes a neighborhood inhabited by people of a working or lower class status. Gentrification is never good from an equity perspective. Financial displacement -

displacement when a household simply does not have the financial means to stay and lose their home via eviction, foreclosure or "the writing on the wall" - is the most dire form, but there are other forms of displacement too.

- <https://westcolfaxlampstand.com/>

Chala:

- How does EHA apply to lower height starting points?

Heidi:

- And how do we push for more than the 10% affordability around transit? Not sure if the new laws are requiring more...can't remember.

Courtland:

- Chala, you're describing some aspects of the EHA that just took effect
- Councilwoman Keneech produced a video to help ppl understand it

Eugene:

- We can work to showcase how it would apply in places that's applicable
- Maybe we even include a graphic
- We also need to be careful about making this plan too time bound

Kathy:

- Along 10th ave the use of a complete streets with a use of bikeways along with a buffer to the sidewalk along with bus use makes the infrastructure work which could enhance the M14 recommendations.
- To support a more walkable scale of 10th ave the area has 2 elementary schools along this corridor and it is very important to have safe routes to schools. However the higher density has been showing across the city the lost of families with the higher density and the lost of students in local schools. Can we check with DPS where we are at in this regards as this impact our land use discussion.
- With higher density we are seeing a loss of families, and it impacting lower school enrollment rates

Elizabeth:

- That's big -and WDRC with Jennifer Newcomer is looking into that as well

Kathy:

- Can we get an environmental hazard map to see how that intersect with the industrial areas?
- Again, how can we use green zones to create more environmental justice within these communities.
- Elements of green zones include stricter regulation or enforcement, local improvement in land use decision making, support for greening local businesses, increased green spaces and green jobs and businesses. (Zoning practices -march 2021)

Jonathan:

- we could accomplish some of what Jeanne is describing in Sun Valley industrial zones by including recommendations along the lines of Elizabeth's previously-suggested performance zoning. or Japan's non-exclusive zoning, whereby we consider "maximum" uses based on negative impacts based on industry or use type
- <http://urbankchoze.blogspot.com/2014/04/japanese-zoning.html?m=1>

Jeanne:

- SVCC has written letters of support for epa to get federal brownfield study money so I would imagine they have a map to justify their request

Heidi:

- thanks so much everyone, this process is exactly what was needed in this process and I am really loving all the deep diving!

Eugene's notes:

Maximum Building Heights Mapping

- Jonathan Pira
 - Affordability, Involuntary Displacement, Safe Mobility, Jobs, Community Stability, Healthier QoL.
 - Focus on Policies that impact/correlate with the goals that we have for our neighborhoods, even if they're not allowable policies now (i.e., rent control, Telluride, etc.)
 - Rent Stabilization
 - Rental Registries, Tenant Protections "Bill of Rights"
 - What are we actually trying to get at? How do we get to those outcomes through policies and less on the specific regulations themselves.
 - Comment related to residential zoning limitations
 - Can we talk about the citywide changing SU zoning? Can the West Area Plan talk about redefining what Low Residential is/means?
 - Could we add a sub-category called "Low Residential - West" that then has a different definition of what is allowable in that sub-category.
- Kathy:
 - Missing Middle
 - Both and on connections to regulations in addition to aspirational policies and priorities.
 - Focusing on density should come with "the right conditions"
 - So, the plan should outline policies that support those "right conditions"
 - QoL Priorities and how the right conditions can be compelled
 - "Creative Developers" (Eugene: this isn't only up to developers, there's financiers/banking; another note: Changes coming as a result of our Green Building Code" to help move us closer to the community values)
 - Looking for Stability and Generational Wealth for working class and existing residents.

- Bound up with the industrial sections and what they are doing to Sun Valley and Valverde and their ability to develop Complete Streets
 - Eugene: So do we need to have complete industrial streets?
 - Eugene: doesn't Industrial Mixed Use offer residential and
- Expanding little pockets along first avenue that could be more compatible higher density along 1st avenue that then can help support infrastructure priorities, including bike facilities, transit facilities.
- Chala:
 - Speaking for Barnum, we are getting the "easiest end of this" since we have a lot of Low Residential that remains. Where we see absorbing density is through ADUs
 - L5: (Eugene: I think she's in support of this which is now going to be in effect)
 - People in Barnum are concerned with character change.
 - Expanding along 1st and Knox is great.
 - We would need strong mobility infrastructure in place along this corridor
 - Connections to the Elementary School and Library
 - How do we create affordable housing in Low-Medium to High-Medium? (EHA) How do we bring this in on the other levels of height?
- Heidi
 - Transit "Adjacent" Development...
 - L3 "sort of touches on it" ("but not the design elements I showed last week")
 - Prioritizing around walking, rolling, biking, connectivity as priorities - don't see the connection between the recommendation L3 and this (pedestrian) priorities (Eugene: does this mean we need to talk about DSGs?)
 - Comfort Bikeway on 14th Example discussed
 - Potential Solution: Developing graphics, images, diagrams, etc., that express the infrastructure needs that correspond to the amount of development anticipated, prioritizing pedestrians, bicyclists (where planned) and green infrastructure in concert to the amount of development.
 - Townhome Development at 10th and Knox being \$700K townhomes, why not something else like a mixed use apartment building? (Not sure if I captured that).
 - Also comment supported by Jonathan. Can't we have more mixed use outcomes with smaller units or affordability (and then parking requirements and all of the setbacks that impact buildable areas - small lots on Colfax issue - so how can this plan address this situation?)
 - Property Tax Deferments (until death) to help folks to stay in place.
- Elizabeth
 - Neighborhood Character and Home Repair Programs. A sense of place, supporting the sense of place/community character.

- Missing Middle and what does this contain? What housing types? Can we call it something else? (Eugene: Increased Housing Diversity? Is this better?)
 - More exposure to Programs (like those offered by WDRC?)
 - Home repair programs (for a sense of pride for emotional quality of life)
 - Can we call for more affordable housing around bike/multimodal/transit? Stuart Street Lofts? (Shared space on the roof, which we don't see (<https://westcolfaxlampstand.com/>))
 - Jewish community and intergenerational housing
- Jeanne
 - Park Space needs in Sun Valley.
 - Industrial Spaces: currently low level density (height, as she mentioned single story structures), wondering if some of that space couldn't be more mixed use or more density industrial areas. (Eugene: maybe we need to show more examples of what
 - More examples of what we are talking about in the industrial areas including all of the desired elements including green infrastructure, mobility, etc. All the pieces and parts contained and then broken down in the conceptual parts.