



Published by Denver City Councilman Charlie Brown

# The Email Express



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## Neighborhood meeting airs fears on proposed new zoning code



Thanks in part to redevelopment in the neighborhood, new students are flocking to Cory Elementary School located at 1550 South Steele Street. In the September edition of 5280 Denver's Magazine, Cory is recognized as one of "Denver's top schools."

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If the Oct. 1 meeting in the Cory-Merrill neighborhood is any indication, Denver planners will have a lot of work to do selling the years-in-the-making redo of the city zoning code.

The City Council and Denver citizens will get a look at the full proposed new code sometime this winter or next spring, after a process that began eight years ago with adoption of a new city comprehensive plan. Adoption of the Blueprint Denver land use and transportation plan followed in 2002, and a 15-member Zoning Code Task Force has been working since January 2005, studying the current zoning system and then starting to write a new zoning code that conforms with Blueprint and will replace Denver's 639-page, 1956 code.

Cory-Merrill has been on a noticeable up-

swing in recent years, with new residents moving into new homes, lots of kids and plenty of property improvements. Neighborhood residents don't want to mess with success, and they had concerns about what the new zoning code might do. About 95 percent of the neighborhood is zoned R-1, meaning only single-family homes are allowed. Most lots are about 50 by 125 feet.

"There were so many rumors that they wanted to hear from the city," said Councilman Charlie Brown, whose District 6 includes Cory-Merrill.

The invitation on the neighborhood's website ([www.corymerrill.org](http://www.corymerrill.org)) noted, "The [neighborhood association] board has expressed concern about some of the potential changes and how they will affect the uni-

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## Washington Park Boat House Public Meeting

**Where:** Washington Park Recreation Center, gymnasium

**When:** 6:30-8:30p.m. Wed. Oct. 22

**What:** Denver Parks and Recreation is pleased to announce that the Washington Park Boat House is slated to be repaired and improved with funding from the Better Denver Bond program voted upon by Denver residents last fall. The project will include a range of repairs and improvements to better serve the uses in and around the building. Site improvements are anticipated for improved accessibility and circulation. Suitable uses for the lower floor of the Boat House will be considered in this design process.

Please join in at the public meeting to share your thoughts or concerns about the Washington Park Boat House and site. The Department of Parks and Recreation and the design consultants Andres & Anderson—Architects and Mundus Bishop Design—Landscape Architects will present at the meeting.

### Meeting Purpose:

Overview history and uses of the building and summarize the historic assessment findings. Hear from residents about concerns and thoughts for the boat house and seek input on ideas for better use of the lower level and site as appropriate.

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form R-1 nature of Cory-Merrill - specifically how the proposed use of form-based building restrictions will be used.”

About 80 neighborhood residents turned out for the meeting at the Kirk of Bonnie Brae Community Center. Tyler Gibbs and Tina Axelrad of the city’s Community Planning and Development department were on hand to explain the process and field questions.



*Redevelopment in Cory-Merrill has attracted new families which in turn means new students attending their neighborhood school, Cory Elementary.*

It was clear that they had lots of work to do when Axelrad asked if members of the group had heard of Blueprint Denver and fewer than half a dozen people raised their hands, said Brown, who attended the meeting. “She didn’t ask how many had read it, but who had ever heard of it,” said Brown.

Residents expressed concerns about what the new zoning rules would mean for architectural style of homes, structure size and whether the new rules might mean, in effect, block-by-block zoning.

Blueprint Denver and the new zoning code will mean a change in philosophy about zoning. Blueprint sees the city in terms of Areas of Change, about 30 percent of the city where most new development is supposed to take place; and Areas of Stability, primarily residential areas where develop-

ment is supposed to be managed in a way that protects the existing “character” of neighborhoods.

The new zoning code is to be based on what planners call “context sensitive” zoning, which considers how new buildings fit into the look of an existing neighborhood.

That change of philosophy from traditional zoning, which is based primarily on how buildings are used, is both appealing to neighborhood activists that want to preserve their existing character but also worrisome to people who fear it will mean unreasonable limits on how they can use or improve their properties.

Brown says the city will have to do a major communications and sales job to residents and is worried that planning officials “don’t have a focused communications plan” yet.

Axelrad admitted at the meeting that we “need to expand our reach.”

The task will be daunting, given the extreme complexity of the issue. For example, the FAQ (frequently asked questions) document about the zoning code currently on the city’s website runs to 29 questions and 17 pages!

Reflecting on the meeting, Donald Tressler the association’s zoning chair summed things up this way, saying clearly the majority of those attending the October first meeting “do not want the new zoning code to substantially change the redevelopment that our Cory-Merrill neighborhood has been going through.”

For more information about the zoning code update, start at [www.denvergov.org/zoningsimplification](http://www.denvergov.org/zoningsimplification). Clicking the Q&A link in the grey box on the left is a good way to get started.

**“Residents have invested in our neighborhood based on many intrinsic values, one of which is single family residential zoning and another is the Cory-Merrill school campus. We are fortunate to be where we are and zoned as we are. Hopefully, those attractive and compelling elements will continue, and I see no reasons why they won’t.”**

**— Dave Robinson, president, Cory-Merrill Neighborhood Association**

# Duplexes part of the mix as the city grows

New duplexes have sprouted in many R-2 zoned Denver neighborhoods in recent years, making many residents glad and some others mad.

Many are not the modest duplexes built decades ago but larger, more architecturally sophisticated and environmentally friendly buildings such as those in many parts of south Denver.

Duplex fans argue that they provide relatively affordable housing, serve the Blueprint Denver goal of encouraging a mix of housing types while not significantly altering the density or stability of residential areas.

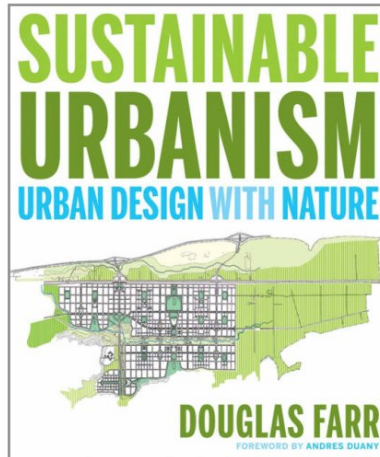
Some neighbors have a different view. They're concerned that building duplexes in mostly single-family neighborhoods adversely affects

neighborhood character and increases density by putting two families where only one used to live.

Anti-duplex fans-- often with the support of their council member-- have generated hostile downzoning efforts to keep duplexes out. Most real estate experts however believe R-2 to R-1 hostile downzonings will have a significant negative impact on real estate values in proposed downzone areas.

Planners claim that the new zoning code will ensure that duplexes fit visually into existing neighborhoods.

But the trend seems clear: Buyer interest, environmental concerns, economic factors and planning goals should bring more duplexes to many parts of the city.



*“Transit-oriented development is more than simply a project next to a transit station. It includes the neighborhood or district surrounding the station, compromising multiple development projects, a mix of use, a walkable network of streets, and design that supports urban living and transportation choice.”*

*Doug Farr is the author of Sustainable Urbanism: Urban Design With Nature (2007, Wiley Publishing, 256 pages). Farr has been hired as a consultant by the city to help in development of Denver’s new zoning code.*



Duplex located in University Park.



An East Washington Park duplex.

## Congratulations to University Park Elementary for being named to the “Top Ten Distinguished Schools” list

As part of the new Student Performance Framework (SPF) implemented by Denver Public Schools, University Park Elementary has been rated “distinguished”

along with ten other schools. The accreditation is based on “value added” performance where schools are evaluated by student growth performance throughout their education at that school.



Like Cory Elementary, University Park is another school benefiting from neighborhood redevelopment.

## District 6 scheduled to get school zone flashers

Denver’s Public Works department is moving forward with a three year program to install school zone flashers at 32 elementary schools that are located adjacent to arterial streets. The plan calls for 10 schools to get flashers this year and is currently 80% complete, 11 schools are scheduled in 2009, and 11 schools in 2010. Schools approved for the first year of installation are based on a weighted pedestrian crossing index.

Proposed installation for schools in Council District 6 include **Steele Elementary**, which is scheduled to receive two flashers this year, and **McMeen Elementary**, scheduled to have two flashers installed in 2010.



WASHINGTON PARK



# THE PROFILE

News of Central, South-Central and Near Southeast Denver Since 1978

## A Representative View: Brown Says, "Whoa!" To West Wash Park Downzone Plan

by Charlie Brown,  
District 6 City Councilman  
September 2008

In last month's "A Representative View," my colleague, Denver City Councilman Chris Nevitt, said that he would bring forward "a proposal to downzone a portion of West Washington Park." Councilman Nevitt recently visited my office to review his downzoning effort.

I appreciated his visit. Indeed, we must find ways to bridge the issues. I do not, however, support hostile downzonings like the City Council recently saw in Northwest Denver. I support the use of other tools we have – even under existing zoning – to preserve and support the many characteristics of our neighborhoods we all find so desirable.

This much is clear: Downzoning in Denver has momentum and opposed property owners must get involved.

For most citizens, the purchase of a home is the largest financial investment they will make. When real estate is purchased, we rely on zoning laws that give us specific rights as to what we can or can't do with that property. We also trust that our neighbors understand what the rules say we -- and they -- can and can't do with our properties. It should be with great reluctance that we change those rules. Those rules are zoning.

If your property is zoned R-2, and the land is 6,000 square feet or more, you can build a duplex. What part of R-2 zoning did some buyers not understand when they bought their property? This zoning has been on the books since the 1950s. If buyers and sellers lose confidence in the stability of zoning laws, there could be a very negative impact on the real estate market.

In order to respect, and more importantly, protect, property owners and property values, I encourage Councilman Nevitt to ensure there is truthful, non-biased, standard information on the zoning change so all property owners have a fair chance of understanding the issue and weighing in. The biased, anti-redevelopment rhetoric often used does not accurately portray the issue and does nothing but stir up emotion.

On April 29, 2008, City Council approved two ordinances that downzoned large areas of the West Highland and Sloan's Lake neighborhoods from R-2 to R-1, essentially limiting development to single-family homes. The emotional public hearing concluded at 3:20 a.m., one of the longest meetings in the history of the Denver City Council. More than half the speakers opposed downzoning.

All of us can learn some lessons from the bitter downzoning fight in Northwest Denver:

- Blueprint Denver, the generalized guide for development in the city, was adopted in 2002. It was never meant to be the final planning document, but a living document. It called for annual updates which have not happened. It never called for downzoning. It called for neighborhood plans. We must have a neighborhood plan before any wholesale zoning change – and that plan must support the change.
- When Blueprint Denver's guiding maps (which divided the city into "areas of change" and "areas of stability") were created eight years ago, gas was \$1.51 a gallon, "global climate change" was not on the radar screen and building "green" was virtually unknown. There is a huge demand for housing that meets today's environmental needs such as transit-oriented development. Reducing the opportunity for an appropriate mixture of densities in Denver's close-in neighborhoods by banning new duplexes is environmentally unwise and goes against the goals of Greenprint Denver.
- Change is inevitable and often desirable. Rezoning does not guarantee preservation of a neighborhood, can have unintended consequences, and can lead to future deterioration by choking off development and renewal.

Why is Councilman Nevitt rushing this rezoning through when the new zoning code language is due this fall? In the proposed zoning code update, I am told there is a proposal for several R-2 zoned areas to be rezoned to single family. We should wait for the zoning code update and look at the big picture all at once rather than rezone neighborhoods on a piecemeal basis.

The city also has hired Farr & Associates, a nationally recognized firm on sustainable building and planning, to conduct a sustainability review of all recommendations of the zoning code update. All large area rezonings -- including West Washington Park -- should go through these environmental reviews.

For all of the above reasons, I would encourage my friend Councilman Nevitt to table this separate proposal and wait for the zoning code task force to complete its job.

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