

## 40<sup>th</sup> and 40<sup>th</sup> Station Public Workshop Meeting Summary

The 40<sup>th</sup> and 40<sup>th</sup> Station Public Workshop was held **February 20<sup>th</sup>, 2007**. Sixty persons were in attendance. Evelyn Baker of the City and County of Denver provided opening remarks. GB Arrington of PB PlaceMaking provided an overview of Transit-Oriented Development. The full presentation is available on the City and County of Denver website ([www.denvergov.org/tod](http://www.denvergov.org/tod)).

Following the presentation, the Station Area Planning team fielded some questions from the audience. Following is a summary of the questions and answers:

*Q1: How will the streetcar extension connect to the 40<sup>th</sup> and 40<sup>th</sup> station?*

A1: Here's a map from the RTD FasTracks website. → The streetcar will continue up Welton and turn north at Downing and continue on to Blake. At Blake the streetcar will head north east to connect to the 40<sup>th</sup> and 40<sup>th</sup> station. (For more info, see <http://www.eastcorridor.com/alternatives.html#downing>)



*Q2: Is UP or BNSF participating in this station area planning workshop?*

A2: No representatives from UP or BNSF were present at the Feb. 20<sup>th</sup> public workshop.

*Q3: Can you provide more information about the “Major Urban Center” TOD Typology?*

A3: The Major Urban Center type is one of the eight TOD types described in the TOD Strategic Plan. It is important to note that the TOD typologies are intended to be a starting point for neighborhood discussions about the identity of the individual stations. Here's how the Major Urban Center type is described in the Strategic plan:

Desired Land Use Mix	Office, retail, residential, entertainment
Desired Housing Types	Multifamily and townhome
Commercial/ Employment Types	Employment emphasis, with more than 250,000 office & 50,000 sf retail
Proposed Scale	5 stories and above
Transit System Function	Sub-Regional destination. Some Park-n-ride, with district circulator, transit and express feeder bus.

(See <http://denvergov.org/TODStrategicPlan/tabid/395267/Default.aspx> to download a copy of the TOD Strategic Plan

*Q4: If the station area plan results in rezoning, how will existing nonconforming uses be addressed? Will nonconforming uses be required to relocate?*

A4: This station area plan will not, in itself, change zoning. A station area plan may, however, make recommendations for changes in zoning.

Rezoning within the station area (i.e. the area within approximately ½ mile of the new transit station) has the potential to create some nonconforming uses.

Nonconforming uses are uses that are no longer uses by right in the new zone district. This means that the uses can continue to exist and operate, provided that the use is not changed or abandoned and further provided the structure in which the use is maintained is not destroyed, damaged or found to be substandard.

Abandoning a non-conforming use means that the structure is vacant for 12 successive calendar months.

Rezoning may also make many structures non-conforming structures.

Nonconforming structures may remain in place and may even be modified, provided the modification does not in any way increase their non-conformity. If a nonconforming structure is accidentally damaged, becomes substandard or is voluntarily demolished, the replacement structure must be built in conformity with the regulations of the new zoning district.

Thus all uses and structures legally existing within the station area will be able to continue in operation in their current form indefinitely, regardless of any possible rezoning. New construction would have to comply with any new zoning district regulations.

If you have a specific question on a specific property it is best to bring your question (with as much documentation as you have) to the zoning counter to determine exactly what you can or can not do on your property, or contact 720-865-3000.

For more info, see the fact sheet on nonconforming uses and structures.

[www.denvergov.com/HomePage/TODFAQs/tabid/426271/Default.aspx](http://www.denvergov.com/HomePage/TODFAQs/tabid/426271/Default.aspx)

*Q5: How many commuter rail cars are expected to be serviced/housed on a daily basis at the 36<sup>th</sup> Street yard commuter rail maintenance facility?*

A5: We do not yet have a good estimate for the number of commuter rail cars that will be housed/serviced at the maintenance facility. As more details become available through the various corridor planning efforts, RTD will be able to get a better idea of the number of rail cars that will use the 36<sup>th</sup> yard facility, and will provide this information once it is available.

*Q6: Won't dense housing near the station draw water resources away from the farmers outside of Denver?*

A6: There is no arguing that more people will need more water. Indeed, by 2020, the Denver Regional Council of Governments (DRCOG) anticipates that the population of Denver will increase by over 130,000 more people. Growth is inevitable. Given the need to plan for this growth, the question becomes: how can this growth be accommodated to limit negative impacts on our limited water resources and other environmental issues?

The United States Environmental Protection Agency recently completed a study that showed that higher densities may better protect water quality. Denser developments consume less land than lower density developments. Consuming less land means creating less impervious cover in the watershed. The EPA believes that increasing development densities is one strategy communities can use to minimize regional water quality impacts. (For the full EPA report, see [http://www.epa.gov/smartgrowth/pdf/protect\\_water\\_higher\\_density.pdf](http://www.epa.gov/smartgrowth/pdf/protect_water_higher_density.pdf) )

Focusing new development within existing urbanized areas – rather than building further out along the outer edges of the region – is another important strategy for preserving natural resources and reducing the environmental impacts of growth.

*Q7: What about eminent domain? Do you anticipate using this redevelopment tool to help implement the station area plan?*

A7: The City currently has no plans to employ eminent domain as part of the implementation of this station area plan. Separate from the City, RTD may use eminent domain to acquire land for transit needs (i.e., parking, bus operations, rail operations, etc.) for FasTracks projects, but RTD will not be acquiring land separately for development purposes. There may be instances, due to the size and configuration of land parcels, when remnant pieces of land acquired for transit purposes would be sold or leased for development purposes.

Q8: Does the City envision that this station area plan will increase our property taxes?

A9: It is possible that zoning changes may follow as a recommendation of the station area plan. New zoning will encourage new development and reinvestment in the station area which may, in turn, increase the value of your property. As property taxes are determined based partly on the value of your property, yes, it is possible that your property taxes may be increased. In many instances property owners consider the increased value of their property to be a positive result.

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After the Q&A period, the attendees were then divided into small groups with a facilitator and note-taker at each table. The following summarizes the notes from each presentation:

### Group #1

- Need neighborhood retail (retail along Brighton Blvd, surround park-n-Ride with retail).
- Affordable housing.
- Maintain existing housing stock.
- New parks (within TOFC site).
- Build row houses along 40th Avenue.
- Activities for youth:
  - Indoor playground
  - Entertainment (books, jazz, theater, skate park)
- Need a Laundromat.
- Better Connections to I-70.
- Free streetcar, shuttle/circulator connecting the neighborhood.
- Create pedestrian connections into the Cole neighborhood.

### Group #2

- Focus efforts on the core area around the station(s) and the connections to and from. Foster redevelopment in this area.
- What is the “big idea”? What will make this place “special”? It needs something big!
- Create a park and/or green area at or near the station.
- Create a new civic use at or near the station. Library? Amphitheater?
- Improve both Brighton Boulevard and 38th. Add street trees and streetscaping.
- Connect area to the South Platte River “greenway” – especially important for bikes.
- Improve area for pedestrians, bicyclists, and bus transit users.
- Redevelop the UP rail yard site.
- Buffer/screen the proposed maintenance facility.
- Preserve the job generating characteristics of the NE quadrant (around Purina).
- Create a “new connection(s)” north of but parallel to 38<sup>th</sup> across the tracks.



- Strengthen the “gateway” function of the intersection if 38<sup>th</sup> and Brighton (and new intersection if parallel route is created). Add new retail and/or mixed-use. Make sure it announces the presence of the transit stations.
- Improve connections of SE neighborhood to the N. Ballpark area.

### Group #3

- Brighton St. is envisioned as a Mixed-Use development with an emphasis to retail/office uses.
- Blake is envisioned to be more of a Mixed-Use development with an emphasis on retail/residential. Higher density around station (up to 20+ stories).
- South of Walnut needs more commercial services (big box potentially)
- Pedestrian improvements along 38<sup>th</sup> are critical. It is the only North-South connection across the tracks near the station.
- Pedestrian and vehicular connectivity needs to be resolved on 40<sup>th</sup>, 38<sup>th</sup>, Blake and Walnut. Streetscape improvements and safety issues should be addressed.
- Bike/Pedestrian path along South Platte River and near the future streetcar on Downing need to connect services and neighborhoods.
- Existing path along river needs better connection to major destination points (future stations, entertainment district/coliseum, schools and parks).
- Safety issues near station and bike/pedestrian path need to be addressed.
- River is an amenity and needs to be maintained and activated.
- Cole neighborhood is underserved by retail, schools, and parks. Future improvements need to address these issues.
- New development projects on 40<sup>th</sup> and Colorado Boulevard could tie into this neighborhood.



### Group #4

- Improve 38<sup>th</sup> Street/Railroad Intersection.
- Create a pedestrian linkage along 38<sup>th</sup> Street to connect the station area with the greenway and South Platte River.
- Redevelop the TOFC site with:
  - Affordable housing



- Live/Work
- Employment
- Mixed-Use along 40<sup>th</sup>
- Functional Green Space
- Extend green space east through the TOFC site and north on York/Josephine to connect Elyria Swansea.
- Extend Retail south along Franklin.
- Focus retail around the station area.
- Create a street grid south of the station.
- Create gateways at key intersections around the station.

### Group #5

- Connect area to the South Platte River “greenway”.
- Improve dangerous condition (for pedestrians, cars, and bikes) at “curve” where 40<sup>th</sup> meets Downing (near proposed station).
- Create new street and/or connection(s) between SE neighborhood and proposed station (would be parallel to 38<sup>th</sup> and sneak between existing industrial buildings).
- Expand recreation center at St Charles Place Park.
- Build a Bike route on 40<sup>th</sup> Street.
- Create a “green connection” to Globeville Landing Park.
- Take advantage of mountain views to the west.

### Group #6

- Create Neighborhood connections to station.
- Preserve mountain views.
- Expand recreation center.
- Open space connection across tracks.
- 40<sup>th</sup> street needs to be a safer street for pedestrians.
- Improve connections to schools.
- Improve safety of bicycle/pedestrian path along South Platte River.



### Next Steps

A second Public Workshop for the 40<sup>th</sup> and 40<sup>th</sup> Station will be held the week of May 21<sup>st</sup>. Check the City and County of Denver TOD page of the website ([www.denvergov.org/tod](http://www.denvergov.org/tod)) regularly for additional details, or contact Evelyn Baker ([evelyn.baker@ci.denver.co.us](mailto:evelyn.baker@ci.denver.co.us) 720-865-2932) and ask to be placed on the mailing list for future meeting notices.