MEMORANDUM

TO: Stacie Gilmore
President, Denver City Council

CC: Tracy Huggins, Executive Director, Denver Urban Renewal Authority

FROM: Curt Upton, Planning and Implementation Manager
Community Planning and Development

DATE: June 20, 2022

RE: 3015 East Colfax Urban Redevelopment Plan

The Denver Planning Board was presented the 3015 East Colfax Urban Redevelopment Plan ("Plan") for review and recommendation as to its conformity with the Denver Comprehensive Plan 2040 on May 4, 2022. The Board received the Plan, the Community Planning & Development ("CPD") Staff Report and Recommendation (attached) and an informational briefing by the staff of the Denver Urban Renewal Authority. The Staff Report included a recommendation that the Planning Board find the proposed 3015 East Colfax Urban Redevelopment Plan to be in conformance with the Denver Comprehensive Plan and its applicable supplements, pursuant to C.R.S. § 31-25-107(2).

Following the staff report and briefings, the Board heard testimony from four individuals regarding the Plan. One individual spoke in support of the Plan, noting its potential to provide a spark to the Greektown business district and anchor this section of Colfax. He also stated a local hotel will be a resource for the nearby hospital as well as the neighborhood. Three individuals spoke in opposition to the Plan, concerned about the displacement of the current occupants of the motel and their desire to see more affordable housing along Colfax. In addition to the testimony, the Board also received six letters of support and one letter of opposition to the Plan.

When testimony was complete, the five members of the Board present for the meeting and constituting a quorum each spoke to the question before them of finding the proposed Plan to be in conformance with Plan 2040. The first member recognized the purview of the Board is to answer the question of meeting Plan 2040 objectives, while also recognizing the project will impact the naturally occurring affordable housing the motel currently provides. He commented the impact of the loss of housing is not the charge of the Board and believes the City has other tools to retain housing. The next member spoke to the uniqueness of Colfax, recognizing the mix of incomes along the corridor, including those who are vulnerable to displacement. She noted that a charge of the Board is to flag those circumstances that would increase this vulnerability and by choosing to use a tactic of displacement to support the elimination of blight through delivery of a hotel does not seem congruent across the objectives of Plan 2040. The third member concurred with the first member that the narrow boundaries of the question before the Board could only be answered with a yes, the urban redevelopment plan meets the guidance of

Plan 2040. He noted the Board is not being asked to prove the negative that if nothing were to happen on the site it would not have an impact on the housing the current use provides. The fourth member, who noted her extensive work on the East Area Plan and also on the East Central Area Plan, commented that these plans do call for affordable housing and also call for support to keep the interesting parts of Colfax and make it more vibrant with an overarching goal of making the corridor more vibrant. She noted the job creation the project would provide and concurred the Plan was in conformance with Plan 2040. The final member observed the historic use of the property was a motel and the most straightforward re-use would be a hotel, which is the use the private owner is pursuing. He summarized the testimony, specifically from those who opposed the project, as "wishing something else was happening with the property and wishing the City had bought the property for permanent supportive housing". However, the City did not purchase the property and the owner has opted to pursue redevelopment as a hotel. He stated he did not feel it fair to evaluate the criteria for meeting conformance with Plan 2040 and its supplements through the lens of "I wish somebody else owned it and they had a different goal in mind". The owner owns it and wants to do somethings very reasonable within the Plans. He also noted the City and the neighbors, based on the letters of support received, want to see a change on this site and acknowledged the efforts being made to assist the current occupants. He concluded by saying he must set aside the "I wish" issues and answer if the project would implement what the Plans call for and he believed the answer is clearly yes.

The conversation among the Board continued with the first member expressing it seems punitive and problematic to suggest to an owner that since you've allowed the continued use of the site as housing, you can't stop. If this position is taken there is the potential it disincentivizes private property owners to participate in the provision of housing on a short-term basis. If private owners are punished for doing something in the short term with an expectation of continued use, they likely won't participate at all and buildings will be left vacant.

The second member again reiterated her concerns with the displacement of the current occupants stating redevelopment always means getting rid of the people there and bringing in other people that aren't in the community, and frequently don't even live in the City in order to make an area vibrant. She expressed that is displacement and gentrification, which is not consistent with Plan 2040 therefore she will not support the finding.

All members of the Board agreed that each comment made was valid and an important component of the evaluation. Once all discussion was completed, a motion was made and seconded to find the 3015 East Colfax Urban Redevelopment Plan to be in conformance with Plan 2040 and its adopted supplements. The vote was 4-1.

The by-laws of the Planning Board require all actions of the Board must be taken by the concurring vote of the majority of the members present, or five (5) votes, whichever is greater. As the Board was unable to pass the motion to find the Plan to be in conformance with the Plan 2040 due to not meeting the required concurring votes, this matter has been forwarded to the City Council as "Planning Board provides no recommendation on this matter".

As this outcome is not usually encountered, the Board instructed the CPD staff to prepare this report to document the discussion and outcome of the matter.