

March 10, 2008

DOWNTOWN BOULDER INC.
BOARD OF DIRECTORS POLICY POSITION

GOALS

1. Invite public participation to assist in halting any immediate City Council legislation or temporary measures regarding neighborhood and downtown density reductions, floor area ratios and residential bonuses.
2. Propose a more open, fast track process to assess problem areas, collect reliable hard data and obtain expert assistance to determine long-termed, well-considered solutions.
3. Address the immediacy of the issue without taking positions and gain seats at the decision table for those who would be affected.

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The heart of our community is Downtown Boulder. This is where, in some 40 square blocks and in over 3,000,000 square feet, people find churches, offices, services, banks, stores, restaurants, hotels, institutions, events, celebrations, farmer's markets, civic buildings and homes.

People love Downtown Boulder because it reflects our community values so well. Maintaining this very urban, yet very real, city center as a vibrant and successful place has evolved into a proven, collaborative union of city leaders, staff, and the front line efforts of hundreds of business and property owners and community leaders.

Economic success in downtown is essential in order to provide programs and events that further our community's cultural and social values. Any alteration to the economic balance of our free enterprise equation at national, regional or local levels can directly impact our city and downtown's financial health. It took the Pearl Street Mall ten years to correct the economic decline that resulted from the construction of Crossroads Mall. The shopping center that replaced Crossroads, Twenty Ninth Street, has just this year returned to the sales tax levels of 1999. The City's own Blue Ribbon Commission has predicted huge problems in providing desired services over the near term.

It is with this knowledge of precedents and the added pressure of a looming national recession that we are concerned as we hear of Council initiatives that may negatively affect the economics of downtown and all its surrounding residential neighborhoods. As we interpret them, these initiatives run counter to the spirit of the past five years' implementation of Resolution 922 whose goal was to add mixed uses and more housing. Then-Mayor Will Toor said, "If there is any place that makes sense for denser development, it is the Downtown, and the area in question is across the street at One Boulder Plaza, which is a beautiful example of a higher FAR mixed use project."

Now, Council members are being urged by a fellow colleague to, "...be daring and get on with it", in respect to "...house sizes, density bonuses/variances, exclusionary zoning/fees-in-lieu, tree preservation, minimum density zoning, etc. – to be dealt with quickly – at least with interim ordinances/regs." Our concern is that this action is being considered deliberately as a way of "short-cutting the normal processes." "Emergency" measures based on anecdotal information seem too far reaching and may prove careless when the (always likely) unintended outcomes ensue.

Downtown's residential neighborhoods are vital to the well being of this city. The Newlands neighborhood is the most vibrant it has been in decades as smaller homes are purchased and remodeled in larger, market responsive residences for families and children. Enrollment at neighborhood schools is climbing and at Halloween, the Downtown and its neighborhoods are teeming with children again.

We are concerned that any devaluation of property through down zoning and floor area ratios could bring more harm than benefit. We are also concerned that many of Boulder's long time residents that were planning to fund their retirement from the sale of their home are not aware that such actions could significantly diminish the resale value of their property.

There are surely simpler tools to manage the worst offenders in concerned neighborhoods. Mandatory design review and compliance over agreed upon thresholds might apply. This does not need to be a prolonged process, and there is no need to put a "stop" on home additions, engendering huge community divisiveness.

In the Downtown core, it has taken about seven years to cultivate a new type of urban living above commercial space. This cultivation has resulted in the construction of about 30 condominium units a year for a total of about 200 to date. We now have upper-story residences east, west, south and north of the Downtown core and this development has created a more diverse, walkable area. Most of these homeowners add footfalls and eyeballs to our streets. They dine, shop, work and live downtown. They commute less and help animate our city in the tradition of many charming cities, nationally and abroad. Only a relatively few – perhaps a dozen – are owned as second homes and consequently are not occupied year round. In many of the residences, the owner does not live there but rents the unit to full time residents.

High land and construction costs warrant higher priced quality homes for these urban, high-density appropriate zones. This pattern is present in all urban redevelopment, from Portland, to St. Petersburg. The added expense of these downtown residential buildings in Boulder has been offset by an additional .5 density bonus that is currently being considered for suspension, further restriction or withdrawal. Any of these actions without a deliberative discussion would introduce uncertainty, devalue properties, curtail new retail and services, and eyes on the street at a time we have begun to feel some fresh momentum in the Downtown.

We seem to be revisiting lessons we have already learned. In 1996, prompted by outrage and controversy over interim measures in the RBX (interface) zones,

the Downtown Alliance commenced a very successful process to agree upon the Downtown's historic qualities, infrastructure, FAR bonuses, and neighborhood relationships. In less than a year, widely agreed upon recommendations were incorporated in the Land Use Regulations. The report concluded: "after 17,000 people hours of work, we believe a blueprint for the next 20 years will allow the heart of our City to remain economically viable." In 2001, conditional height provisions were made discretionary. Design review practices have continued to evolve. It is clear that the system has worked, and is working, without the City Council's need to intervene.

These down zoning and density changes are too important to rush. The economic and cultural vitality of our city neighborhoods and downtown are at stake.

The Downtown Boulder Incorporated Board of Directors respectfully requests a:

1. A fast-track process that is less "daring" and more participatory.
2. Those of us who might be affected – citizens, neighborhood groups, property and homeowners want a seat at the decision table.
3. A process that starts with our collective values, obtains expert counsel, defines clearly the problem and then proceeds to reasonable solutions.

By unanimous agreement,

Downtown Boulder Incorporated Board of Directors
March 10, 2008

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