

**Meeting Minutes –
Proposed Redevelopment of
Watson’s Memorial Property 365 S. Quebec St.
Winston Downs Community Association
February 20, 2018**

Overview: On February 20, 2018, the Winston Downs Community Association convened a public meeting to discuss the proposed redevelopment of the former Watson’s Memorial site. The meeting objectives were to provide an opportunity for residents to learn about the proposed business and give WDCA an opportunity to get feedback on concerns about potential risks and benefits of the proposed project.

In all, 21 Winston Downs residents were in attendance. John Moutzouris, co-owner of the former Watson’s property along with his brother Ted Moutzouris, described their history of ownership of the parcel, how they came up with the idea for the proposed business, and provided details about the business proposal. Then the WDCA facilitated a Q&A session with the property owners and solicited feedback from residents on the idea.

What is being proposed: The current project concept involves building a one-story vehicle storage facility. The facility would be surrounded by a proposed 8.5-foot fence facing Alameda and Quebec and the surrounding parcel would be landscaped. The developers would seek permission to install a 10 foot fence facing the residential neighbors, to be consistent with other fencing around the back of the parcel. The fence would for the most part hide the vehicle storage facility itself from the ground, but not from the second story for neighboring houses. There would be LED lighting that would be low (i.e., not high on poles).

Access to the facility would be provided by keypad. There would be one entrance and one exit to the facility, both from the Quebec side of the parcel. The current conceptual design would permit one vehicle to entirely pull off Quebec to enter the security code for access to the facility. Access to the facility would be limited to a right turn in and egress to a right turn out onto Quebec. Vehicle owners would enter the facility, back the stored vehicle out of the container, then pull the vehicle they came in into the storage container while they used the stored vehicle. No detailed traffic impact study has been done.

The vehicle storage units themselves would be made from approximately 70 shipping containers that would be vented to permit airflow inside the containers. The current operations plan does not permit washing or working on automobiles on the site. There would not be electrical service to individual storage containers. The developers would seek to require that cars would have to be drivable to use storage facility as part of their lease with tenants.

Current status of the project: The project would require rezoning of the parcel from its current single family residential use. The Moutzouris brothers met with Denver Zoning to do a preliminary review of the project. There are a limited number of possible zoning designations that would accommodate. Denver Zoning officials suggested that two possible zoning designations that could permit a mini-storage facility include S-CC-3 and S-CC-5 (S= suburban and CC stands for Commercial Corridor). Applicable use limitations under this zoning

designation are governed by [Article 11 Section 5.23 of Denver Zoning code](#), which limits use to “assembling or standing of operable vehicles having a capacity of not more than one and one-half tons”. Building heights are limited to 3 stories under S-CC-3 and five stories under S-CC-5 zoning designations. The City and County of Denver provides guidance as to what constitute a [Commercial Corridor](#) in review criteria Q&A documents.

There has been no zoning change application submitted to Denver Zoning at this time. Any zoning change would require approval by Denver Planning Board, followed by a hearing before City Council in a process that typically takes between 4 and 6 months once an application has been submitted.

Support for the project: There was some support for the project, primarily as a potentially viable use proposal, which has not seen any productive use since the former owners of the Watson’s Memorial vacated the parcel. The advantages that residents cite include:

- Cleans up parcel in the near-term (2019-2020 timeframe)
- Eliminates existing drag on property values due to disuse of property and related issues (vermin, graffiti)
- Proposed use hides commercial operation from pedestrian and passing traffic
- Landscaping that, at least in the conceptual design, includes lawn, perennials and trees
- A “least objectionable” option compared to others considered over many years for the parcel
- Provides a use that could limit light impacts on neighbors and probably contributes less than many retail or multi-residential uses to traffic on Alameda and Quebec intersection

Concerns and comments on project: The following summarizes key concerns and comments¹ regarding the proposed development, not listed in terms of importance:

- Use not consistent with current zoning and character of neighborhood
- Rezoning could create unwanted precedent for future changes in use*
- Proposed use is not “highest and best” use for the property*
- Possible noise during car pickup/car swap
- Could provide “hiding” spot for criminal activity
- Residential use is the only acceptable use for the parcel, located in this neighborhood
- Concerns regarding noise and spillover traffic into neighborhood via Virginia and Exposition from traffic exiting the property
- Risks property value losses for neighboring and nearby homeowners (this risk must be balanced against ongoing drag due to being located next to parcel that is in disuse)
- Rules that would need to be in place include but are not limited to:
 - Dusk-dawn operation
 - Operable vehicles only
 - No working or washing vehicles on-site
 - Mature landscaping at beginning, well maintained

¹ Note that some concerns were raised not during the meeting, but via email responses to a call for community input. These are marked with an “*” in the text.

- Sound mitigation either through appropriate choice of fencing materials or other means
 - Fire suppression plan must be explicit
 - Stormwater plan and potential for environmental contamination
 - Frequency and scope for landscaping and fence maintenance
- While a “good neighbor” agreement could be put in place to ensure compliance with rules, there’s concerns about enforceability
 - Would this agreement persist if property changes hands?
 - Need to make sure that any agreement stays with property
 - What stops owners from getting property rezoned and flipping it to another developer?
 - New zoning may allow other uses that we cannot anticipate
- Possible legal issues with vehicle repossession
- No fire suppression system planned
- Significant concern about “novel” business plan with many basic questions
 - What is the total investment required?
 - How were the revenue projections derived and are they realistic?
 - What is the estimated payback for the project?
 - What is the “exit” strategy if things do not work out as planned?
 - What amenities/rules get cut out if pro forma is not accurate?
- Concerns exist regarding impacts of development on drainage – current plan is for stormwater to be directed towards Quebec
- What other possible uses would residents consider
 - Innovative residential (e.g., tiny homes)
 - Other residential (requires alley access to/from Alameda) – many examples of failures in close proximity
 - Medical office, hospice or other use consistent with neighborhood – limited traffic, noise impacts

Key takeaways:

- Concerns regarding the business plan for the enterprise are a significant hurdle for the proposed business
 - If the business fails, how will the property be rehabilitated for another use and what would that use be?
 - Would the proposed use further degrade property value (soil contamination, abandoned storage containers, etc.)?
 - If the project simply does not perform financially as expected, will property maintenance suffer or will the operation change significantly (e.g., permit operating hours or activities that are not compatible with the neighborhood use)
- Stipulations would need to be added to any proposed rezoning that would meet resident concerns
- Identifying which stipulations for rezoning that would allow the proposed business to move forward and address resident concerns regarding current and potential future uses of the property is crucial to preventing this from being a problem for neighborhood
- Understanding the legal enforceability of those stipulations is also critical – what efforts would be required to fight any violations and what resources would that require?

- Several residents are strongly opposed to this development for reasons mentioned above and others (maintaining residential character of neighborhood, livability)
- However, this option at least holds some promise of financial viability – even though the details are not all available. Better in some ways to have a near-term option that has some drawbacks to holding out for years for something that will never materialize
- Moutzouris family has a long-standing presence in the neighborhood so they have a real stake in making a project work - we will have input on what happens. But this is one among several ventures they are pursuing and there's not a lot of immediate pressure to move on a project
- Another developer may have more resources to pursue a more ambitious project, but will probably not have the connectivity to the neighborhood and we may need to fight for input – especially in the case of a multi-unit residential project

Possible next steps for discussion by Board: At a minimum, the Board should consider:

- Developing a list of additional information needed for the Board to request from the parcel owners. For example
 - Business plan and marketing strategy for project
- Possible Board decisions – needs to reflect will of the residents rather than
 - Decide to support project with stipulations addressing key concerns of residents – keeping in mind that the stipulations themselves could effectively
 - Decide to oppose project
 - Take no action
- Development of stipulations in response to any rezoning request with review by a qualified attorney to assess their enforceability
- Draft testimony before any rezoning hearing
- Publicize hearing times/locations for residents