

**Winston Downs Community Association
Meeting Minutes
November 16, 2021 7:00PM to 8:30PM**

Attendees: 52 attendees in all

WDCA Board members: Jane Lorimer, Joanna Milewski, Margot Gilbert Frank, Tim Rooney, Marsha Badanes and Brandon Harrelson, Jacquie Marks

Residents: 48 in all (see attached sign-in sheet for partial list. Not all attendees signed in)

Guest speaker: Eric Shafran with The Denver Kehillah

Representatives of the City and County of Denver:

Logan Frye, Sr. Aide to Councilwoman Sawyer, District 5

Tina Axelrad, City Planning & Development Zoning Administrator

Richard Cannone, Deputy Zoning Administrator

- Sign-in sheet distributed to attendees
- Meeting called to order at approximately 7:05 PM
 - Jane Lorimer, board president, noted that the meeting was not recorded, but notes on the question-and-answer session related to the presentation by Eric Shafran were to be taken.
 - Jane reminded attendees to be respectful and maintain meeting decorum
- **Minutes** – Margot moved to approve the minutes from the October 19, 2021 WDCA Board meeting. Marsha seconded and the motion was approved unanimously.
- **Membership** -- Joanna Milewski, Treasurer/Membership Chair noted that there are currently 182 member households (out of 550 total in the WDCA service area)
- **Guest Speaker**– Jane introduced guest speaker prefaced by an introduction of the Winston Downs neighborhood providing context for the discussion and a description of the active Change of Use permits
 - Single family zoning throughout Winston Downs with exception of two businesses (Auto Body & small gas station); BMH Synagogue, and The Denver Green School for Early Childhood Education age 4 through 8th grade.
 - There are two active change of use permits (changing a single-family status to religious assembly use) in the neighborhood currently: 440 S Monaco St Parkway and 333 S Oneida Way. One future pending: Original Farmhouse at 6550 E Dakota Ave.
 - Jane introduced guest speaker Eric Shafran, representative of the synagogue which currently has a change of use permit for the property at 333 S Oneida Way and recognized City zoning representatives who attended to answer questions as well.
- **Presentation by Eric Shafran** – Eric Shafran is a member of the board of directors of the Denver Kehillah, a synagogue which has leased the property at 333 S Oneida Way and is in the process of applying for a Change of Use to permit the property to be used for religious assembly.
- Some key pieces of information shared during the presentation includes the following:

- The new synagogue, the Denver Kehillah, has about 60 families (40 – 60 adults, 20 – 40 children) and two part-time Rabbis,
 - Eight of the families reside within Winston Downs, with other families based in Lowry, Hilltop and South Hilltop
 - The synagogue is hoping for some future growth in membership
 - The synagogue has a board of directors and is pursuing nonprofit (501c3) status
 - Two of their primary site selection criteria for the synagogue were
 - Location needs to be within walking distance for families
 - Proximity to Jewish communal infrastructure
 - Churches/synagogues are communal spaces and are often located in residential neighborhoods
 - 333 S Oneida Way is foundation owned (Shana Glassman Foundation) and in the middle of the community
 - Denver Kehillah leased the property with an option to buy
 - Denver Kehillah is planning to start with Saturday services but plans to move towards holding daily services (twice daily in the morning and evening).
 - For Saturday services, families will walk to services with estimated typical attendance of about 30 to 40 people. High holiday attendance (three times per year) could exceed 100 people. One number mentioned in discussion was 170 people.
 - No music or amplification is allowed on Saturday services.
 - For daily services, families can drive to services. Estimated attendance for daily services is 10 to 20 people for morning and evening services.
 - The synagogue may also rent the space out for events such as weddings or bat mitzvahs at which amplification and music may be permitted.
 - Curfew of 11PM provided for in Zoning code
 - Zoning code requires that religious facilities maintain 0.5 parking spaces per every 1000 square feet of gross floor area (GFA), or two spaces for this property
 - The synagogue and owners have restored grass, vegetation, interior renovations and HVAC
 - The synagogue has hired an architect to assess what they can do with the structure and property. They may build onto the existing property and would try to maintain the existing building façade but they cannot make any promises about that without better information from the architect and a better understanding of their needs
 - Eric Shafran acknowledged that they made initial mistakes in their planning related to the construction of the deck and planned tent facility, which was in violation of building codes. He asserts that these were simple mistakes based on a lack of understanding of their requirements and that they were relying on information provided by a contractor, who is no longer employed by them.
 - Eric Shafran promised to be open and continue to communicate with the community as they move forward with their application and property improvements
- **Question and answer session**– A Q&A session with Eric Shafran surfaced a number of comments and concerns. Note that this is not a transcription of comments, but instead is edited to reduce repetition and focus on main points by meeting attendees:
- There is an atmosphere of mistrust regarding statements and promises made by representatives of Denver Kehillah following the initial development efforts

- Neighbors are concerned about privacy, noise and property value impacts of this development
 - Neighbors noted that the traffic and parking impacts that the facility would cause are significant in this neighborhood
 - Pedestrian safety is a concern, with several people noting that this could result in an increase in pedestrian traffic with limited availability of sidewalks
 - What will synagogue do to foster relationship with the neighborhood? Open to Good Neighbor Agreement (GNA) with WDCA
 - One attendee shared their experience of starting a school in an old church – had similar process and had great experience esp. with the GNA.
 - Another attendee cited their experience with Chabad House, which has a similar model with a few cars. They don't believe the development will change number of pedestrians overall. Synagogue attendees will be walking somewhere even if the facility is not sited here.
 - Long-term resident – new foundation ownership improved property and they vouched for character of the people involved
 - What will end up with deck in back of house – synagogue will probably tear it out because they cannot hold outside services
 - Observation that we have least expensive neighborhood in the area – other neighboring areas don't have these issues because they wouldn't let it happen
- Tina Axlerad at Denver Community Planning & Development distributed excerpts from zoning that include definitions for religious assembly and also took questions:
 - Zoning is about the type of land use not people that use the land –
 - Religious assembly use permitted anywhere
 - Other codes also need to be complied with
 - No spacing or density requirements in terms of number of synagogues that can be accommodated in a given area
 - How large a structure could be built on this 27,500 square foot lot? In broad terms, a structure with a maximum height of 30 to 35 feet with a minimum setback of 10 feet from the edge of the lot on the sides and a 20-foot setback from the front.
 - What are parking requirements for the synagogue? Two spaces are required but there is no maximum amount of parking for the lot
 - Zoning does not establish occupancy limits. That is determined by other code requirements (e.g., fire)
 - Overall, the change of use to another one permitted by the zoning code is an administrative decision. Follow the rules and you can change your use
 - Applicant works directly with the city, and the city opens rulebook
 - No public notification or input required for changing use to religious assembly
 - Zoning has historically had little concern about churches in residential areas because it is a common practice
 - Use stays with land – not applicant, so this use will stay with the property regardless of who owns it
 - Is synagogue required to file site plan with application? Yes. they will need to provide site plan with general layout
 - What happens to tax base – are these properties tax exempt? I don't know.
 - Additional open Q&A sessions

- Will there ever be a back-gate that opens onto Alameda? OK with Zoning but lot backs onto the parkway managed by Parks & Recreation so coordination is required with Parks & Recreation as well
 - Are there any GLAC impacts on this property?
 - Only one primary use is permitted per plot of land per Zoning code
 - However, each primary use can have a number of accessory use (e.g., Sunday school, homeless shelters (sometimes), parking)
 - Throughout City, religious facilities are allowed to take in and shelter homeless people.
 - There are limits related to primary used – any accessory use has to be incidental/secondary to main use
 - Multiple people have safety/code compliance concerns (plumbing, fire code, parking, other). Is there any coordination between Zoning and other city agencies to make sure that the proposed use is feasible, so they don't waste their time and ours?
 - Just because synagogue has the change of use, it does not mean that they will immediately be able to use it for their stated purpose
 - The synagogue has six months from the approval date for the change of use to demonstrate compliance with all applicable codes. If they do not, they will have to go back to square one
- Meeting was adjourned at approximately 8:35PM