

The Rocky Mountain Land Use Institute Presents
the 24th Annual RMLUI Conference

WESTERN PLACES

BUILDING FAIR & RESILIENT COMMUNITIES

WESTERN SPACES



MARCH 12-13, 2015

University of Denver Sturm College of Law • Denver, Colorado

Program Guide

Building Communities

RMLUI
ROCKY MOUNTAIN
LAND USE INSTITUTE



UNIVERSITY of
DENVER

STURM COLLEGE OF LAW

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WESTERN PLACES/WESTERN SPACES BUILDING FAIR AND RESILIENT COMMUNITIES

Across the West, communities large and small are grappling with change. Our largest cities are thriving, but gentrification is making urban living unaffordable for many. As suburban communities transition towards more compact development and public transit, they are starting to lose the small town appeal that attracted so many. Rural communities struggle to balance their wild and rustic roots in the face of a changing economy. Set against a backdrop of increased risks associated with long-term drought, violent storms, flooding, and wildfire, the West is embracing its latest challenges.

The 2015 RMLUI Conference focuses on the innovative ways cities and towns across the West are building more resilient, equitable, and vital communities. The theme addresses how we can meet the many challenges of the future—including threats posed by climate change, a modern economy, and demographic shifts—while better addressing issues of social and environmental justice. The featured track focuses on resilience. In the wake of fires, flood, and on-going drought, communities across the West are thinking about resilience in many different contexts as they work both to rebuild and to mitigate future risks.

ABOUT THE ROCKY MOUNTAIN LAND USE INSTITUTE

The Rocky Mountain Land Use Institute seeks to elevate the law, policy and practice of sustainable development in the West to promote nature-friendly, prosperous and equitable communities. Through innovative research, education and professional development programs and its renowned annual conference, the Institute trains and connects students and professionals across disciplines, sectors and regions to build the sustainable development field while creating new possibilities for the future of the West's landscapes and livelihoods.

ABOUT THE STURM COLLEGE OF LAW

The University of Denver Sturm College of Law is a top 100 law school with nationally ranked programs in environmental and natural resources law, legal writing, clinical training, international law, trial advocacy and tax law. At the heart of the law school's mission is the integration of skills and professional identity with a balanced curriculum. Our goal is to graduate practice-ready, client-focused students who understand and embrace the responsibilities of legal practice, both as a representative of the client and as a professional committed to improvement of the law and the community.

BUILDING COMMUNITIES

Developers are taking advantage of the recovering economy to start new projects, with new challenges and new tools at their disposal. This session will look at development in small towns and brownfields, new partnerships, and how local communities can control growth.

DOWNTOWN ALIVE! ADDRESSING THREE KEY BARRIERS TO REDEVELOPMENT IN SMALL DOWNTOWNS

DESCRIPTION

Small downtowns in many Colorado and Mountain West communities are enjoying a renaissance. But initiating and sustaining downtown revitalization outside of metro areas presents many challenges, and even the most vibrant downtowns can become victims of their own success. This session will present a variety of tactics to catalyze strategic redevelopment and investment in small downtowns. Three key barriers will be addressed: implementing planning strategies that create real estate value; attracting residential development and residents downtown; and connecting developers and investors with priority sites.

SPEAKER INFORMATION

MODERATOR:

Jeremy Nelson

President and Development Advisor, REgeneration Strategies
San Francisco, CA

Jeremy Nelson is President of REgeneration Strategies, where he advises public- and private-sector clients on strategic revitalization and redevelopment projects that deliver lasting economic and community benefits. His practice focuses on integrating land use, transportation planning, and placemaking to catalyze transformative real estate development projects. Working with clients throughout the United States, Mr. Nelson and his family split their time between San Francisco, California and Durango, Colorado.

SPEAKERS:

Deana Swetlik

Owner and Urban Design Director, Entelechy
Wheat Ridge, CO

Deana Swetlik, AICP, is Owner and Director of Entelechy (en-'te-le-kē), an urban design based firm that provides land planning, design, and development services for public, quasi-public, and private sector clients nationwide. During her over 20-year career, Ms. Swetlik has worked on urban revitalization and sustainable urbanism projects at all scales. She has consulted with over 50 communities in 15 states, including completion of numerous downtown plans. Ms. Swetlik brings a keen understanding of multi-modal strategies, real estate development, and the social and psychological effect of design to each project. Her education from the University of Wisconsin and University of Denver includes architecture, planning, and real estate finance.

Ian Ross

CEO & Founder
OppSites
San Francisco, CA

Ian Ross is CEO and Cofounder of OppSites, an exciting new web portal that empowers cities to communicate their development priorities with investors and developers. The need for OppSites grew out of Ian's 15 years of

experience providing urban design and economic revitalization strategies to dozens of cities, and witnessing firsthand how many communities fail to achieve their goals simply because they lack an effective tool to communicate their priorities to prospective investors. Ian is the Founding Principal of City Design Collective, an urban design firm that provides strategies, policies, capital improvement plans critical to the revitalization of downtowns, corridors, waterfronts, and mixed-use neighborhoods.

COLLABORATIVE REAL ESTATE DEVELOPMENT: CREATING CONSENSUS AMONG STAKEHOLDERS TO BUILD PLACES THAT LAST

DESCRIPTION

The panel will review the role and successes of the Community Coordinating Metropolitan District No. 1 in building a platform for communication, access, and partnership creation among private/public/non-profit organizations in redeveloping areas with many stakeholders, including commercial and residential property owners, residents, service providers and the homeless population. The panel will also consider how this unique Metro District could be used in the future.

SPEAKER INFORMATION

MODERATOR:

MaryAnn McGeady

Attorney, McGeady Sisneros, P.C.
Denver, CO

MaryAnn McGeady is a founding member of the firm, which was established in 1988. Standing less than five feet tall, she has been called “a powerhouse in a small package.” Working side by side with leaders in the commercial and residential development industry, as well as municipal, county and state officials since 1982, Ms. McGeady has facilitated the financing of public improvements and establishment of systems to operate and maintain public infrastructure in communities throughout Colorado with many different entities, including special districts, general improvement districts, business improvement districts, local improvement districts, public improvement districts, urban renewal authorities, and covenant created public improvement corporations. Her law practice focuses on providing prompt, responsive service, characterized by a level of creativity and commitment unique to her experience, abilities and energy level. Ms. McGeady’s tireless work goes beyond the representation of individual clients to provide input on proposed legislation and serving on the Board of the Colorado Municipal Bond Supervision Advisory Committee. She has received an AV Peer Review Rating from Martindale Hubbell.

SPEAKERS:

Amy Harmon

Founder & Owner, Urban Market Partners, LLC
Founder & President, Community Coordinating District No. 1
Denver, CO

Amy Harmon is the founder and managing member of Urban Market Partners; Community Coordinating Metropolitan District No. 1; and co-founder and owner of Junction Box, home to Wonderbound Dance Company. Ms. Harmon has been a mixed-use, urban-infill condominium real estate developer in Denver for eighteen years and has a reputation for being an active private partner with the City of Denver, State of Colorado, and non-profits focused on activating public spaces through art, infrastructure improvements and human services. Projects focus on integrating creative efforts with infrastructure projects that improve the Denver community and leverage Public, Private and Non-Profit resources.

Sam Sharp

Managing Director, D.A. Davidson & Co.
Denver, CO

Sam Sharp is an Investment Banker with more than fifteen years of experience working primarily with Colorado Special Districts and Urban Renewal Authorities to raise capital for public infrastructure. Over the last ten years, Mr. Sharp has lead the group to underwrite or privately place more than 300 Special District bond transactions with a value of over \$4.0 billion His projects are centered around residential, retail, office, and industrial developments. He has also successfully completed transactions in New Mexico and Arizona.

Erin Trapp

CEO, Biennial of the Americas
Denver, CO

Erin Trapp is responsible for overseeing all aspects of this organization, that aims to connect North and South America and inspire critical thinking and action through provocative discussion forums, and arts and culture practice. Previously, Dr. Trapp served in executive leadership roles at the City and County of Denver and Metropolitan State University of Denver. As deputy chief of staff for Mayors John Hickenlooper and Bill Vidal, she oversaw agencies employing more than 2000 people as well as the city’s state and federal legislative portfolios. Dr. Trapp served as director of the Denver Office of Cultural Affairs for the City for five years, where she orchestrated the city’s cultural economic development and public art portfolios as well as its direct and partnership investments in the cultural landscape of the Denver metropolitan community. Dr. Trapp also served in leadership positions at the Western States Arts Federation and Merrill Lynch Private Client Services. She holds a Ph.D. in Sociology from the University of Colorado in Boulder and a BA in History and Public Policy from Swarthmore College.

Lauri Dannemiller

Executive Director, Denver Parks and Recreation
Denver, CO

Lauri Dannemiller has over 20 years experience within small to large Colorado municipalities. Her professional career began with the City of Lakewood, moved to Chaffee County to become a small city manager, then returned to Denver to work in the Englewood Community Development Department. She went on to serve as the Executive Director of Denver City Council and now Denver Parks and Recreation. Ms. Dannemiller holds a B.A. and M.S. in Parks Administration and an M.P.A. in Public Policy. Her community work includes serving on several Board of Directors including the Botanic Gardens, Denver Zoo, Civic Center Conservancy, and GALS Charter School.

PREVENTING THE NEXT ECONOMIC CALAMITY: MARKET-BASED DEMAND PERMITTING

DESCRIPTION

Major real estate market implosions, including the recent Great Recession, have taught that entire regions experience economic distress when local governments allow exuberant overbuilding. In this session, participants will learn about specific steps that states, local governments, and regional planning agencies can take to check this exuberance and ensure community resilience through a demand-based permitting requirement. The presenters will offer possible implementation strategies, including discussion of enabling legislation and local government ordinances necessary to establish a demand-based permitting requirement.

SPEAKER INFORMATION

MODERATOR:

Dwight Merriam

Partner, Robinson + Cole
Hartford, CT

Dwight Merriam, FAICP, is a land use lawyer with Robinson & Cole LLP in Hartford. He is a Fellow and Past President and of the American Institute of Certified Planners and Past Chair of the ABA Section of State and Local Government Law. Merriam teaches land use law at the University of Connecticut Law School and has published nine books and 200 articles. He was recently named co-editor of Rathkopf's The Law of Planning and Zoning. He has a master's degree from the University of North Carolina and a JD from Yale.

SPEAKERS:

Arthur C. Nelson

Professor & Associate Dean for Research, University of Arizona College of Architecture, Planning and Landscape Architecture
Tucson, AZ

Arthur C. Nelson, Ph.D., FAICP, is Associate Dean in the College of Architecture, Planning and Landscape Architecture at the University of Arizona. He has published more than 20 books and more than 300 other works. Sponsors of his research include NSF, HUD, DOT, Brookings, Ford, ULI, APA, EPA and dozens of others. Dr. Nelson's current research is on evidence-based planning to reshape metropolitan America.

James Nicholas

Professor, University of Florida Levin College of Law
Newberry, FL

James Nicholas is Professor Emeritus of law and urban and regional planning at the University of Florida. He is an international expert in natural resource and land use management, Florida growth management legislation, urban land economics, urban and regional planning and environmental and urban problems.

John Marshall

Assistant Professor, Georgia State University College of Law
Atlanta, GA

John Marshall is Assistant Professor of Law at the Georgia State University, where he teaches Environmental Law and Land Use Law. He joined GSU from Yale Law School where he served as a Clinical Lecturer and the Ludwig Community Development Fellow. From 2007 to 2011, he was a counsel and project manager with the New Orleans Redevelopment Authority (NORA). In that role, he advised NORA on post-Hurricane Katrina implementation of the Authority's urban revitalization efforts, including land acquisition, development, and disposition programs. Prior to New Orleans, he was a partner with Holland & Knight LLP, specializing in land use and zoning matters as well as real estate litigation. He is especially interested in private, non-profit and government interventions to promote urban revitalization.

FROM SMART GROWTH TO THE NEW URBAN ECONOMICS

DESCRIPTION

In post WWII America, conventional urban economics called for high-value, mostly nonresidential, land uses to command urban centers; higher income households to command the suburban fringe; and everything else to command the in-between areas. Now, an increasing market preference for smart growth is changing all that. Downtown and closer-in higher-value residential demand pushes many nonresidential land uses outward, and drives lower-value residential demand to the fringe. In effect, "smart growth" is reshaping the urban economy. This plenary will explain how smart growth is leading to the New Urban Economics.

SPEAKER INFORMATION

SPEAKER:

Arthur C. Nelson

Professor & Associate Dean for Research, University of Arizona Department of Planning and Real Estate Development
Tucson, AZ

Arthur C. Nelson, Ph.D., FAICP, is Associate Dean in the College of Architecture, Planning and Landscape Architecture at the University of Arizona. He has published more than 20 books and more than 300 other works. Sponsors of his research include NSF, HUD, DOT, Brookings, Ford, ULI, APA, EPA and dozens of others. Dr. Nelson's current research is on evidence-based planning to reshape metropolitan America.

CHANGING THE FACE OF THE PLACE: SUSTAINABILITY THROUGH BROWNFIELDS

DESCRIPTION

To develop and sustain economic stability, communities plan for land uses that will support the right balance of residential, commercial and industrial space, while also promoting social justice and equity. Revitalization of neighborhoods tainted by prior industry, such as "brownfields," present the opportunity for unconventional relationships with state and federal incentive programs that ultimately benefit the communities involved. This panel will discuss brownfields' role in community development, available funds and credits for redevelopment, and address the differing property interests and legal challenges that arise when purchasing brownfields.

SPEAKER INFORMATION

MODERATOR:

Rebecca L. Almon

Director, Ireland Stapleton Pryor & Pascoe, PC
Denver, CO

Rebecca Almon is an environmental attorney. She represents both public and private entities across the country in all aspects of environmental regulation, including federal, state and local permitting; compliance; enforcement matters; water quality and wetlands protection; and environmental aspects of real estate and corporate transactions. Ms. Almon advises clients with respect to remediation and mitigation pursuant to CERCLA, Brownfields development and state voluntary clean-up programs; compliance with the Colorado Department of Labor's Oil and Public Safety regulations; as well as transportation, storage and disposal issues relating to RCRA.

SPEAKERS:

Jesse Silverstein

Vice President & Senior Economist, Development Research Partners
Littleton, CO

Jesse Silverstein is a Senior Economist at Development Research Partners (DRP), based in Jefferson County. He has extensive experience in preparing real estate market studies, public finance analysis, and economic impact analysis for a variety of public-private development and redevelopment projects. Mr. Silverstein currently serves on the Boards of the Colorado Rural Development Council and the Colorado School of Mines Research Foundation/Table Mountain Research Center. He holds a Bachelor's Degree in Economics from the University of Delaware, a Master's Degree in Economics from the University of Colorado at Boulder, has an MAI professional designation in commercial real estate analysis from the Appraisal Institute.

Tim Kelley

Environmental Protection Specialist, Colorado Division of Oil & Public Safety
Denver, CO

Tim Kelley is the Petroleum Brownfields Coordinator with the State of Colorado, Division of Oil and Public Safety (OPS). Mr. Kelley received a bachelor's degree in geotechnical engineering from the University of Arizona and has fifteen years of experience in assessing and remediating petroleum-contaminated sites in Colorado. His specialization includes risk-based petroleum site characterization and project management of the OPS petroleum brownfields projects. Mr. Kelley has played an instrumental role in the development and implementation of the OPS Petroleum Cleanup and Redevelopment Fund, designed to catalyze the investigation and cleanup of petroleum contamination from former gas stations and other petroleum storage tank properties.

Doug Jamison

Superfund/Brownfields Unit Leader, Colorado Department of Public Health and Environment
Denver, CO

Doug Jamison has over 25 years of CERCLA and Brownfields experience. He currently manages the Superfund and Brownfields Unit for the Colorado Department of Public Health and Environment. He oversees Colorado's involvement in Superfund activities for approximately half of Colorado's 22 National Priority List Sites and also oversees Natural Resource Damage Assessment and Restoration activities for many of the CERCLA related NRD cases in the State. Mr. Jamison is also responsible for the operation of Colorado's Brownfields Program including Colorado's Voluntary Cleanup Program and State Response Program. These programs provide brownfields education, outreach, and other brownfields assistance throughout the State. He also serves as the Chair of the Colorado Brownfields Revolving Loan Fund Board of Directors. Since 1999, the fund has capitalized nearly \$10.5 million of environmental remediation projects.