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CAN WE SAVE THE FRONT RANGE?

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The Front Range, once renowned for its beauty, has fallen victim to rampant suburban sprawl from Fort Collins to Colorado Springs. Who among us hasn't observed the bitter truth through the windows of our automobiles? Shall we continue to watch the decline of our region, like onlookers at an accident scene? Or shall we summon the resolve to plan our growth, however late in the game?

That is a question we face as we confront official forecasts of 1,000,000 more residents in the Denver area within twenty years and 2.2 million more residents statewide. And unless we think we can somehow stop the 300-year-old migration trend from East to West, the prospects of slowing growth are dim.

Those who believe good planning is necessary ought to start shouting for land-use reform. Colorado is among the five most urbanized states, with over 80% of its population living in urban areas. The notion that we can sustain our quality of life based on low-density settlements in the face of a rapidly increasing population is a fallacy. Nor can we continue to have one community pitted against another for retail development while disregarding our common regional interests.

Combating sprawl requires an attack on many fronts. Too often we approach it from its symptoms—traffic congestion, substandard development, flagpole

annexations, air quality, etc. Each group, whether business or environmental, sing siren songs that one or two changes can make our lives wonderful. To some groups it's caps on housing. To others it's more traffic lanes or light rail. They are right and they are wrong. Sprawl has no quick fix. Without a concerted attack at its causes and exacerbating symptoms, we cannot begin to truly improve our quality of life.

What is so striking about our current situation is that, despite the astonishing technological changes of recent years, we continue to behave as if we are stuck in the past. Consider these factors:

1. **Rush hour traffic.** Today, we have the ability to work at our home computers and e-mail the finished product to our employers. Seldom do we hear much about telecommuting, which would remove cars from our highways and save us money. According to U.S. Department of Commerce estimates, over 30 percent of our workers are prime candidates for working at home at least one day a week. Businesses can cut equipment and rental costs while workers put fewer miles on their cars, spend fewer unproductive hours driving and reduce maintenance expenses. Permitting 30 percent of our workforce to telework just one day a week would reduce auto traffic by 6 percent, almost three times the number of people who presently use transit!
2. **Business parks.** We live in an era of clean industry. The smoke-belching factory is largely a thing of the past. And yet, we too often build its latter-day counterpart, the industrial or business park, on the "other side of the tracks," far from where people live and reachable only by car. Does anyone really believe we need these sterile and distant places, devoid of retail stores and inhabitants, to keep the economy running? Why not integrate offices with homes and stores, thus saving countless car trips while creating livelier places that people enjoy? Placing housing in business parks may be the

easiest thing a developer can do. Without residential neighbors to object, building housing in these parks can go forward much more quickly.

3. **Big box retail.** We have the capacity to buy almost anything we want over the Internet. Despite that convenience, we are continuing to clutter our world with car-dependant big-box stores that are less convenient than web shopping and offer little or no service to the customer. With their huge parking lots, these places are unattractive and waste land. While the big boxes offer greater choice for consumers, increasing competition destines many to fail. When they do, how will they be used? For indoor soccer? Or will we create the next era of “call centers” with \$8-9/hour jobs?
4. **Housing subdivisions.** Only since the end of World War II, when builders adopted mass production techniques learned from the war effort, have they learned to chew up large tracts and blanket them with homes that all look the same. How rare it is for homebuilders to reflect in their work some aspect of a region, its raw materials and its history, so as to attract the interest of a person walking or driving by. Newer homes here could as easily be set in California or Nevada or Idaho or Iowa. As a result, we suffer visually from a lack of place. Millions of Americans today haven't experienced the satisfaction of seeing an appealing new neighborhood. Chances are it was built without a bus route nearby or a store to which residents can walk. We have simply assumed that cars will transport us for all of our needs.
5. **Addiction to cars.** An average new car today costs \$25,000—two cars equal \$50,000. Throw in the costs of insurance, maintenance and fuel and you're looking at a monthly expense second only to your mortgage payment. And yet, we are still organizing our physical world into working places, shopping places and sleeping places. When you consider that we are continually driving from one development pod to another, is it any wonder that the typical middle-class American suburban family of four needs two, three or even four

cars? We've become a nation of anonymous fleet owners and chauffeurs who spend half our waking hours laboring to pay off loans on the fleet. And our kids grow up without the independence of being able to walk places. Ask yourself whether that's good for a kid's development, or for a nation.

Wouldn't it be more efficient in the long run for communities to invest in transit/bus-oriented or master developments that encompass shopping, entertainment, offices, apartments and municipal functions? Just think of the potential for generating revenue while creating human gathering places, eliminating driving trips and enhancing the identity of a town.

Clearly, numbers one through five listed above are related. What we are talking about is sprawl and some of its ill effects. Sprawl is a complicated puzzle, but by reforming tax and land-use policies, using technology and by planning transportation and development in concert, we can ease our problems. First, however, we need to understand how zoning codes contribute to sprawl.

Code Name: Bland

Zoning codes are the DNA of development. If we're curious why we live in a screwed-up physical world, the codes provide some answers. They don't make for sexy reading, but they certainly are revealing. Did you know that it is unlawful in many communities to have a shop, an office building, an alleyway, a garden apartment or even a flat over a garage in a typical neighborhood of single-family homes? Such codes, rooted in post-World War II suburban expansion, strongly discourage mixed-use development, forcing any developer with an idealistic vision of boosting density and creating walkable communities to run the gauntlet of city and county agencies in pursuit of zoning code variances.

We all enjoy blaming real estate developers for our growth-related problems, but let's be fair. For a developer, risks are high and time equals money. The longer the delays in breaking ground, the higher the costs. What responsible financial

institution would bankroll a development venture that violates the law and is certain to encounter the opposition of every local government official from the fire chief to the traffic engineer?

We aren't giving developers the opportunity to provide much leadership in creative urban design. Instead, we encourage them to build vanilla subdivisions absent such niceties such as landscaping or design guidelines. Few people like these places, but they're so much easier to build because they're in perfect conformity with the codes. For years, a developer could gain a city or county's go-ahead merely by duplicating the subdivision down the road. Just as importantly, he could do this on low-cost land at the suburban fringe where there were few or no neighbors to fight him. His up-front costs were lower than if he proposed a mixed-use, in-fill project.

Ironically, with the current growth spurt, Front Range land values are rising, lawns are shrinking, traffic in the suburbs is stacking up, schools are overcrowded, and open space is disappearing. And now we've got a proliferation of hopelessly dull white-bread subdivisions where residents are forced to get in their cars many times a day to perform the simplest of errands. This is why city council and county commission hearings are so often packed with unhappy constituents fighting off the next proposed subdivision just like theirs!

The good news is we really don't have to accept this sort of thing. Contrary to popular belief, local governments are not obliged to approve these projects. Housing is a political decision. And any developer who has traipsed through the morass of approvals, fallen victim to the whims of local planners, endured countless public hearings, been flayed by the public, second-guessed by planning commissions and finally reaches approval (or is turned down) by a governing board will attest that housing has little to do with market-based economics.

While it's true that once a zoning decision is made, it's hard to overturn, commissioners and city councils have remarkable latitude in negotiating with developers. They can even insist that housing be integrated into business parks and shopping centers. But departing from the norm takes fortitude on both sides. Strong support from the community for in-fill and mixed-use projects, gives courage to local officials and developers to create exciting living spaces.

But before that happens, communities will need to overhaul outdated zoning codes that ban mixed-use.

Addressing the "D-word"

We may not be able to predict the future, but this much we know: Barring nuclear war or an outbreak of Spanish influenza, the population will rise and we will live closer together. Therefore, it makes sense to design our neighborhoods now to make density more aesthetic and easier to tolerate. That is why the New Urbanists are useful, even if their pomposity tends to annoy people and some of their claims are unsubstantiated.

New Urbanism is a movement that espouses the five-minute walk from the edge of a neighborhood to a main street where offices and stores are located. It emphasizes the importance of the public realm while advocating a trade-off—smaller private yards in exchange for pocket parks and shared open spaces. New Urbanists stress the importance of density—because density makes it possible for nearby stores and alternative transit to succeed. To boost density, lots are downsized and apartments are interspersed with homes and placed above stores and even garages. The granny-flat above the garage may be used as a rental unit to ease mortgage payments or to accommodate guests.

New Urbanism advocates a return to the old-fashioned type of neighborhood built on interconnecting streets bisected by alleyways. In such neighborhoods, garages are hidden along alleys. Sidewalks are separated from the street by a

narrow strip of grass. Blocks of grid streets substitute for winding roads and cul-de-sacs. Houses are closer together than 1970s suburban homes, are more differentiated in style, and tend to reflect historic architectural features of a region.

In theory if not in practice, class segregation breaks down and there might be a multi-unit building on the corner of a block to house service workers and schoolteachers and such. Introducing affordable housing to affluent neighborhoods is not a utopian idea. Even the richest old Denver neighborhoods, such as the enclave west of Cherry Creek near Crescent Circle, have affordable housing within a couple hundred feet of mansions. There was a sound economic reason for this: butlers, chauffeurs and gardeners needed to live nearby in order to wait upon the wealthy.

When one looks at old Denver neighborhoods, one realizes that there was a fairly simple formula to building them, and that these are the same neighborhoods we tend to admire today—with their narrower streets shaded by tall canopies of tree branches. These places were designed for walking, and the porches in front provided opportunities to sit outside and greet the neighbors. Unfortunately, the thirty-foot streets that gave old Denver 'hoods their sense of intimacy and proportion are banned today. Zoning codes require that today's neighborhood streets be built wide enough to accommodate fire trucks zooming in opposite directions with cars parked on both sides. It's been a trend since the late 1940s to widen streets while narrowing sidewalks and attaching them to the street. In many cases, pedestrians cannot walk two abreast on a sidewalk and are forced to walk in the road. Gradually, the importance of public space has receded in favor of privacy. All of this represents a trend away from community.

Density, however, should not be a stalking horse for those intent on the elimination of the automobile or bankrupting the road-building industry. For example, if densities within a neighborhood are increased by 20% and transit use

escalates to 10% (five times what it is today in a typical neighborhood), you still are faced with increased traffic. Balancing density with real transit use is one of the “tricks” of New Urbanist design.

When you use the "D-word"—density—you automatically stir up negative reactions. For the typical Colorado resident, "density" conjures up visions of sweltering, tenement-filled, crime-ridden slums or else shoddy subdivisions where houses are jammed together with no subtlety, rhyme or reason. When planners call for an increase in density as an alternative to sprawl, they need to explain that they are not talking about tall buildings darkening the skies and blocking mountain views.

Even with the predicted three and one-half million residents in metro Denver living within an urbanized area of 730 square miles—that's the area falling within voluntary growth boundaries agreed upon by the Denver Regional Council of Governments—we would still have a region of moderate density. Under this plan, the average density in 2020 (if growth boundaries are honored) will equal that of Longmont today. Instead of fearing more density, planners say, we ought to embrace it for the benefits it brings. Density is part of what makes the best urban places interesting and lively. A certain level of density makes commerce possible; it means gathering places, restaurants, festivals, bookstores, corner dry cleaners and bakeries. It enables us to have casual encounters on the street and makes public transportation feasible while reducing our need for cars. Since we're going to have density anyway, why not embrace it and plan for it?

America is Waking Up and So Should We

The issue of sprawl has generated a national debate. Twenty-four states have now changed their land-use planning laws to encourage growth management. Following the examples of Oregon and Washington, Tennessee is among the latest to approve laws requiring metropolitan regions to adopt urban growth

boundaries. Even the Phoenix-Scottsdale area, notorious for its sprawl, is considering a similar measure.

This is not about an ideological contest pitting Republicans against Democrats or liberals against conservatives. Politicians as diverse as Vice President Al Gore and Republican governors Christine Whitman and Jeb Bush are advocates of growth management. As a conservative governor with a Republican majority in the Statehouse, Bill Owens has a unique opportunity to guide Colorado toward a responsible course in managing growth.

Much of America has learned that a whole box of tools is required for fighting urban sprawl. Tools include traditional neighborhood and town planning, congestion pricing, purchase of open space, transfer of development rights, land preservation trusts, smart highways, regional cooperation, tax-base sharing, telecommuting and the re-introduction of mixed-use zoning.

It is sad that while much of the country mobilizes against sprawl, Colorado seems paralyzed. No better example exists than in Broomfield, where the influx of high-tech industry will mean an estimated 12,000 new jobs in the next 18 months while the city operates under an annual residential building cap of 300 new homes and 60,000 residents at build-out. The cap was imposed after Broomfield residents complained that the city was growing too fast. Most of the new jobs will be at the Interlocken Business Park (both north and south) and its neighbor, Flatirons Crossing mall, which is expected to draw customers throughout the North Metro area. Thanks in part to the building cap, these thousands of jobs will be filled mainly by commuters along the already overcrowded corridors of Interstate 25 and U.S. 36. No wonder Governor Owens feels an urgent need to widen our highways.

This looming traffic jam in Broomfield is partly attributable to our tax laws, most notably the Gallagher Amendment, which dictates that commercial development

is assessed at a rate three times that of residential development. The amendment, designed to keep property taxes affordable for homeowners, has had the unintended effect of dissuading Broomfield and other cities from Boulder to Greenwood Village from housing their workforce. Why set aside land for homes when it can be used more profitably for industry? As a result, these cities will now reap tax revenues from job growth while surrounding communities pay the costs of increased traffic and pollution. But can you blame Broomfield or any other city from acting in its own economic interest? Given the choice between a tax base that generates three times the revenue of another, wouldn't any "rational person" opt for the former?

A reform of the Gallagher Amendment might require homeowners to pay a bit more in property taxes. But it would also encourage communities to house their own workforces, thereby reducing our future cost of roads and infrastructure.

The Gallagher Amendment is but one cause of sprawl. Another is out-and-out competition for sales tax dollars which fund city government services. This combat is at the root of annexation wars that are helping to destroy our region. A glance at a metro-area map reveals all too starkly the lengths to which a community will go to annex land for a proposed shopping center.

There is the classic case of the King Soopers store at 104th and Federal. For years, the store provided Federal Heights with its primary source of revenue. Then, a couple of years ago, a new site was proposed, just across the street in wealthier Westminster. King Soopers wanted a bigger store and the additional revenue for Westminster was tantalizing. That meant the abandonment of a large, still-usable building and the loss for an already strapped Federal Heights of \$450,000 a year—a giant chunk of its tax base.

Some form of revenue sharing is needed as part of an overall regional plan. One approach is to freeze the current tax base of each city and pool future increases

in revenues, distributing the pot to each community based on population. The result would be fewer pods of redundant commercial development –less sprawl– and an economic boost for communities that need it most. Many states collect all the sales taxes for communities and redistribute them based on population. The fact that the Colorado Municipal League has consistently opposed virtually every revision proposed in streamlining the retail tax structure points out how Colorado tax policies make unwitting partners between retail developers and cities. Regardless of how it gets done, revenue sharing could result in cities jointly planning major retail developments in areas with the best transit/road access and close to existing infrastructure. Cities respond well to threats. Sales tax collections comprise 65 percent of the average city's budget. The threat of electronic commerce (whereby purchasers escape paying local sales tax by buying over the computer) may become such a drain on local revenues that local governments will be forced to create a uniform sales tax base to stop the drain on their revenues.

The Market's Response

Increasing congestion has its upsides. So does the extremely tight labor market facing local developers and employers. As competition for workers increases, business park developers in Interlocken, Denver West and others have responded by building on-site housing. Bringing workers in closer proximity to the workplace increases the value of a business park in the eyes of companies. Greg Stevinson's Denver West has apartments inside his park and new townhomes on the drawing board, providing needed housing for the park's employees. Interlocken, along the U.S. 36 Corridor is building high-end apartments near its major new tenants, Sun Microsystems and Level 3. Charlie McKay's Church Ranch Corporate Center, driven by the slowdown of the 80s, started by allowing multi-family and executive housing in and along the perimeter of the Center. Today, along 104th Avenue, the Center's apartments face a new office complex that is adjacent to a medical center, childcare facility and a nearby hotel. Along with single-family and multi-family housing, Ken Caryl Business

Center, located at Kipling and C-470 will offer apartments and condos over retail establishments this year.

The market's response to these developments has been mixed, but shows increasing acceptance of this model. Numerous employers initially shied away from Church Ranch's eclectic mix of residences, services and primary employment. Some prospects described the development pattern as "confused." But today, Church Ranch Corporate Center is "sold out." Market-driven decisions to locate there reinforce the notion that mixed-use developments can and do succeed.

While suburban developers may not be swallowing all the New Urbanist philosophy, they are incorporating elements of it in response to changing market demands.

State Management of Growth

Now we come to the thorniest of all issues—local control versus state oversight of land-use. During the last four decades, the subject of regional cooperation has been broached many times in Colorado. Seldom have these discussions borne fruit because there is too much incentive for cities to compete for growth, regardless of its regional fallout. That is why we should urge local governments, in concert with the Colorado legislature to enact something approaching the "Responsible Growth Act," recently defeated in the General Assembly.

The Act would have required each municipality and county of at least 2,500 people to prepare a comprehensive plan identifying urban service areas targeted for growth within twenty years. It would require communities to coordinate their plans with those of their neighbors and to set up a process to resolve disputes. Creating a process to resolve disputes is the crucial element of any proposal. While cities are quick to share their plans with one another, when it comes to competition for tax revenue, they more typically go their separate ways.

However, we must all face the fact that “growth” (defined as congestion to the voter) is the number one issue on the minds of Coloradoans. Without a reasonable, and, unfortunately, legislated approach to growth management, we can expect disgruntled groups to seek solutions through the initiative process.

If you think TABOR and Gallagher are miserable additions to the State’s constitution, strap on “growth management” as defined by the state’s more extreme elements and see how that feels.

Rather than creating a state land use planning system, a series of statutorily defined processes could actually provide a path out of this goofiness. Here are some simple options:

1. Require a process between communities to share sales and commercial property tax on any ground that abuts neighboring communities’ planning areas. This preserves the existing tax base of communities while aiding adjacent communities who will be forced to deal with the challenges posed by their neighbor’s developments.
2. Require local zoning that accommodates housing needs for planned employment in the community. Let’s put an end to down-zoning residential ground as a strategy to push lower-paid workers into someone else’s city, while the host city reaps the benefits of an enhanced commercial tax base.
3. Eliminate the property tax on residential property. Replace it with an increase in the state income tax on individuals. This sounds like heresy, but the Gallagher Amendment has reduced the assessment ratios on residential properties to such a low, that no self-respecting city wants anything to do with “worker housing.” An income tax replacement for property taxes, based on population, provides a

greater revenue opportunity and incentive for cities to accommodate new workers than to push them out of town.

4. Make it easier to create urban counties. Recently Broomfield succeeded in becoming a new county. To do so required a statewide vote and hundreds of thousands of dollars from its supporters. While its municipal neighbors decry its aggressive growth plans, to Broomfield's credit, it will grow no larger. Counties have prescribed land areas. They cannot annex additional ground and leapfrog into their neighbor's growth areas like cities can. Once the boundary is fixed, counties must seek permission from their neighbors to annex additional land (i.e. Denver's election in Adams County for a new airport). Aurora and Westminster are also exploring the idea.

Making it easier for communities to become counties, and by default defining their boundaries, can help to reduce the competitive pressures we now see and increase the focus on in-fill and redevelopment. Minimum population requirements would be necessary as well as a vote of the affected citizens. The size and shape of the county could be handled by a judicial panel, much like redistricting is now done. Such a process is necessary to keep prospective counties from capturing a commercial property tax base while leaving residential development to the existing county.

Markets are remarkably resilient. Builders and developers possess creativity. Virtually all are committed to doing the "right thing." Predictable processes provide assurance that certain types of housing and commercial developments will be approved. But let's put an end to the days when one community's commercial tax windfall is another's housing headache.

A Model for the Neighborhood of the Future?

What can we do to bring quality development to our region? We can start by looking at some things that already are being done—examples of what some consider smart growth. Let's start at the neighborhood level.

A New Urbanist neighborhood is under construction at the corner of Pike Street and Colorado 287 in Longmont. Marketed under the name Prospect, this 80-acre community of 320 lots was designed by Andres Duany, designer of Seaside, Florida. Because developers Kiki Wallace and Dale Bruns were trailblazers, they had to fight for variances to Longmont codes, suffering long delays before breaking ground. Even after the 1996 groundbreaking, progress was slow because of the exactitude of the developers and their disagreements with builders.

Prospect looks and feels like nothing that has been built in Colorado for decades. No two homes look exactly alike. Selling at about \$150 per square foot, houses are clustered together village-style on diminutive yards along narrow streets and alleys. Despite the small lot sizes, the look of the community hints at affluence. Landscaping is assigned a high priority; roadside trees give the layout a picturesque formality. So far, Prospect is purely a housing development but plans call for townhomes and two blocks of stores along Colorado 287, all within an easy walk from the farthest edge of the neighborhood.

Wallace and Bruns hope that Prospect will provide a model for other developers to emulate. The project isn't perfect. Because it's at the edge of town, with no public transportation presently connected to it, some would argue that it's merely a more acceptable form of sprawl. But nobody can accuse Prospect of being an anonymous vanilla subdivision. Prospect feels like a traditional Colorado town with a twist. It has that elusive quality called "place."

Denver provides some excellent examples of mixed-use, from the stylish-looking Market Street parking garage that houses the Tommy Tsunami restaurant on its ground floor, to the Colorado Center on South Colorado Boulevard which includes offices, a multiplex movie theater with stadium seats and the Dave and Buster's "eatertainment" emporium.

If a high-rise office building is constructed behind the Denver Pavilions shopping and entertainment complex, two entire blocks of the Sixteenth Street Mall will, in effect, function as a huge mixed-use project. All over Lower Downtown, warehouses have been turned into lofts with retail stores and restaurants below. This is a welcome turnabout from the 1970s, when office buildings with private plazas were in vogue. These fortress-like private areas succeeded mainly in creating dead spots in the street. The trend today is to open our collective arms to the street and embrace the beauty of city life.

If you think the problem of sprawl can be solved easily, think again. Fort Collins in the 1980s was one of the first communities to embrace the mixed-use concept. Under its nationally-recognized "Land Development Guidance System," the city was a complete traffic grid. Every mile contained a five-lane major road. Each half-mile, both north and south, bisected the neighborhood with three-lane roads. The city ruled that developers could build anything, anywhere, as long as off-site impacts were mitigated. The best example is the corner of Drake and LeMay Avenues where manufacturer Woodward Governor shares an intersection with an upscale subdivision, a neighborhood shopping center and a church, surrounded by multi-family and medium-priced single-family housing.

Despite all this, Fort Collins still suffered from the impacts of sprawl. In a spirit of urbanity, Fort Collins overhauled its comprehensive plan. Every Front Range community ought to examine what is happening in Fort Collins, a city experimenting with community re-design and public education about sprawl.

Several years ago, the citizens of Fort Collins took a fresh look at how their city was changing. They didn't like what they saw. Traffic was so fierce along College Avenue that driving from city hall to the Lone Star Steakhouse three miles away took twenty minutes at midday. With an increase in population of 60 percent between 1980 and 1994, land values were escalating, lot sizes for new homes were shrinking and new developments were springing up farther and farther from the center of town. With the smaller lot sizes, a new type of home was appearing on the scene, one whose garage spanned the entire width of the façade. These new subdivisions fed more traffic onto an already strained network of roads. Residents complained that the community was losing its identity.

After a long series of public meetings, and a visual preference survey, meant to elicit opinions on how citizens wanted Fort Collins to look, the city amended its comprehensive plan in an effort to stop the sprawl. In 1997 it adopted CityPlan. Instead of favoring standard suburban development as a use by right, the plan required developers to adhere to the concepts of traditional neighborhood design. The plan calls for increased densities and all new districts are now zoned for mixed-use. New developments are required to have a neighborhood center and nearby access to transit. Every garage must be recessed from the house's façade. Commercial buildings must be built to the street, making it simple to walk from a sidewalk into a store.

Big-box stores behind acres of parking are no longer permitted. All sidewalks must be detached from the street, making way for a strip of lawn and trees between sidewalk and street.

The new plan has many critics. Some developers have promised to avoid Fort Collins in favor of nearby Windsor. But Fort Collins has made a decision to be a small city, not a big suburb, and to embrace urban neighborhoods while banishing suburban subdivisions. Not all cities will want to follow the lead of Fort Collins. But even sprawling Colorado Springs, which at nearly 190 square miles,

is larger than the cities of Boston, San Francisco and Washington, D.C. combined, is showing an interest in denser, neo-traditional, in-fill development.

Unfortunately, according to the New Urban News, a national newsletter that tracks development, every dollar spent on mixed-use development in America is accompanied by \$14,000 spent on single-use, low-density sprawl. That is something this country, and the Front Range, can ill afford much longer.