



Land Use, Transportation & Infrastructure Committee Summary Minutes

Tuesday, April 08, 2014

10:30 AM City & County Building, Room 391

Committee Members: Robb, Chair; Montero, Vice-Chair; Brown; Lehmann; López; Shepherd

Committee Staff: Debra Bartleson

Council Members Present: Brown, Lehmann, Lopez, Montero, Robb, Shepherd, Susman, Brooks, Nevitt

Members Absent: None

Presentation

Update: Landmark Preservation Guidelines.

Barbara Stocklin-Steely, Community Planning & Development

Barbara Stocklin-Steely, Community Planning & Development (CPD), explained that the current design guidelines were adopted in 1995; unfortunately, they don't address modern technologies and they are not consistent with the City's other design standards and guideline documents. Historic preservation is critical to maintaining the past and creating a sustainable future. Design review and design guidelines help property owners with improvement planning for projects. Design Review is required for exterior changes requiring a permit.

The process began in the Fall of 2013. The plan included updating the guidelines to reflect current policies and to assure that everything is in one place. Staff is focusing on defining features (illustrative), include missing topics, and will utilize web-based technology. Public comment meetings are scheduled in April

2014 and the plan is to address all issues obtained from the feedback. If there is any ordinance clean up it will be brought back to the Committee in the Fall. Anyone seeking additional information should go on line to: www.denvergov.org/preservation or landmark@denvergov.org.

Councilmember Robb said the public sometimes feel that the process is arbitrary and that the national guidelines may look like a fake representation of history. Ms. Stocklin-Steely said that to address those issues staff will now provide more graphics, more specificity and illustrative. They are also looking at modern construction for infill houses to figure out the range of what those guidelines should be.

Councilmember Susman said the process seems to take long and asked about staffing. Ms. Stocklin-Steely said that approximately 90% of the design review process happens administratively, and there are increasing workloads and staff is challenged.

Councilmember Brown suggested that they address the need for energy efficient historical-looking windows. Ms. Stocklin-Steely said they are revisiting those hot topics and windows are high on that list. The Councilmember requested more information about the Landmark Preservation Commission (LPC). Ms. Stocklin-Steely said there are nine members, appointed by the Mayor, but appointments are not required to have Council approval. Generally, the terms are 2 to 3 years and the Mayoral policy outlines specific skill sets needed by the boardmembers.

Councilmember Shepherd asked how the process will address setbacks and materials. Ms. Stocklin-Steely said they've received feedback from the public concerning those issues so staff will be looking at massing, shape, design, and building materials to assure that renovations and construction fit in the design of the neighborhood. The Councilwoman asked that she have a personal briefing on this work.

Councilmember Robb asked if garages fall under staff or LPC review. Ms. Stocklin-Steely said that the guidelines aren't clear, but the intent is to put into ordinance who would review what. The Councilwoman requested that staff notify Council when the LPC will be hearing consideration of the proposed guidelines.

Presentation

Update: Downtown tax increment financing (TIF)

Councilmember Robb reminded the Committee that Council decided last year that the downtown tax increment financing (TIF) program and projects would come back to Committee as a total package. Bar Chadwick, Dept. of Finance, explained that three ordinances today related to the TIF Program include two grant

agreements for land acquisition and construction of the Lawrence Street Community Center, and an agreement with RTD for the 16th Street Mall Reconstruction project covered in the TIF program. The additional contract between the City and RTD is not part of the TIF program, but is part of the overall reconstruction and improvements of the mall. Ms. Chadwick stated that CH2M HILL was selected to manage the construction project and Scott Hergenrader is the Project Manager. The total projected tax receipts estimated to be utilized from TIF is \$16 million, an estimate of \$4 million to be used annually. There are five City projects being developed that will use the TIF; the 16th Street Mall and the Lawrence Street Community Center are two of the five projects. There are other TIF projects being managed separately by Denver Urban Renewal Authority (DURA).

Ms. Chadwick explained that a 20% local match (or 2/3 of the estimated project costs) was required from the US Dept. of Transportation grant. The agreement for the reconstruction of the 16th Street Mall project (Broadway to Court, and Lawrence and Market streets) will include improvements for paver rehabilitation, sub-base reconstruction, wet and dry utilities, and other design improvements. The City's costs will be \$1,329,833; the total cost of the project is \$8 million. RTD is currently redesigning the areas now and the plan is to complete that work in 2014 (3.5 blocks will be done with grant money). The Downtown Denver Partnership will not be partnering with funds for this particular project. Ms. Chadwick noted that the City will be submitting to DURA in May an additional application for funding.

Public Works (PW) at the same time was negotiating with RTD for a new contract that would cover continuing maintenance of the mall, so the additional agreement between PW and RTD was included in these discussions, but the second agreement costs will not come out of the TIF, said Ms. Chadwick. Janice Finch, PW, said the contract costs for the mall would be \$300,000 annually or \$3 million for a period of ten years. The City worked very closely with RTD and the mall stakeholders to assure that this transit mall is improved to maintain its normal operations. Henry Stopplecamp, RTD, explained that Denver has not put funding into the maintenance of the mall due to an earlier agreement. Ms. Finch said Denver was responsible for a portion of the maintenance costs beginning January 2014. The new contract proposes that Denver will reimburse RTD 30% of RTD's costs, up to \$300,000 annually for 10 years. Mr. Stopplecamp clarified that there will be a payment for 2013 as well.

Stan Szabelak, RTD, stated that the original pavers were designed in late 70s and were paid by a UMTA grant; which no longer exists. George Delaney, Public Works, said city roads are different than this area, and the mall is unique as an exclusive bus way. A trust fund was created to maintain the mall and for the last 30 years the funding has paid for improvements. Currently, RTD is paying \$1 million annually for the maintenance. Mr. Delaney noted that in 10 years, a new contract would need to be discussed for future maintenance, as the pavers will need to be replaced again by then.

Councilmember Brown asked about the lawsuit which provided for the trust fund. Mr. Delaney said the lawsuit was between the architect and the City; and the City won. Twenty million dollars was put into the fund, but RTD has been paying all the maintenance costs for the last five years. As a result of an evaluation of the mall line the engineers know which areas cost more or less along the corridor and they identified the problems (drainage issues).

Ms. Chadwick noted that there are three intersections that also need approval from Council, but those approvals are not included in these requests. City staff will be submitting those requests later.

Mr. Hergenrader noted that the second project related to the TIF projects is the Lawrence Street Community Center land acquisition and improvements of properties located at 2222 and 2232 Lawrence Street. Shawn Ropp, PW, is the project manager for this part of the project. The funding from the City in the amount of \$3.6 million would pay for land acquisition and approximately \$4.8 million from the City will pay for the improvements. The center will provide a safe gathering place for the homeless community during the day time, and the courtyard will provide a place for individuals to queue up while waiting to access area shelters. The design and plans are in compliance to the Arapahoe Square Design guidelines. Mr. Ropp said the plans include various features (size, kitchen, etc.); and parking for employees and volunteers. Dave Schunk, Denver Rescue Mission, explained that the building abuts to the Rescue Mission facility and provides safe parking for their volunteers.

Councilmember Brooks asked how the Rescue Mission will utilize this facility. Mr. Schunk said the facility could be utilized as an overnight shelter, but the main goal is to fill the day hour's gap. The center will open at 5 a.m. and will begin serving the clientele and the intent is to help transition people to other facilities by evening. The plan is to get people off of the street and into assistance to help with problems, and they've found that accessing services through the courtyard is a best practice that works, said Mr. Schunk. They are not adding beds just daily services. Other homeless centers that were evaluated for best practices include Midnight Mission in Los Angeles, Phoenix, and Atlanta.

Jen Welborn, City Attorney's Office, noted that these are cash-funded projects from TIF, so there is no repayment or debt. The money coming in from TIF will go back into the project.

Councilmember Montero said that a Good Neighbor Agreement is in place to assure that everyone knows the expectations of this project and the neighborhood. Ms. Chadwick said they've had meetings with the Ball Park District and the Curtis Neighborhood. Some of the other issues that are being worked on includes more police presence and additional clean up by PW. Mr. Schunk said it is their priority to be good neighbor. Councilmember Montero requested more information regarding how many businesses have been retained in this area, and how many services are located in this area, as she believes that businesses continue to come

to this area. Mr. Hergenrader said he would get that information to her.

Councilmember Brooks asked if the project was compliant to the 2011 North East Denver Neighborhood Plan and he wondered if the Rescue Mission is taking an approach that would protect the very vulnerable population there. Mr. Schunk said they could always to more and they are working at separating the predator from prey. Ms. Chadwick said the project provides many opportunities and is in compliance to all plans.

Councilmember Shepherd asked if a public hearing on the matter is planned. Ms. Welborn said a public hearing was provided on the TIF last year. Councilmember Montero said the City has been working on this project for a while and a public hearing was held to discuss the TIF use on the various projects. She did not plan on calling for another hearing as she doesn't see what another hearing would accomplish. She explained that many businesses continue to come to downtown and that the Office of Economic Development continues to make loans to those thriving new businesses. These proposals seek to protect and bring people off the street and are very humane in trying to balance the needs of the neighborhood, the homeless, and businesses in this area.

Mr. Schunk said the next steps include final acquisition in late May and zoning and construction to begin in September 2014.

BR14-0300 Approves a grant agreement with the Denver Rescue Mission in the amount of \$4,889,739 for construction of the Lawrence Street Community Center, related to the downtown increment financing project.

Bar Chadwick, Lisa Lumley, Dept. of Finance; Terri Goodwin, Janice Finch, Shawn Ropp, Public Works; Scott Hergenrader, CH2M HILL

A motion offered by Councilmember Montero, duly seconded by Councilmember Brown, to file the bill carried by the following vote:

- AYES: Susman, Brown, Lehmann, Lopez, Montero, Robb(6)
- NAYS: (None)
- ABSENT: (None)
- ABSTAIN: Shepherd(1)

BR14-0301 Approves a grant agreement in the amount of \$3,666,000 from Denver Urban Renewal Authority tax increment financing to the Denver Rescue Mission for purchase of properties located at 2222 and 2232 Lawrence Street for the purpose of constructing the Lawrence Street Community Center, related to the downtown increment financing project.

A motion offered by Councilmember Montero, duly seconded by Councilmember

Brown, to file the bill carried by the following vote:

AYES: Susman, Brown, Lehmann, Lopez, Montero, Robb(6)
NAYS: (None)
ABSENT: (None)
ABSTAIN: Shepherd(1)

RR14-0260 Approves an Intergovernmental Agreement between Regional Transportation District and the City & County of Denver in the amount of \$1,329,833 in local match funds for the 16th Street Mall Reconstruction Project (PWTRN-201414870-00).

A motion offered by Councilmember Montero, duly seconded by Councilmember Lopez, to file the bill carried by the following vote:

AYES: Susman, Brown, Lehmann, Lopez, Montero, Robb, Shepherd(7)
NAYS: (None)
ABSENT: (None)
ABSTAIN: (None)

BR14-0261 Approves an Intergovernmental Agreement between Regional Transportation District and the City & County of Denver in the amount of up to \$300,000 annually for a contract maximum of \$3,000,000 over 10 years for reimbursement of 30% of RTD’s costs for transit lane paver maintenance on the 16th Street Mall (PWTRN-201414871-00).

A motion offered by Councilmember Brown, duly seconded by Councilmember Lopez, to file the bill carried by the following vote:

AYES: Susman, Brown, Lehmann, Lopez, Montero, Robb, Shepherd(7)
NAYS: (None)
ABSENT: (None)
ABSTAIN: (None)