



Land Use, Transportation & Infrastructure Committee Summary Minutes

Tuesday, June 28, 2011

10:30 AM City & County Building, Room 391

Members Present: Johnson, Montero, Robb

Members Absent: None

Other Council Present: Nevitt, Lehmann

Committee Staff: Gretchen Williams

Bill Requests

BR11-0470 Changes the zoning classification from B-3 with waivers to S-CC-3x for the property at 2715, 2717, 2725, and 2727 S. Colorado in Council District 4.

Deirdre Oss, Community Planning & Development

This one-third acre site is on the west side of S. Colorado Blvd. just south of Yale, across from the University Hills shopping center. Uses on the west side of Colorado in this area are predominantly small-scale retail and other commercial.

The current zoning waives out several uses, including eating places, and the owner wants to update the zoning for more flexibility. The site is immediately adjacent to the residential properties to the west, without an alley, and some of the neighbors have expressed concern about allowing additional uses. The proposed S-CC-3x allows neighborhood-scale retail but exempts more intense uses, such as adult uses, firearms sales and others.

A public meeting was held on June 8 at which some residents expressed concerns about the potential redevelopment of the site; hours of operation; and noise and odors. Community Planning & Development (CPD) responded to those concerns. Several people have signed petitions of opposition to the rezoning.

CPD finds that the application is consistent with adopted plans for the area. The Planning Board on June 15 recommended approval 7 to 1 with 1 abstention.

A motion offered by Councilmember Johnson, duly seconded by Councilmember

Nevitt to file a bill carried by the following vote:
AYES: Nevitt, Johnson, Montero, Robb(4)
NAYS: (None)
ABSENT: (None)
ABSTAIN: (None)

BR11-0471 Changes the zoning classification from B-2 with waivers to S-MX-3 for property located at 9100 E Lowry Blvd. in Council District 5.
Chris Gleissner, Community Planning & Development

This 1.8-acre site at Lowry is surrounded by commercial, recreation and residential uses. The proposed zoning would allow for future redevelopment consistent with surrounding properties. The more immediate need is to allow the occupant to take advantage of a shared parking opportunity that will provide legal parking for the employees and clients and keep them from parking in the neighborhood.

CPD finds the proposal consistent with adopted plans, including the Lowry Reuse Plan. Blueprint Denver designated the area as a Single Family Area of Change (at the time, there was no development in the area).

Letters of support have been received from Lowry Redevelopment Authority and Lowry United Neighborhoods. The Planning Board recommended approval on its consent agenda on June 15.

A motion offered by Councilmember Johnson, duly seconded by Councilmember Montero to file a bill carried by the following vote:
AYES: Nevitt, Johnson, Montero, Robb(4)
NAYS: (None)
ABSENT: (None)
ABSTAIN: (None)

BR11-0472 Changes the zoning classification from I-A UO-2 to I-MX-3 UO-2 for property located at 377 South Lipan in Council District 7.
Chris Gleissner, Community Planning & Development

This 2.7-acre site is on the west side of Lipan between Alaska Pl. and Nevada Pl. and is bordered on the west by the railroad tracks. The Platte River is about a block east of the site.

The area is generally light industrial with some residential. The neighborhood is

changing to a more mixed use area, and the proposed zoning reflects that change.

CPD found that the proposal is consistent with adopted plans, including the Athmar Park Perimeter Plan, which recommends more mixed uses and more pedestrian-oriented development. Blueprint Denver identifies this as an Industrial Area of Stability with a goal of maintaining the character of the area while accommodating some new development and redevelopment.

CPD recommends approval. On June 15, the Planning Board recommended approval of the application on its consent agenda.

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

- AYES: Nevitt, Johnson, Montero, Robb(4)
- NAYS: (None)
- ABSENT: (None)
- ABSTAIN: (None)

BR11-0490 Amends agreement with The Park People, which is funding rehabilitation of the Fleming House in Platt Park in Council District 7, to allow Parks & Recreation to supplement the funding with \$30,233.
Chantal Unfug and Mark Tabor, Parks & Recreation

The historic 1880s-era Fleming mansion in Platt Park is in need of restoration. The Park People (TPP) was interested in renovating the building for its office upstairs with community space on the ground floor. With grants and a capital campaign, TPP raised funds and signed a contract with the City to do about \$500,000 worth of work.

During February, the pipes froze and burst, causing water damage to the floor and ruining the historic radiators. Additional setbacks included fining lead paint and asbestos. The heating system had to be redesigned because the original plan including the old radiators. The proposed contract amendment would add \$30,233 from Parks Capital Improvement funds to cover these unexpected costs.

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

- AYES: Nevitt, Johnson, Montero, Robb(4)
- NAYS: (None)
- ABSENT: (None)
- ABSTAIN: (None)

Presentation

Overview of potential National Western Stock Show projects - current location and Gaylord.

Jack Finlaw, Mayor's Chief of Staff; John Huggins, Advisor to the Mayor on NWSS; Paul Andrews and Pat Grant, National Western Stock Show

The National Western Stock Show (NWSS) has for years needed new facilities and a larger site in order to remain competitive. NWSS is constrained at its current 94-acre location by other development, uncertainty about future expansion of I-70, and its handshake agreement with its neighbors that it will not expand east of Brighton Blvd. Acquiring an additional 200+ acres to expand at its current location would be prohibitively expensive and an extremely unpopular.

The City and NWSS have a lease arrangement concerning use of land and buildings that runs through 2040. The two entities have been trying to identify a new, mutually-beneficial site in Denver for many years. John Huggins started work on this for Mayor Hickenlooper and will continue under Mayor Hancock.

Gaylord Enterprises has announced plans for its hotel, convention and entertainment complex on property in the High Point development, located in Aurora, southwest of Denver's DIA property. Gaylord and NWSS have been discussing a joint development plan.

Plans for financing the development include an application to the State under the relatively new (2009) Regional Tourism Act (RTA). Only local governments are eligible to apply under RTA. Selected projects will be allowed to use a newly created increment of the 2.9% state sales tax as tax increment financing for development. The intent of the RTA is to attract significant investment and revenue from outside of Colorado.

Aurora and Denver have announced that they will submit a joint application for the NWSS/Gaylord project by the deadline of June 30.

Until recently, Gaylord and NWSS were discussing a development site at High Point that would put NWSS on DIA land in Denver with Gaylord just across the line in Aurora. Due to initial concerns raised by the Federal Aviation Administration (FAA) and the unpredictable timeframe for FAA decisions, NWSS has identified an alternative adjacent to Gaylord that does not involve DIA property. It is in Aurora.

The presentation and discussion included the following points (see attached documents and video for detail):

- Importance and benefits of regional cooperation, i.e., "a rising tide lifts all boats".
-
- The state and suburbs have contributed millions of dollars for projects in

Denver, including Union Station redevelopment, sports stadiums, SCFD Tier I facilities, and four downtown hotels.

-
- Many Denver assets are outside of the city, such as Red Rocks Amphitheatre, Winter Park Ski Area and the Denver Mountain Parks.
-
- NWSS has developed a non-site-specific master plan that requires a minimum of 300 acres that will keep it competitive with new and growing facilities in other cities.
-
- Cost to develop that plan for new NWSS facilities is estimated at \$300 million. Potential funding sources include NWSS capital campaign; local tax increment financing; RTA financing; Denver general obligation bonds; and proceeds from sale of existing site.
-
- Aurora has promised a \$300 million incentive to Gaylord development in the form of tax increment financing.
-
- RTA application is due June 30. It will be evaluated by an independent third party consultant by Nov. 4. Applicants may adjust proposals in response to that review. Final submittal deadline is Dec. 27 with decision by March 1.
-
- The major component of the RTA application is an analysis indicating that the tax increment amount will be recouped by new out-of-state revenue.
-
- If the RTA application is unsuccessful, NWSS will not be able to relocate, and it will not survive.
-
- Any move by NWSS from its current location is contingent upon City Council 1) terminating the current lease; and 2) committing to general obligation bond financing of probably \$150 million.
-
- Analysis of the impacts of a NWSS move on the Colorado Convention Center and downtown hotels and businesses is being coordinated by the Downtown Denver Partnership and VisitDenver.
-
- The groundwork for planning redevelopment of the current NWSS site is being laid by Community Planning & Development's NWSS Station Area Plan, which includes alternative scenarios with and without NWSS, and start of work on the Elyria Swansea Neighborhood Plan.
-
- NWSS Executive Board (13 members) is firmly in support of the proposed plan.

Should the NWSS project move forward at the new site:

- FAA will review the project but on a much more limited basis. The new site is about 1/2 mile from DIA property and a mile south of the proposed east-

west runway (as opposed to on DIA property near the end of the planned runway).

-
- Denver will own the land on which the NWSS facilities sit.
-
- There will be complicated negotiations with NWSS and Aurora concerning ownership of the land and buildings, the operations and maintenance of the site, and provision of municipal services.
-
- Denver and Aurora will need to enter into an Intergovernmental Agreement, and there are ways to structure that to retain Denver's economic benefits from the NWSS.
-
- The voters would have to approve any general obligation bond issuance (possibly \$150 million) to finance infrastructure at the new site in Aurora.
-
- The City has no bonding capacity until 2017 or 2019, at which time it will have only \$300 million if the mill levy remains the same.
-
- Potential moving date for NWSS is 4 to 5 years in the future.
-
- The City has the flexibility to terminate the project.

Future City Council actions specific to the NWSS relocation:

- Approve an Intergovernmental Agreement (IGA) with Aurora.
- Approve a financing plan with NWSS, probably including submittal of a \$150 million bond issue to the voters.
- Release NWSS from its current lease with the City through 2040.
- Approve plans for the current NWSS site and surrounding area.

The following information was requested:

- Whether or not there is any opportunity for public analysis of the information in the RTA application, and if so, in what form.
- Provide Council copies of the FAA letter detailing its concerns about the site considered on DIA property.
- Relationship of the proposed site to the rail line and stations.