



---

## Land Use, Transportation & Infrastructure Committee Summary Minutes

---

**Tuesday, December 21, 2010 11:00 AM City & County Building, Room 391**

**Members Present:** Johnson, Montero, Robb, Sandoval

**Members Absent:** Hancock, Madison

**Other Council Present:** Nevitt

**Committee Staff:** Gretchen Williams

---

### Bill Requests

**RR10-1116 Approves mayoral new and reappointments to the Denver Union Station Project Authority Board of Directors for terms effective immediately and expiring as indicated: Reappointment of Jerry Glick and Mike West until 12-31-12; appointment of Laura Aldrete until 12-31-11 William Bianco until 12-31-12.**

Councilwoman Montero said the Denver Union Station Project Authority Board of Directors is a hard-working board, and she thought it was important that the public hear from some of the members.

Diane Barrett, Mayor's Office, introduced the individuals being appointed and re-appointed, and they each made a few comments.

Michael West, being re-appointed, has been on the board since its inception and has chaired its audit committee. He is Chief Financial Officer of a private equity firm and a CPA. Mr. West has been a downtown resident since 1989.

Jerry Glick, Vice-Chair of the DUS Board, is also being reappointed. He is traveling this week so could not attend the Committee's meeting.

Laura Aldrete, a new appointee replacing Mario Carrera, has worked on the Denver Union Station (DUS) project in her professional capacity as a planner and urban

designer and has watched the project closely as Vice-Chair of the Denver Planning Board. She was a project manager for the redevelopment of Stapleton. Ms. Aldrete told the Committee that Denver is seen nationally as a model for its linkage of land use and transportation, and the DUS project is no small part of the forward-thinking reputation.

William Bianco, a partner at the law firm Davis Graham & Stubbs, is being appointed, replacing Robin Kniech, who is running for a Council At-Large seat in the 2011 municipal election. Mr. Bianco has experience in construction and real estate litigation, and he is also on the Legal Aid Society Board of Directors. A downtown resident, he can see Denver Union Station from his home.

The Regional Transportation District (RTD) has been awarded a \$4 million State FASTER grant for restoration of the historic station. The Stakeholders Committee and an expert panel are working to develop a list of projects, and Historic Denver and Denver's Community Planning & Development Dept. are also involved. A report will be presented to the RTD Board at its January meeting.

The DUS budget includes \$17 million for the historic station itself. She noted that while those funds will be the first cut if there are budget problems, \$8 million is secure to bring the building up to code so it can be occupied.

Councilwoman Montero asked that an update on Union Station be scheduled for the Committee after the first of the new year.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson to file a resolution making the proposed appointments and reappointments to the Denver Union Station Project Authority Board of Directors carried by the following vote:

AYES: Nevitt, Johnson, Montero, Robb, Sandoval(5)  
NAYS: (None)  
ABSENT: Hancock, Madison(2)  
ABSTAIN: (None)

**BR10-1109 Approves an Intergovernmental Agreement with Cherry Creek North Business Improvement District regarding reconfiguration of Fillmore Street through Fillmore Plaza between 1st and 2nd avenues.**

*Councilwoman Robb and Rob Duncanson, Public Works*

Councilwoman Robb said this 99-year IGA is a compromise concerning reconfiguration of Fillmore Street between First and Second avenues in Cherry Creek North. The street was converted to a pedestrian plaza about 20 years ago,

but the City retained it as public right-of-way. While the residents of surrounding neighborhoods have argued to keep it as open space, the Cherry Creek Business Improvement District (BID) and Fillmore property owners have pushed to reopen the street to traffic. Through the years, this has been an unsettled controversy, even after mediation.

Approximately 43 meetings on this subject have been held over the past year, and it was a tough and emotional process. While there is still much public support for keeping it as a park, the BID and the neighborhood organizations have agreed on a hybrid plaza with limited vehicular use. All of the specifics and the design are in the proposed IGA. Construction should be completed by July for the Cherry Creek Arts Festival.

Julie Bender, President and CEO of the BID; Steve Kaplan, an attorney for the BID; Dick Marshall of Nolte, design consultant to the BID; Rob Duncanson, Denver Public Works Dept.; and Kerry Buckey, Assistant City Attorney, discussed the proposal and described how the plaza will function.

Reconfiguration of Fillmore is the last piece of the \$18 million capital improvement project undertaken by the BID. The idea is to create an open space that can host events but also function as a vital retail street.

As part of the project, the pedestrian crossing of First Ave. will be further enhanced. At First Ave., the traffic movement will be restricted to right-in right-out. The northern two-thirds of Fillmore will have two traffic lanes, changing to one northbound lane and ten southbound parallel parking spaces. Sidewalks will be 15 to 20 feet wide to accommodate more pedestrians and sidewalk cafes. From the plaza, there will be access to public parking on both the east and west.

Twenty-four 5-inch caliper shade trees will be planted, and a central fabric canopy structure will be installed. Other amenities include furniture, a planter that will provide a continuous seating wall, bike racks and pedestrian lighting. Bollards at First and Second avenues will be recessed when the street is open to traffic.

Ms. Bender said this is the primary gateway into the Cherry Creek North District. Fillmore will be similar to Clayton Lane but with many more amenities. The IGA is meant to balance many objectives, because the space must function as a retail space, but it can also be the primary event space.

Councilwoman Robb said one important criterion is flexibility. It is important to the community that what they see is what they get in terms of design and functionality.

Mr. Duncanson said the design is in final review and all major concepts are approved. Review of details, such as how the rolling planters will be locked in place, is all that remains.

Mr. Kaplan said the IGA is clear that the BID, not the City, is paying the cost of the

project, and the BID is responsible for maintenance and liability. The City retains ownership, but the block will have special treatment from a design perspective, subject to City approval.

Councilwoman Robb said the parking revenue on Fillmore, estimated at about \$20,000 per year, will go to the City, although she argued for dedicating that revenue to events on the Plaza.

Ms. Bender said that an Event Advisory Group has been formed, consisting of BID members and appointees of the three area neighborhoods [Cherry Creek North (2); Country Club (1); and Cherry Creek East (1)] to advise the BID on programming. Mr. Kaplan added that Mr. Duncanson suggested an annual Master Street Occupancy Permit to be obtained from the City. Everyone has early notice of closures and events. Per the IGA, the street will be closed at least 34 days each year. Four of those days are reserved for the RNOs. Any organization may apply to the City, the advisory board and the BID for permits for days not included in the Master Permit. The City has final authority to grant or deny any permit application.

Councilwoman Robb said this was a long and difficult process. A compromise can be difficult, but she thinks this is a workable solution. She thanked everyone for their hard work on this effort.

A motion offered by Councilmember Johnson, duly seconded by Councilmember Sandoval to file a bill approving the IGA between the City and the Cherry Creek North Business Improvement District regarding Fillmore Plaza carried by the following vote:

- AYES: Nevitt, Johnson, Montero, Robb, Sandoval(5)
- NAYS: (None)
- ABSENT: Hancock, Madison(2)
- ABSTAIN: (None)