

City Council Meeting of Monday, January 23, 2023

City and County of Denver

Robin Kniech.....At Large
Deborah "Debbie" Ortega.....At Large
Amanda P. Sandoval.....District 1
Kevin Flynn.....District 2
Jamie Torres.....District 3
Kendra Black.....District 4
Amanda Sawyer.....District 5



Paul Kashmann.....District 6
Jolon Clark.....District 7
Christopher Herndon.....District 8
Candi CdeBaca.....District 9
Chris Hinds.....District 10
Stacie Gilmore.....District 11
Bonita Roznos.....Executive Director
Mar'quasa Maes.....Secretary
Room 450
City & County Building
1437 Bannock Street
Denver CO 80202
Phone: 720-337-2000
Email: dencc@denvergov.org

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT AND LANGUAGE INTERPRETATION

The Council Chambers has listening devices for people with a hearing loss. Request a device from the Council Secretary. The City can provide sign language interpretation, CART (computer assisted real-time transcription), and foreign language interpretation for persons attending City Council meetings. If you need any of these accommodations, please email dencc@denvergov.org or call 720-337-2000 three (3) business-days prior to the Council meeting. For other public accommodation requests/concerns related to a disability, please contact disabilityaccess@denvergov.org.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at the City & County Building, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled Council meeting. The agenda packet is also posted on the City Council website at <https://www.denvergov.org/citycouncil>. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver.legistar.com>.

PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak, sign up online at www.denvergov.org/councilpublicinput or by phone at 720-337-2000 starting at 3 p.m. the day of the hearing or during the recess of Council. Sign up closes at 5:30 p.m. No sign-up by proxy permitted. Each speaker is allowed 3 minutes, there is no yielding of time (unless necessary to accommodate translation or a disability). To submit written testimony to the public record on an item, we ask that submissions be sent to dencc@denvergov.org no later than 3 p.m. on the date the item is heard before Council in order to give members of Council adequate time to review each submission before meeting start. Please contact the Denver City Council for more information at 720-337-2000.

GENERAL PUBLIC COMMENT SESSIONS

Starting at 5 p.m. before every regularly scheduled Council meeting, City Council hosts a 30-minute general public comment session, allowing members of the public to address the full Council with concerns regarding any matter not scheduled for a public hearing. Speakers have 3 minutes to speak and must sign up online at www.denvergov.org/councilpublicinput, by phone at 720-337-2000, or in person in Rm. 451 of the City & County Building. Sign up starts at 12 p.m. the Friday before the session is held and closes at 4 p.m. the day the session is held. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

PLEDGE OF ALLEGIANCE

LAND ACKNOWLEDGEMENT

ROLL CALL

APPROVAL OF THE MINUTES

[23-0072](#) Minutes of Tuesday, January 17, 2023

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[23-0076](#) A proclamation celebrating Lunar New Year 2023. (consent)

Sponsor Torres

RESOLUTIONS

Business, Arts, Workforce, & Aviation Services Committee

[23-0008](#) **A resolution approving a proposed First Amendment between the City and County of Denver and Enginuity Engineering Solutions, LLC, concerning updating the Small Business Enterprise (SBE) proposed goal, reflecting that the company is a SBE at Denver International Airport.**

Amends an on-call contract with Enginuity Engineering Solutions, LLC to update the Small Business Enterprise (SBE) proposed goal from 30% to a 75% SBE self-performing goal, reflecting that the company is a SBE. No change to contract amount or duration (PLANE-202157833/ 202264570-01). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-2023. The Committee approved filing this item at its meeting on 1-11-2023.

[23-0009](#) A resolution approving a proposed First Amendment between the City and County of Denver and Smith Environmental and Engineering, concerning updating the Small Business Enterprise (SBE) proposed goal, reflecting that the company is both a SBE and M/WBE at Denver International Airport.

Amends a contract with Smith Environmental and Engineering to update the Small Business Enterprise (SBE) and Minority, Women Business Enterprise (M/WBE) proposed goal from 30% to a 45% SBE/MBE self-performing goal, reflecting that the company is both a SBE and M/WBE. No change to contract amount or duration (PLANE-202157834/ 202264306-01). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-2023. The Committee approved filing this item at its meeting on 1-11-2023.

[23-0010](#) A resolution approving a proposed Agreement between the City and County of Denver and Premisys Support Group, Inc., concerning a south campus office facilities and ground space lease at Denver International Airport.

Approves a space lease agreement with Premisys Support Group, Inc. (PSG) for rates and charges and 2 years, plus 3 one-year options to extend to lease 3,975 sq. ft. at Denver International Airport's south campus, allowing PSG to continue providing telecom design and installation services for DEN, located in Council District 11 (PLANE-202262571). The last regularly scheduled Council meeting within the 30-day review period is on 2-13-2023. The Committee approved filing this item at its meeting on 1-11-2023.

Finance & Governance Committee

[23-0022](#) A resolution approving the Mayor's reappointments to the Cherry Creek North Business Improvement District.

Approves the Mayoral reappointments of Dean Griffin and Liza McInroy to the Cherry Creek North Business Improvement District for terms effectively immediately and expiring 12-31-2025, or until successors are duly appointed. The Committee approved filing this item at its meeting on 1-10-2023.

BILLS FOR INTRODUCTION**Land Use, Transportation & Infrastructure Committee**

[23-0001](#) **A bill for an ordinance relinquishing a portion of the easement established in Tower 160 Filing No. 4, recorded with Denver Clerk & Recorder at Reception No. 2022036000 located at East 51st Avenue and North Yampa Street.**

Relinquishes a portion of the utility easements established in the Recordation Number 2022036000, located at East 51st Avenue and North Yampa Street in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 2-13-2023. The Committee approved filing this item at its meeting on 1-10-2023.

[23-0011](#) **A bill for an ordinance changing the zoning classification for 4320 Morrison Road, 753 South Raleigh Street and 4849 West Kentucky Avenue in Westwood.**

Approves a map amendment to rezone property from E-MX-3, E-MX-3, UO-1, UO-2; E-UT-C; and E-SU-D to OS-A, located at 4320 Morrison Rd, 753 S Raleigh St, and 4849 W Kentucky Ave in Council District 3. If ordered published, a public hearing will be held on Tuesday, 2-21-2023. The Committee approved filing this item at its meeting on 1-10-2023.

[23-0012](#) **A bill for an ordinance changing the zoning classification for 1254 North Monaco Street Parkway in Montclair.**

Approves a map amendment to rezone property from E-SU-Dx to E-SU-D1x, located at 1254 North Monaco Street Parkway in Council District 5. If ordered published, a public hearing will be held on Tuesday, 2-21-2023. The Committee approved filing this item at its meeting on 1-10-2023.

[23-0015](#) **A bill for an ordinance amending certain provisions of Chapter 54, concerning pedestrian movement.**

Amends certain provisions of Chapter 54, concerning pedestrian movement. The Committee approved filing this item at its meeting on 2-13-2023.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee**

[23-0004](#) **A bill for an ordinance making an appropriation in the Grant and Other Money Projects Fund Series to make a cash transfer to the Capital Improvements and Capital Maintenance Fund Series.**

Approves a cash transfer of \$8,704,165.61 from the East Corridor Fund (38349) to the Public Works Improvement Projects Fund (31050) for budget appropriations of the Regional Transportation District's final repayment of sales and use tax funds remaining in contingency per the East Corridor intergovernmental agreement for the Eagle Project. The Committee approved filing this item at its meeting on 1-3-2023.

Land Use, Transportation & Infrastructure Committee

[22-1634](#) **A bill for an ordinance approving a proposed Development Agreement between the City and County of Denver and ACM Park Hill JV VII, LLC, for the redevelopment of the land known as the Park Hill Golf Course located at 4141 East 35th Avenue.**

Approves a development agreement with ACM Park Hill JV VII, LLC, and any future successors and assigns, establishing infrastructure construction and maintenance responsibilities, funding commitments, requirements for affordable housing, creation of 100 acres of publicly accessible parks and open space, construction of the 303 Heritage Artway Trail, real estate transfers to the City, and vested property rights for the Park Hill Golf Course property at 4141 E. 35th Avenue in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-2023. The Committee approved filing this item at its meeting on 12-13-2022.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight, there will be a required public hearing on Council Bill 22-1628, approving the Consolidated Service Plan for the creation of five (5) Title 32 Metropolitan Districts, the Park Hill Metropolitan District Nos. 1-5; a required public hearing on Council Bill 22-1629, changing the zoning classification for 4141 East 35th Avenue in Northeast Park Hill; and, a 30-minute courtesy public hearing on Council Bill 22-1635, submitting to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election to be held on April 4, 2023, the extinguishment of a City-owned conservation easement on the land known as the Park Hill Golf Course. Anyone wishing to speak on any of these matters must go online to sign up during the recess of Council.

RECESS**COUNCIL RECONVENES AND RESUMES ITS REGULAR SESSION****UNFINISHED BUSINESS****PROCLAMATIONS****PUBLIC HEARINGS - REQUIRED PUBLIC HEARINGS**

[22-1628](#) A bill for an ordinance approving the Consolidated Service Plan for the creation of five (5) Title 32 Metropolitan Districts, the Park Hill Metropolitan District Nos. 1-5.

Approves the Consolidated Service Plan for the creation of five (5) Title 32 Metropolitan Districts: Park Hill Metropolitan District Numbers 1-5, located in Council District 8. The Committee approved filing this item at its meeting on 12-13-2022.

[22-1629](#) A bill for an ordinance changing the zoning classification for 4141 East 35th Avenue in Northeast Park Hill.

Approves a map amendment to rezone property from OS-B to OS-A, C-MX-12, C-MX-8, C-MX-5, C-MX-5 with waivers, C-MS-5 with DO-8, G-RX-5, and G-RX-5 with waivers, located at 4141 East 35th Avenue in Council District 8. The Committee approved filing this item at its meeting on 12-13-2022.

PUBLIC HEARINGS - COURTESY PUBLIC HEARINGS

[22-1635](#) **A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election to be held on April 4, 2023, the extinguishment of a City-owned conservation easement on the land known as the Park Hill Golf Course.**

Submits to a vote of the qualified and registered electors of the City and County of Denver at the general municipal election on April 4, 2023 a ballot measure authorizing the release of the conservation easement on the property known as the Park Hill Golf Course and allowing commercial and residential development, including affordable housing, and public regional park, trail and open space. The Committee approved filing this item at its meeting on 12-13-2022.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Tuesday, February 21, 2023, Council will hold a required public hearing on Council Bill 23-0011, changing the zoning classification for 4320 Morrison Road, 753 South Raleigh Street and 4849 West Kentucky Avenue in Westwood; and, a required public hearing on Council Bill 23-0012, changing the zoning classification for 1254 North Monaco Street Parkway in Montclair. Any protests against Council Bills 23-0011 or 23-0012 must be filed with the Council Offices no later than noon on Monday, February 13, 2023.

ADJOURN

PENDING

FOR 1-30-2023:

[22-1602](#) **A bill for an ordinance changing the zoning classification for 365 South Ogden Street in Washington Park West.**

Approves a map amendment to rezone property from U-SU-B to U-SU-B1, located at 365 South Ogden Street in Council District 7. The Committee approved filing this item at its meeting on 12-6-2022.

[22-1603](#) **A bill for an ordinance changing the zoning classification for 1772 & 1788 South Acoma Street in Overland.**

Approves a map amendment to rezone property from I-A, UO2 to I-MX-5, located at 1772 and 1788 South Acoma Street in Council District 7. The Committee approved filing this item at its meeting on 12-6-2022.

FOR 2-6-2023:

[22-1455](#) **A bill for an ordinance changing the zoning classification for 4350 Shoshone Street in Sunnyside.**

Approves a map amendment to rezone a property from U-TU-C to U-SU-B1, located at 4350 Shoshone Street in Council District 1. The Committee approved filing this item at its meeting on 11-15-2022.

[22-1551](#) **A bill for an ordinance changing the zoning classification for 1901 North Eudora Street in South Park Hill.**

Approves a map amendment to rezone property from PUD 377 to PUD-G 30, located at 1901 North Eudora Street in Council District 8. The Committee approved filing this item at its meeting on 12-6-2022.

[22-1647](#) **A bill for an ordinance changing the zoning classification for multiple properties to apply the Cherry Creek East Mixed Use and Cherry Creek East Residential Design Overlays in Cherry Creek.**

Approves a legislative map amendment to rezone multiple properties in the Cherry Creek neighborhood to apply the Cherry Creek East Commercial Mixed Use Design Overlay zone district (DO-9) and the Cherry Creek East Residential Design Overlay zone district (DO-10) in Council District 10. The Committee approved filing this item at its meeting on 12-20-2022.

[22-1664](#) **A bill for an ordinance amending the Denver Zoning Code, establishing the Cherry Creek East Mixed Use Design Overlay zone district and the Cherry Creek East Residential Design Overlay zone district, and clarifying certain rules of measurement.**

Approves a Denver Zoning Code text amendment to create the Cherry Creek East Commercial Mixed-Use Design Overlay zone district (DO-9) and the Cherry Creek East Residential Design Overlay zone district (DO-10), as well as make a minor clarification to the rules of measurement. The Committee approved filing this item at its meeting on 12-20-2022.

FOR 2-13-2023:

[22-1673](#) **A bill for an ordinance designating 1618 East 38th Avenue as a structure for preservation.**

Approves an individual Denver landmark designation for property located at 1618 East 38th Avenue in Council District 9. The Committee approved filing this item at its meeting on 1-3-2023.

[22-1674](#) **A bill for an ordinance changing the zoning classification for 1618 East 38th Avenue in Cole.**

Approves a map amendment to rezone property from PUD 17 to U-MX-2x, located at 1618 East 38th Avenue in Council District 9. The Committee approved filing this item at its meeting on 1-3-2023.

[23-0005](#) **A bill for an ordinance changing the zoning classification for 2107, 2111, 2115 & 2119 West 29th Avenue in Highland.**

Approves a map amendment to rezone property from U-MS-3 and G-MU-3, UO-3 to U-MS-3, DO-8, located at 2107, 2111, 2115 and 2119 West 29th Avenue in Council District 1. The Committee approved filing this item at its meeting on 1-3-2023.