



Land Use, Transportation & Infrastructure Committee Summary Minutes

Tuesday, May 10, 2011

10:30 AM City & County Building, Room 391

Members Present: Johnson, Montero, Sandoval

Members Absent: Robb

Other Council Nevitt, Linkhart

Present:

Committee Staff: Gretchen Williams

Bill Requests

**BR11-0145 Designates a portion of the Curtis Park Neighborhood as
Curtis Park Historic District H.**

Savannah Jameson, Landmark Preservation Commission

The proposed historic district has been discussed in Committee twice but has been held due to concerns expressed by some of the owners of property within the proposed area. A compromise has been reached that removes some of the properties from the boundaries and modifies the list of contributing structures.

Councilman Linkhart has been working with the property owners on behalf of Councilwoman Carla Madison. He explained the discussions and outcome of the negotiations. It is a good compromise. One outcome is that Greyhound agreed to include one of its properties in the district.

Other properties were taken out, one of which is the Temple Emanuel building. This property is in the middle of a sale transaction, and neither the seller, Eugene Tepper, nor the buyer, Urban Land Conservancy, wants the property in the district at this time. It could be designated as a landmark or included in the district in the future. The Conservancy is interested in preserving structures for community use. The Jewish Historic Society has supported designating this building.

Councilman Linkhart said that while there are benefits of being in a district or

designated, we might need to look at the requirements when even such community-spirited organizations as Urban Land Conservancy do not feel they can afford the requirements.

Councilwoman Montero asked if the applicants and neighborhood are interested in working to keep the building. Mr Nobel, one of the applicants, said yes, absolutely, but at this time, including it in this district is not the appropriate tool.

Councilman Linkhart said we cannot wait for the new district 8 councilmember to come into office. This is a reasonable compromise at this time.

Mr Nobel said this has been the most difficult area of the neighborhood to take through this process due to the mix of uses closer to downtown. He noted that the compromise for non-conforming structures where the historic context has been lost was devised in Councilwoman Madison's office.

In 1956, the City adopted B-8 zoning from 27th south to downtown, which was catastrophic for the area. Since then, 88 historic Victorian homes have been torn down. The hope is that with design review, the spaces will be filled in with buildings of 21st Century design as good as the late 19th Century architecture that has been lost. We hope landmarking the area will help make the new buildings conform to the general design intent. The new zoning will help control mass and height.

The application was transmitted to Council in February and the bill must be filed with Council within 90 days. Today is the last Committee date to move this on to Council.

A motion offered by Councilmember Johnson, duly seconded by Councilmember Sandoval to file a bill approving the proposed historic district as amended carried by the following vote:

AYES: Nevitt, Johnson, Montero, Sandoval(4)

NAYS: (None)

ABSENT: Robb(1)

ABSTAIN: (None)

BR11-0300 Adopts the Northeast Downtown Neighborhoods Plan as a supplement to the Denver Comprehensive Plan.

Peter Park, Courtland Hyser and Ellen Ittelson, Community Planning & Development

Peter Park, Manager of Community Planning & Development, said the Northeast Downtown Neighborhoods Plan was one of the major recommendations of the Downtown Area Plan. This plan represents the evolution of how we prepare plans in Denver, with great collaboration among agencies.

The land area included in the plan is approximately 1.5 square miles in the northeast portion of the downtown area, generally bounded by 20th Ave., 20th

Street, Downing/Lafayette, and Wazee/ Coors Field.

The plan process started in March 2010 with several public meetings. Several neighborhoods are included in the plan area, as well as a wide variety of land uses and building types and heights. The plan identifies eight "transformative concepts" and concepts for specific streets and areas. In several cases, opportunities already exist on which to build, such as the 38th & Blake transit station and the recently-created controlling metropolitan district.

The plan includes recommended building forms for the individual neighborhoods, based largely on the existing zoning but in some cases recommending changes to the zoning.

Mr Park said this plan focuses on the physical characteristics of the neighborhoods. The new zoning code provided a strong base to work from, and the people know and understand the zoning code so well, they could visualize how it will implement the plan. The plan has clear recommendations that are implementable, and it weaves in a number of other efforts going on, such as the Downtown Area Plan, the Living Streets concepts, and transit opportunities. The plan provides a common vision in an easily accessible format.

Councilwoman Montero asked several specific questions, the responses to which are summarized below.

1. The Ballpark area will be protected with regard to building heights through use of the Coors Field Context Overlay. The plan recommends an 8-story base height near the Ballpark neighborhood within this area with the stipulation that building heights should not exceed the level of the stands at Coors Field.
2. The plan vision for the River North area is mixed-use industrial, reinforcing the existing zoning. Land use recommendations support the neighborhood's desired funky, eclectic mix of uses.
3. The plan addresses the need for a pedestrian bridge near the 38th & Blake transit station and the fact that RTD has not yet made a final decision regarding placement of a bridge. The East Corridor Environmental Impact Statement shows the bridge at 38th Ave. The Station Area Plan recommends that bridge be located at 36th Ave. because the streets better connect to the neighborhood, and that view is reiterated in this plan. The plan recommends that if RTD opts to put the bridge at 38th, another bridge will be needed at 36th at some point in the future. The City is already working to identify possible resources.
4. One plan recommendation is to establish a new business development office for Arapahoe Square. If that is not feasible, the Five Points business development office should be expanded to include Arapahoe Square. Another recommendation is to have a third office for the Ballpark and River North areas because the development opportunities there are very different from Five Points and Arapahoe Square. Councilwoman Montero asked that the recommendation regarding

Ballpark and River North be included in the summary.

Steve Gordon, Community Planning & Development, noted the importance of the participation and major commitment of the Downtown Denver Partnership with crucial funding and support.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson to file a bill to adopt the Northeast Downtown Neighborhoods Plan carried by the following vote:

AYES: Nevitt, Johnson, Montero, Sandoval(4)

NAYS: (None)

ABSENT: Robb(1)

ABSTAIN: (None)

Presentations

1 Introduction of the Arapahoe Square Urban Redevelopment Plan, encompassing approximately 93 acres immediately northeast of downtown Denver.

Andrew Johnston, Finance; Tracy Huggins and Cameron Bertram, DURA; Steve Gordon, Community Planning & Development

The Downtown Area Plan (2007) recommended redevelopment of Arapahoe Square based on a small area plan. The Northeast Downtown Neighborhoods Plan recommends creation of an urban renewal area for Arapahoe Square. Today's presentation is information on a proposed Arapahoe Square Urban Redevelopment Plan, which will return to Committee for action on June 7. If the plan is approved, an urban redevelopment area can be created, which allows DURA to help finance projects in the designated area.

Arapahoe Square is bounded approximately by 19th and 24th streets and California and the alley between Lawrence and Larimer. The process to create the plan started in 2009 with the statutorily required blight study. Denver Urban Renewal Authority (DURA) undertook extensive public notice in the area about a public meeting to discuss the process. As much as possible, the urban redevelopment plan process has been concurrent with the Northeast Downtown Neighborhoods Plan process.

The blight study area was a little larger than the currently proposed area. The Welton Street corridor has been eliminated from this current effort. Welton Street is unique in that it has a main street feel but it is also a transit corridor. The Northeast Downtown plan recommends that Welton Street become an urban renewal area separate from the Arapahoe Square urban renewal area in the future.

In order to create an urban redevelopment area, Council must find several factors. One of these is that the area is "blighted" per the statutes definition. Blight studies

look for ten factors that are hindrances to development, including unreasonable street and lot layout patterns, such as created by Broadway slicing across the blocks. Other factors include deteriorated structures; unsanitary or unsafe conditions; deterioration of infrastructure; environmental contamination; and high vacancy rates. In this area, not a single block was found without some of the blight factors, and 16 of the 26 blocks in the study had four or more factors.

Another finding Council must make is that the plan conforms to adopted plans. In this case, those include Denver Comprehensive Plan 2009; Blueprint Denver; the Downtown Area Plan; and the Northeast Downtown Neighborhoods Plan.

Goals and objectives of the urban redevelopment plan include eliminating blight; encouraging high to moderate density development were appropriate; more effectively use underdeveloped land; protect and enhance historical structures and encourage reuse; and encourage development patterns that reduce auto demand; encourage pedestrian activity; and provide for a more environmentally sustainable city. DURA would be warranted in financing development projects that promote these goals and objectives.

Councilwoman Montero asked if the plan recommends bringing in more families with children and a school. Mr. Bertram said that the plan recommends a large variety of housing types, both in size and price, which supports housing that is family-oriented. A school would not be something that DURA would be financing.

Urban renewal plans are often for a specific project, such as the Lowenstein Theatre project. In the case of Arapahoe Square, a broader area will benefit from redevelopment of potentially several projects over time. If this plan is adopted, it would allow DURA to provide financial support for public infrastructure projects or for site developers through tax increment financing, or TIF, to help encourage redevelopment as recommended by the Northeast Downtown plan. No specific TIF projects are being proposed or authorized by the plan. Council will have to approve each specific TIF project.

DURA will conduct another round of public meetings with the stakeholders, including the neighborhoods. The Planning Board will review the plan on June 1, and the plan will be back before this Committee for action on June 7. The next item on this agenda is a resolution setting a City Council public hearing on the proposed plan for June 27.

Ms Huggins said the Downtown Urban Renewal area is a good template to see how the proposed Arapahoe Square area would work. DURA was ready to bring this proposal to Council earlier, but the process was suspended to allow the Northeast Downtown Plan process to catch up so the two plans come to Council fairly close together.

Councilwoman Johnson asked if it is anticipated that development will work from the edges toward the center. Ms Huggins said that DURA has been already been approached about a development on the edge, but potentially there could be an

early one in the core. What the City determines to do with Broadway will impact what happens in the core of Arapahoe Square.

Ms Huggins said when DURA first reached out to community, some had concerns about DURA and eminent domain. The plan language allows eminent domain, but City Council must approve that direct authority to use that authority.

Bill Request

RR11-0328 Sets a public hearing before City Council on the proposed Arapahoe Square Urban Redevelopment Plan for June 27, 2011.

Andrew Johnston, Finance; Tracy Huggins, DURA

State statute requires at least 30 day public notice of public hearing before an urban redevelopment plan is adopted. Since everyone wants this plan to stay in step with the Northeast Downtown Neighborhoods Plan, the hearing needs to be set now for June 27. Council will set the public hearing date on May 23 by adoption of the proposed resolution.

A motion offered by Councilmember Sandoval, duly seconded by Councilmember Johnson to file a resolution setting a public hearing for June 27, 2011, carried by the following vote:

AYES: Nevitt, Johnson, Montero, Sandoval(4)
NAYS: (None)
ABSENT: Robb(1)
ABSTAIN: (None)