



Land Use, Transportation & Infrastructure Committee Summary Minutes

Tuesday, September 18, 2012 10:30 AM City & County Building, Room 391

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

Committee Staff: Gretchen Williams

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

Members Absent: None

Bill Requests

BR12-0634 Accepts on behalf of B-Cycle a grant, establishes a fund and appropriates funds for 27 stations.

Parry Burnap, Denver Bike Sharing

Parry Burnap, Executive Director, and Nick Bohnenkamp, Director of Planning for Denver Bike Sharing, a 501(c)(3) organization that provides the B-Cycle program, gave a brief overview of the status of the program. In its third year, the system currently has 53 stations and 530 bikes. The system is being built incrementally as grant funds are available and awarded. Most of the current system was constructed with funds from the Democratic National Convention in 2009.

Locations are determined by the proximity of other stations, the population and employment densities, land use mix and proximity to transit. Detached stations, such as at DU and Cherry Creek, have lower ridership than others because of the distance to the next closest station. If there is too much separation, more than between 3 to 6 blocks, people tend to use the outlying station much less. Station

density is key to the success of the system.

The grant funds that the proposed ordinance would accept will fund 27 new stations. The new locations are fill-in sites in the downtown area, at transit stations, and some expansion of the system geographically.

Funding often has conditions attached as to locations, and funding is unpredictable and difficult to find and secure.

Several Committee members expressed dismay that the West Side of the City is lagging behind the core in the number of stations. The S. Federal Blvd. corridor has been redeveloped and made safe for bikes, as is Morrison Road. Bike lanes are planned for several other streets. The Denver Human Services Department has been pushing for a B-Cycle station at that building from the beginning of the program.

Ms. Burnap said she understands the issues and agrees that funding should be sought for the West side. She offered to work with Council members on identifying station locations. Denver Bike Sharing is partnering with the Denver Housing Authority to prepare a grant application that would provide for six new stations on the West side.

The cost to install a station runs between \$1,500 to \$10,000, depending on the amount of concrete required and the number of bikes. To purchase bikes for each new station is about \$55,000. To relocate an existing station is about \$5,000-8,000.

Councilman Brooks said there is a cultural issue, and lots of people in our community do not know about this program or why they should ride bikes. He asked Bike Sharing to work with him on this education piece.

Councilwoman Susman said there are no stations east of Colorado Blvd. either and there is a lot of demand, especially along E. Colfax. She said she would work with them to help raise funding.

Councilwoman Montero asked that the bike program work with the Community Planning & Development staff on the neighborhood plan for the Swansea/Elyria neighborhood to ensure that station planning is incorporated into that plan.

Councilwoman Robb said she would like to work with Bike Sharing and Glendale.

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

AYES: Susman, Brown, Lehmann, Montero, Robb, Shepherd(6)

NAYS: Lopez(1)
ABSENT: (None)
ABSTAIN: (None)

BR12-0677 Changes the zoning classification from PUD to G-RH-3 [General Urban context, rowhouse, max. 3 stories] for 61-81 S. Garfield in Council District 10.

Chris Gleissner, Community Planning & Development

This vacant site is in Cherry Creek East at the northwest corner of Bayuad and Garfield. The proposal is to rezone a PUD [Planned Unit Development] to G-RH-3 to allow for construction of three duplex units, which is not allowed under the current PUD.

The Cherry Creek East Association submitted a letter of support for the rezoning, and the applicant talked to several neighbors.

Staff found that the proposed use is consistent with adopted plans, including Blueprint Denver and the 2012 Cherry Creek Area Plan [CCAP]. Mr. Gleissner noted that the CCAP process resulted in recommendation that this area be changed from an Area of Change to an Area of Stability in Blueprint Denver. The proposed use does comply with Blueprint's Single-Family/Duplex Residential use designation for the area.

Community Planning & Development staff recommends approval, and the Planning Board recommended approval at its meeting on Sept. 5.

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

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

BR12-0678 Approves a Planned Unit Development [PUD] amendment for additional parking spaces for 290 S. Monaco Parkway in Council District 5.

Chris Gleissner, Community Planning & Development

This 3-acre site is at the northeast corner of S. Monaco and E. Alameda and contains a nursing home facility, the only use permitted by the current PUD. The proposed amendment would all 17 additional parking spaces on-site.

Community Planning & Development (CPD) staff found that the application is supported by adopted plans and recommends approval.

Surrounding neighborhoods generally indicated support for the application. One letter expressed concern about additional parking for any future use, but the PUD would have to be amended again for any other use.

The Planning Board recommended approval at its meeting on Sept. 5.

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

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

BR12-0605 Amends DRMC Chapter 10 regarding Neglected & Derelict Buildings.

Kelly Leid, Development Services Director, and Michael Sizemore, Community Planning & Development

Councilman Brooks introduced this item, explaining that the City needs to update and fine-tune the processes related to getting mitigation of vacant and neglected buildings. It only takes one bad property to degrade a neighborhood, and some of these buildings host unsavory activities that further damage our neighborhoods.

Kelly Leid, Director of Development Services, said the presentation today is on Phase One of a multi-phase process. The City first needs to reorganize how it deals with this issue and to make some changes in the ordinance. The current ordinance is unclear to both staff and the public. The City's processes need to be tighter, especially with regard to accountability of both the City and the property owners.

This amendment process has been primarily internal, with Council Members Brooks and Robb taking an active part. Recently, presentations were made to the Landmark Preservation Commission, InterNeighborhood Cooperation (INC) and the Board of Realtors.

A neglected or derelict (N&D) property is "An unoccupied residential or

commercial structure lacking or void of interior systems or structural soundness that is or has the potential to be unsafe or a nuisance that creates community blight and hazard." In order for a property to be declared N&D, it need only meet one of six conditions, such as that it has been vacant for 3 consecutive months and is boarded up; property taxes have been unpaid for 1 year; it is considered a neighborhood nuisance; or it has received City or state violations on 3 separate occasions within a 1-year period (starting from date of first violation).

The proposed ordinance amendments include changing that last condition to a 2-year period because problem properties often receive one or two notices within a year, but then the clock starts over for them. The 2-year period will help ensure that more of the borderline properties actually come into the system and can be handled.

One of the process problems has been that no formal list of N&D buildings has been maintained, and owners of buildings on the list have not been fined, as specified by the ordinance. The City has an unofficial list that as of Sept. 6 contained 232 properties.

The proposed ordinance changes and/or clarifies definitions; remedial plan requirements; the role of the Manager; timelines; notices; the annual fee; the owner registry; and safety boundaries as it relates to schools and playgrounds. This proposal is presented as a first step in improving the ordinance and procedures.

Inter-agency cooperation is one of the primary needs, and going forward, all agencies that deal with these structures will participate in a cross-jurisdictional team of Subject Matter Experts (SME). Coordination of information on properties is one key to getting out ahead of the issues.

Phase II of the process will better define the City's options and actions when property owners do not comply with final requirements, but initially, the first parts of the process need to be cleaned up.

The discussion included the following issues:

- Problem properties owned by other governments and banks, especially foreclosures.
- Resources required to implement Phase I and, later, Phase II.
- How to approach special-needs cases, such as elderly and low-income homeowners; how adaptive the remedial plan can be.

- How to deal with absentee owners who just pay the fines and don't fix the problem.
- How the hearings work.
- How the City recoups its costs for abatement.
- Making the Police Department a member of the Subject Expert Team.
- Improving properties without creating barriers to keeping them as affordable housing.

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

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

BR12-0690 Amends DRMC Section 54-492 regarding the Permit Parking ordinance.

Matt Wager, Cindy Patton and Nancy Kuhn, Public Works

This item was postponed until a later date.