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## Land Use, Transportation & Infrastructure Committee Summary Minutes

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**Tuesday, March 06, 2012**

**10:30 AM City & County Building, Room 391**

**Members Present:** Lehmann, Lopez, Montero, Robb, Shepherd, Susman, Kniech, Brown

**Members Absent:** None

**Other Council Present:**

**Committee Staff:** Gretchen Williams

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### Bill Requests

**BR12-0107 Approves the Tamarac Square South Urban Redevelopment Plan authorizing the creation of an Urban Redevelopment Area and the use of sales tax increment financing for redevelopment at Hampden and Tamarac in Council District 4.**

The proposal is for construction of a 135,000 square foot Target store on the southern portion of the former Tamarac Square shopping center site at Tamarac and E. Hampden. The retail center to the north will remain, as will the restaurant on Tamarac and the bank building on Hampden.

The Committee is asked to approve the urban redevelopment plan and the cooperation agreement. The Plan will authorize the use of sales tax increment financing for 10 years from the opening of the store (statute allows 25 years). No property tax is involved.

Finding of blight is required, and DURA did a study, without consideration of demolition of the shopping center structure (study was done prior to demolition).

DURA found that the proposal is in conformance with City plans, specifically Denver

Comprehensive Plan 2000 and Blueprint Denver, in which this site is considered a Town Center within an Area of Change. This includes the entire site, including the established businesses. 3 bus stops within one-eighth mile and ??? within one-quarter mile.

Susman - difference in "Town Center" as used here versus the Lowry Town Center.

12-acre site in Suburban context zoned either mixed use or commercial corridor???

\$5M reimbursement . limited amount of investment and time. Need to close the gap - 10 years. If projections are insufficient, there are no provisions for extension. Site work is the primary need.

78% of sales subject to City sales tax due to the grocery component. Not a Super Target.

If the store closes for more than 30 days, repayment amounts reimbursed, net of depreciations, capped at \$5 million. If store closes, other tenants may need assistance to relocate into the building. DURA would pay the funds back to the City if

Robb - Does Target own the site? No, under contract. Yes, we look at land cost in total budget of project. Land is not a reimbursable cost.

Only 1 other Target store in Denver. More than 720,000 people reside within 7 miles of the site. Provides goods and services to the surrounding area. Target is large corporation; they look at cost of each investment. This store did not meet the income estimate consistent with the cost of development. Target making

Shepard - how far away is Wal-Mart on Hampden? Peggy - about 2 and 1/2 miles. Walmart is in Aurora. is a super Wal=mart.

Susman - the activities DURA finances has a public benefit -= sidewalk, drainage, gutters, etc. City gets public benefit even if the store is unsuccessful.

Huggins - have been asked if this \$5M should be used somewhere else. But we don't have \$5M - it is generated by sales at this new store. Shoppers do not pay any different sales tax at this location.

Cooperation Agreement - between the City and DURA

Public Benefits: activate site; improve right-of-way; refigitalize the area, increase sales and property tax; create 150-200 permanent jobs.

Planning Board March 7; Public Hearing on Marhc 27. Begin construction spring 2012. July 2013 opening.

Montero - does blight study factor into Planning Board? No - PB determines if the Urban redevelopment plan is in compliance with the Comprehensive Plan.

Montero - criteria for blight study - more for aging infrastructure? Huggins - challenged access onto site from Hampden.. Unusual topography on site - need to regrade the site for drainage and to build the single-level building.

Kniech - public nature of improvements - big box development - sea of concrete, big store. drainage can be done various ways. Community has lots of questions of this construction. Has Target indicated it will include the community in the discussion about the design since there is no rezoning involved.

Huggins - we have a rendering of the improvements - detention is to be more like Highland Garden Village than the older sites. Lehmann - there has been very little community involvement. The detention will be a wetland at the NW corner of the site (I sit on Urban Drainage and Flood Control District Board).

Kniech - public financing it, the public should be involved in the design process. People may have suggestions that will make it better.

Robb - timing question. No reason to think Planning Board will find this out of compliance. and DURA Board decision - would like to know its position prior to making a decision.

Huggins - lots of discussion with DURA board through this process. Planning Board - if it determines the plan is not in conformance, the process will stop.

Robb - site renderings - when can they be public? At city Council public hearing even. Huggins - Representatives of Target will be there at hearing.

Kniech - will have questions about the range of wages and health care - important to ensure decent jobs since public involved in financing.

Shepherd - Walmart is so close - worried about that. I'm a one stop shopper. Have a fear that we invest resources and then it doesn't make it. The "but for" not clear.

Huggins - they could build it themselves, but they wouldn't because revenues would not offset the costs. Projecting the sales activities taking into consideration the other retailers in the area. There is a mismatch.

Lehmann - land isn't large enough for super Target. There are 7 grocery stores in area - Whole Foods across Hampden. It might not make sense to put a grocery store.

Lopez - development along the edges of the city - we don't see much. But our neighbors do because they know they will draw from our tax base. We should put

lots of retain along our edges. Jobs not in Denver, loss to Denver tax base. Other concern - other areas in City truly have blight, much more than this site.

A motion offered by Councilmember Lehmann, duly seconded by Councilmember Monteroto file the bill carried by the following vote:

- AYES: Lehmann, Lopez, Montero, Robb, Susman(5)
- NAYS: (None)
- ABSENT: (None)
- ABSTAIN: Shepherd(1)

**BR12-0108 Approves a Cooperation Agreement between the City and Denver Urban Renewal Authority for the Tamarac Square South Urban Redevelopment Area to establish, among other matters, the parameters for tax increment financing with sales tax increment for redevelopment at Hampden and Tamarac in Council District 4.**  
*Tracy Huggins, DURA; Andrew Johnston, Finance*

**BR12-0165 Approves Text Amendment No. 11 to the Denver Zoning Code to better utilize the context-based approach and other tools in the code to refine and provide flexibility in the design of attached garages consistent with the intent of the current design standard.**  
*Michelle Pyle, Community Planning & Development*

Hilltop Heritage Association sent letter opposed, but after discussion, it was withdrawn.

Current standard carried forward from Forcer Chapter 59 - attached garage must be flush or behind the front wall of the house.

Change is a refinement of the design standard - accommodate articulated facades. Change "any part" to a"the majority of the home (at least 65%) is flush or forward of the garage.

Lopez - detached garage?

Michael O'F - stff brought to our attention. Absolute language of the code drives development to have a single plane to the facade, which isn't always desirable.

Change 2 - New design alternative - use only in suburban context with 100 minimum zone lot width. Can only be side-loaded garage; 30 foot wide max across frontage.

change 3 - create administrative adjustment where blocks have an existing

predominant pattern of projecting attached garages. This will make existing administrative adjustment process available for minor deviation from the design standard to match an existing predominant pattern. \$100 fee for administrative adjustment.

quick wins put this into the code. Some blocks constructed under.

Change 4 - add Rules of Measurement

Three review criteria for text amendment -

Lopez - south of Florida, have the ranch style - alleys start disappearing. People wanting to do attached garage - this is great way for people to build a connection to a detached garage.

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

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