

DATE: December 21, 2010
STAFF: Dean Klingner
Helen Matson

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

14

SUBJECT

Items Relating to the Linden Street Streetscaping Project.

- A. Second Reading of Ordinance No. 128, 2010, Appropriating Unanticipated Grant Funds and Downtown Development Authority Funds for the Linden Street Streetscape Project.
- B. Second Reading of Ordinance No. 129, 2010, Authorizing Acquisition by Eminent Domain Proceedings of Certain Lands Necessary to Construct Public Improvements in Connection with the Linden Street Streetscape Project.

EXECUTIVE SUMMARY

The Linden Street Streetscape project will add curb, gutter, sidewalk, on-street parking, bike lanes, urban design, historic interpretive features and landscaping to Linden Street, between Jefferson Street and the Poudre River. Utility improvements are planned to precede the street improvements as a part of a City of Fort Collins Utilities project. Construction is planned for summer 2011. Ordinance No. 128, 2010, appropriates federal grant funds and transfers additional DDA funds to the project. Ordinance No. 129, 2010, authorizes the City to use eminent domain for acquisition of property, if necessary. Staff anticipates that only temporary easements will be required for the construction of this project. The authorization from Council to use eminent domain is a requirement of the federal funding. Eminent domain is considered a last course of action and is only to be used when deemed necessary. Both Ordinances were unanimously adopted on First Reading on December 7, 2010.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

- 1. Copy of First Reading Agenda Item Summary - December 7, 2010 (w/o attachments)
- 2. Staff memo re: Linden Street Streetscaping and Stormwater Quality Best Management Practices (BMP)

DATE: December 7, 2010
STAFF: Dean Klingner
 Helen Matson

AGENDA ITEM SUMMARY
 FORT COLLINS CITY COUNCIL

18

SUBJECT

Items Relating to the Linden Street Streetscaping Project.

- A. Resolution 2010-072 Authorizing the Mayor to Execute a Contract Amendment with the Colorado Department of Transportation to Add Funding for the Linden Street Streetscape Project.
- B. First Reading of Ordinance No. 128, 2010, Appropriating Unanticipated Grant Funds and Downtown Development Authority Funds for the Linden Street Streetscape Project.
- C. First Reading of Ordinance No. 129, 2010, Authorizing Acquisition by Eminent Domain Proceedings of Certain Lands Necessary to Construct Public Improvements in Connection with the Linden Street Streetscape Project.

EXECUTIVE SUMMARY

The Linden Street Streetscape project will add curb, gutter, sidewalk, on-street parking, bike lanes, urban design, historic interpretive features and landscaping to Linden Street, between Jefferson Street and the Poudre River. Utility improvements are planned to precede the street improvements as a part of a City of Fort Collins Utilities project. Construction is planned for summer 2011.

Resolution 2010-072 will amend a contract with the Colorado Department of Transportation (CDOT) to receive additional federal grant funds. Ordinance No. 128, 2010, appropriates federal grant funds and transfers additional DDA funds to the project. Ordinance No. 129, 2010, authorizes the City to use eminent domain for acquisition of property, if necessary. Staff anticipates that only temporary easements will be required for the construction of this project. The authorization from Council to use eminent domain is a requirement of the federal funding. Eminent domain is considered a last course of action and is only to be used when deemed necessary.

BACKGROUND / DISCUSSION

Linden Street is the link between the Old Town Square and the area known locally as the "Downtown River District," which includes existing and future residential areas, cultural and arts venues, commercial/retail centers, and industrial businesses.

A portion of Linden Street, between Walnut Street and Jefferson Street, was improved several years ago and serves as an inviting extension of Downtown, whether one is driving, walking, or bicycling.

North of Jefferson Street/SH14, however, Linden Street is a busy commercial street serving localized automobile traffic as well as large truck traffic accessing the existing industrial/commercial businesses in the project area, including Ranchway Feeds, New Belgium Brewery, Schrader Oil Company, and several others. Linden Street also provides a vital connection to/from downtown and businesses, recreational facilities, and cultural venues within the Downtown River District and to/from the surrounding neighborhoods. The current levels of automobile and truck traffic, coupled with the lack of continuous sidewalks, bike lanes, and streetscape and landscape features, make daily trips along this portion of Linden Street uninviting and hazardous.

Goals for the roadway and streetscape improvements along Linden Street include constructing attractive and functional sidewalks, bike lanes, landscaping, street trees, and designated on-street parking areas.

In addition, Linden Street is located near the original Old Fort Site, which was the heart of the community's beginnings almost 150 years ago. Many opportunities exist to incorporate the unique historical context and heritage of the Fort Collins community into this project.

All of the planned improvements along Linden Street will be designed and constructed to be environmentally sensitive to the Poudre River and will be consistent with the City's Poudre River Enhancement Project.

Utility improvements including water, stormwater, and sanitary sewer are being improved as a part of a separate project managed by the City of Fort Collins Utilities.

FINANCIAL / ECONOMIC IMPACTS

Following is a summary of the Linden Street Streetscape project funding. Sources in **bold** are authorized with this Council Action.

Building on Basics (BOB) Pedestrian Fund	\$250,000
Transportation Enhancement Federal Funds Grant	\$250,000
Downtown Development Authority (Previously Appropriated)	\$500,000
Downtown Development Authority	\$500,000
Congestion Mitigation & Air Quality Federal Funds Grant	\$580,000

Total Funding (revised with Council Action)

\$2,080,000

The construction of the streetscape project is fully funded by these sources. The project does not include any General Fund dollars.

Maintenance

The project includes landscaping and urban design features that have an ongoing maintenance component. Specific improvements that will require maintenance are additional asphalt pavement, concrete and brick paver sidewalks, landscaping, including flower pots and beds, and pedestrian lighting. Street-sweeping and snow plowing requirements will not change significantly. Maintenance will be similar to other improved streets in Old Town, such as Linden Street between Walnut and Jefferson.

Economic Impact

One of the key goals of this project is to remove barriers to development in the River District by providing adequate infrastructure, improved accessibility and mobility for all modes of travel and to improve the appearance of the area. This is consistent with long-term plans that the City has prepared for the area, including the Downtown River Corridor Implementation Program Summary Report (2000), the Fort Collins Downtown Strategic Plan (2004) and the Downtown River District Streetscape Improvement Project (2008).

A similar project improving Linden Street to the south of Jefferson resulted in significant increases in property value and taxable sales.

ENVIRONMENTAL IMPACTS

The project will have a positive impact on long-term air quality. The Design Team has estimated that adding and improving the bicycle and pedestrian facilities in this area will increase the number of people walking and biking along Linden Street.

The utility portion of the project includes improvements to stormwater quality with the installation of facilities to remove suspended solids and hydrocarbon contaminants from roadway drainage prior to discharge into receiving waters.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution and Ordinances on First Reading.

BOARD / COMMISSION RECOMMENDATION

The Transportation Board was briefed on the project via memo, and will receive updates as the project progresses.

PUBLIC OUTREACH

COPY

The Design Team has met multiple times individually with property owners within the project area. The project newsletter has been mailed to nearby property owners. The Project Team has presented two project updates to the Downtown Development Authority Board and has also presented to the UniverCity Connections group. Public outreach will continue through the Final Design and Construction phases of the project.

ATTACHMENTS

- 1. Vicinity map
- 2. Project Summary Sheet

COPY

COPY

COPY



Engineering Department
281 N. College Ave.
PO Box 580
Fort Collins, CO 80522
970.221.6605
970.221.6378- fax
fcgov.com

MEMORANDUM

DATE: December 14, 2010

TO: Mayor Hutchinson, City Council Members

THRU: Diane Jones, Deputy City Manager

FROM: Karen Cumbo, Interim PDT Director *kc*
Helen Migchelbrink, City Engineer *HM*

RE: Linden Street Streetscaping and Stormwater Quality Best Management Practices (BMP)

The intent of this memorandum is to respond to a Council question during the consent follow-up portion of the December 7th, 2010 City Council meeting. Council asked if the Linden Street Streetscaping project will meet future stormwater quality standards.

The first phase of the Downtown River District Project, (the Linden Street Streetscaping portion) includes a water quality treatment structure that will meet all current, as well as future, proposed standards. The remaining storm drainage system in the Downtown River District Project (future construction phases) is designed to utilize the existing Udall Natural Area water quality ponds.

The future standards will provide guidelines for selecting new types of Best Management Practices (BMPs) for development projects. In the next stages of the Streetscaping design, the Design Team will be utilizing these guidelines to evaluate the potential of incorporating newer technologies, such as Low Impact Design (LID) type of BMPs, for this project within the right of way and within budget constraints.

ORDINANCE NO. 128, 2010
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED GRANT FUNDS AND DOWNTOWN
DEVELOPMENT AUTHORITY FUNDS FOR THE LINDEN STREET
STREETSCAPE PROJECT

WHEREAS, Linden Street is the link between the Old Town Square and the area known locally as the "Downtown River District" which includes existing and future residential areas, cultural and arts venues, commercial/retail centers, and industrial businesses; and

WHEREAS, Linden Street between Walnut Street and Jefferson Street was improved several years ago and serves as an inviting extension of the Downtown for driving, walking, or bicycling; and

WHEREAS, the section of Linden Street north of Jefferson Street/State Highway 14, is uninviting and hazardous due to the current levels of automobile and truck traffic coupled with the lack of continuous sidewalks, bike lanes, and streetscape and landscape features; and

WHEREAS, the Linden Street Streetscape project (the "Project") will add curb, gutter, attractive and functional sidewalks, on-street parking, bike lanes, urban design, historic interpretive features and landscaping to Linden Street between Jefferson Street and the Poudre River; and

WHEREAS, City Council has previously appropriated \$1,000,000 for the Project; and

WHEREAS, the Colorado Department of Transportation ("CDOT") has recently awarded the City a Congestion Mitigation and Air Quality Program grant in the amount of \$580,000 for the Project and the Downtown Development Authority ("DDA") Board of Directors has approved an additional \$500,000 for the Project; and

WHEREAS, this new funding from the CDOT and the DDA provides an additional \$1,080,000 to be appropriated for the Project; and

WHEREAS, the prior appropriation of \$1,000,000 plus the appropriation of \$1,080,000 provided herein will fully fund the Project; and

WHEREAS, Article V, Section 9, of the City Charter permits the City Council to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, does not exceed the current estimate of actual and anticipated revenues to be received during the fiscal year; and

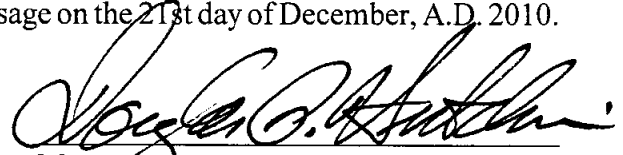
WHEREAS, City staff have determined that the appropriation of the revenue as described herein will not cause the total amount appropriated in the Capital Projects Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That there is hereby appropriated from unanticipated grant revenue in the Capital Project Fund the sum of FIVE HUNDRED EIGHTY THOUSAND DOLLARS (\$580,000) for the Linden Street Streetscape Project.

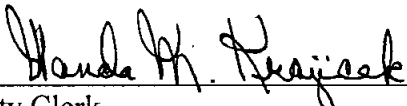
Section 2. That there is hereby appropriated from unanticipated revenue from the Downtown Development Authority in the Capital Project Fund the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) for the Linden Street Streetscape Project.

Introduced, considered favorably on first reading, and ordered published this 7th day of December, A.D. 2010, and to be presented for final passage on the 21st day of December, A.D. 2010.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading on the 21st day of December, A.D. 2010.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 129, 2010
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING ACQUISITION BY EMINENT DOMAIN PROCEEDINGS
OF CERTAIN LANDS NECESSARY TO CONSTRUCT PUBLIC IMPROVEMENTS
IN CONNECTION WITH THE LINDEN STREET STREETScape PROJECT

WHEREAS, construction of the Linden Street Streetscape Project (the "Project") is scheduled to begin in the summer of 2011; and

WHEREAS, the Project involves the construction of curbs, gutters, sidewalks, on-street parking, bike lanes, urban design, historic interpretive features and landscaping and will be environmentally sensitive to the Poudre River; and

WHEREAS, the Project will improve the safety, operations, and aesthetics of Linden Street between Jefferson Street and the Poudre River; and

WHEREAS, it is necessary for the City to acquire certain property rights hereinafter described on Exhibits "A" through "L", attached hereto and incorporated herein by this reference (the "Exhibits"), for the purpose of constructing the Project; and

WHEREAS, the City will negotiate in good faith for the acquisition of said property rights from the owners thereof; and

WHEREAS, the acquisition of the property rights is desirable and necessary for the construction of the Project, is in the City's best interest and enhances public health, safety, and welfare; and

WHEREAS, the acquisition of such property rights may, by law, be accomplished through eminent domain.

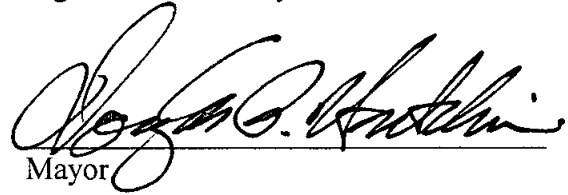
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby finds and determines that is necessary in the public interest to acquire the property rights described on the Exhibits for the purpose of the Project.

Section 2. That the City Council hereby authorizes the City Attorney and other appropriate officials of the City to acquire the said property rights for the City by eminent domain proceedings.

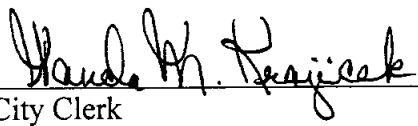
Section 3. The City Council finds, in the event that acquisition by eminent domain of the property rights described in this Ordinance is commenced, that immediate possession is necessary for the public health, safety and welfare.

Introduced, considered favorably on first reading, and ordered published this 7th day of December, A.D. 2010, and to be presented for final passage on the 21st day of December, A.D. 2010.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading on the 21st day of December, A.D. 2010.

Mayor

ATTEST:

City Clerk