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Preservation in cross hairs of politics

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I checked the city ordinance establishing Denver's Landmark Preservation Commission. I looked for the part that says, "This commission shall protect historic districts unless the mayor makes a sweetheart deal with a developer."

That's how Mayor John Hickenlooper's administration and the City Council are treating the landmark commission these days. The commission's nine members are learning an ugly lesson.

Politics trumps preservation. Even in the administration of Mayor Do-No- Wrong. Even among City Council members who pay lip service to fairness.

Given their charge to protect "districts of historical, architectural or geographic significance," it's hard to see what landmark commissioners did wrong when they voted not to change the boundaries of the Larimer Square preservation district. The change would have allowed a 31-story residential tower on land that restricts buildings to 55 feet in height.

The vote not to let that happen was 7-1.

"Historic development made the economy" of the city's bustling Larimer area, said landmark commissioner Elizabeth Schlosser. "I don't think (a 31-story building) is good preservation."

It is, however, good politics.

Especially when the mayor's clout is on the line. Hickenlooper helped engineer what was essentially an exchange of city land in Larimer for \$900,000, plus private parking lots where the city's new \$368 million criminal justice center will rise.

Parking lot owner/developer Richard "Buzz" Geller got the Larimer property at a per-square-foot price well below what land in the area normally sells for.

According to a city contract, Geller's costs were roughly \$95, \$54, \$26 and \$14 per square foot, for various sections of the land.

Property like that usually costs \$190 to \$220 per square foot, said Rob Link, who runs the Denver office of Julien J. Studley Inc., a national commercial real estate firm. "I wish I was his investment partner," Link said.

The mayor's generosity is bothersome. But his agreement to give Geller \$400,000 if Geller cannot get regulations changed to build a 31-story residential tower reeks of favoritism.

That sure seems to give the city a vested interest in the project.

Not so, Hickenlooper said in an interview Tuesday.

The appraisals that determined the worth of Geller's parking lots and the city's Larimer property were done by the same person. If one is low, Hickenlooper said, both should be low.

"If (the city) loses money," he said, "that would be a failure of the process."

Hickenlooper also insisted that he "didn't give (Geller) any assurances."

"We said we would support his request for rezoning," the mayor said. "We didn't say we would lobby for it."

"I didn't call or try to influence the landmark commission."

Hickenlooper splits a mean hair. The city brought the request for preservation district changes to the landmark commission. Hickenlooper says that's only because the city still owns the land.

As for the 400 grand riding on a successful outcome, Hickenlooper said that if the deal falls through, it will increase the price the

city pays for Geller's parking lots. Meanwhile, the mayor said, the city will get back its Larimer land.

"We needed to buy the land that (Geller) owned that he didn't want to sell," Hickenlooper said. "I think eminent domain should be the last resort."

Sweetheart deals run at least a close second.

"We're not anti-development," Schlosser added. "A five-story building on the site would be pleasant."

Not when the city administration supported a building six times as high.

Councilwoman Judy Montero has announced plans for a task force to study the landmark commission.

"I want to go back and look at the original intent of the landmark commission," she said Tuesday.

I recommend reading the 26 pages of enabling legislation. These folks did exactly what they were appointed to do.

Jim Spencer's column appears Monday, Wednesday and Friday. He can be reached at 303-820-1771 or jspencer@denverpost.com.