

STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
City Council Chambers 7500 W. 29th Avenue
November 20, 2017

Mayor Bud Starker called the Study Session to order at 6:33 p.m.

Council members present: George Pond, Janeece Hoppe, Kristi Davis, Monica Duran, Tim Fitzgerald, Zachary Urban, Larry Mathews, Leah Dozeman

Also present: City Clerk, Janelle Shaver; City Manager, Patrick Goff; Community Development Director, Ken Johnstone; Police Chief, Daniel Brennan; other staff, guests and interested citizens.

Mayor Starker received approval from Council to address Item 3 first.

3. Arvada Community Food Bank – Chief Brennan

Chief Brennan introduced Sandy Martin of the Arvada Community Food Bank (ACFB) who was present to update the Council.

Ms. Martin went through the services that are available to Wheat Ridge residents. Client Choice Program is the food bank that is set up like a grocery store.

- A piece of mail and photo ID gets a person into the system.
- People can shop for what their family will eat. This results in less waste.
- The client store is nutritionally sound.
- Individuals can come 12 times per year
- Last year close to 1,800 WR residents came through the food bank. The total number of family members served is not included in this count.
- She is available for tours if anyone is interested.

Feeding the Future is the backpack program that served 354 Wheat Ridge kids every weekend last year. She explained the unique partnership with the City through Chief Brennan. ACFB orders the food and organizes the volunteers. Chief Brennan's committee raises the funds. Children receive a box of food on Friday afternoon.

Number are growing. Last Monday 101 individuals came through the food bank.

Self-sufficiency Program was started 3 years ago. It offers career counseling, job finding, help with resumes, assistance with purchasing books, and help study for and take GED's.

Client Financial Services works with churches to provide assistance with medical co-pays, medication, rent deposits/payments. A religious non-profit did it for 40 years; they closed last May so the ACFB took it over.

Other ongoing efforts include:

- Remodeling to add offices and a medical clinic for uninsured clients. The clinic will be operated in cooperation with Red Rocks College's Physician's Assistants program (students supervised by a physician professor).
- Working with a marketing firm to look at renaming the organization to better reflect the area they serve.
- It would be nice to have a Wheat Ridge councilmember be on their Board of Directors.

Questions from Council

- They do have some gardeners who supply food, along with their 29 grocery partners. The Board bought a refrigerated truck a few years ago to keep perishables fresh.
- No information is available yet on the hours for the medical clinic. That will likely coincide with the hours the food bank is open.
- Food bank hours are Mon – Fri from noon to 3:45pm, except Wed from noon – 5:45.
- Food bank location is 8555 W. 57th Ave, Arvada, 80002
- Yes, some means testing is done at intake by a human services technician. They do not require income verification at this point due to the amount of work that would take.

CITIZEN COMMENT ON AGENDA ITEMS

Jesse Hill (WR) understands that residential development standards can be an emotional issue, but hopes everyone will stick to the facts. He believes the NRS provided goals to improve our housing stock. He described houses on his block as having dangerous, outdated electrical systems, cracked and crumbling foundations, basements prone to flooding, asbestos, outdated floor plans, lack of insulation, lead pipes, and leaking sewer lines. He, like others, are looking forward to a better home they can live in. He listed issues that make development difficult: expansive soils, high water tables, sloping lots, and 40% lot coverage. He asked Council to consider if actions will hurt or help revitalization, and if the process is fair and has give and take. Please don't do this.

Joan Blanchard (WR) countered that we all update our homes on a regular basis; not every home is crumbling. She believes Denver is doing what Wheat Ridge wants to do, and we have different communities. Some of the 3-story houses will become multi-family, creating problems for parking, garbage disposal, and privacy and sunlight issues. It changes the whole concept of what Wheat Ridge has been proud to have in place.

Barb Gallagher (WR) made a plea to maintain what makes Wheat Ridge, Wheat Ridge. She doesn't like buildings up to the sidewalk or buildings that destroy the view. She believes people want to see the mountains. The regulations in place were reasonable and livable. She hopes if there is a compromise it will maintain those aspects of WR.

Carol Mathews (WR) noted our city being in the news again for crime and violence. As the majority on Council supports increasing the population of WR, she asked if increasing the number of high-density, low-cost living spaces is improving our quality of life. She believes it increases traffic and crime. ~ The 2005 study called for more strong households – family households, and she suggested the smaller bungalows in R-1C are

the affordable housing that bring healthy families and diverse community life. They are the history and future of Wheat Ridge and should not be destroyed or traded for 35 ft tall, 3-story units that sell for \$500-700K and destroy the diversity of our community. These tall houses build walls, not bridges. Many of them house multiple unrelated residents and don't blend into the small family communities. The addition of alcohol and marijuana is turning peaceful, safe neighborhoods turn into high crime, high risk areas. ~ Corridors rezoned from Commercial to Multi-Use have encouraged outside developers to build high-rise, high density housing units – which increase traffic load, congestion on main and residential streets, and street parking on residential streets. They deplete our supply of affordable family housing, devastate our schools and leave children with no place to play. Council needs to act to preserve our quality of life; we need houses for families.

Mike Epsen (WR) addressed three main issues:

- *Historic nature* of the R1-C neighborhood, which he believes should be preserved. R-1C is only 11% of WR, but it is historic. Minimum lot width is 50 feet, with 5 ft setbacks. The tall houses, built on 40ft wide lots, tear away at the fabric of our community and don't fit with the neighborhood in general. To many, they are eyesores.
- *Bulk plane* When the bulk plane was passed last year, Council decided to separate bulk plane and height restrictions. Many residents feel that a 25 ft high limit is suitable for the R1-C neighborhood. It will better maintain the continuity of our neighborhood look and community. They would also like to see the bulk plane extended to the R-2. This applies mainly east of Wadsworth where scrapes and redevelopment are happening.
- *Rezoning for multi-lot scrapes* The neighborhood organization he works with is opposed to the rezoning of single or multiple lots so they can be scraped and converted to higher density, multiple family units, for numerous reasons, including traffic flow and dense crowding on narrow streets which also puts residents in jeopardy for emergency services response.

His group believes that eliminating tower houses in this historic district and maintaining the cottages will actually increase housing values – much as it did in the Bonnie Brae area. We have seen a decrease in the property values of houses next to these large houses. He related an recent example of a 20% loss in house value for a property that had a tower house next to it. He asked Council to please maintain the cottage neighborhood and please look at a 25 ft height limit for R1-C.

Victoria Mendoza (WR) has lived on Chase Street for 7 years. She is zoned R1-C and next to her cute little bungalow is an empty lot. She asked Council to limit the height for houses in R1-C to 25 feet. As a professional she has chosen to live in Wheat Ridge because of the vibrant neighborhood and its government – one that listens to the community and considers all the factors that make Wheat Ridge a very desirable place to live, beyond taxes and revenue. She requests the 25 foot height limit for new houses in R1-C to keep the visual integrity of her neighborhood and to make sure what is built next to her is a single family home that doesn't take away her home's sunlight, privacy and character. Decisions about R1-C should consider more than density and taxes; they should consider neighborhoods, neighbors, and the living characteristics of the street. She wants the government to help us live better in Wheat Ridge, not just have to deal with and put up with things.

Steve Kinney (WR) has lived here 4 years, but has been active with people here for two decades. He believes his perspective is different. He is not a fan of tower houses. He thinks there are lots of moving parts to this issue, and noted the ADU discussion was not completed – which has implications in this discussion. He gave examples of folks who might use an ADU (kids still at home, multi-generational situations, aging people who want to live in an ADU attached to a garage). This may not have implications for bulk plane, but it all plays together. Demographics are changing rapidly in the metro area; it will happen here whether we like it or not. He warned of a potential loss of property rights. He thinks we must recognize that change is scary, but inevitable. We need to embrace it in a way that works for everyone. We can't be selfish and insist our community has to stay the way it was built. He doesn't think that works or makes for a healthy community. He suggested looking at it from a different perspective – possibly forms-based zoning where structures are looked at in their context. Example: If a neighborhood is primarily single story bungalows, new construction should be compatible – maybe 1½ or two stories, but not three. He feels blanket statements made for big sections will not work for everyone, will diminishes property rights, will have the potential for law suits, and shouldn't be done in a community that needs to be changing.

Bob Brazell (WR) said he filled out the website survey and found it very confusing – even though he ran two successful business, one of which was a real estate company. He suggested the question that should be asked is “Do you want someone to be able to build a house next to you that is three stories tall, has a deck on top that looks down in your back yard, blocks your view, and invades your privacy?” That would tell you how people feel. You need to be straight forward and honest with people; we expect that of everyone.

Sundari Kraft (WR) Related to housing and the process, inclusivity is important to her. When making decisions that affect lots of people she thinks it's important to be as inclusive as possible. Regarding privilege related to the process, she feels privileged to come to these meetings; for various reasons not everyone can. Since this meeting will not produce a mandate she urged Council to reach out and get as much diversity as possible. ~ Regarding people who say what they *don't* want to import from Denver: As someone who moved here from Denver 4 years ago, she does not want to import the practice where a small group of dedicated, well-informed citizens anoint themselves as the voice of the neighborhood. She suggested that happens often in Denver; and it's not true. In Denver she saw a very restrictive, non-inclusive stance toward modern architecture. She values affordable housing above all, and living in a diverse community with density that allows for transit and vibrant local businesses. She cautioned against using a broad brush approach – rather being thoughtful and deliberate. She believes when the NRS is revised that will be a great time to address this in a collaborative way, rather than reacting to a small concern.

Dorothy Archer (WR) asked Council to be considerate to 50, 75 and 100 ft frontages. She suggested three stories is not thinkable, even two stories on a 50 ft frontage is not thinkable, and the 15 ft bulk plane is totally out of line for R1-C. Her house was built in the 1950's; it is well built and not falling apart. With less than five feet on each side of her

house, if the neighbors scrape she could have a 3-story house 8 feet from her windows. She is not against 3-story houses if the lots are big enough, but when the lots are so small it's not ok to do damage to these people. She stressed how important affordable housing is -- noting that caring millennials have purchased five houses on her street for \$300-350/sf. These small lots and houses aren't keeping people away. Please be considerate and take time. Besides being considerate to R-1C and R-3 properties she pointed Council to R-1 and R-2 properties as well. R-2 has 1000 families in east Wheat Ridge -- many of whom have small lots. Council needs to protect the people who are here, who have supported Wheat Ridge, and continue to care.

Bennie Gonzales (WR) moved here five years ago because of the character of the R-1C area and would like to see the 25 ft height limit for any new builds. A nice home can be built with a 25 foot height limit if quality materials are used. Older homes were built sturdy. He's one who has lost half his view because of a 3-story, 35 ft, square-top house that now blocks it; he chose his house because it had a view of the mountains. He's not against 3 story houses or square houses, except where the lots are too small. Sunshine and privacy are being lost. He would like his neighborhood and quality of life preserved.

Kim Calomino (WR) suggested that bulk plane, setbacks, height limits, and the potential for architectural standards are all complicated and interactive issues. One size does not fit all. She doesn't think Council should take a reactionary approach, but should give the community time to consider options and implications. She believes this should be done when the NRS is revised. She advocated for recognizing the distinctions between zone districts so the city can be shaped to provide diverse housing that also acknowledges the city's character. She encouraged staff use visual aids so the public can compare all the situations and potential effects of various regulations. She asked Council to please be deliberative with bulk plane and architectural standards. ~ Unrelated to the agenda, she announced a Meet & Greet with elected officials at Rockley's on Nov 29 at 5:30-7:30.

Cheryl Adamson (WR), a life-long resident of Wheat Ridge, expressed great concern that the height of houses in north Denver is coming to Wheat Ridge.

Al Gallo (WR) thinks he has a different perspective because he recently moved here from Denver. It took Denver years to craft their new zoning system and there are holes in it the developers have taken advantage of. (see Tennyson St.) He suggested the demographics of Wheat Ridge will be younger and the City needs to accommodate their desires; houses built 50-60 years ago aren't what people want these days. He believes ADU's have to be considered. He also noted that affordable housing results in lower property values, lower taxes and lower revenue for the City. Is that what we want?

Rolly Sorrentino (WR) shared the personal story of his family moving to Wheat Ridge from Denver 60-70 years ago and how he, at age five, was amazed that he could see the stars from his bedroom window rather than a lousy, old, brick wall. He hopes Council will take this into consideration when they start blocking off the windows of children's rooms. He also hopes the new City Council can help address this ongoing war between the City staff and the people of Wheat Ridge.

Tom Slattery (WR) At the request of Mr. Tom Slattery, who could not be present, the

City Clerk read a letter from him. His letter urged Council to quickly and separately revise the height and bulk requirements in R-1, R-2 and R-2A zone districts where lots are larger and the potential for offensive structures is greater. Not only are 3-story, flat roofed buildings incompatible with the general high quality of these neighborhoods, they can easily, illegally and surreptitiously be converted to multi-family units. Provided for Council were diagrams that illustrate the potential impact of current standards. He requested Council act now, and not wait for the 2018 Neighborhood Revitalization Study and not study it to the point of inaction.

1. Staff Reports(s) none

2. Elected Officials' Report(s) none

4. Residential Development Standards (Bulk Plane, Building Heights, etc.) – Ken Johnstone

Ken Johnstone distributed to Council copies of a report on the survey that was on the City website recently. The report included data and analysis prepared by staff.

He recalled that bulk plane standards were adopted for R-1C and single family homes in R-3 about a year ago. Three single family homes have been permitted with these guidelines; two only have foundations poured; the one at 2942 Eaton, which is almost complete, shows how the 2nd and 3rd stories were set back further from the balcony lines due to the new standards.

He reported the survey was on the website for about two weeks – from Nov 3 through midnight last night (Nov 19). It was advertised to Council, on the City website and the City's Facebook page. While not scientific, it does provide some information.

Mr. Johnstone highlighted the survey results and observations.

- 286 participants. District 1 was well represented.
- 64% support bulk plane regulations. 53% thought they should be applied city-wide.
- Some questions weren't answered; education is needed.
- There is good support for regulating mass relative to the size of the lot. Tools include setbacks, lot coverage, floor area ratio and bulk plane regulations.
- Over 70% do not support architectural standards for sing/fam residential dwellings.
- Reducing maximum allowed height in certain districts? 50% against; 33% support
- Two stories is supported; 3 stories has less support
- People want to know about the applicability of bulk plane. More could be done.

Options:

- Have another study session and dive deeper into the data.
- Do a more robust survey; hire someone and do another survey that is scientific.
- Incorporate some of this into the bi-annual survey that will be done this year.

- Make it part of the larger discussion for the Neighborhood Revitalization Study.
- If Council thinks no further action is needed, we can stop discussing this now.
- Council may want to discuss broadening the applicability of bulk plane. Larger lots don't receive as much impact. For larger lots with non-conforming setbacks, may want to restrict the ability to expand the footprint.
- If ADU's are addressed with the NRS, be mindful of realigning this with Council's other priorities so we have the resources to move forward.
- In the 2016 process there were suggestions of looking at neighborhood character districts or possibly defining neighborhoods by architectural style. That would require a budget for outside resources.
- How deeply this is considered will affect other priorities for the City.

Discussion followed.

Councilmember Mathews noted that as we preserve the basic character of our city we have existing neighborhoods that have their character and newer areas that have created their own character. We did inherit lots of issues when we incorporated, but we can control our future. We can craft what we think will be a fitting character is these new neighborhoods (e.g. TOD area, Clear Creek Crossing). He suggested we want to be a bit of a quiet, rural oasis in the middle of the raging storm of fast city life; that is our reputation and a big part of our draw. We don't have to just look at bulk plane; there are other tools we could use as we create more diverse areas.

Councilmember Duran support adding a portion of this to the annual citizen survey and adding it to the NRS strategy discussion. She does have immediate concerns about east Wheat Ridge, because working on all these issues will take some time. Meanwhile structures are going up that do not preserve the neighborhood character. Citizens have asked, and she'd like Council to discuss, the 25 foot height in R-1C sooner.

Councilmember Davis believes we need to include these issues in the NRS and we need to address ADU's and bulk plane. While we did set the bulk plane standards last year, she doesn't think it's fair to change the rules again; there are people who have made plans or purchased property based on those rules. But believes we need to be thoughtful and she wants more meaningful discussion

Councilmember Fitzgerald doesn't think the survey is valid, but he thinks people are saying that the existing bulk plane standards are fine, that they support restricting massing, and that they don't support lowering height limits. He thinks the questions were draconian and hard to answer. For him, he doesn't want to do anything that isn't holistic. We need to address ADU's and Air B&B's, but he doesn't think we're ready to do anything. He wants to discuss it all holistically before taking any action.

Councilmember Hoppe wants to put some of it in the survey, update the NRS, and address ADU's. She doesn't support blanket restrictions on height, mass, and density. She thinks if we're going to look at height, it needs to be discussed for all zone areas. She thinks height needs to come out of our charter and be put in our zoning code. She believes there are places where we'd benefit from having taller buildings – like we could have in the Sprouts area. The Charter needs to be updated on some things. She

agrees we need to discuss all these issues - height, setbacks, ADU's, zoning – maybe bit by bit, but not make blanket decisions.

Councilmember Urban commented on a number of issues.

- There are a variety of different issues that he feels need to be dealt with differently. Example: ADU's and bulk plane are two different discussions.
- Specific details such as bulk plane rules have no place in a high level strategy document like the NRS.
- Decisions were made last year about bulk plane in R1-C; without too much more effort Council could address some of these other issues quickly.
- He doesn't oppose having some if this in the survey, but that will prolong it.
- Be mindful that some people are wanting to make decisions about their property; Council shouldn't kick the can down the road forever.

Councilmember Pond favors adding things to the survey and addressing issues during the NRS review. He agrees technicalities should not be in the NRS, but believes the overall vision is important to understand some of this. He thinks what Council did last year for R-1C in a small localized area was appropriate, but he's concerned that without a vision document that allows contextualization of many of these issues and applying it city-wide, Council will start to create different character and different visioned outcomes. He's not opposed to talking about bulk plane across the whole city, or massing tools, but unless there are serious immediate issues he prefers to wait until we can conclude some overarching business. One of the most important issues to him is the potential loss of existing property rights, as stated by Mr. Kinney, and he agrees with Mr. Fitzgerald about a holistic approach. He doesn't want to study things to the point of inaction, so he's a little offended by Mr. Slattery remark; Council did take action last year on bulk plane.

Councilmember Dozeman is nostalgic about preserving the character of the city, but believes blanket regulations are an egregious violation of property rights. She supports a more in-depth conversation and having a survey. We may want to maintain and preserve what is Wheat Ridge, but we have to realize the future is tomorrow. We don't have affordable housing in Wheat Ridge. If we want families to move here we may have to change some trends. She doesn't care for the box houses, but believes we can't dictate people's tastes. If people are willing to buy property here they should be able to do with it as they wish. Mr. Goff verified the survey is typically done in April or May.

Councilmember Duran explained her frustration - pointing out that Council was asked 1½ years ago to look at heights in R-1C, and while we discuss all these other issues District 1 is being destroyed. The citizens aren't asking Council to dictate painting or designing a house. They just want Council to respect them and consider height restrictions in R-1C. She is not asking Council to make any blanket decision or paint with a broad brush.

Councilmember Hoppe reported District 1 citizens calling her to complain about the financial burden that the bulk plane standards created.

Councilmember Hoppe received consensus to include height and density questions in the citizen survey.

Councilmember Fitzgerald received consensus to include in the survey general questions about ADU's.

Councilmember Davis asked for clarification if the bulk plane addressed some of the height questions. Mr. Johnstone said it did and explained the requirements for 2nd and 3rd story setbacks. There had been no Council consensus on further height restrictions.

Councilmember Davis questioned east Wheat Ridge being called a historic district. Mr. Johnstone said we have no official historic districts; the request to create some official districts like that came from citizens and the Planning Commission.

Councilmember Fitzgerald received confirmation that the owners of 2942 Eaton had to adjust their design a little to comply with the bulk plane guidelines. He thinks the house looks fine. Mr. Johnstone also agreed that our height limitations are similar generally to our neighbors, except Edgewater has a 25ft limit in some areas.

Mr. Johnstone told Councilmember Duran that of the 11% of the city being R1-C he wasn't sure how much of that was in District 1, but agreed it was a majority. Ms. Duran noted that driving by a house and thinking it looks nice is different than living next to it.

Councilmember Davis received consensus to have survey questions about Airbnb's.

Councilmember Pond received clarification that the staff will draft the survey questions that will be brought to Council for approval.

Councilmember Hoppe received consensus to include questions about bulk plane.


Councilmember Duran asked for consensus to discuss the 25 ft height limit in R1-C. Passed 5-3.

Councilmember Goff reflected that Council approves moving forward with revisiting the NRS study. There was agreement and he will proceed with that for 2018.

There was some discussion about what's a logical timeline to address each issue as it relates to the others, and that when the NRS is reviewed the first step should be to evaluate the 2005 recommendations.

Mr. Johnstone received approval to post the recent survey results on the website.

ADJOURNMENT The Study Session adjourned at 8:40 p.m.


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON January 8, 2018


Tim Fitzgerald, Mayor pro tem