

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

June 15, 2015

Mayor Jay called the Study Session to order at 6:32p.m.

Council members present: Bud Starker, Zachary Urban, Tim Fitzgerald, George Pond, Kristi Davis , and Tracy Langworthy

Absent: Genevieve Wooden (excused), Jerry DiTullio (excused)

Also present: City Clerk, Janelle Shaver; City Attorney, Jerry Dahl; City Manager, Patrick Goff; Public Works Director, Scott Brink; Community Development Director, Ken Johnstone; Police Chief Daniel Brennan; guests and interested citizens.

STAFF UPDATE

Chief Brennan gave a short staff report.

- The City has been asked by the City of Arvada to file an amicus curiae brief on their behalf in a civil case that could ultimately impact all cities. CIRSA and CML are involved.
- The case involves a domestic violence call which resulted in Arvada PD taking a man to Denver Health. Denver Health is now suing Arvada for the individual's medical costs.
- Should Denver Health prevail all cities could be responsible for medical care when the city didn't cause the need for medical attention and the individual was not in custody.
- Potential result: If our officers encounter someone in medical crisis and they aren't arrested, a dilemma arises -- call an ambulance and have the City be liable for the bill or take no action and let the individual suffer and possibly die.
- Arvada has asked all cities to file an amicus brief in their behalf.
- The City Attorney recommends proceeding with this. Other than a standard review it will require no work by Mr. Dahl.

Councilmember Starker received consensus to support filing the CIRSA amicus brief.

PUBLIC COMMENT ON AGENDA ITEMS

Kim Calomino expressed her deep concern about the TIF petition that is being circulated. She believes it is ill-informed, unwise, and short sighted. She feels that TIF's are a critical tool that urban renewal authorities use for redevelopment of blighted areas and other projects. Without TIF's development of the TOD site is highly unlikely. Developers can't bear the cost of the public infrastructure required for these projects, and they shouldn't have to. She believes the public has a poor understanding of TIF's and are being used by the petitioners whose only goal is to block a development that includes a Walmart grocery. She urged Council to work to better inform the citizens.

Rachel Hultin (WR) said she would be addressing three agenda items and asked if she could go over three minutes. The Mayor said Council was comfortable with that. Regarding bike boxes and bike safety – she's excited this is a big year for people who walk, bike and take transit and she's grateful that safety is regularly addressed. ~ She shared that for the national bicycle challenge hosted by People for Bikes the team of 42 Mighty ATAT's is ranked 172 out of almost 1800 teams nationally. One-fifth of their riders are 15 or younger. They have established Wheat Ridge as the #8 bicycling community in the state, while having the fewest riders in the top ten cities. The next closest team has 67 riders. They have established Wheat Ridge as the #1 community in the state with population between 5, 000 – 49,000. ~ Bicyclists are already here, so she encouraged Council to design bike facilities for safety for everyone.

She also reported from her Regular Citizens for Main Street, a group of non-elected officials, which meets to talk about how to move forward on 38th Avenue. She read six outcomes they have agreed to. They are open to compromise on specifics as long as the final plan embraces their qualities and outcomes. They believe if you want to build a boat don't get people to collect wood or assign them tasks; teach them to long for the sea. ~ The four outcomes they most recently agreed to are:

- The most important aspects for 38th are: 1) An outside destination inviting for all, 2) Distinctive, attractive and comfortable design aesthetics, 3) Straight and predictable travel for everyone, with safety and flow over speed, 4) Safe access for foot/bikes/cars (bike lanes, sidewalks and clear travel lanes, 5) Cohesive sidewalks from Sheridan to Wads, 6) Parking on 38th isn't a necessity.
- Their biggest concern is 1) that people will give up trying to make 38th our Main Street, 2) that people will drive too fast, 3) that the final design won't be safe for everyone, 4) that there will be a lack of upkeep and matching investment in aesthetics by businesses and property owners, 5) that it won't attract diverse businesses or provide enough shopping, 6) that there will be too many chains and fast food drive-thrus and not enough local businesses, and 7) that it will look like everything else, and not enough like Wheat Ridge.
- They are willing to compromise on: 1) On-street parking isn't that important, 2) 35 MPH speed limit could be compromised to 30 MPH if it goes back to 4/5 lanes, 3) The number of lanes doesn't matter as long as there's cohesion and flow, 4) They are willing to be taxed to support businesses and infrastructure, but not to tear up existing curb and gutter.

She noted that 34 people signed the letter and it includes people who were active on both sides of the ballot initiative last year. She provided councilmembers with copies.

APPROVAL OF AGENDA

1. Urban Land Institute Technical Advisory Panel for Ward Road Commuter Rail Station ~ Michael Leccese (Executive Director)
Chris Coble (Managing Director and panel chair)

Michael Leccese began with some background on the Urban Land Institute Colorado. It is an international non-profit that focuses on best practices in land use by drawing on the

expertise of their members who pay to belong. They represent 26 different professions with a core focus of real estate developers. There are 1,100 members in Colorado who are often called on to participate in their Technical Assistance Panels (TAP). They have done 50 such panels around the state to help communities deal with pressing real estate issues or unresolved urban design issues. (He noted being a life-long cyclist and believes that bike facilities make for great places to live.)

In February ULI was invited by Ken Johnstone and RTD to study the future TOD site. The panel of seven experts was handpicked and vetted by the City. They met for two days and came up with a series of recommendations.

Chris Cobel, owner of a TOD consultancy, brokerage firm and development company, expanded on the material that was provided to Council in their packet.

- This is an interesting station (not many like it) with unique challenges for their process. They looked at it as a participant in the metro area – not just a place in Wheat Ridge, which led to unique discoveries.
- The current market for employment is very strong and this area has absorbed a fair amount of employment uses. However, there is still vacant land, underbuilt properties and road infrastructure that can handle expansion.
- They tried to meld together historic/traditional uses, potential ground floor retail and the idea of employment.
- Plus: Not many existing buildings right near the station to hinder development.
- Challenge: Many existing businesses doing well and not interested in relocating.
- Resulting recommendation: Focus on employment on the west, mixed use to the east, and things that enhance and assist existing businesses south of the station.
- Recommend allowing for some urban mixed use and redevelopment that would share adjacencies to existing residential near the station.
- Of concern is Arvada's large 66-acre, vacant piece of ground on Ridge Road and how could this infill add to the residential character of the neighborhood.
- Important that employment is a major consideration -- with emphasis on quality and supporting infrastructure that aids future sustainability.
- Other recommendations from their report include:
 - ✓ Strengthen the industrial market south of the rail
 - ✓ Infuse new employment on Ward Road north of the rail
 - ✓ Create a multifamily zone with reduced parking ratio at the station
 - ✓ Create townhouses and lower-density single family residential to the east
 - ✓ Encourage small retail such as coffee shops where possible
 - ✓ Build on current industrial strengths by attracting flex office, R & D, and light industrial
 - ✓ Consider revising MU-C TOD use and design standards to promote employment-based uses; improve the appearance of current and future industrial uses.

He emphasized how unique this station is. The panel believes that their suggestion of fusing mixed use and urban retail/residential could be very unique in the metro area and be a draw for employers looking for a unique place to be.

Mr. Johnstone thanked ULI and noted their work was pro bono. He said the report presents the reality that there may be more industrial uses and the housing density expectations may be less than hoped for.

Council comments and questions touched on the following:

- RTD and the report do not support a parking structure at this time. Starting with a parking lot requires less investment and waiting until there's a *need* for extra parking will allow for a better decision about where to put it.
- Masterplan? It might be best to let the existing assets and the market make some of those decisions. A pedestrian plan may be helpful for potential developers.
- There isn't a great demand in the area for strict office space. This area is much better suited for "flex" office that accommodates industrial and light industrial uses.
- In time it is hoped that what land owners want and what the market will pay align themselves. The biggest challenge will be the areas to the east (residential). This isn't going to be 10 story developments or condos that sell for \$1,000/sqft. Everyone will do well, but "well" has to be reasonable.
- It's hard to predict when (and to what level) interest levels may rise -- during or after construction. It's a careful thing and varies by station. Any opportunities to catalyze the station area now will send a good message to the market.
- One suggestion was that the area should be branded and given an identity.

Next steps?

This is a neutral 3rd party report. Mr. Johnstone asked for Council's thoughts about it. Discussion followed.

- Business District Zone (BDZ) and tax increment financing (TIF) are available.
- The Jolly Rancher site is already a metropolitan district (for infrastructure such as water and sewer). That could be expanded.
- Mr. Johnstone doesn't see major amendments necessary for the plan but staff could take a closer look and make some recommendations.

There was consensus to proceed with recommendations of the TAP report.

There was a question about what the City could do to help catalyze the area. Mr. Johnstone noted some things that will help catalyze the station without us digging into our checkbook:

- RTD's construction of the station and parking lot, along with significant street improvements they are making on Ridge Road and Taft Court
- The Mayor, Mr. Starker and he participated in a process to select a \$125,000 piece of public art that will be built between Ridge Road and the station.

2. Bicycle-Auto Safety Discussion and Proposed Traffic Ordinance Amendments

Scott Brink introduced Jessica Juriga from Toole Design Group, one of the premiere experts in bicycle facilities, planning for bikes, and bicycle infrastructure.

In April Council heard proposed ordinance amendments for traffic and bicycle safety related issues -- particularly related to the bike lanes on 32nd Avenue.

- After that meeting staff contacted Bicycle Colorado, who led them to the Toole Design Group. Staff ran the proposal by the Toole Design Group.
- Staff also discussed with them the problem of vehicles parking in the bike lanes on Pierce. Something is needed in our ordinances so that can be enforced.
- Time restricted parking also needs to be put in our ordinance so we can enforce it.
- It would be a good idea to allow bikes to pass stopped cars to get to the signals, whether we build bike boxes or not.
- Staff also discussed with them about street width regulations and narrowing the traffic lanes to slow down traffic and make room for bike lanes.
- All of these will come to Council on first reading next Monday.
- With the street width regulations they also discussed drainage issues and other things that restrict us from doing what we want to do. Staff would like to have accel/decel lanes exempt from the street width regulations.

Bike Boxes

Mr. Brink used illustrations and photos to explain bike boxes.

- Bike boxes are located at intersections – between stopped cars and the crosswalk.
- It is a space for bicycles to park, spread themselves out if necessary, avoid cars making right turns, and make left turns.
- Ideally it would include a dedicated bike lane coming up the right side for access.
- They are often paired with corners where right turn on red is restricted.
- Typically the majority of motorists respect bike boxes and avoid getting in to them.
- Bikes won't park in the cross walks and interfere with pedestrians.
- It decreases the number of conflicts between bicycles and cars in general.
- The bike boxes and lanes are often painted green to give a perception of safety.
- In the USA they have experimental status and are being tried in 15 states.
- There is ongoing research regarding safety, operations, and compliance.
- The design of each bike box should be unique to its intersection.
- Purpose:
 - 1) To mitigate turning movement conflicts
 - 2) To give people who bike a head start
 - 3) To increase visibility and safety for the cyclist

Kipling and Wadsworth have space constraints that prevent having the lane leading up to the bike box, so staff modified the plan and Bicycle Colorado and Toole made recommendations. Illustrations were shown of several alternatives from Eugene, Oregon and Billings, Montana.

Striping plan for 32nd Avenue

- Ms. Juriga's group was asked to review the whole set of plans.
- For Sheridan to Wadsworth and Kipling to Youngfield: 3 foot bike lanes work fine
- Wadsworth to Kipling is problematic on the west end (high school to Kipling).
 - There is a ditch on the south side and curb and gutter on the north side.
 - The planned 3 foot bike lane works everywhere except on the west end
- Ms. Juriga's suggestion for Wadsworth to Kipling is to
 - Stripe a 5 foot bike lane on the (westbound) north side
 - Have sharrows for bikers on the (eastbound) south side
 - Families and bikers wanting safety can use the multi-use trail; many already do
 - Hard core riders won't use the multi-use trail; they can use the sharrows.

Council questions/comments

Councilmember Pond expressed that the paint seems to be an important part of the safety strategy. He asked why the westbound lane was chosen for the 5 foot bike lane? Mr. Brink posed that the south side already has the multi-use trail available.

Councilmember Davis encounters a bike box like the alternate design every day in Denver and it isn't green. There was discussion about green paint.

Councilmember Urban asked if we have data on the number of active conflicts currently at 32nd and Wadsworth? No. Is it likely the altered design staff is proposing would be approved nationwide since it's still experimental? Bike boxes are not in the federal manual yet. Would we have no right turn on red for vehicles? Mr. Brink noted eastbound Kipling already has no right turn on red and both intersections [Kipling and Wadsworth] say 'yield to pedestrians'; signage can be upgraded to include yielding to bikes. Councilmember Urban indicated that while he supports safety, bike boxes are still experimental and the Wadsworth intersection doesn't have the space to be built as recommended. He is reluctant to support bike boxes and more likely to support sharrows or some other treatment to reduce conflicts.

Signal timing will not be affected.

Councilmember Fitzgerald stated that while he supports biking he is adamantly against bike boxes. He feels they're not necessary and are an attempt to solve a problem that doesn't exist. Further, a box across the lane and not allowing cars to have a right-turn-on-red will create further resentment by automobile drivers.

Mr. Goff had Ms. Juriga speak generally about bike use.

- She explained how bicycle use is increasing nationwide; public works departments are having to make their bike networks/programs more compatible for all users.
- Every City struggles with bikes versus cars; a lot of cities are doing great work in messaging to create a culture of empathy and improve relations between all users.
- Current Denver research shows that bike friendly streets are safer for all users.
- Crashes happen at intersections. In Denver 85% of all bike/car crashes happen at intersections.
- There are a lot of options to make intersections safer.

Mr. Goff said the width of the pavement won't change. With a 5 foot lane on the north, they would probably increase the eastbound traffic lane to accommodate sharrows.

Mr. Goff said there are timing issues on the 32nd Ave project, so staff needs direction tonight. They would also like direction on how Council would like to proceed in the future.

Councilmember Langworthy asked about the ditch along Crown Hill. Mr. Brink noted the area by the ditch is tight and they aren't sure they can squeeze in the full 3 foot bike lane. There's a strong possibility they'll have to do sharrows there.

Further discussion followed about the appropriate location for bike boxes.

Councilmember Fitzgerald received consensus on three points.

- 1) Consensus to accept a 5 foot bike lane on the north side of 32nd and sharrows on the south side.

- 2) Consensus to amend the code to allow bicycles to pass stopped cars.
- 3) Disallow bike boxes on major thoroughfares (like 32nd, Wadsworth, Kipling, 38th or 44th) until they have been tested on back streets, but allow staff to suggest some appropriate corners on side streets.

There was disagreement about whether 32nd and Pierce would be appropriate for bike boxes. Mr. Goff indicated staff will come back with options before a trial is done.

3. Neighborhood Entryway Signage

Scott Brink went over the 2013 map of suggested gateway and entry signs.

The recommended sign is: Logo; Welcome to Wheat Ridge; 4 or 7 feet wide; similar to park signs; different colors available

Mr. Brink displayed slides showing possible entry signs on the NW corner of 32 & Simms/Swadley (may impact someone's landscaping); Sheridan and 29th; Garrison & 49th; Pierce at 26th, NE corner (would have to take some shrubs out); 32nd & Sheridan, SW corner (might be a challenge due to private property); 44th & Eldridge, SE corner; 44th & Harlan, NW corner

The signs cost \$4,900 for the 7 foot and \$3,900 for the 4 foot -- installed.

Discussion followed.

Councilmember Davis received consensus to have staff bring forward some locations that will simple to install and not require right-of-way acquisition or re-landscaping.

Blue was the apparent color choice.

4. 38th Avenue Streetscape Update

Mr. Brink reported that the RFP is out. Staff expects to award a design contract in mid-July, get the consultant started in Aug/Sept, and have the first public informational meeting in October. Staff intends to run a mini-PEL public process.

Councilmember Urban inquired about the fee for the consultant of \$50-75,000 which Council has yet to approve. ~ Mr. Goff noted Council asked to bring a consultant on to help with the process. This contract is to help with the public process and provide design options, not for design work. The final contract will come back to Council for approval. Mr. Goff noted that funds were budgeted for a Kipling sub-area plan, but with all that's going on Community Development won't get to that this year; he suggested those funds can be used for this. ~ Mr. Urban expressed concern about issuing an RFP when the funds have not been approved. Mr. Goff doesn't think it's a concern as all applicants know that anything over \$35,000 has to come to Council for approval.

5. Presiding Judge Contract Renewal

Judge Randall addressed the Council.

He encouraged Council to read the packet. Court is going well.

He listed the kinds of cases that come to municipal court, noting we don't do DUI cases.

He is a department director – which is unusual. He works closely and shares administrative duties with the Court Administrator.

His sentencing philosophy is guided by state statutes and common sense. His sentencing is individualized.

He is here Monday through Thursday. Court is Mon, Wed, and Thurs.

From Council questions:

- As a "25 hour" employee he usually worked 25-30 hrs/wk; now he regularly works 30hrs/wk (usually 28-32 hrs/wk). Hence the request for an increase in salary.
- He has never been reversed on appeal as a municipal judge.
- The change from 25 to 30 hrs/wk will decrease his contribution to his benefits, and increase the City's contribution.
- He bills only for the hours he works and doesn't bill for "down time".
- Raises for other employees have been 3% the last two years. This is a 5% increase, but hasn't been raised for two years.

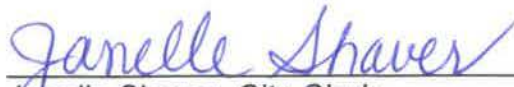
Councilmember Starker received consensus to accept the raise of 5% (\$91.51/hr to \$96.09/hr) and the increase to 30 hours for the Judge's new two-year contract.

The Judge's contract must be renewed by ordinance. First reading will be next week.


6. Elected Officials' Report(s) none

ADJOURNMENT

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


Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON JULY 13, 2015


Bud Starker, Mayor Pro Tem