

STUDY SESSION NOTES

CITY OF WHEAT RIDGE, COLORADO

City Council Chambers 7500 W. 29th Avenue

August 15, 2016

Mayor Joyce Jay called the Study Session to order at 6:30 p.m.

Council members present: Janeece Hoppe, Monica Duran, Kristi Davis, Zachary Urban, Tim Fitzgerald, Genevieve Wooden, and Larry Mathews

Absent: George Pond

Also present: City Clerk, Janelle Shaver; City Manager, Patrick Goff; Community Development Director, Ken Johnstone; Public Works Director, Scott Brink; other staff, guests and interested citizens

CITIZEN COMMENT ON AGENDA ITEMS

Karen Stor (Eaton St, WR), **Julian Kasprzak** (Eaton St, WR) and **Lorretta Campbell** (Chase St, WR) were signed up to speak, but said they were just present to listen.

Christi Aultman (Eaton St, WR) related how demoralizing it is to find a 3-story particle board tower going up behind her house. She echoes all the neighbors' concerns. The construction noise and debris will go away, but the structure will be a permanent fact. She doesn't fault the Council, but rather shameless and unaccountable developers, home buyers who are indifferent or willfully ignorant of the impact their building choices have, and the precedent that has been set by Denver in failing to protect their architectural heritage. While change and growth will happen, she believes history and preservation matter. She asked Council for a temporary moratorium so a permanent compromise can be found that respects the history of the neighborhood and its residents.

Deana Swetlik (WR) thanked Council for acting on a snow removal ordinance. They should make sure it's explicit and clear that the ticker starts when the snow stops. She supports 24 hours for residential and commercial. Pedestrian priority streets for commercial areas should be addressed first, while elderly and disabled may need more time. ~ Regarding a moratorium she urged Council to be clear about the difference between principal and accessory structures as it relates to setbacks. She thinks regulations should be calibrated to the various lots types within R-1C and that a moratorium should focus on new construction and additions. She urged Council to be careful about changing height limits and step backs for a second story.

Melissa Archuleta (Depew St, WR) relayed neighborhood concerns about 3-story houses. She urged Council to consider a temporary moratorium so that R-1C is not overhauled without input from the community. Neighbors are concerned about property values, affordability, and revitalization not being done with good intentions or respect for the people who live here. She thanked Councilmember Duran for meeting with the neighbors and pressing on this issue. She hopes a compromise can be reached for new and old developments.

Eric Jacobsen (Chase St, WR) lives near one of the 3-story houses and until recently enjoyed some back yard privacy. He appreciates the consideration of bulk plane requirements, rear yard set-backs and height limits. He voiced support for a temporary moratorium on building permits for new structures and additions over 2-stories or taller than 27 feet in R-1C R-3 zones. They appreciate the character of the community and are desperate for reasonable and responsible development that balances growth and respects the citizens who made/make the neighborhood great.

Kim Calomino (WR) advised Council that the NRS is a foundational document. She thanked past/present Councils for seeing it through, Localworks for the work they've done on the recommendations, and City staff for providing continuity and expertise. She encouraged Council to stay the course. ~ On a moratorium she urged Council to be caution and consider the property rights of all. She feels moratoriums have a short and long term impact on how we manage change and neighborhood conversations, and how we do/don't attract investors who help reinvent and renovate our aging housing stock.

Victoria Mendoza (Chase St, WR) expressed that we have a beautiful neighborhood and a wonderfully strong community. She feels we need to carefully regulate how future growth will look so we are not visually tattered forever and don't create animosities that threaten our community fabric. She asked for a moratorium on residential building permits.

Since a number of citizens were present to observe the discussion of Item 4, it was agreed to address that item first.

4. Residential Development Standards

Discussion focused on whether or not to put in place a moratorium on building and demolition permits while permanent changes to the code can be considered.

Councilmember Davis asked about the timeline of a moratorium. Ken Johnstone reported staff is being careful and going through a variety of design studies. They are making good progress and can draft the framework shortly. It is scheduled for Planning Commission on September 15 and a City Council hearing on October 10. He informed Council there are no requests in the works right now, but there could be.

Councilmember Mathews would like to take time, do it right, and not hurry. He prefers a moratorium.

Mr. Johnstone noted there is a lot to look at throughout the City.

Councilmember Fitzgerald favors acting quickly and sees potential conflicts with the Neighborhood Revitalization Study.

Councilmember Urban wants to make sure developments aren't being done to the detriment of the community. He suggested zone districts may be necessary – not doing the whole city in all zone districts. He approves of doing a moratorium in R-1C.

Councilmember Duran proposed a consensus to enact staff's suggestion for a temporary moratorium on building permits for new structures, and additions to existing structures, which are greater than two-stories or taller than 27 feet.

Discussion followed. Conversation points included:

- Doing a regular ordinance with 1st and 2nd reading or enacting an emergency ordinance on August 22.
- There was some desire to do neighborhood outreach, but Mr. Johnstone said he hadn't contemplated neighborhood outreach in the interest of time.
- Should the ordinance last 90 days or until a final ordinance [with new regulations] is passed?
- Councilmember Hoppe suggested passing an ordinance with 45 degree, 15 foot high bulk plane now until we set new standards.

Councilmember Duran asked for consensus for a 90-day emergency temporary moratorium in R-1C on building permits for new structures, or additions on houses, over two stories and over 27 feet.

Discussion followed.

Councilmember Duran's consensus failed 3-4.

Councilmember Hoppe asked for consensus for a 90-day emergency ordinance for R-1C on new building permits to comply with current setbacks with a 45-degree bulk plane starting at 15 feet, to be brought back for consideration at the August 22nd Council meeting.

There was discussion and the consensus passed 4-3.

1. Neighborhood Revitalization Strategy Discussion – Part 1

Mr. Goff gave introductory remarks on the Neighborhood Revitalization Study that was done in 2005. He introduced Patty Silverstein of Development Research Partners who was hired to prepare The State of Wheat Ridge -- a profile of the community, indicators and trends. This serves as a 10-year overview of progress on the NRS. Ms. Silverstein gave a power point presentation.

- Data on 30+ indicators in demographics, housing, employment base, and commercial real estate were considered.
- Population has increased at a rate similar to Jefferson County and metro Denver.
- Median age is still high.
- Median income is lower than most due to the older age of the residents.
- Poverty rate is increasing. (Data ends in 2014, which does not include increase in income following the recession.)
- WR has smaller and more affordable homes, about 16 years older than the metro area average.
- Apartments are more affordable here and the vacancy rate is lower than Jeffco and the metro area.
- Almost 75 sq ft of retail space per capita -- which is high for the region
 - High number of motor vehicle trade, food/beverage stores and service stations
 - Lack stores for furniture, electronics/appliances and clothing
- Similar employment growth as the metro area, but lower average wages.
 - High concentration of education and health services (Lutheran Hospital)
 - Lower concentration of some high wage jobs such as financial activities, professional and business services, and information and manufacturing sectors
- Low vacancy rates for office and industrial spaces. Rents are higher.

Mr. Goff added some considerations in looking at the data.

- Still doesn't include figures from the last 2 years.
- Population is increasing.
- We've had the largest *percentage* increase in household income in the metro area. It's still low, but increasing at a faster rate.
- The recession slowed our progress, but we are improving. Still have work to do.

Council discussion followed.

- The report will be available on the City website.
- Councilmember Fitzgerald asked about leadership development. Britta Fisher spoke about how Localworks has been and will continue to work on programs like the Planning & Development Academy and the Wheaties Academy to help people engage in the community.
- Councilmember Mathews remarked that the NRS study concluded that home ownership to rental ratio was up-side-down, but nothing has been done to address it in ten years and nothing is on the future list to address it.
- Councilmember Hoppe inquired and it was pointed out that the data only goes through 2014 and doesn't include the developments of Fireside, Incarnation, the development near Prospect School and the Yukon development.
- Councilmember Mathews suggested we need a new mission statement. What are we? We are constantly compared to Arvada and Lakewood, but we aren't those communities. Mr. Goff agreed that revisiting this information is important.
- Councilmember Wooden noted that millennials, the largest population segment nationwide, tend not to want to own houses right now. How could we engage our rental community to purchase houses?

- Councilmember Wooden expressed encouragement that many of the NRS recommendations have been accomplished and we're working on all the itemized recommendations yet to be accomplished.
- Councilmember Urban doesn't think that flipping houses to increase home ownership is a prudent use of our resources at this time. He suggested other areas we could work on – such as working with existing rental property owners to improve their properties.
- Councilmember Fitzgerald reported the Housing Authority will not have any funds for at least 7 years. He agrees that home ownership is an unrealistic goal for many families. He thinks the problem is “some” apartments.
- Ms. Silverstein reported the WR home ownership rate is 54%. Metro Denver area is 64%. We also have a stronger concentration of multifamily units.
- Councilmember Duran suggested Council discuss this in further detail at a retreat. Mr. Goff will look at dates.

2. Staff Reports(s)

a) Fruitdale School Update ~ Ken Johnstone

Mr. Johnstone reported that since February several steps have been taken to firm up funding.

Jim Hartman (Boulder) of Hartman Ely Investments presented significant activities.

- Subdivision plat recorded; land swap with school district completed; school deed restriction removed; re-zoning completed in May
- \$440K in additional HOME funds have been committed
- Historic tax credits were approved
- Less rental area calculated, so smaller average apartment size
- Revised solar panels on rear (more panels)
- State historic tax credits approved
- Federal historic preservation tax credits in progress
- State historic fund grant was well received, but not granted
- Grant application made to the Anschutz foundation
- Grant application is out for electric vehicle recharging stations
- The Abo Group has been selected as the architect. Ron Abo spoke briefly.
- Palace Construction has been selected as the general contractor.
- Community meeting scheduled for August 16, 2016 (tomorrow night)
- Timeline estimates purchase in the 4th quarter of 2016, complete detailed design this fall, and completed project in late 2017.

Questions from Council:

Councilmember Duran enquired about the community events that had been assured. Mr. Hartman said they will take place primarily outdoors in the front garden area. They are exploring periodic indoor tours of the structure (not the individual apartments) for the

public to get some appreciation of the building (wide halls, etc.). They are looking at the possibility of bringing the Farmer's Market there.

b) 32nd and Xenon Traffic Signal ~ Scott Brink

Patrick Goff gave an overview of the plan to install a traffic light at 32nd & Xenon.

- Based on the traffic analysis, the City is negotiating for a 60/40 split for the light – City to pay 60%.
- Applewood Shopping Center is paying for traffic study. The City will pay \$17K for the design and 60% of the installation (\$135K), for a total contribution of \$152K.
- There is the issue of the \$58,500 due to the shopping center from the City to reimburse for ROW that was taken when 32nd Ave was widened. It took some of their parking.
- The total cost of the project is \$257K.
- Development features will include:
 - King Soopers is putting a gas station on the NE corner of the entrance on 32nd.
 - Starbuck will be on the corner with a drive-thru.
 - There will be a new restaurant.
 - Applejack's is considering expansion.
 - A public process was held recently (Nov-Dec)
 - Xenon Street was selected as the location.
 - Staff is ready to move forward depending on the timing with the King Soopers fueling station.

\$210,500 is needed for the project. \$100K is in the CIP budget for development related projects like this. The balance of \$110,500 can come from the CIP budget, reserves, excess TIF dollars from Kipling Ridge or Urban Renewal's unallocated funds.

Discussion followed. Mr. Brink answered some questions. The quiet title on the swath of land that was condemned has been completed.

Following discussion there was consensus to take \$110,500 from the Kipling Ridge TIF funds to pay for the light -- after review by the Urban Renewal Authority.

3. Snow Removal Policy ~ Scott Brink

Mr. Goff reviewed that in February there was general consensus to pursue a snow removal ordinance. He went through some elements of the ordinance and related issues.

- It would start within 24 hours after it stops snowing.
- Staff is getting quotes from contractors to take care of some of the "orphan" areas where responsibility is difficult to determine. The Parks Department already does some of those areas (Crown Hill, parks).
- Bus shelters are to be contracted out.
- The definition of 'snowfall' does not include snow that the City plows have deposited on people's sidewalks.
- Does Council want to pursue this?

- Does Council want to look at contracting for the orphan areas?

Discussion followed. Suggestions included:

- What if people are out of town? What will the fine be? The fine could be up to \$999 dollars. We usually don't have specific fines for specific actions, but we could set up a fee structure.
- The amount of accumulation was discussed. Three inches or less?
- City liability was discussed.
- Time frame and depth of snow
- A fee structure
- Abandoned and orphan areas were pointed out
- The possibility of starting with commercial areas first before we reach out into residential areas.
- Do both commercial and residential, but no fines the first year.
- Do public outreach, education, Channel 8, no fines for residential the first year.

There was consensus to bring back an ordinance with the requirements that were agreed upon and bring back costs for snow removal for certain areas.

5. Elected Officials' Report(s)

a) Wheat Ridge Education Alliance Report ~ Genevieve Wooden

Councilmember Wooden began with some history of how the educational Alliance (EA) committee came about. Mr. Goff wanted to get the schools more focused. She set about to form a committee like Jill Fellman does in Arvada. In the spring of 2014 they set up a formal structure with a board of directors.

The EA works with 15 of the 17 schools that serve WR. A guide to WR schools was produced by the City. They work on educating citizens about the schools and how the City can interact with the schools. It is non-partisan, non-political, and doesn't take positions on school district policy/changes.

The Board of Directors is the City Manager or Mayor, a City Council member, the Police Chief, Joyce Manwaring (Parks), a school board member, school district people, 2 WR school principals, and they are working to find a business representative. They meet monthly. They also have a representative from each school (parent or principal) that met 3-4 times last year. Councilmember Wooden also has a weekly conversation with the Stasco agency – the City's public relations firm.

She listed some school programs for the upcoming year.

Mr. Goff and Councilmember Wooden went through a power point showcasing past activities of the committee: Freddie Steinmark activities, a feature story on Pennington Elementary's special programs, information about Sobesky Academy, promoting the

STEM and STEAM Gala, picnic table auction project (\$1,650 went to the art departments at the 15 schools), the STEAM sculpture at Lutheran, Top of the Hour videos on Everitt Middle and Vivian Elementary.

The school guide needs to be updated. We may need some money for that.


Discussion

- Their meetings are open to the public – usually the first Monday of every month.
- Agendas and minutes are available.
- The EA has no funds and is not in a position to raise funds yet.

b) **Janeece Hoppe** thanked everyone who helped with and attended the Carnation Festival.


ADJOURNMENT

The Study Session adjourned at 9:33 pm.



Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON September 12, 2016



George Pond, Mayor Pro Tem