

STUDY SESSION NOTES

CITY OF WHEAT RIDGE, COLORADO

City Council Chambers 7500 W. 29th Avenue

December 5, 2016

Mayor Pro Tem Pond called the Study Session to order at 6:30 p.m.

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

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

Mr. Pond informed Council the Mayor would be arriving late; her car is blocked in.

CITIZEN COMMENT ON AGENDA ITEMS

Richard Abitbol, who owns Rickoli's Brewery, said he just found out about this meeting today. He and the owner of Colorado Plus are concerned and would like to be involved in forming any regulations related to breweries. He asked the City to keep in mind keeping it easy for people to start small. He explained how beer production can be vital to a restaurant's survival. Distribution can be in small delivery vehicles, so don't be afraid of semi-trucks. If the brewery gets larger they will move.

1. Staff Report(s) none
2. Small-scale Alcohol Production Facility Regulations ~ Ken Johnstone

Mr. Johnstone explained staff is proposing some regulations to be a little more permissive for small-scale alcohol production and clarify some ambiguities.

- We can make some amendments making it appropriate in certain zone districts.
- This includes micro-breweries, micro-wineries and micro-distilleries.
- These uses would be good addition to our commercial corridors.
- Code is pretty silent. Approval was just granted for a micro-distillery on W. 44th.
- The gray area of concern is when the scale gets larger.
- Lisa Ritchie has done the research comparing what other communities do. Ft. Collins is heavily borrowed from. Attachment 1, Table of Comparison, was referenced.
- Two primary business models: mainly as an eatery or mainly as a production facility. Staff is proposing: 1) If you are an eating establishment you can produce limited amounts of alcohol. Where production is the major use, 2) if there is a tap room you can be in most commercial districts, and 3) if there's no tap room, you would be allowed in industrial and mixed use commercial.
- The Deputy Clerk also recommends an amendment to accommodate changes to state code.

Questions and discussion followed.

- What's wrong with being silent? Is there a threshold we have to meet to be regulating it? Mr. Johnstone suggested production volumes are the issue. While he knows of no one who has walked away, it would be good to have clarity.
- Where does a place like Hops fit in? Ms. Ritchie explained if the primary use is a restaurant it would be regulated as such. The threshold for production would be 15K barrels a year.
- How is volume determined? Ms. Ritchie said it's judged by the size of the building permit.
- The definition of tap room varies a little.
- Deputy Clerk Robin Eaton provided the following information:
 - Wholesale manufacturing license is only required to go through the state.
 - The sales room application is sent to the City for approval.
 - Brew pubs are approved by the City first, then the State.
 - Regarding kitchens: The State doesn't require a kitchen at manufacturing facilities, but for brew pubs the State requires that 15% of sales come from food bought through the licensee.
- There is no intent to micromanage and drive the cost up – only to have definitions and a framework in place.

Mayor Jay arrived at 7:53pm.

- Special Use by administrative review would be used in NC and RC districts.
- An eatery that adds a microbrewery as an accessory use doesn't have to be rezoned.
- A microbrewery that expands could move their production, but keep their tap room.
- If Council chooses to move on, the process would go first to Planning Commission.

Richard Abitbol and Eugene Kahng (Colorado Plus) were asked to comment. Mr. Kahng's concerns are about expanding on site. The 15K barrel threshold is ok with him. Mr. Abitbol agreed that 15K barrels is reasonable. Both owners are willing to work with the City on language.

Councilmember Hoppe received unanimous consent to move forward addressing small scale alcohol production in our zoning code.

Mayor Jay assumed the chair.

3. Regulations for new Site Design Standards ~ Ken Johnstone

Ken Johnstone summarized existing design standards. Aesthetics have not been addressed with storm water detention facilities, site grading and retaining wall design. There have been some missed opportunities for higher quality design with retaining walls.

- When new standards are developed must be cognizant of property rights, feasibility and cost.
- Don't want to create a regulatory environment that make infill development difficult.
- Need to be creative, as space in the City is limited.

- With a few tools we could make things look nicer (e.g. materials, landscaping, terracing) by providing options for developers.

Discussion followed.

- Making things more appealing would be good.
- Storm water detention does look carefully at how drainage exits a property. With single family (sf) and additions, the City has less control. It tends to be a civil matter, but the City sometimes becomes involved to address run-off issues. Grading for sf is being reviewed. Best practices were recently changed to include public works engineers in the inspection process to coordinate with planning and building.
- As with the small-scale alcohol production, this ordinance would be re-examined by Council at a study session before going through the Planning Commission.
- Location of drainage facilities will be addressed in the normal course of review. The greatest focus would be on drainage that's visible or adjacent to public ROW.
- The application for public works projects has yet to be examined.
- Staff doesn't believe the added cost to the developer will be significant.
- There was caution against adding extra cost – that function should be over aesthetics.

There was consent of 6-1 to support addressing design standards for grading, storm water facilities and retaining walls, and support for the standards proposed.

4. Elected Officials Report (s)

Kristi Davis reported that Urban Renewal is meeting tomorrow.

Tim Fitzgerald announced a public meeting about the Clear Creek Crossing development tomorrow at 5:30pm at the Rec Center.

Zach Urban reported there would be a story in the Denver Post tomorrow about the Gold Line and the Base Camp of the Rocky Mountains.


Janece Hoppe reported the WR Business District didn't meet this month. ~ She invited everyone to join her December 22 at The Gathering Spot from 6-7:30pm for an information and cookie exchange.

Patrick Goff spoke about the Clear Creek Crossing meeting. It's required of the developer. Residents and property owners within 600 feet were notified, with the intent to provide information about the development to those most impacted (traffic, light, noise, sound). The developer has a multi-phased outreach plan to communicate and get input about what kinds of stores/restaurants people would like to see. A website will be up Tuesday to show plans and designs; the City will also have robust communication. It's still early in the process so there's not much information about tenants. Right now it's about traffic and access. The passage of 2E fits perfectly for timing with this project. Closing is expected December 15; possible start of the project could be middle to end of 2017. ~ He had a few comments on scheduling for the retreat.

Mayor Jay reported the holiday lighting was great.

ADJOURNMENT

The Study Session adjourned at 7:36 pm.



Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON January 9, 2017

George Pond, Mayor Pro Tem


Mayor