

# **AGENDA**

## **CITY COUNCIL MEETING CITY OF WHEAT RIDGE, COLORADO 7500 WEST 29<sup>TH</sup> AVENUE, MUNICIPAL BUILDING**

**April 22, 2019**

**7:00 p.m.**

*Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Call Sara Spaulding, Public Information Officer, at 303-235-2877 at least one week in advance of a meeting if you are interested in participating and need inclusion assistance.*

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL OF MEMBERS**

### **PROCLAMATIONS AND CEREMONIES**

Tree City USA  
Municipal Clerks Week – 50<sup>th</sup> Anniversary  
Child Abuse Prevention Month

### **APPROVAL OF MINUTES**

### **APPROVAL OF AGENDA**

### **CITIZENS' RIGHT TO SPEAK**

- a. Citizens, who wish, may speak on any matter not on the Agenda for a maximum of 3 minutes and sign the PUBLIC COMMENT ROSTER.
- b. Citizens who wish to speak on an Agenda Item, please sign the GENERAL AGENDA ROSTER.
- c. Citizens who wish to speak on a Public Hearing item, please sign the PUBLIC HEARING ROSTER before the item is called to be heard.
- d. Citizens who wish to speak on Study Session Agenda Items for a maximum of 3 minutes and sign the STUDY SESSION AGENDA ROSTER.

**1. CONSENT AGENDA**

- a. Resolution 25-2019 – amending the Fiscal Year 2019 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$90,220 for the purpose of operating the renovated Anderson Building
- b. Resolution 26-2019 – amending the Fiscal Year 2019 General Fund Budget to reflect the approval of a Supplemental Budget Appropriation in the amount of \$1,500 for the purpose of appropriating a Grant Award for the purchase of trees in City Right-of-Way
- c. Motion to award the 2019 Concrete Rehabilitation/ADA Improvements, Project Base Bid and Bid Alternates 1 and 2, and approve subsequent payments to Majestic Concrete Contractors, Inc., Golden, Colorado, in the amount of \$535,527.50, with a Contingency amount of \$26,775.00 for a total not to exceed contract and contingency amount of \$562,302.50
- d. Motion to award 2019 Overlay Project Contract renewal to Martin Marietta Materials, Westminster, Colorado, in the amount of \$1,275,457.61, with a Contingency amount of \$63,775.00, for a total amount of \$1,339,232.61

**PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

2. Council Bill 03-2019 – amending Sections 2-53 and 11-52.5 of the Wheat Ridge Code of Laws concerning appointees to the Boards and Commissions and the Liquor Licensing Authority
3. Council Bill 04-2019 – amending Sections 11-51, 11-52, 11-53, 11-56, 11-63, 11-64 and 17-27 of the Wheat Ridge Code of Laws concerning the licensing and use of alcohol beverages and making additional housekeeping revisions to said code updating statutory citations to conform to recent legislative changes
4. Resolution 24-2019 – approving a Major Subdivision Plat with Right-of-Way dedication for property zoned Mixed Use-Commercial Transit Oriented Development (NU-C TOD) and located at 5060 Ward Road (Case No. WS-18-06/Ridge at Ward Station)

**ORDINANCES ON FIRST READING**

5. Council Bill 05-2019 – amending Section 16-132 and Subsection 16-133(H) of the Wheat Ridge Code of Laws to Exempt Needle-Stick Prevention and Syringe Exchange Program participants from criminal prosecution
6. Council Bill 06-2019 – approving the rezoning property at 3300 Ames Street from Residential-Three (R-3) to Planned Residential Development (PRD) with an Outline Development Plan (ODP) (Case No. WZ-18-25/Feaster)
7. Motion to reconsider Council Bill No. 02-2019 – an Ordinance approving a Zone Change from Residential-Three (R-3) to Planned Residential Development (PRD) with and Outline Development Plan (ODP) for property located at 4000-4066 Upham Street (Case No. WZ-18-17/Ridgetop Village)

**DECISIONS, RESOLUTIONS AND MOTIONS**

8. Motion to approve Appointments to Boards and Commissions
9. Motion to Ratify Mayoral Appointments to the Housing Authority
10. Motion to approve Appointment of Representatives to the 2020 Outside Agency Program Committee

**CITY MANAGER'S MATTERS**

**CITY ATTORNEY'S MATTERS**

**ELECTED OFFICIALS' MATTERS**

**ADJOURNMENT**

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: RESOLUTION NO. 25-2019 – A RESOLUTION AMENDING THE FISCAL YEAR 2019 GENERAL FUND BUDGET TO REFLECT THE APPROVAL OF A SUPPLEMENTAL BUDGET APPROPRIATION IN THE AMOUNT OF \$90,220 FOR THE PURPOSE OF OPERATING THE RENOVATED ANDERSON BUILDING**

- |   |   |
|---|---|
| <input type="checkbox"/> PUBLIC HEARING         | <input type="checkbox"/> ORDINANCES FOR 1 <sup>ST</sup> READING |
| <input type="checkbox"/> BIDS/MOTIONS           | <input type="checkbox"/> ORDINANCES FOR 2 <sup>ND</sup> READING |
| <input checked="" type="checkbox"/> RESOLUTIONS |   |

QUASI-JUDICIAL: ☐ YES ☒ NO

  
**Parks and Recreation Director**

  
**City Manager**

**ISSUE:**

The Anderson Building is undergoing renovations and is due to open in June of 2019. A supplemental budget appropriation in the amount of \$90,220 is required to operate and maintain the renovated building with expanded hours and programming. The additional appropriation will be used for staffing, janitorial services, utilities and supplies.

**PRIOR ACTION:**

City Council approved an appropriation in the 2019 General Fund budget in the amount of \$31,349 for the Anderson Building.

**FINANCIAL IMPACT:**

The financial impact is additional funding in the amount of \$90,220 which will be transferred from General Fund undesignated reserves to the Anderson Building budget.

Potential revenues from programming and usage of the Anderson Building for June to December 2019 are \$10,800 for drop-in facility usage, \$14,825 for rentals and \$108,576 for scheduled programs and classes for a total of \$134,201. These estimates assume all available programming time and class participation are at capacity.

**BACKGROUND:**

Prior to renovation, the Anderson Building was only open for a limited amount of time for certain programming. Organizations renting the Anderson Building for scheduled programs and their participants were allowed to use the building without City staff on site. Locker rooms were only open seasonally when the outdoor pool was open. Staff is recommending that operations and programming for the building be expanded so that the renovation investment in the facility by taxpayers allows increased access for all community members and expanded use of the center for a variety of programming demanded by the community.

Following will be the fee schedule for the renovated Anderson Building and outdoor pool:

Summer - (includes outdoor pool)

Youth Drop in Fees - \$4 resident \$5 nonresident

Adult Drop in Fees - \$5 resident \$6 nonresident

Fall, Winter Spring – (gym only)

Youth Drop in Fees - \$3 resident \$4 nonresident

Adult Drop in Fees - \$4 resident \$5 nonresident

A punch pass (discounted rate) for drop in usage will be offered.

**RECOMMENDATIONS:**

Staff recommends approval of the additional appropriation to allow for expanded hours and programming for the Anderson Building.

**RECOMMENDED MOTION:**

“I move to approve Resolution No. 25-2019, a resolution amending the fiscal year 2019 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$90,220 for the purpose of operating the renovated Anderson Building.”

Or,

“I move to deny approval of Resolution No. 25-2019, a resolution amending the fiscal year 2019 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$90,220 for the purpose of operating the renovated Anderson Building for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED/REVIEWED BY:**

Joyce Manwaring, Parks and Recreation Director

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Resolution No. 25-2019

**CITY OF WHEAT RIDGE, COLORADO**  
**RESOLUTION NO. 25**  
**Series of 2019**

**TITLE: RESOLUTION NO. 25-2019 – A RESOLUTION AMENDING THE FISCAL YEAR 2019 GENERAL FUND BUDGET TO REFLECT THE APPROVAL OF A SUPPLEMENTAL BUDGET APPROPRIATION IN THE AMOUNT OF \$90,220 FOR THE PURPOSE OF OPERATING THE ANDERSON BUILDING**

**WHEREAS**, Wheat Ridge voters approved a temporary ½ cent sales tax increase and the authority to issue bonds to make improvements to Anderson Park and Anderson Building; and

**WHEREAS**, City Council wishes to increase the budget for the Anderson Building to expand the use of the recently renovated building to six days a week, 12 hours per day with new and improved programming for the entire community; and

**WHEREAS**, the Wheat Ridge Charter requires that amendments to the budget be effected by the City Council adopting a resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Wheat Ridge, Colorado, as follows:

**THE FOLLOWING AMENDMENT TO THE GENERAL FUND IS HEREBY APPROVED:**

A supplemental budget appropriation in the amount of \$90,220 from General Fund undesignated reserves to account 01-620 Anderson Building and the amendment of revenues accordingly.

**DONE AND RESOLVED** this 22<sup>nd</sup> day of April 2019.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: RESOLUTION NO. 26-2019 - A RESOLUTION AMENDING THE FISCAL YEAR 2019 GENERAL FUND BUDGET TO REFLECT THE APPROVAL OF A SUPPLEMENTAL BUDGET APPROPRIATION IN THE AMOUNT OF \$1,500 FOR THE PURPOSE OF APPROPRIATING A GRANT AWARD FOR THE PURCHASE OF TREES IN CITY RIGHT-OF-WAY**


☐ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☒ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES

☒ NO

  
Parks and Recreation Director

  
City Manager

**ISSUE:**

The Parks and Recreation Department applied for and received a grant from the Colorado Tree Coalition for \$1,500 to purchase trees for right-of-way areas on the east side of the City. A budget amendment is required to appropriate these unanticipated grant funds for expenditure.

**PRIOR ACTION:**

No prior action was taken.

**FINANCIAL IMPACT:**

The grant award is \$1,500. The Parks and Recreation Department will use the grant award to supplement the Department operating budget to purchase and install additional trees. Forestry staff will plant and maintain the trees.

**BACKGROUND:**

The City tree population declined in 2018 due to storm damage, age, and disease. The Parks and Recreation Department is committed to replacing trees to maintain the urban tree canopy.

**RECOMMENDATIONS:**

Staff recommends the approval of the budget amendment to allow for award acceptance to purchase trees.

**RECOMMENDED MOTION:**

“I move to approve Resolution No. 26-2019, a resolution amending the fiscal year 2019 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$1,500 for the purpose of appropriating a grant award for the purchase of trees in City right-of-way.”

Or,

“I move to deny approval of Resolution No. 26-2019, a resolution amending the fiscal year 2019 General Fund budget to reflect the approval of a supplemental budget appropriation in the amount of \$1,500 for the purpose of appropriating a grant award for the purchase of trees in City right-of-way for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED/REVIEWED BY:**

Matt Anderson, Parks and Recreation Analyst  
Margaret Paget, Forestry and Open Space Supervisor  
Joyce Manwaring, Parks and Recreation Director  
Patrick Goff, City Manager

**ATTACHMENTS:**

1. Resolution No. 26-2019
2. Grant Award Letter

**CITY OF WHEAT RIDGE, COLORADO**  
**RESOLUTION NO. 26**  
**Series of 2019**

**TITLE: A RESOLUTION AMENDING THE 2019 GENERAL FUND BUDGET TO REFLECT THE APPROVAL OF A SUPPLEMENTAL BUDGET APPROPRIATION IN THE AMOUNT OF \$1,500 FOR THE PURPOSE OF APPROPRIATING A GRANT AWARD FOR THE PURCHASE OF TREES FOR CITY RIGHT-OF-WAY**

**WHEREAS**, the Parks and Recreation Department wishes to purchase new trees for right-of-way areas; and

**WHEREAS**, a grant has been awarded from the Colorado Tree Coalition for this project; and

**WHEREAS**, this grant award was not appropriated in the 2019 budget; and

**WHEREAS**, the Wheat Ridge Charter requires that amendments to the budget be effected by the City Council adopting a Resolution.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Wheat Ridge, Colorado, as follows:

**THE FOLLOWING AMENDMENT TO THE GENERAL FUND IS HEREBY APPROVED:**

A supplemental budget appropriation in the amount of \$1,500 to account #01-604-650-660 for the purpose of appropriating grant awards for the purchase of trees and the amendment of revenues accordingly.

**DONE AND RESOLVED** this 22<sup>th</sup> Day of April 2019.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk



*LEADING STATEWIDE EFFORTS  
TO PRESERVE, RENEW AND  
ENHANCE COMMUNITY  
FORESTS*

Robin Rice  
City of Wheat Ridge  
9110 W 44th Ave  
Wheat Ridge, CO 80033

February 20, 2018

Dear Robin,

Congratulations! The application you submitted for the Cleaning Up and Starting Fresh in Old Town Project was approved by the Colorado Tree Coalition (CTC) Grant Review Committee for the amount of \$1,500. Please sign the enclosed agreement and return it as soon as possible to the CTC at:

Colorado Tree Coalition  
P.O. Box 808  
Broomfield, CO 80038-0808

Also enclosed is a check request form and press release. Please sign and return the check request form no sooner than 30 days prior to starting your project. Your check will be mailed within 10 working days. Please distribute the press release to appropriate media outlets in your area.

The Colorado Tree Coalition is a non-profit organization dedicated to leading statewide efforts in preserving, renewing and enhancing community forests. Your support of this organization is appreciated, and we request that you encourage individuals, families, businesses and communities to become members. Without membership support, our ability to continue a grant program will dwindle.

We look forward to hearing about the success of your project. **Please remember that any literature or publications produced regarding the funded project should include the CTC logo. I've attached a high-resolution .jpg and vector/.eps version for your use.** Also, please submit any digital photos or prints of pictures taken for this project. If you have any questions regarding your grant, contact Vince Urbina at 970-250-1923 or email at [Vince.Urbina@colostate.edu](mailto:Vince.Urbina@colostate.edu).

Sincerely,

*Vince Urbina*

Vince Urbina  
Community Forester  
Colorado State Forest Service  
On Behalf of the Colorado Tree Coalition

**REQUEST FOR CITY COUNCIL ACTION**

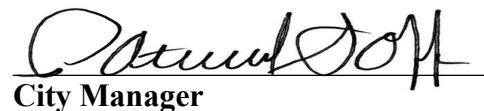
**TITLE: MOTION TO AWARD THE 2019 CONCRETE REHABILITATION/ADA IMPROVEMENTS, PROJECT BASE BID AND BID ALTERNATES 1 AND 2, AND APPROVE SUBSEQUENT PAYMENTS TO MAJESTIC CONCRETE CONTRACTORS, INC., GOLDEN, COLORADO, IN THE AMOUNT OF \$535,527.50, WITH A CONTINGENCY AMOUNT OF \$26,775.00 FOR A TOTAL NOT TO EXCEED CONTRACT AND CONTINGENCY AMOUNT OF \$562,302.50**

☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO

  
Engineering Manager

  
City Manager

**ISSUE:**

Concrete rehabilitation has been implemented on an annual basis in conjunction with the asphalt pavement overlay projects. This project also include mobility improvements on selected locations to meet specifications of the American Disability Act program specifically guided by the City's ADA Transition Plan.

Specifically, the project will primarily continue with concrete rehabilitation (non-ADA related) in coordination with the annual Street Resurfacing Project, developed to provide needed maintenance treatments to a number of selected streets by priority in accordance with the citywide maintenance plan. The program is also intended to bring existing curb ramps into compliance with the current ADA mandates as part of the multi-year plan.

For the 2019 project, curb ramp work will be focused on ramp improvements of high priority locations along various local streets and with selected spot improvement citywide. This project is

the second of three preventive maintenance projects that the City will implement this year, the third being the asphalt overlay project. This project also includes concrete construction for the Garrison bike lane as part of the 2019 CIP program. These were incorporated into the concrete rehab project bid package (as Bid Alternates) to leverage more competitive bid prices for those particular projects, identified further in this report.

The apparent low responsible and responsive bidder is Majestic Concrete Contractors, Inc., Golden, Colorado, in the total amount of \$569,027.50. After contract scope negotiations, the final pricing was reduced to \$535,527.50.

**PRIOR ACTION:**

None

**FINANCIAL IMPACT:**

Funding for these programs has been approved in the 2019 Capital Improvement Program budget:

Program	Account Number	Amount
ADA Improvements	30-303-800-861	\$50,000
Preventive Maintenance Projects	30-303-800-884	\$1,900,000
Bike and Pedestrian Improvements	30-303-800-852	\$130,000

Costs associated with the base bid and Bid Alternate 2 items will be paid out of both 30-303-800-884 and 30-303-800-861 accounts, respectively. With respect to the Preventive Maintenance Projects account, this amount is also intended to cover other preventative maintenance contracts such as street resurfacing (overlay work), crack filling, and non-ADA related concrete work, such as spot replacements of curb and gutter.

Costs associated with concrete work for Garrison Street Bike Lane (Bid Alternate 1) will be paid out of the Bike and Pedestrian Improvements Project line item 30-303-800-852.

**BACKGROUND:**

This project is intended to provide concrete improvement needs associated with ADA mobility and preventive maintenance purposes. With respect to ADA mobility, the City has been assessing the mobility needs as a result of federal mandates of the American Disability Act. It is anticipated that curb ramp construction and modifications citywide, by priority, will serve as an effective solution to the program. As a result, the City Council has approved a budget line item in the Capital Improvement Plan (CIP) to address these needs over the long term. For 2019, a vast majority of high priority ramp improvements happen to be located along the streets to be overlaid.

Bids for the 2019 Concrete Rehabilitation Project were opened on March 29, 2019. Two bids received met the initial bid requirements. Both bids were above the engineer's estimate. Staff has analyzed the bids and believes the high prices are largely due to the increasingly competitive

construction market. This is consistent with what staff observed from the other recent City procured construction projects. The low bidder is Majestic Concrete Contractors, Inc., Golden, CO, with a total bid amount of \$569,027.50. A contract award is based on the lowest responsive and responsible bid that meets all of the bid requirements. Majestic Concrete Contractors, Inc. is qualified to perform the work; they have performed work satisfactorily on previous projects.

The 2019 Concrete Rehabilitation and ADA Improvements Project is comprised of the following:

Base Bid - Concrete ramps, gutter and walk replacement on streets to be overlaid

Alternate 1- Concrete construction for Garrison Street bike lanes

Alternate 2- ADA transition program targeting high pedestrian generator type of establishments

<b>Bid Ranges</b>	<b>Engineer Estimate</b>
Base Bid: \$390,400.00 - \$403,930.00	\$324,675.00

Alternates:

#1	\$108,555.00 - \$126,380.00	\$99,276.50
#2	\$56,456.00 - \$70,072.50	\$49,026.50

Staff created several bid alternatives to add additional maintenance work for several separate minor projects with similar construction quantities. These were included as bid alternates in the base bid package in order to obtain more competitive prices and for the ease of construction management as part of a larger project.

Bid Alternate 1 is for obtaining pricing for Garrison Bike Pedestrian Improvements specifically to build concrete curb, gutter and sidewalk for this project.

Bid Alternate 2 is for obtaining pricing and a number of curb ramp improvements throughout the City by priority as guided by ADA program. This year candidates are prioritized on location targeting high pedestrian routes which consist of Parfet Street as a school route and at 49<sup>th</sup> /Tabor adjacent to a retirement community.

As a result of the bids received being above the budget, Staff recommends reducing the work scope in this contract to omit concrete work of a couple of short segments of local streets which were identified for overlay this year. Staff has successfully negotiated with Majestic Concrete Contractors, Inc. on the work scope reduction Base Bid based on the contract unit bid prices. This results in a decrease in cost for the base bid from \$390,400 to \$356,900. Overall, the cost for the reduced work is \$33,500.00, which will be amended to the contract by change order.

Based on budget availability, Staff recommends a reduced scope and cost for the project as discussed above and a contract awarded for construction as outlined below.

The lowest responsible and responsive bidder, Majestic Concrete Contractors, Inc. of Golden, Colorado, has met the bid and qualification requirements. The adjusted price for the Base Bid and Bid Alternates 1 and 2 is \$535,527.50. In addition, a 5% contingency amount of \$26,775 is requested to cover the cost of unforeseen or additional needed work items that may be encountered during the course of the project.

**RECOMMENDATIONS:**

Based upon the contractor's demonstrated capabilities and performance on previous projects, and prices are within the available budget, Staff recommends that a contract be awarded to Majestic Concrete Contractors, Inc. that includes the Base Bid and Bid Alternate 1 and 2 as outlined above.

**RECOMMENDED MOTION:**

“I move to award the 2019 Concrete Rehabilitation and ADA Improvements Project Base Bid and Bid Alternates 1 and 2, and approve subsequent payments to Majestic Concrete Contractors, Inc., Golden, Colorado, in the amount of \$535,527.50, with a contingency amount of \$26,775.00 for a total contract and contingency amount not to exceed \$562,302.50.”

Or,

“I move to deny the award of the 2019 Concrete Rehabilitation and ADA Improvements Project Base Bid and Bid Alternates 1 and 2, and subsequent payments to Majestic Concrete Contractors, Inc., Golden, Colorado, for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED/REVIEWED BY:**

Steve Nguyen, Engineering Manager

Jennifer Nellis, Purchasing Agent

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Bid Tab Sheet
2. Project Street Segments

Subject to review for completeness and accuracy.



PROJECT: ITB-19-08

2019 Concrete Rehab / ADA Improvements Project

DUE DATE/TIME: TUESDAY, MAR 19, 2019 BY 1 P.M. LOCAL TIME

REQUESTED BY: CHAD ENDSLEY / RUSS HIGGINS - PUBLIC WORKS

*CH*

OPENED BY: JENNIFER NELLIS, PURCHASING AGENT

*KH*

WITNESSED BY: KIRBY HOLLUMS, BUYER II

ALLOWED VENDOR (PRIME)	Majestic Concrete	Sylva Construction, Inc			
LOCATION	Golden, CO	Brighton, CO			
BIDDER ACKNOWLEDGEMENT FORM -p3	Yes	Yes			
ACKNOWLEDGE ADDENDA(1)	Yes	Yes			
CONTRACTOR'S QUALIFICATION FORM	Yes	Yes			
LIST OF SUB-CONTRACTORS	Yes	Yes			
NON-DISCRIMINATION ASSURANCE FORM	Yes	Yes			
ILLEGAL ALIEN COMPLIANCE	Yes	Yes			
NON-COLLUSION AFFADAVIT	Yes	Yes			
KEEP JOBS IN COLORADO FORM	Yes	Yes			
BID BOND	Yes	Yes			
PROPOSAL / PRICING SCHEDULE	Yes	Yes			
Sub-Total Page 26	\$245,400.00	\$185,480.00			
Base Bid Sub-Total Page 27	\$145,000.00	\$218,450.00			
TOTAL Base Bid	\$390,400.00	\$403,930.00	\$0.00	\$0.00	\$0.00
Bid-Alt 1 - Page 28	\$108,555.00	\$126,380.00			
Bid-Alt 2 - Page 29	\$70,072.50	\$56,456.00			
TOTAL Base Bid and Bid-Alt 1	\$569,027.50	\$586,766.00	\$0.00	\$0.00	\$0.00

Scope Reduction - 33,800  
\$535,527.50

**ITB-19-08 2019 CONCRETE / ADA PROJECT  
STREET SEGMENTS**

**S-PM-03-19**

<b>STREET</b>	<b>SEGMENT</b>	<b>SCOPE OF WORK</b>
Parfet St	32 <sup>nd</sup> Ave to 38 <sup>th</sup> Ave.	Ramps 6 4" sidewalk 86 sy 6" VCG 146 lf 10" Concrete 6" red concrete 7.5 sy
Simms ST.	38 <sup>th</sup> Ave. to 35 <sup>th</sup> Ave. Inc. 37 <sup>th</sup> Pl, 37 <sup>th</sup> Ave, 36 <sup>th</sup> Ave	Ramps 6 5'3" mountable sidewalk 165lf 4" sidewalk 6" VCG 10" Concrete
Kline St Lee St Lewis St 37 <sup>th</sup> Pl 37 <sup>th</sup> Ave	35 <sup>th</sup> Ave. to 38 <sup>th</sup> Ave.	5'3" mountable sidewalk 209lf 4" sidewalk 9sy 6" VCG 20lf 10" Concrete 21.15 sy
35 <sup>th</sup> Ave	Kipling to Independence	Ramps 5'3" mountable sidewalk 110lf 6" VCG 50lf
Garrison St	38 <sup>th</sup> Ave to 40 <sup>th</sup> Ave	Ramps 5'3" mountable sidewalk 25lf

**ATTACHMENT 2**

**ITB-19-08 2019 CONCRETE / ADA PROJECT**  
**STREET SEGMENTS**

**S-PM-03-19**

Brentwood St	41 <sup>st</sup> Ave to 44 <sup>th</sup> Ave	Ramps 4 5'3" mountable sidewalk 861lf
Balsam St Ammons ST Allison ST Melrose Pl Zephyr St 39 <sup>th</sup> Ave	38th to 41st	Ramps 20 5'3" mountable sidewalk 815lf 10" Concrete 30 sy
Teller St	26 <sup>th</sup> Ave to 44 <sup>th</sup> Ave	Ramps 10 5'3" mountable sidewalk 125lf
Quay St Otis St Marshall St (35 <sup>th</sup> <sup>d</sup> to 38 <sup>th</sup> ) Lamar St (32 <sup>nd</sup> to 33 <sup>rd</sup> )	33rd Ave to 35 <sup>th</sup> Ave	Ramps 11 5'3" mountable sidewalk 450lf

**ITB-19-08 2019 CONCRETE / ADA PROJECT**  
**STREET SEGMENTS**

**S-PM-03-19**

Kendall ST	29 <sup>th</sup> Ave to 32 <sup>nd</sup> Ave	Ramps 5'3" mountable sidewalk 60 lf
Harlan St Gray St	26 <sup>th</sup> Ave to Independence	Ramps 6 5'3" mountable sidewalk 160lf VCG 15 lf
45 <sup>th</sup> Ave 49 <sup>th</sup> Ave	Miller St and Newland St Tabor	Ramps 8 6'6" mountable sidewalk 30lf VCG 30 lf

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: MOTION TO AWARD 2019 OVERLAY PROJECT CONTRACT RENEWAL TO MARTIN MARIETTA MATERIALS, WESTMINSTER, COLORADO, IN THE AMOUNT OF \$1,275,457.61, WITH A CONTINGENCY AMOUNT OF \$63,775.00, FOR A TOTAL AMOUNT OF \$1,339,232.61**

☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL:

☐ YES☒ NO  
Engineering Manager  
City Manager**ISSUE:**

The annual Street Resurfacing Project was developed to provide needed maintenance treatments to a number of selected streets by priority in accordance with the citywide maintenance plan. The program is intended to extend the life of pavement on streets that are structurally sound. For the 2019 project, various local streets throughout the City are programmed to be overlaid. The project also includes the following: striping maintenance of high volume streets and bike lanes throughout the City by priority, and spot pavement patching citywide. This project also includes slurry seal of Garrison Street from 44<sup>th</sup> to 48<sup>th</sup> in conjunction with the installation of new bike lanes. This project is the last of three preventive maintenance projects that the City will implement this year.

The original contract was awarded to Martin Marietta Materials in 2018 as they were the apparent low responsible and responsive bidder. Staff has successfully negotiated a contract renewal through a previously approved process. Staff recommends proceeding with the contract renewal in the amount of \$1,275,457.61 to complete the 2019 overlay project.

**PRIOR ACTION:**

Original contract ITB-18-05 was approved by City Council on April 9, 2018.

**FINANCIAL IMPACT:**

Funding for the 2019 Overlay Project has been approved in the Preventive Maintenance Projects and Striping Maintenance line item of the 2019 Capital Improvement Program (CIP) budget. Specifically, costs associated with the bid will be paid from CIP Budget Account Number 30-303-800-884 and 30-303-800-867 respectively.

**BACKGROUND:**

Formal bids for the 2018 Overlay Project were opened on March 22, 2018. Four bids came in lower and one higher than the engineer's estimate. As a result, Staff recommended that the lowest responsive bidder, Martin Marietta Materials, be awarded a contract. In the bid document, the City incorporated a renewal option. Specifically, the contract was set up to award the overlay project in 2018 with the option to renew for two (2) additional one-year periods subject to the contractor providing satisfactory performance during the previous contract period.

During the option period, the City shall give written notification to the contractor if the City intends to exercise its option to renew. The City may consider an adjustment to the pricing structure if the contractor can demonstrate, through documentation issued by material suppliers, that it was subject to a price adjustment (reduction or increase). The City, at its discretion, can elect to accept or reject the requested price adjustment, or may negotiate a price adjustment with the contractor, in the best interest of the City. Pricing and specification changes, if any, shall be negotiated and agreed upon by both parties. The City reserves the right to terminate the contract with the contractor based on performance, lack of funding, or such price adjustments. Martin Marietta Materials has satisfactorily completed the work in 2018 and staff recommends to renew the contract for 2019 work.

The 2019 renewal proposal was received in February 2019 at a total cost of \$1,275,457.61. Maintenance work in 2019 consists of resurfacing various local streets throughout the City, striping maintenance of high volume streets and bike lanes throughout the City by priority, and spot pavement patching citywide and slurry seal of Garrison Street from 44<sup>th</sup> to 48<sup>th</sup> in conjunction with the installation of new bike lanes. The renewal proposal includes an overall price increase of 5%. Staff has evaluated the cost proposal and determined that the price increase is reasonable considering increases asphalt oil and construction costs for asphalt paving. In addition, the 2018 project focused primarily on 38<sup>th</sup> Ave and Kipling Street and the 2019 project focuses on numerous residential streets spread throughout the entire City which affects the production rate and related pricing.

**RECOMMENDATIONS:**

Based upon the contractor's demonstrated capabilities and experience on previous City projects, staff recommends the contract renewal to Martin Marietta Materials.

**RECOMMENDED MOTION:**

“I move to award ITB-18-05, 2019 Overlay Project contract renewal, to Martin Marietta Materials, Westminster, Colorado, in the amount of \$1,275,457.61, with a contingency amount of \$63,775.00 for a total amount of \$1,339,232.61.”

Or,

“I move to deny the award of ITB-18-05, 2019 Overlay Project contract renewal, to Martin Marietta Materials, Westminster, Colorado, for the following reason(s)

\_\_\_\_\_.”

**REPORT PREPARED/REVIEWED BY:**

Steve Nguyen, Engineering Manager

Jennifer Nellis, Purchasing Agent

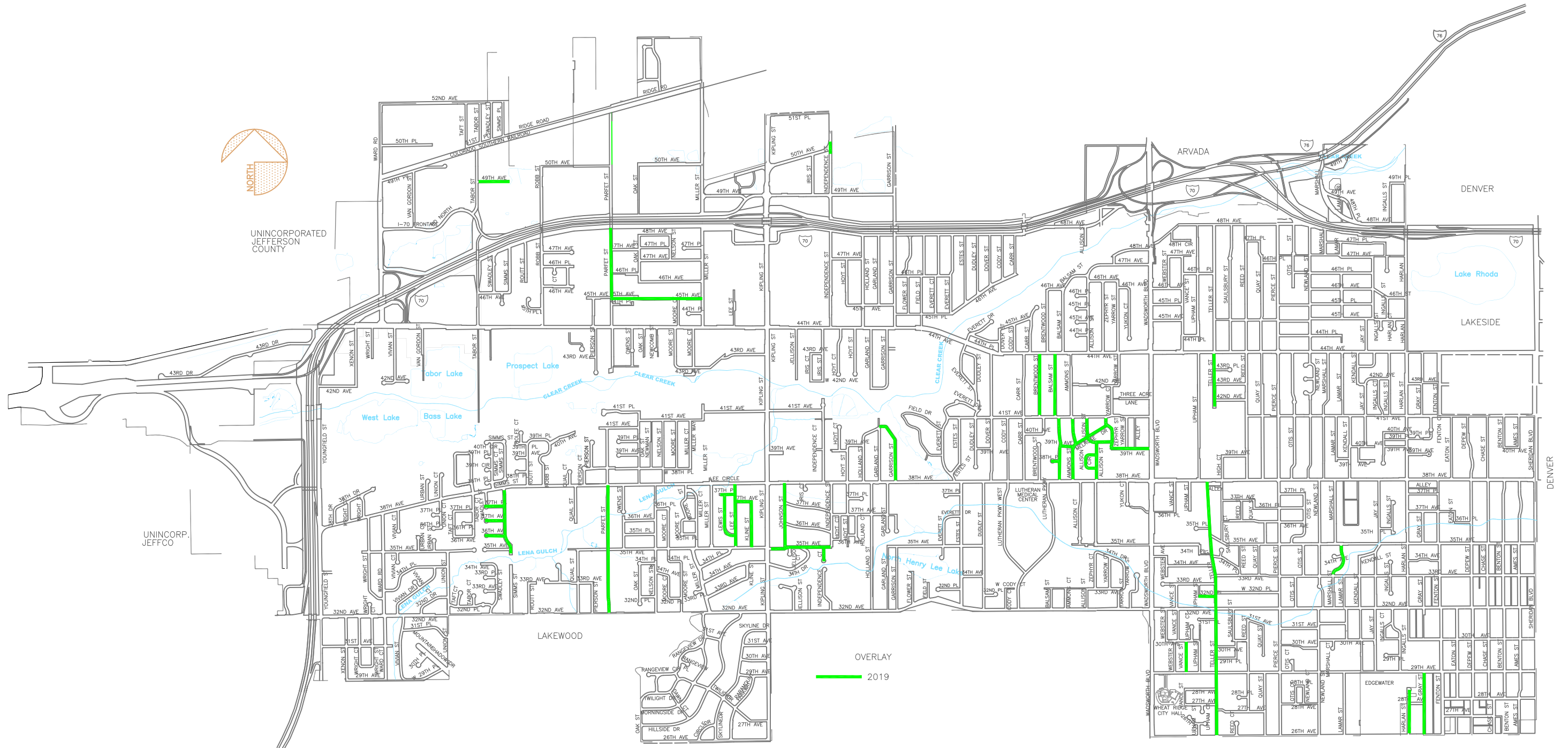
Patrick Goff, City Manager

**ATTACHMENTS:**

1. Contract Renewal Intent Letter

# CITY OF WHEAT RIDGE

## 2019 OVERLAY



WHEAT RIDGE 2019 Overlay Project (Renewal)  
BASE BID

ITEM No.	PAY ITEM	ESTIMATED QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE
202A	ASPHALT PLANING (1½"-2½")	114,780	SY	\$ 1.66	\$ 190,534.80
210A	ADJUST MANHOLE TO GRADE	145	EA	\$ 56.00	\$ 8,120.00
210B	ADJUST VALVE BOX TO GRADE	102	EA	\$ 32.00	\$ 3,264.00
210C	RECONSTRUCT MANHOLE	3	EA	\$ 740.00	\$ 2,220.00
403A	HMA 1½"- 2½" O/L SP-100 PG (64-22) SX ½	10,765	TN	\$ 66.51	\$ 715,980.15
403B	HMA PATCHING CIP 4" SP-100 PG (64-22) SX	100	TN	\$ 140.20	\$ 14,020.00
403C	HMA PATCHING CIP 6" SP-100 PG (64-22) S ¾	100	TN	\$ 138.55	\$ 13,855.00
403D	HMA 2" MILL/ PATCH SP-100 (64-22) SX ½	750	SY	\$ 16.16	\$ 12,120.00
403E	HMA SPEED HUMP SP-100 (64-22) SX ½	2	EA	\$ 2,972.25	\$ 5,944.50
620	SANITARY FACILITY	1	EA	\$ 545.00	\$ 545.00
626	MOBILIZATION	1	LS	\$43,820.00	\$ 43,820.00
627A	MARK ARROW STR. (15.5 SF) TAPE (RECESS	4	EA	\$ 306.73	\$ 1,226.92
627B	MARK ARROW RHT. (15.5 SF) TAPE (RECESS	4	EA	\$ 306.73	\$ 1,226.92
627C	MARK ARROW LFT. (15.5 SF) TAPE (RECESS	4	EA	\$ 306.73	\$ 1,226.92
627D	WHITE MARKING TAPE (4") (RECESS)	100	LF	\$ 5.58	\$ 558.00
627E	WHITE MARKING TAPE (8") (RECESS)	100	LF	\$ 11.15	\$ 1,115.00
627F	W MARK TAPE (SHARK TEETH) (36") (RECES	100	LF	\$ 33.46	\$ 3,346.00
627H	MARK ARROW RGT/STR (27.5) TAPE (RECES	4	EA	\$ 474.00	\$ 1,896.00
627I	WHITE MARKING TAPE (24") (RECESS)	850	LF	\$ 24.54	\$ 20,859.00
627J	WHITE PAVEMARK MODIFIED EPOXY	1,000	SF	\$ 1.10	\$ 1,100.00
627K	YELLOW PAVEMARK MODIFIED EPOXY	1,000	SF	\$ 1.10	\$ 1,100.00
627L	WHITE MARK MODIFIED EPOXY (RECESS)	2,250	SF	\$ 1.56	\$ 3,510.00
627M	YELLOW MARK MODIFIED EPOXY (RECESS)	2,250	SF	\$ 1.56	\$ 3,510.00
627N	WHITE PAVEMENT MARKING (TEMP)	9,000	SF	\$ 0.50	\$ 4,500.00
627O	YELLOW PAVEMENT MARKING (TEMP)	9,000	SF	\$ 0.50	\$ 4,500.00
627P	WHITE MARKING ONLY (8') TAPE (RECESS)	2	EA	\$ 362.50	\$ 725.00
627Q	WHITE MARK SCHOOL (8') TAPE (RECESS)	2	EA	\$ 501.95	\$ 1,003.90
630A	TRAFFIC CONTROL MANAGEMENT	1	LS	\$70,605.00	\$ 70,605.00
630B	TRAFFIC CONTROL PATROL OFFICER	1	DY	\$ 1,043.00	\$ 1,043.00
630D	WORK ZONE TOWING	5	EA	\$ 276.00	\$ 1,380.00
720	MATERIAL SAMPLING & TESTING	1	LS	\$ 5,655.00	\$ 5,655.00
TOTAL AMOUNT OF BASE BID					\$ 1,140,510.11

WHEAT RIDGE 2019 OVERLAY Renewal  
 BID ALTERNATE #1 - GARRISON ST. - W. 38th AVE to W. 51st AVE

ITEM No.	PAY ITEM	ESTIMATED QUANTITY	UNIT	UNIT PRICE	EXTENDED PRICE
409	SLURRY SEAL	18,800	SY	\$ 2.56	\$ 48,128.00
210D	REMOVAL OF TRAFFIC SIGN	8	EA	\$ 113.00	\$ 904.00
210E	STOP SIGN (R3-19) W / /BASE & BREAK AWAY POST	8	EA	\$ 733.00	\$ 5,864.00
210F	CROSS WALK SIGN (W-12) W / BASE & BREAK AWAY POST	2	EA	\$ 733.00	\$ 1,466.00
210G	BIKE LANE SIGN (R3-17) W / BASE & BREAK AWAY POST	15	EA	\$ 733.00	\$ 10,995.00
626	MOBILIZATION	1	LS	\$ 6,445.00	\$ 6,445.00
627B	MARK ARROW RHT. ( 15.5 SF) TAPE (RECESS)	10	EA	\$ 310.00	\$ 3,100.00
627C	MARK ARROW LFT. (15.5 SF) TAPE (RECESS)	2	EA	\$ 310.00	\$ 620.00
627I	WHITE MARKING (24") TAPE (RECESS)	550	LF	\$ 24.81	\$ 13,645.50
627L	WHITE MARK MODIFIED EPOXY (RECESS)	8,500	SF	\$ 1.58	\$ 13,430.00
627M	YELLOW MARK MODIFIED EPOXY (RECESS)	4,650	SF	\$ 1.58	\$ 7,347.00
627R	WHITE MARK CHANNELIZING PAINT	700	SF	\$ 0.51	\$ 357.00
627S	MARK "STOP" 8' TAPE (RECESS)	4	EA	\$ 422.85	\$ 1,691.40
627T	MARK "BIKE" (27.5 SF) TAPE (RECESS)	30	EA	\$ 479.22	\$ 14,376.60
630A	TRAFFIC CONTROL MANAGEMENT	1	LS	\$ 4,480.00	\$ 4,480.00
720	MATERIAL SAMPLING & TESTING	1	LS	\$ 2,098.00	\$ 2,098.00
BID ALT #1 TOTAL					<b>\$ 134,947.50</b>
PROJECT TOTAL of BASE BID and BID ALT #1					<b>\$ 1,275,457.61</b>

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: COUNCIL BILL NO. 03-2019 – AN ORDINANCE AMENDING SECTIONS 2-53 AND 11-52.5 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING APPOINTEES TO BOARDS AND COMMISSIONS AND THE LIQUOR LICENSING AUTHORITY**

☒ PUBLIC HEARING                      ☐ ORDINANCES FOR 1<sup>ST</sup> READING (02/25/2019)  
☐ BIDS/MOTIONS                      ☒ ORDINANCES FOR 2<sup>ND</sup> READING (04/22/2019)  
☐ RESOLUTIONS                      (rescheduled from 03/25/2019 and continued from 04/08/2019)

QUASI-JUDICIAL:                      ☐ YES                      ☒ NO



City Attorney



City Manager

**ISSUE:**

Consideration of an ordinance permitting the Council to appoint out-of-district members to the local liquor licensing authority in the event that no qualified in-district residents apply, and requiring in-district appointments, if available, for all boards and commissions upon the expiration or vacation of an out-of-district member's term.

**PRIOR ACTION:**

A consensus was reached by City Council at the February 4, 2019 study session to direct the City Attorney to draft this ordinance.

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

Recently, and at various times in the past, there have been occasions when no applications have been received from qualified members of the public for various boards and commissions and the liquor authority, because the applicant(s) does not reside in the particular Council district in

which the vacancy occurs. Code section 2-53 already permits Council to make an out-of-district appointment in such cases, but section 11-52.5 does not. This ordinance gives Council the same authority in making liquor board appointments as it has for boards' and commissions' appointments.

Additionally, the ordinance makes it clear that, in the event an out-of-district appointment for the authority or a board or commission seat is necessitated by the lack of in-district applicants, the reappointment of said out-of-district appointee will not occur if eligible in-district applicants are available.

**RECOMMENDATIONS:**

Adopt the attached ordinance on second reading.

**RECOMMENDED MOTION:**

"I move to amend Section 4 of Council Bill No. 03-2019, an ordinance amending Sections 2-53 and 11-52.5 of the Wheat Ridge Code of Laws concerning appointees to Boards and Commissions and to the Liquor Licensing Authority by providing for the ordinance to be effective immediately, and as amended on second reading, to adopt the same."

Or,

"I move to postpone indefinitely Council Bill No. 03-2019, an ordinance amending Sections 2-53 and 11-52.5 of the Wheat Ridge Code of Laws concerning appointees to Boards and Commissions and to the Liquor Licensing Authority for the following reason(s):  
\_\_\_\_\_."

**REPORT PREPARED/REVIEWED BY:**

Gerald Dahl, City Attorney

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Council Bill No. 03-2019

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER URBAN**  
**COUNCIL BILL NO. 03**  
**ORDINANCE NO. \_\_\_\_\_**  
**Series 2019**

**TITLE: AN ORDINANCE AMENDING SECTIONS 2-53 AND 11-52.5 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING APPOINTEES TO THE BOARDS AND COMMISSIONS AND THE LIQUOR LICENSING AUTHORITY**

**WHEREAS**, the City of Wheat Ridge (the “City”) is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to its home rule authority and § 31-23-101, C.R.S., the City, acting through its City Council (the “Council”), is authorized to adopt ordinances for the protection of the public health, safety or welfare and therefore has adopted the Wheat Ridge Code of Laws (the “Code”); and

**WHEREAS**, the Council previously enacted Code § 2-53, concerning the appointments to City Boards and Commissions, and Code § 11-52.5, establishing its local liquor licensing authority (the “Authority”) and providing for the appointment of members thereto; and

**WHEREAS**, the Council now wishes to amend the Code to permit the appointment of non-district members to the Authority and confirming the preference for district representation upon re-appointment for all boards, commissions and the Authority.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Subsection 2-53(c) of the Wheat Ridge Code of Laws concerning appointment of board and commission members is hereby amended as follows:

**Sec. 2-53. Qualifications of members; appointment and term; removal; vacancies.**

- (c) Members of boards and commissions shall serve terms of three (3) years, and such members may be reappointed to serve additional three-year terms of office. All appointments to all boards and commissions shall be made to achieve equal representation from each council district to each board or commission. If, after reasonable advertisement, no applications are received from residents within the relevant council district for a vacancy on any board or commission, the council may appoint any otherwise qualified resident. UPON THE VACATION OR EXPIRATION OF AN OUT-OF-DISTRICT MEMBER’S INITIAL TERM, THE COUNCIL SHALL NOT REAPPOINT SAID MEMBER UNLESS NO QUALIFIED IN-DISTRICT RESIDENTS HAVE

APPLIED FOR THAT SEAT ON THE BOARD OR COMMISSION. Except as provided HEREIN AND in subsection (e) hereof, all members of boards or commissions presently serving shall be entitled to complete the terms for which they were appointed and shall be subject to reappointment at the discretion of city council.

**Section 2.** Subsection 11-52.5(b) of the Wheat Ridge Code of Laws concerning Authority members' appointments is hereby amended as follows:

**Sec. 11-52.5. - Liquor licensing authority established.**

(b) The licensing authority for the City of Wheat Ridge shall consist of eight (8) qualified electors of the city, two (2) from each of the four (4) council districts of the city, who shall be appointed by the city council. IF, AFTER REASONABLE ADVERTISEMENT, NO APPLICATIONS ARE RECEIVED FROM RESIDENTS WITHIN THE RELEVANT COUNCIL DISTRICT FOR A VACANCY ON THE LIQUOR LICENSING AUTHORITY, THE COUNCIL MAY APPOINT ANY OTHERWISE QUALIFIED RESIDENT. UPON THE VACATION OR EXPIRATION OF AN OUT-OF-DISTRICT MEMBER'S INITIAL TERM, THE COUNCIL SHALL NOT REAPPOINT SAID MEMBER UNLESS NO QUALIFIED IN-DISTRICT RESIDENTS HAVE APPLIED FOR THAT SEAT ON THE LIQUOR LICENSING AUTHORITY. In order to stagger the terms of the licensing authority members, one of the first two (2) members REPRESENTING ~~from~~ each council district shall be appointed for a three-year term and one shall be appointed for a two-year term. The length of term for the first licensing authority members shall be determined by lot. Except in the event that a member is appointed to fill a vacancy as provided in subsection (j), all subsequent appointments shall be for three-year terms.

**Section 3. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 4. Effective Date.** This Ordinance shall take effect upon adoption and signature by the Mayor and City Clerk, as permitted by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 7 to 0 on this 25<sup>th</sup> day of February, 2019, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for March 25, 2019, rescheduled to April 8, 2019, continued to April 22, 2019, at 7:00 p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by  
a vote of \_\_\_\_ to \_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2019.

SIGNED by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk

Approved as to Form

\_\_\_\_\_  
Gerald E. Dahl, City Attorney

First Publication: February 28, 2019

Second Publication:

Wheat Ridge Transcript

Effective Date:

Published:


Wheat Ridge Transcript and [www.ci.wheatridge.co.us](http://www.ci.wheatridge.co.us)


**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: COUNCIL BILL NO. 04-2019 – AN ORDINANCE AMENDING SECTIONS 11-51, 11-52, 11-53, 11-56, 11-63, 11-64 AND 17-27 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING THE LICENSING AND USE OF ALCOHOL BEVERAGES AND MAKING ADDITIONAL HOUSEKEEPING REVISIONS TO SAID CODE UPDATING STATUTORY CITATIONS TO CONFORM TO RECENT LEGISLATIVE CHANGES**

☒ PUBLIC HEARING      ☐ ORDINANCES FOR 1<sup>ST</sup> READING (03/11/2019)  
☐ BIDS/MOTIONS      ☒ ORDINANCES FOR 2<sup>ND</sup> READING (04/22/2019)  
☐ RESOLUTIONS      (rescheduled from 03/25/2019 and continued from 04/08/2019)

QUASI-JUDICIAL:      ☐ YES      ☒ NO

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
City Manager

**ISSUE:**

Consideration of an ordinance updating the Wheat Ridge Code of Laws to reflect amendments to the state's Liquor and Beer Codes.

**PRIOR ACTION:**

At its February 25, 2019 study session, the Council reached consensus to bring this ordinance forward.

**FINANCIAL IMPACT:**

N/A

**BACKGROUND:**

Over the last few years, the Colorado legislature has adopted a number of bills amending state Liquor and Beer codes, with the effective date being 1/1/2019.

Additionally, a bill was passed in 2018 that created a new Title 44, entitled *Revenue – Regulation of Activities*. This new Title contains the state’s revised liquor laws, formerly located in Title 12, C.R.S., and necessitates updating and making conforming changes to the Wheat Ridge Code of Laws, as it makes numerous references to now out-of-date statutory sections. Non-substantive and other uncontroversial revisions and the updating of new statutory references adopted over the last few years have been included in the attached ordinance.

**RECOMMENDATIONS:**

Adopt the attached ordinance on second reading.

**RECOMMENDED MOTION:**

“I move to approve Council Bill No. 04-2019, an ordinance amending Sections 11-51, 11-52, 11-53, 11-56, 11-63, 11-64 and 17-27 of the Wheat Ridge Code of Laws concerning the licensing and use of alcohol beverages and making additional housekeeping revisions to said Code updating statutory citations to conform to recent legislative changes on second reading, and that it take effect 15 days after final publication.

Or,

“I move to postpone indefinitely Council Bill No. 04-2019, an ordinance amending Sections 11-51, 11-52, 11-53, 11-56, 11-63, 11-64 and 17-27 of the Wheat Ridge Code of Laws concerning the licensing and use of alcohol beverages and making additional housekeeping revisions to said Code updating statutory citations to conform to recent legislative changes for the following reason(s): \_\_\_\_\_.”

**REPORT PREPARED BY:**

Gerald Dahl, City Attorney

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Council Bill No. 04-2019

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER KUETER**  
**COUNCIL BILL NO. 04**  
**ORDINANCE NO. \_\_\_\_\_**  
**Series 2019**

**TITLE: AN ORDINANCE AMENDING SECTIONS 11-51, 11-52, 11-53, 11-56, 11-63, 11-64 AND 17-27 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING THE LICENSING AND USE OF ALCOHOL BEVERAGES AND MAKING ADDITIONAL HOUSEKEEPING REVISIONS TO SAID CODE UPDATING STATUTORY CITATIONS TO CONFORM TO RECENT LEGISLATIVE CHANGES**

**WHEREAS**, the City of Wheat Ridge is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to its home rule authority and C.R.S. § 31-23-101, the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare; and

**WHEREAS**, the Council has previously adopted laws governing the regulation of liquor licensing and consumption consistent with state law; and

**WHEREAS**, the Colorado legislature has recently adopted bills amending the Colorado Revised Statutes as they pertain to its liquor code, beer code, and other related codes, and have adopted a new Title 44, entitled "Department of Revenue Activities Regulation Act," which requires conforming changes to the Wheat Ridge Code of Laws;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Section 11-51 is amended to read as follows:

**Sec. 11-51. – Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*ALCOHOL BEVERAGE* MEANS FERMENTED MALT BEVERAGES OR MALT, VINOUS, OR SPIRITUOUS LIQUORS; EXCEPT THAT ALCOHOL BEVERAGE SHALL NOT INCLUDE CONFECTIONERY CONTAINING ALCOHOL WITHIN THE LIMITS PRESCRIBED BY C.R.S. §25-5-410(1)(i)(II).

*Applicant* means and includes:

- (1) If an individual, OR A HUSBAND AND WIFE, that person OR PERSONS making an application for a license ~~under this chapter~~;
- (2) If a partnership, ~~ALL the~~ partners, ANY OFFICERS, AND ANY MEMBERS owning ten (10) percent or more INTEREST IN ~~of the partnership which is making application for a license under this chapter~~;
- (3) If a corporation, the president, vice-president, secretary, treasurer, ~~the~~ directors, ~~manager~~ MANAGING OFFICER, and each stockholder owning ten (10) percent or more of the stock of the corporation; ; AND
- (4) IF AN ASSOCIATION, ORGANIZATION, OR COMPANY NOT LISTED ABOVE, ITS OFFICERS, DIRECTORS, AND ANY OF ITS MEMBERS OWNING A TEN (10) PERCENT OR MORE INTEREST THEREIN.

*Authority or licensing authority* means the liquor licensing authority of the city.

*FERMENTED MALT BEVERAGE Beer, 3.2 percent* means BEER AND ANY OTHER BEVERAGE OBTAINED BY THE FERMENTATION OF ANY INFUSION OR DECOCTION OF BARLEY, MALT, HOPS, OR ANY SIMILAR PRODUCT OR ANY COMBINATION THEREOF IN WATER CONTAINING NOT LESS THAN ONE-HALF OF ONE ~~any fermented malt beverages as herein defined containing not more than three point two (0.5 3.2)~~ percent of alcohol by VOLUME ~~weight~~.

*Immediate family* means spouse, mother, father, children, brothers, sisters, mother-in-law, father-in-law, brothers-in-law, or sisters-in-law.

*Investigator* means a member of the Wheat Ridge Police Department.

*Malt liquors INCLUDES means* beer and MEANS any ~~other~~ beverage obtained by the alcoholic fermentation of any infusion or decoction of barley, malt, hops or any other similar products, or any combination thereof, in water, containing NOT LESS THAN ONE-HALF OF ONE ~~more than three point two (0.5 3.2)~~ percent of alcohol by VOLUME ~~weight~~.

*Manager* includes the person or those persons who manage, direct, supervise, oversee and administer the acts, transactions and acts of servants of the establishments governed by this chapter.

*Medicinal liquors* means any liquor sold by a duly licensed pharmacist or drugstore solely on a bona fide doctor's prescription.

*Operator* means a person licensed by law to sell FERMENTED MALT BEVERAGES OR malt, vinous, or spirituous liquors, other than medicinal liquors, for beverage purposes at retail, and who is engaged at any time during the calendar year in such operation in the city.

*Spirituous liquors* means any alcoholic beverage obtained by distillation, mixed with water and other substances in solution, and includes among other things brandy, rum, whiskey, gin, POWDERED ALCOHOL, and every liquid or solid, patented

or not, containing AT LEAST ONE-HALF OF ONE PERCENT alcohol BY VOLUME and which IS ~~are~~ fit for use for beverage purposes. Any liquid or solid containing beer or wine in combination with any other liquor, except as ~~above~~ provided IN THIS SECTION, shall not be construed to be FERMENTED MALT OR malt or vinous liquors, but shall be construed to be spirituous liquors.

*Vinous liquors* means wines, INCLUDING SAKE, and fortified wines THAT: (1) CONTAIN NOT LESS THAN ONE- HALF OF ONE (0.5) PERCENT AND not MORE THAN ~~exceeding~~ twenty-one (21) percent of alcohol by volume; and (2) ARE PRODUCED ~~shall be construed to mean alcoholic beverages obtained~~ by the fermentation of the natural sugar contents of fruits or other agricultural products containing sugar.

All other words and phrases used in this chapter shall have the meanings attached by the Colorado Statutes regulating the sale of ALCOHOL BEVERAGES ~~liquor~~, or if not otherwise defined by law, as used in their common, ordinary and accepted sense and meaning.

**Section 2.** Section 11-52 is amended to read as follows:

**Sec. 11-52. - Purpose.**

In pursuance of the authority conferred by C.R.S. Aarticles 3, 4 AND 5 ~~46, 47 and 48~~ of Title 44 ~~12, C.R.S., 1997 Volume~~, this chapter is enacted for the purpose of promoting the health, safety and welfare of the present and future inhabitants of the city by regulating, controlling and licensing the sale of malt, vinous or spirituous liquors and fermented malt beverages.

**Section 3.** Subsection 11-53 (b) is amended to read as follows:

**Sec. 11-53. - Governance by state laws, rules and regulations.**

- (b) Notwithstanding the provisions in subsection (a) to the contrary, the distance restrictions imposed by C.R.S. § 44-3-313(1)(d) ~~12-47-313(1)(d)(I)~~ prohibiting the sale of ALCOHOL BEVERAGES ~~malt, vinous or spirituous liquor~~ within five hundred (500) feet of any public or parochial school or the principal campus of any college, university or seminary, are eliminated for all hotel and restaurant licenses, beer and wine licenses, brew pub licenses, DISTILLERY PUB LICENSES, arts licenses, and vintner's restaurant licenses issued pursuant to this article.

**Section 4.** Section 11-56 is amended to read as follows:

**Sec. 11-56. - Alcohol beverage tastings.**

- (a) Subject to the limitations of this section, alcohol beverage tastings are permitted within the city. For the purposes of this section "tastings" means the sampling of malt, vinous, or spirituous liquors that may occur on the premises of a retail liquor store licensee or liquor-licensed drugstore licensee by adult patrons of the licensee pursuant to the provisions of this section and C.R.S. § 44-3-301(10). ~~Section 12-47-301(10), C.R.S.~~

- (b) A retail liquor store or liquor-licensed drugstore licensee who wishes to conduct tastings may submit an application or application renewal for that purpose to the liquor licensing authority. The applicant for a tastings permit shall state on the application the days and times that tastings will occur. The applicant shall give at least twenty-four (24) hours' prior notice to the CITY CLERK'S OFFICE AND THE police department of any deviations in the tastings schedule as set forth in the application. The liquor licensing authority may grant, grant with restrictions, or reject the application if the applicant fails to establish that he or she is able to conduct tastings without violating the provisions of this section, OR C.R.S. § 44-3-301(10) ~~Section 12-47-310(10), CRS,~~ or creating a public safety risk to the neighborhood. The liquor licensing authority shall establish its own application procedure and shall charge a reasonable application fee. The liquor licensing authority may delegate review and decision on the application to its clerk or administrative official.
- (c) Tastings ARE ~~shall be~~ subject to the following limitations:
- (1) Tastings shall be conducted only:
    - a. BY A PERSON WHO: HAS ~~by a person who has~~ completed a server training program that meets the standards established by the liquor enforcement division in the department of revenue and IS ~~who is either a retail liquor store licensee or a liquor-licensed drugstore licensee, or A REPRESENTATIVE, EMPLOYEE, OR AGENT OF THE LICENSED WHOLESALER, BREW PUB, DISTILLERY PUB, MANUFACTURER, LIMITED WINERY, IMPORTER, OR VINTNER'S RESTAURANT PROMOTING THE ALCOHOL BEVERAGES FOR THE TASTING; AND an employee of a licensee, and only on a licensee's licensed premises.~~
    - b. ON A LICENSEE'S LICENSED PREMISES.
  - (2) The alcohol BEVERAGE used in tastings MUST ~~shall be~~ purchased through a licensed wholesaler, licensed brew pub, LICENSED DISTILLERY PUB, or winery licensed pursuant to C.R.S. § 44-3-403 AT A COST THAT IS NOT LESS THAN THE LAID-IN COST OF THE ALCOHOL BEVERAGE ~~Section 12-47-403 CRS.~~
  - (3) The size of an individual alcohol sample shall not exceed one (1) ounce of malt or vinous liquor or one-half (½) ounce of spirituous liquor.
  - (4) Tastings shall not exceed a total of five (5) hours in duration per day, which need not be consecutive.
  - (5) THE LICENSEE MAY CONDUCT Tastings ~~shall be conducted~~ only during the operating hours in which the licensee on whose

premises the tastings occur is permitted to sell alcohol beverages, and in no case earlier than 11:00 a.m. or later than 9:00 p.m.

- (6) The licensee shall prohibit patrons from leaving the licensed premises with an unconsumed sample.
  - (7) The licensee shall promptly remove all open and unconsumed alcohol beverage samples from the licensed premises, ~~or shall~~ destroy the samples immediately following the completion of the tasting, OR STORE ANY OPEN CONTAINERS OF UNCONSUMED ALCOHOL BEVERAGES IN A SECURE AREA OUTSIDE THE SALES AREA OF THE LICENSED PREMISES FOR USE AT A TASTING CONDUCTED AT A LATER TIME OR DATE.
  - (8) The licensee shall not serve a person who is under twenty-one (21) years of age or who is visibly intoxicated.
  - (9) The licensee shall not serve more than four (4) individual samples to a patron during a tasting.
  - (10) Alcohol samples shall be in open containers and shall be provided to a patron free of charge.
  - (11) THE LICENSEE MAY CONDUCT Tastings ~~ON may occur on no more than four (4) of the six (6) days from a Monday to the following Saturday, not to exceed one hundred FIFTY-SIX four (156-104) days per year.~~
  - (12) No manufacturer of spirituous or vinous liquors shall induce a licensee through free goods or financial or in-kind assistance to favor the manufacturer's products being sampled at a tasting. The RETAIL LIQUOR STORE OR LIQUOR-LICENSED DRUGSTORE licensee ~~shall bear~~ the financial and all other responsibility for a tasting CONDUCTED ON ITS LICENSED PREMISES.
- (D43) A violation of a limitation specified in this section, OR C.R.S. § 44-3-301(10) ~~Section 12-47-301(10) CRS or Section 12-47-801 (CRS)~~ by a retail liquor store or LIQUOR-LICENSED drug licensee, whether by THE LICENSEE'S ~~his or her~~ employees, agents, or otherwise, ~~shall be~~ OR BY A REPRESENTATIVE, EMPLOYEE, OR AGENT OF THE LICENSED WHOLESALER, BREW PUB, DISTILLERY PUB, MANUFACTURER, LIMITED WINERY, IMPORTER, OR VINTNER'S RESTAURANT THAT PROMOTED THE ALCOHOL BEVERAGES FOR TASTING, IS the responsibility of, AND C.R.S. 44-3-801 APPLIES TO, the retail liquor store or liquor-licensed drugstore licensee THAT CONDUCTED ~~who is conducting~~ the tasting.

- (E14) A retail liquor store or liquor-licensed drugstore licensee conducting a tasting shall be subject to the same revocation, suspension, and enforcement provisions as otherwise apply to the licensee.
- (F) NOTHING IN THIS SECTION SHALL AFFECT THE ABILITY OF A COLORADO WINERY LICENSED PURSUANT TO C.R.S. § 44-3-402 OR 44-33-403 TO CONDUCT A TASTING PURSUANT TO THE AUTHORITY OF C.R.S. §44-3-402(2) OR 44-3-403(2)(e).

**Section 5.** Section 11-63 is amended to read as follows:

**Sec. 11-63. - Classification of operators.**

The business of selling at retail any FERMENTED MALT BEVERAGE OR ~~three point two (3.2) percent beer, malt,~~ vinous or spirituous liquor other than medicinal liquors for beverage purposes is hereby defined and separately classified as such occupation for the purpose of this chapter as follows:

- (1) *Class "C" operators.* All operators licensed to sell ALCOHOL BEVERAGES ~~malt, vinous or spirituous liquors~~ as clubs are Class "C" operators.
- (2) *Class "D" operators.* All operators licensed as retail stores to sell in original containers ALCOHOL BEVERAGES, ~~malt, vinous or spirituous liquors~~ for consumption off the premises shall be Class "D" operators.
- (3) *Class "E" operators.* All operators licensed as drugstores to sell ALCOHOL BEVERAGES ~~malt, vinous or spirituous liquors~~ in original containers for consumption off the premises shall be Class "E" operators.
- (4) *Class "F" operators.* All operators licensed to sell malt or vinous liquors only by the drink for consumption on the premises shall be Class "F" operators.
- (5) *Class "G" operators.* All operators who are licensed to sell ALCOHOL BEVERAGES ~~beer, wine and spirituous liquors~~ for consumption on the premises either as BREW PUBS, DISTILLERY PUBS, VINTNER'S RESTAURANTS, hotels AND/or restaurants shall be Class "G" operators.
- (6) *Class "J" operators.* All operators licensed to sell only FERMENTED MALT BEVERAGE ~~three point two (3.2) percent beer~~ shall be classified as follows:
  - a. *Class "J1" operators.* All operators licensed to sell or selling FERMENTED MALT BEVERAGE ~~three point two (3.2) percent beer~~ for consumption off the premises of the licensee shall be Class "J1" operators.
  - b. *Class "J2" operators.* All operators licensed to sell or selling FERMENTED MALT BEVERAGE ~~three point two (3.2) percent~~

~~beer~~ for consumption on the premises of the licensee shall be Class "J2" operators.

~~c. Class "J3" operators. All operators licensed to sell or selling three point two (3.2) percent beer for consumption both on and off the premises of the licensee shall be Class "J3" operators.~~

- (7) *Class "T" operators.* All operators selling ALCOHOL BEVERAGES ~~malt, vinous or spirituous liquors~~, by the drink, only for consumption on the premises; and such operators shall have available for consumption on the premises during business hours, sandwiches and light snacks; but they need not have meals available for consumption.

**Section 6.** Section 11-64 is amended to read as follows:

**Sec. 11-64. - Amount of tax levied.**

There is hereby levied and assessed for each year an annual occupation tax upon the business of selling ALCOHOL BEVERAGES ~~three point two (3.2) percent beer, malt, vinous or spirituous liquors~~, except medicinal liquors, in the city, as such occupation has been herein classified as follows:

- (1) For all Class "G" operators, nine hundred dollars (\$900.00).
- (2) For all Class "F" operators, six hundred dollars (\$600.00).
- (3) For all Class "D" operators, six hundred fifty dollars (\$650.00).
- (4) For all Class "E" operators, six hundred dollars (\$600.00).
- (5) For all Class "C" operators, nine hundred dollars (\$900.00).
- (6) For all Class "J-1" operators, seven hundred dollars (\$700.00).
- (7) For all Class "J-2" operators, seven hundred dollars (\$700.00).
- (8) ~~For all Class "J-3" operators, two thousand two hundred dollars (\$2,200.00).~~
- (9) For all Class "T" operators, one thousand three hundred dollars (\$1,300.00).

**Section 7.** Section 17-27 is amended to read as follows:

**Sec. 17-27. – ALCOHOL ~~Alcoholic~~ beverages.**

- (a) The storage, sale or consumption of any ALCOHOL BEVERAGE ~~malt, vinous or spirituous liquors~~, as defined by the Colorado Liquor Code, is prohibited in any park, recreation area or recreation building within the city except as specifically provided herein or as may be authorized pursuant to a special event permit issued by the city in accordance with C.R.S., Aarticle 5 48, Ttitle 12 44.  
NOTWITHSTANDING THE FOREGOING, Tthe consumption and/or storage of ANY fermented malt beverages is permitted in any park or recreation area within the city so long as, and only so long as, such fermented malt beverage has been purchased in a manner

authorized, and is being consumed by persons permitted, by applicable state law. It shall be unlawful to sell any fermented malt beverage within any park or recreation area within the city unless such sales are made pursuant to a special event permit granted by the city and unless such sales are made in accordance with the Colorado Beer Code.

- (b) Storage and consumption of fermented malt BEVERAGE and vinous liquor is permitted at the Wheat Ridge Senior/Community Center, the Wheat Ridge Recreation Center and the Richards-Hart Estate in conjunction with an event sanctioned and authorized by the director; and provided further that such alcoholic beverages are neither sold to, served to, or consumed by any person not authorized by the Colorado Liquor Code or the Code of Laws of the City of Wheat Ridge to possess or consume such alcoholic beverages. The director is hereby authorized to establish rules for serving and consumption of alcoholic beverages at the Richards-Hart Estate, the Wheat Ridge Senior/Community Center, and the Wheat Ridge Recreation Center.

**Section 8.** The revisions described in Exhibit A, attached hereto and incorporated herein by this reference, shall be included in the codification of the Wheat Ridge Code of Laws in order to conform various cross-references to the Colorado Revised Statutes and to delete obsolete provisions.

**Section 9. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 10. Effective Date.** This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 6 to 0 on this 11th day of March, 2019, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for March 25, 2019, rescheduled to April 8, 2019, continued to April 22, 2019, at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of \_\_\_\_ to \_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2019.

SIGNED by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

\_\_\_\_\_  
Bud Starker, Mayor

\_\_\_\_\_  
Janelle Shaver, City Clerk

Approved as to Form:

\_\_\_\_\_  
Gerald E. Dahl, City Attorney

First Publication: March 14, 2019; April 11, 2019

Second Publication:

Wheat Ridge Transcript

Effective Date:

Published:

Wheat Ridge Transcript and [www.ci.wheatridge.co.us](http://www.ci.wheatridge.co.us)

**EXHIBIT A**

to

**Wheat Ridge City Council Ordinance No. \_\_\_\_\_, Series 2019, Amending Sections 11-51, 1-52, 11-53, 11-56, 11-63, 11-64 and 17-27 of the Wheat Ridge Code of Laws Concerning the Licensing and Use of Alcohol Beverages and Making Additional Housekeeping Revisions to said Code  
Updating Statutory Citations to Conform to Recent Legislative Changes**

In addition to the revisions/updates to the Wheat Ridge Liquor code in Sections 11-51, 11-52, 11-53, 11-56, 11-63, 11-64 and 17-27, the following code sections will be updated as follows:

<b>Sections</b>	<b>Current reference</b>	<b>Revised to Read</b>
3-20(b)	Title 12, Article 46 or Article 47	Title 44, Article 4 or Article 3
9-22. Definitions <i>Bar</i>	Article 47 of Title 12	Articles 3 and 4 of Title 44
11-52.5(a), (f) and (h)	articles 46, 47 and 48 of Title 12	Articles 3, 4 and 5 of Title 44
11-250. Definitions <i>Alcohol beverage</i>	§§12-46-103 and 12-47-103	§§44-4-103 and 44-3-103
11-290(7)	Article XVIII Section 14 of the Colorado Constitution	Article XVIII Section 14 of the Colorado Constitution and C.R.S. §44-11-301 et seq. (concerning municipal authority to license and regulate medical marijuana)
11-291. Definitions <i>Colorado Medical Marijuana Code Licensee</i> <i>Medical marijuana center</i> <i>Medical marijuana testing facility</i> <i>Medical marijuana-infused product manufacturer</i> <i>Optional premises cultivation operation</i>	C.R.S., tit. 12, art.43.3 §12-43.3-402 §12-43.3-402 §12-43.3-405 and 408(1)(a) §12-43.3-404  §12-43.3-403	C.R.S., Title 44. Article 11 §44-11-402 §44-11-402 §44-11-405 and 408(1)(a) §44-11-404  §44-11-403
11-298(b)	§12-43.3-302	§44-11-302
11-400(f)	§12-43.4-101 et seq.	§44-12-101 et seq.

<b>11-401. Definitions</b> <i>Colorado Medical Marijuana Code</i> <i>Colorado Retail Marijuana Code</i> <i>Licensee</i> <i>Medical marijuana center</i> <i>Medical marijuana testing facility</i> <i>Medical marijuana-infused product manufacturer</i> <i>Optional premises cultivation operation</i> <i>Retail marijuana cultivation facility</i> <i>Retail marijuana products manufacturer</i> <i>Retail marijuana store</i> <i>Retail marijuana testing facility</i> <i>State licensing authority</i>	Article 43.3 of Title 12 of the Colorado Revised Statutes Article 43.4 of Title 12 of the Colorado Revised Statutes §12-43.4-401 §12-43.3-402 §12-43.3-405 and 408(1)(a) §12-43.3-404  §12-43.3-403  §12-43.4-403 §12-43.4-404  §12-43.4-402 §12-43.4-405 and §12-43.3-408(1)(a) §12-43.4-201	C.R.S., Title 44. Article 11 C.R.S., Title 44, Article 12  §44-12-402 §44-11-402 §44-11-405 and 408(1)(a) §44-11-404  §44-11-403  §44-12-403 §44-12-404  §44-12-402 §44-12-405 and §44-11-408(1)(a) §44-12-201
<b>11-408(b)</b>	<b>§12-43.4-412</b>	<b>§44-12-302</b>
<b>15-34. Definitions</b> <i>Proscribed act(s)</i> --(2)  --(9) --(10) --(11)	gambling on premises, C.R.S. § 18-10-102(7) §§12-46-101 and 12-47-101 §12-25.5-101 et seq. A violation of any provision of the Colorado Massage Parlor Code, C.R.S. § 12-48.5-101, et seq.	gambling, C.R.S. § 18-10-102(2)  §§44-4-101 and 44-3-101 §29-11.8-101 et seq. [DELETE – Massage Parlor Code has been repealed.]
<b>16-127(h)(1)</b>	<b>Article 46, 47 or 48 of Title 12</b>	<b>Article 3, 4 or 5 of Title 44</b>
<b>16-177(a)(4)a. and (d)</b>	<b>Article 46, 47 or 48 of Title 12</b>	<b>Article 3, 4 or 5 of Title 44</b>
<b>16-227(a)(5) “WARNING”</b>	<b>“AND ARTICLE 48.5 OF TITLE 12, COLORADO REVISED STATUTES”</b>	<b>[DELETE as Colo. Massage Code has been repealed.]</b>
<b>16-235(2)</b>	<b>C.R.S.Title 12, Article 59</b>	<b>C.R.S. Title 23, Article 64</b>
<b>17-42</b>	<b>Article 48, title 12</b>	<b>Article 5, Title 44</b>


**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: RESOLUTION NO. 24-2019 – A RESOLUTION APPROVING A MAJOR SUBDIVISION PLAT WITH RIGHT OF WAY DEDICATION FOR PROPERTY ZONED MIXED USE-COMMERCIAL TRANSIT ORIENTED DEVELOPMENT (MU-C TOD) AND LOCATED AT 5060 WARD ROAD (CASE NO. WS-18-06 / RIDGE AT WARD STATION)**

☒ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☒ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL:

☒ YES☐ NO  
Community Development Director  
City Manager**ISSUE:**

The applicant is requesting approval of a major subdivision for a 13-acre property located at 5060 Ward Road adjacent to the Wheat Ridge · Ward commuter rail station. The purpose of this subdivision request is to establish lot lines, tracts, easements, and right-of-way dedications for a 200-unit townhome and live/work development.

**PRIOR ACTION:**

Planning Commission heard this request at a public hearing on April 4, 2019 and gave a recommendation of approval for the subdivision plat for the following reasons:

1. All requirements of the subdivision regulations (Article IV) of the zoning and development code have been met.
2. All agencies can provide services to the property with improvements installed at the developer's expense.

With the following conditions:

1. The applicant shall enter into a development covenant prior to recordation of the subdivision plat and subsequently into a subdivision improvement agreement.
2. Prior to issuance of building permits, the applicant shall enter into a subdivision improvement agreement and shall provide homeowner's association covenants for review and approval by staff.
3. Prior to issuance of building permits, the applicant shall pay the required fees-in-lieu of parkland dedication.

Attached is a copy of the Planning Commission staff report, which provides a detailed description of the application. Draft meeting minutes are also attached.

**FINANCIAL IMPACT:**

Fees in the amount of \$3,726 were collected for the review and processing of Case No. WS-18-06. Fees in lieu of parkland dedication will be due prior to issuance of building permits. Permit fees and use tax will be paid for each townhome building permit and for all site work and right-of-way permits.

**BACKGROUND:**

The subject property is located in the far northwest corner of the City, immediately northwest of RTD's Wheat Ridge · Ward commuter rail station. The site is L-shaped and is bounded by Ward Road on the west, W. 52<sup>nd</sup> Avenue on the north, and Ridge Road on the south. The entire site is currently vacant and consists of several parcels, totaling approximately 13.6 acres.

The site was rezoned from Planned Industrial Development (PID) and Light Industrial (I) to MU-C TOD by City Council in July 2012. The zone district is intended for property within one-half mile of light rail and commuter rail stations and is specifically designed to allow densities that support transit ridership and encourage land uses and building form that enhance connections to transit. The surrounding properties include a variety of zoning designations and land uses, with industrial and commercial uses adjacent to the northeast and south, the commuter rail station parking lot immediately to the east, and residential development beyond.

The site is currently owned by a single landowner, and the applicant, Toll Southwest LLC (dba Toll Brothers), is under contract to purchase the property. The site was the former location of the Jolly Rancher factory which closed in 2002. The buildings were demolished over time between 2004 and 2012, and the site has been unused and vacant since then.

The property is the subject of several related applications, including a concept plan and site plan, both of which are subject to administrative review under the MU-C TOD zoning. A metropolitan district and associated service plan were originally approved for the property in 2012. Because of changes in the land use concepts, an updated service plan will be presented to City Council on May 6<sup>th</sup>.

Key components of the subdivision are described below. The plat document and additional detail are included in the attached Planning Commission staff report.

### *Proposed Plat*

The proposed subdivision is comprised of eight sheets and establishes 201 lots, 50 tracts, and three new public streets—W. 51<sup>st</sup> Avenue, Vivian Street, and Union Street. The new street grid furthers the City's vision for a walkable station area, and perimeter right-of-way dedications allow for construction of detached sidewalk on W. 52<sup>nd</sup> Avenue, Ward Road, and Ridge Road.

The lot layout provides 200 townhome lots and one larger lot at the southeast corner which is sized for commercial or mixed use development. The townhomes will be alley loaded. Those alleys will be privately owned and are among the 50 tracts being created. The other tracts provide for common areas, utilities, drainage features, easements, and open space amenities. Tracts U and W are among the largest and are designed to accommodate a privately maintained, publicly accessible pocket park and linear park/paseo. These are consistent with the City's 2015 Northwest Subarea Plan, which calls for a park within the station area, and with the 2016 Wheat Ridge Ward Station Vision Plan that calls for recreational infrastructure including a linear park. The size of these amenities do not entirely fulfill the City's parkland dedication requirement, so a fee will be owed as well and is a condition of approval.

Because of the large size of the property, the existing topography, and the historic flows across the site, the project includes two separate drainage facilities. Six tracts are identified as having a drainage purpose. Two underground detention chambers are proposed to provide water quality and detention; they will be located underneath the linear park/paseo (Tract U) and below the southernmost alley (Tract E). All stormwater will be conveyed into the existing storm sewer within Ridge Road and be conveyed to the regional detention pond to the east at Ridge Road and Robb Street.

### *Required Agreements*

The applicant is responsible for installing all public improvements, including the drainage system, the streetscape improvements, the new streets, utilities and the open space. These obligations will ultimately be memorialized in a subdivision improvement agreement (SIA) between the City and developer. The SIA dictates construction and maintenance responsibilities as well as the timing of permit issuance relative to the completion of public improvements. Because the metropolitan district is expected to have a role in the funding, construction, and/or maintenance of some of these elements and because the metro district service plan requires an update, a development covenant will be used in addition to an SIA. A condition of approval is included to this effect.

The development covenant obligates the developer to complete the improvements, but does not include the same specificity as the SIA. The covenant is recorded with the plat and will allow the developer to close on the property, take control of the metro district, and update the metro district service plan. Shortly thereafter, the SIA will be completed with the metro district as a party to

the agreement. This sequencing of agreements is permitted by the subdivision regulations and is common for larger developments.

**RECOMMENDATIONS:**

A subdivision plat is a technical document and review is a ministerial action. The plat complies with the requirements of the subdivision regulations (Article VII in Chapter 26 of the Municipal Code) and is consistent with the MU-C TOD zoning. For that reason, staff is recommending approval of the request.

**RECOMMENDED MOTION:**

“I move to approve Resolution No. 24-2019, a resolution approving a major subdivision for property located at 5060 Ward Road, for the following reasons:

1. City Council has conducted a proper public hearing that meets all public notice requirements as required by Section 26-109 and 26-407 of the Code of Laws.
2. The requested subdivision has been reviewed by the Planning Commission, which has forwarded its recommendation of approval.
3. The subdivision plat has been found in compliance with Article IV of Chapter 26 of the Code of Laws.
4. All agencies can provide services to the property with improvements installed at the developer’s expense.

and with the following conditions:

1. The applicant shall enter into a development covenant prior to recordation of the subdivision plat and subsequently into a subdivision improvement agreement.
2. Prior to issuance of building permits, the applicant shall enter into a subdivision improvement agreement and shall provide homeowner’s association covenants for review and approval by staff.
3. Prior to issuance of building permits, the applicant shall pay the required fees-in-lieu of parkland dedication.

Or,

“I move to deny Resolution No. 24-2019, a resolution approving a major subdivision for property located at 5060 Ward Road, for the following reasons:

- 1.
- 2.
3. ”

**REPORT PREPARED/REVIEWED BY:**

Lauren Mikulak, Planning Manager

Kenneth Johnstone, Community Development Director

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Resolution No. 24-2019
2. Planning Commission Staff Report
3. Draft Planning Commission Minutes

**CITY OF WHEAT RIDGE, COLORADO**  
**Resolution No. 24**  
**Series of 2019**

**TITLE: A RESOLUTION APPROVING A MAJOR SUBDIVISION PLAT WITH RIGHT OF WAY DEDICATION FOR PROPERTY ZONED MIXED USE-COMMERCIAL TRANSIT ORIENTED DEVELOPMENT (MU-C TOD) AND LOCATED AT 5060 WARD ROAD (CASE NO. WS-18-06 / RIDGE AT WARD STATION)**

**WHEREAS**, Chapter 26, Articles I and IV of the Wheat Ridge Code of Laws establish the procedures for the City's review and approval of variance requests and subdivision plats; and,

**WHEREAS**, an application for a subdivision plat was received from Toll Southwest LLC to subdivide property for townhome development located at 5060 Ward Road in the Mixed Use-Commercial Transit Oriented Development zone district; and,

**WHEREAS**, all referral agencies have reviewed the request and can serve the property; and,

**WHEREAS**, all required publishing, posting and notification requirements for an April 22, 2019 City Council public hearing have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Wheat Ridge, Colorado, as follows:

**A MAJOR SUBDIVISION PLAT WITH RIGHT OF WAY DEDICATION FOR PROPERTY ZONED MIXED USE-COMMERCIAL TRANSIT ORIENTED DEVELOPMENT (MU-C TOD) LOCATED AT 5060 WARD ROAD IS HEREBY APPROVED, FOR THE FOLLOWING REASONS:**

1. City Council has conducted a proper public hearing that meets all public notice requirements as required by Section 26-109 and 26-407 of the Code of Laws.
2. The requested subdivision has been reviewed by the Planning Commission, which has forwarded its recommendation.
3. The subdivision plat has been found in compliance with Article IV of Chapter 26 of the Code of Laws.
4. All agencies can provide services to the property with improvements installed at the developer's expense.

And, with the following conditions:

1. The applicant shall enter into a development covenant prior to recordation of the subdivision plat and subsequently into a subdivision improvement agreement.

2. Prior to issuance of building permits, the applicant shall enter into a subdivision improvement agreement and shall provide homeowner's association covenants for review and approval by staff.
3. Prior to issuance of building permits, the applicant shall pay the required fees-in-lieu of parkland dedication.

**DONE AND RESOLVED** by the City Council this 22<sup>nd</sup> day of April 2019.

---

William "Bud" Starker, Mayor

ATTEST:

---

Janelle Shaver, City Clerk



**CITY OF WHEAT RIDGE  
PLANNING DIVISION STAFF REPORT**

**TO:** Planning Commission **CASE MANAGER:** Lauren Mikulak  
**DATE OF MEETING:** April 4, 2019  
**CASE NO. & NAME:** WS-18-06 / The Ridge at Ward Station  
**ACTION REQUESTED:** Request for approval of a major subdivision for a 200-unit townhome development on property zoned Mixed Use-Commercial Transit Oriented Development (MU-C TOD)

---

**LOCATION OF REQUEST:** 5060 Ward Road  
**APPLICANT(S):** Toll Southwest, LLC  
**PROPERTY OWNER(S):** Applicant is under contract; current owner is IBC Denver, II, LLC  
**APPROXIMATE AREA:** 593,903 Square Feet (13.6 Acres)

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**PRESENT ZONING:** Mixed Use-Commercial Transit Oriented Development (MU-C TOD)  
**PRESENT LAND USE:** Vacant land

---

**ENTER INTO RECORD:**

(X) CASE FILE & PACKET MATERIALS	(X) COMPREHENSIVE PLAN
(X) ZONING ORDINANCE & SUBDIVISION REGS	(X) DIGITAL PRESENTATION

**LOCATION MAP**



All notification and posting requirements have been met; therefore, there is jurisdiction to hear this case.

## **I. REQUEST**

The applicant is requesting approval of a major subdivision that includes right-of-way dedication and creates 201 lots and 50 tracts. The property is zoned Mixed Use-Commercial Transit Oriented Development (MU-C TOD). It is located at 5060 Ward Road at the southeast corner of Ward and W. 52<sup>nd</sup> Avenue and is the location of the former Jolly Rancher factory. The purpose of the request is to prepare the site for a 200-unit townhome development.

Because of the dedication of new public streets and based on the number of lots being created, the plat is processed as a major subdivision. In this case, Planning Commission will make a recommendation to City Council, which is the final authority for approval of a major subdivision.

The property is the subject of several related land use applications and agreements that are *not* under consideration by the Planning Commission. These include the following:

- Concept Plan—A concept plan is required in a mixed use zone district for any phased development or for any projects over 10 acres in size. The neighborhood meeting required for the concept plan was held in April 2018. A concept plan for development is being reviewed. All concept plans in mixed use zone districts are reviewed administratively.
- Site Plan—Each building or phase of development in a mixed use zone district requires site plan review to confirm compliance with the City's adopted zoning and design codes. Staff is reviewing site plans for the town home portion of the development. All site plans in mixed use zone districts are reviewed administratively.
- Metro District Service Plan—A metropolitan district and associated service plan were approved for the property in 2012. Because of changes in the land use concepts and financial analysis, an updated service plan will be presented to City Council.

While these applications are related, they are not part of the platting request and should not influence the Planning Commission's recommendation on the subdivision.

The purpose of a subdivision plat is not to review specific site plan details, but rather to confirm property boundaries, access, rights-of-way, easements, and utility service in order to create developable parcels.

## **II. EXISTING CONDITIONS**

The subject property is located in the far northwest corner of the City, immediately northwest of RTD's Wheat Ridge · Ward commuter rail station. The site is L-shaped and is bounded by Ward Road on the west, W. 52<sup>nd</sup> Avenue on the north, and Ridge Road on the south (*Exhibit 1, Aerial*). The entire site is currently vacant and consists of several parcels, totaling approximately 13.6 acres.

The property is zoned Mixed Use-Commercial Transit Oriented Development (MU-C TOD), a zone district which is intended for areas within one-half mile of light rail and commuter rail stations. The MU-C TOD zone district follows the MU-C framework but is specifically designed to allow densities that support transit ridership and to encourage land uses and building form that enhance connections to transit. The site was rezoned from Planned Industrial Development (PID) and Light Industrial (I) to MU-C TOD by City Council in July 2012.

The properties in the area include a variety of zoning designations and land uses (*Exhibit 2, Zoning*). A Conoco gas station is located at the corner of Ward Road and W. 52<sup>nd</sup> Avenue and a variety of light industrial uses are adjacent to the northeast and south. These are zoned PID and Industrial-Employment (I-E) and include manufacturing uses, RV storage, boat storage, a landscape contractor, CrossFit, and auto repair among others. To the east is RTD's surface parking lot and beyond that are residential uses.

The nearby residential uses include the Hance Ranch townhome project at 52<sup>nd</sup> between Taft and Tabor Streets which is zoned MU-N and expected to be under construction this spring. The property at Ridge between Taft and Tabor Streets is zoned MU-C TOD and is being explored for an apartment use. Beyond these to the west the land uses transition to lower-density residential uses. Ward Road and W. 52<sup>nd</sup> Avenue represent the City's boundary and across these streets are properties within unincorporated Jefferson County and the City of Arvada (*Exhibit 1, Aerial*).

The site is currently owned by a single landowner and is comprised of several unplatted parcels. The applicant, Toll Southwest LLC (dba Toll Brothers), is under contract to purchase the property. The site was the former location of the Jolly Rancher factory. The business closed at this location in 2002 when it was purchased by Hershey Foods. The buildings were demolished over time between 2004 and 2012. The site has been unused and vacant since the closure and demolition.

The station area in general is identified in the City's comprehensive plan, *Envision Wheat Ridge*, as a high priority redevelopment area. The subject property is the largest parcel under single ownership and is widely recognized as an underutilized and potentially catalytic development site. If the subdivision is approved, the applicant intends to develop 200 townhomes in four (4) phases. The applicant is serving as the master developer and will be responsible for public improvements in and around the property.

### **III. PROPOSED SUBDIVISION PLAT**

The proposed subdivision plat is comprised of eight (8) sheets (*Exhibit 3, Proposed Plat*), and is organized as follows:

- The cover sheet includes the legal description and signature blocks.
- Sheets 2 and 3 includes standards notes and declarations as well as tract and lot summary tables.
- Sheet 4 depicts the existing conditions and is used to remove the existing parcel lines.
- Sheet 5 depicts the proposed conditions for the overall site and dedicates new public streets within the site and additional right-of-way around the perimeter.
- For readability, the proposed subdivision design is shown at a larger scale on Sheets 6, 7 and 8 which depict bearings and details for all lots, tracts, and easements.

Important features of the plat are further described below.

#### *Perimeter Right-of-Way (ROW)*

When new properties are created through the subdivision process, staff reviews adjacent street improvements to confirm that they meet current roadway design standards. Street and sidewalk widths are inadequate on 52<sup>nd</sup> Avenue, Ward Road, and Ridge Road, so additional right-of-way is proposed to be dedicated along the entire perimeter of the site. The widths of these perimeter ROW dedications are

sized to accommodate detached sidewalks and tree lawns. Ridge Road would also accommodate on-street parking.

#### *Interior Circulation and Right-of-Way*

The subdivision plat includes dedication of three new public streets—W. 51<sup>st</sup> Avenue, Vivian Street, and Union Street—the designs and alignment for which further the City’s vision for a walkable station area.

The station area has long been dominated by industrial land uses. The arrival of the RTD commuter rail and Wheat Ridge · Ward Station have resulted in several planning efforts that call for a broad mix of uses and a more complete and walkable street grid. In addition, the mixed use zoning has block length standards that identify 1600 to 1800 linear feet as the preferred block size perimeter. This dimensional standard is scaled to the pedestrian and based on comfortable walking distance.

The proposed street design and block sizes shown on the plat were largely dictated by the limited depth of the site and the established sizes of townhomes and alleys. All three complete blocks created by this plat are well within zoning standards:

- Northwest block perimeter (bounded by 52<sup>nd</sup>, Ward, 51<sup>st</sup> and Vivian) = 1502 feet
- Southwest block perimeter (bounded by 51<sup>st</sup>, Ward, Ridge, and Vivian) = 1048 feet
- Southeast block perimeter (bounded by 51<sup>st</sup>, Vivian, Ridge, and Union) = 1377 feet

The curvilinear design of the street grid meets the City’s desire for connectivity and provides a more residential character for this new neighborhood. The new streets within the site (51<sup>st</sup> Avenue and Vivian Street) would have detached sidewalk and on-street parking. Union Street, on the east side of the property, is dedicated but will dead-end unless and until additional properties develop further to the north.

The alignment of 51<sup>st</sup> Avenue at Ward is subject to CDOT approval because Ward Road is a state highway. The applicant is working with CDOT to obtain the appropriate access permits. CDOT will require that a third lane be constructed on Ward to serve as an acceleration and deceleration lane. This access point will not be signalized and will be limited to a three-quarters movement that prohibits a left turn movement out of the site.

The location of Vivian Street at 52<sup>nd</sup> Avenue has been designed to align with the existing Vivian Street to the north. The location of Vivian Street at Ridge is roughly mid-block; there are no existing streets with which to align.

The total area of ROW dedication—including interior and perimeter dedications—is 3.5 acres in size. The development is proposed to be served by a series of private alleys. These will not be dedicated as public right-of-way and are shown as tracts.

#### *Lot Configuration*

As noted above, the street layout considered the typical dimensions of the townhomes and alleys, and the resulting lot configuration results in a logical layout. All existing parcel lines are proposed to be vacated (shown on Sheet 3), and a total of 201 development lots are proposed to be created. Two hundred (200) are sized appropriately for proposed townhomes. The largest lot created by the plat (Block 16, Lot 1) is located at the southeast corner and is sized for commercial or mixed use development.

The MU-C TOD zone district does not include minimum lot size and lot width requirements, but the proposed lots appear to be shaped and sized appropriately to accommodate future development.

#### *Tract Configuration and Easements*

A series of 50 tracts includes all of the areas within the site that are not otherwise part of the ROW dedication or within the development lots. These tracts include all common areas, utilities, drainage features, alleys, and open space amenities.

Tract U and W are among the largest and are designed to accommodate a privately maintained, publicly accessible pocket park and linear park/paseo. These are consistent with the City's 2015 Northwest Subarea Plan, which calls for a park within the station area, and with the 2016 Vision Plan that calls for recreational infrastructure including a linear park.

Because Wheat Ridge is not a full service city, the applicant has been working with the appropriate service providers for wet and dry utility designs. Adequate capacity exists to serve the development. As is customary with a townhome development, easements traverse the site and are often located within alleys.

#### *Drainage*

Because of the large size of the property, the existing topography, and the historic flows across the site, the project includes two separate drainage facilities. Six tracts are identified as having a drainage purpose. Two underground detention chambers are proposed for water quality and detention and will be located within Tract U (below the linear park/paseo) and in Tract E (below the alley). The other tracts include lesser components of the system. All stormwater will be conveyed into the existing storm sewer within Ridge Road and be conveyed to the regional detention pond to the east at Ridge Road and Robb Street.

A final drainage report and plan along with civil construction documents are under review and will be finalized with the completion of the site plan application and prior to issuance of any permits. The plat includes appropriate easements for the drainage system, notably on Sheet 2 in Note 8.

#### *Parkland Dedication*

The subdivision regulations include a parkland dedication requirement for all residential subdivisions based on the assumption that additional residents in the City will impact the demand for parks and open space. When land is not dedicated for a public park, a fee is required in lieu. Developments in TOD areas are subject to a reduced fee of \$2,021.62 per unit.

Some of the area of the pocket park and linear park must fulfill minimum open space requirements in the zoning code, but the balance may count toward the parkland dedication requirement. This balance is not expected to fulfill all of the parkland dedication requirement, so a fee will also be owed. These calculations will be determined based on the final site design, and the fee owed will be included in the Subdivision Improvement Agreement. A condition of approval is included to this effect.

#### *Development Covenant and Subdivision Improvement Agreement*

The applicant is responsible for installing all public improvements, including the drainage system, the streetscape improvements, the new streets, utilities and the open space. These obligations will ultimately be memorialized in a Subdivision Improvement Agreement (SIA) between the City and

developer. The SIA dictates construction and maintenance responsibilities as well as the timing of permit issuance relative to the completion of public improvements. Because the metropolitan district is expected to have a role in the funding, construction, and/or maintenance of some of these elements and because the metro district service plan requires an update, a Development Covenant will be used in addition to an SIA. A condition of approval is included to this effect.

The Development Covenant obligates the developer to complete the improvements, but does not include the same specificity as the SIA. The covenant is recorded with the plat and will allow the developer to close on the property, take control of the metro district, and update the metro district service plan. Shortly thereafter, the SIA will be completed with the metro district as a party to the agreement. This sequencing of agreements is permitted by the subdivision regulations and is common for larger developments.

## **V. AGENCY REFERRALS**

All affected service agencies were contacted for comment on the subdivision plat and regarding the ability to serve the property. The developer will be responsible for any needed upgrades to accommodate future development, and the applicant is in direct contact with the appropriate utility agencies. Specific referral responses follow; agencies are notified that no comment shall be presumed to mean no concerns.

**Wheat Ridge Public Works:** The subdivision plat has been reviewed and approved.

**Renewal Wheat Ridge:** Finds no conflict with urban renewal plans.

**Wheat Ridge Police:** No comments

**Arvada Fire:** Can serve.

**Arvada Planning & Traffic:** Minor comments on site design; the Cities of Wheat Ridge and Arvada continue to coordinate on infrastructure improvements in the station area pursuant to a Memorandum of Understanding and Intergovernmental Agreement.

**Colorado Department of Transportation:** Access on Ward Road will require access permits, and the applicant has applied for these permits.

**Century Link:** No comment. Utility coordination is ongoing.

**Comcast Cable:** No comment. Utility coordination is ongoing.

**Fruitdale Sanitation:** Can serve. Utility coordination is ongoing.

**Jefferson County Planning:** No comments

**Prospect Park Rec District:** No comments

**RTD:** No comments

**Valley Water:** Can serve. Utility coordination is ongoing.

**Xcel Energy:** Can serve. Utility coordination is ongoing.

## **VI. STAFF CONCLUSIONS AND RECOMMENDATIONS**

Staff concludes that the proposed major subdivision plat complies with the MU-C TOD zone district regulations and results in a logical lot layout for future development. Staff concludes that the subdivision plat complies with the standards in Article IV (subdivision regulations) of the zoning and development code and that all utility agencies can serve the property with improvements installed at the developer's expense. For these reasons, Staff recommends approval of the plat with the conditions listed below.

## **VII. SUGGESTED MOTIONS**

Option A: "I move to recommend APPROVAL of Case No. WS-18-06, a request for approval of a major subdivision plat on property zoned Mixed Use-Commercial (MU-C) and located at the 5060 Ward Road, for the following reasons:

1. All requirements of the subdivision regulations (Article IV) of the zoning and development code have been met.
2. All agencies can provide services to the property with improvements installed at the developer's expense.

With the following conditions:

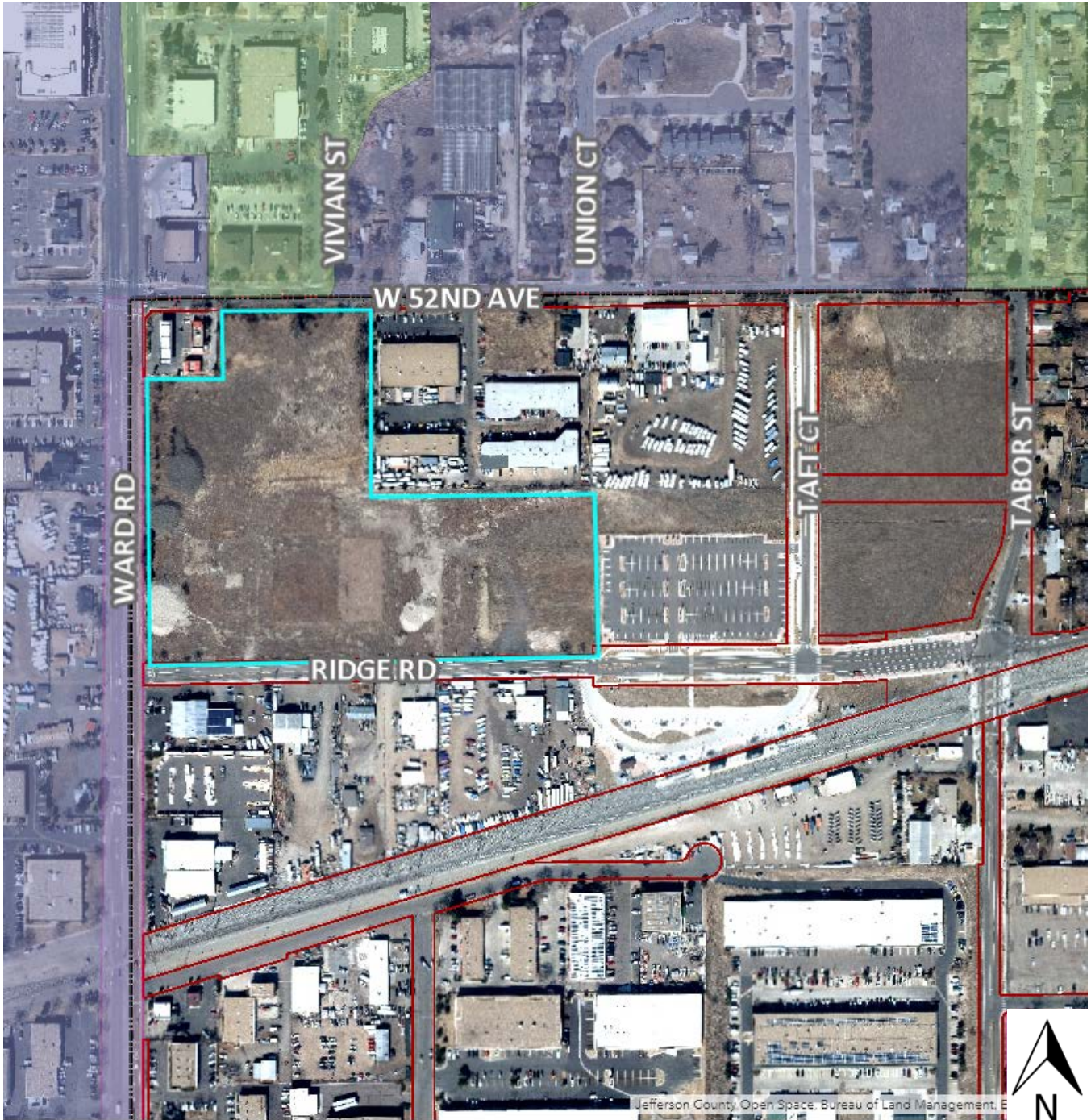
1. The applicant shall enter into a development covenant prior to recordation of the subdivision plat and subsequently into a subdivision improvement agreement.
2. Prior to issuance of building permits, the applicant shall enter into a subdivision improvement agreement and shall provide homeowner's association covenants for review and approval by staff.
3. Prior to issuance of building permits, the applicant shall pay the required fees-in-lieu of parkland dedication.

Option B: "I move to recommend DENIAL of Case No. WS-18-06, a request for approval of a major subdivision plat on property zoned Mixed Use-Commercial (MU-C) and located at the 5060 Ward Road, for the following reasons:

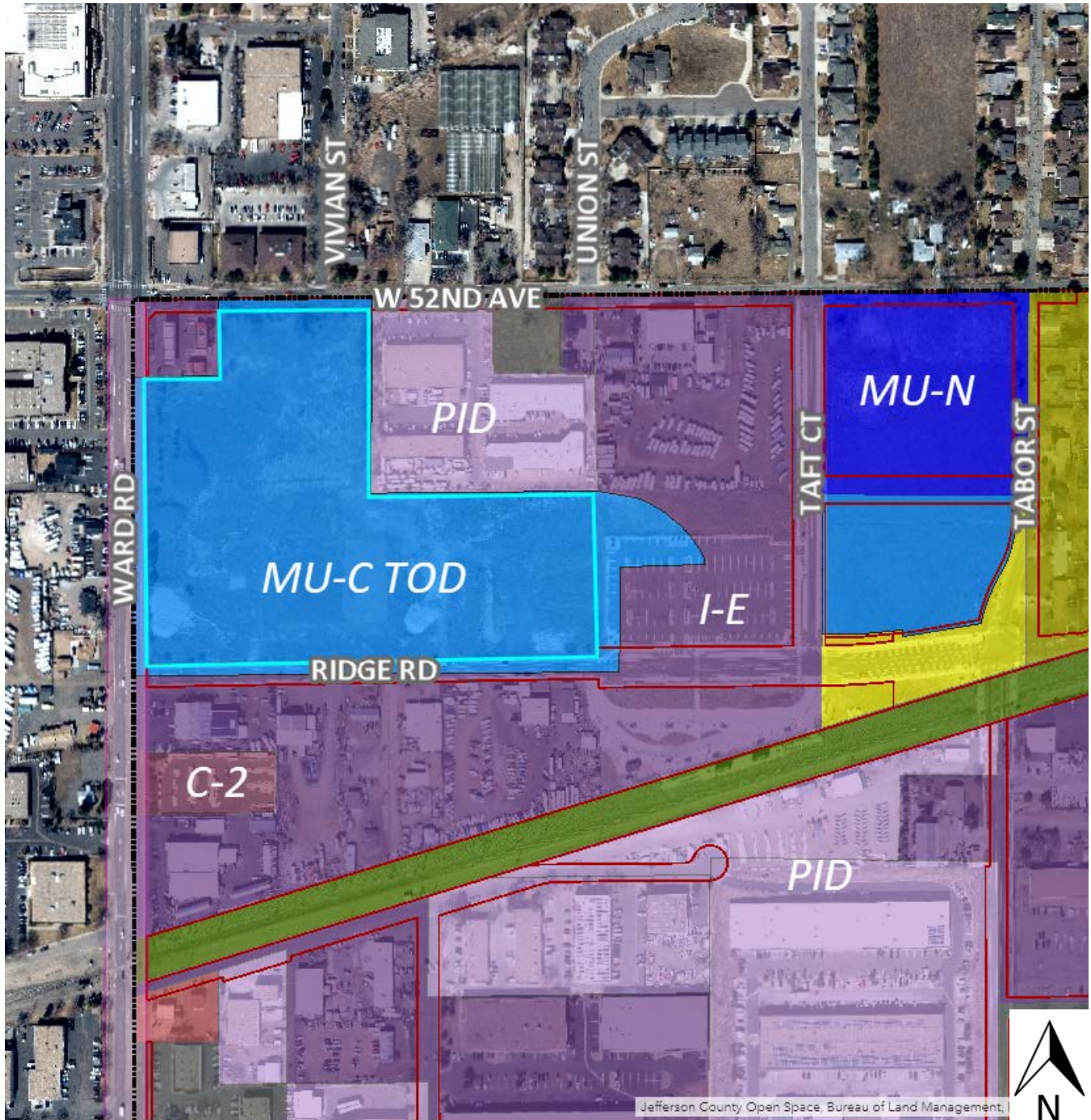
- 1.
2. ..."

# EXHIBIT 1: AERIAL

The subject property is outlined in blue below; the shaded properties represent those in neighboring jurisdictions including Jefferson County (purple) and Arvada (green).



## EXHIBIT 2: ZONING MAP



## **EXHIBIT 3: PROPOSED PLAT**

[attached]

# THE RIDGE AT WARD STATION

A RESUBDIVISION OF A PART OF LOTS 13 AND 17, STANDLEY HEIGHTS,  
BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 1 OF 8

## OWNERS CERTIFICATE:

WE, TOLL SOUTHWEST, LLC., BEING THE OWNER(S) OF REAL PROPERTY CONTAINING 13.6341 ACRES DESCRIBED AS FOLLOWS:

### PARCEL A:

THE SOUTH 17 FEET OF THE WEST 251 FEET OF LOT 13, STANDLEY HEIGHTS,  
AND THE WEST 518.12 FEET OF LOT 17, STANDLEY HEIGHTS  
EXCEPT THE SOUTH 25 FEET THEREOF,  
EXCEPT ANY PORTION THEREOF FALLING WITHIN WARD ROAD,  
COUNTY OF JEFFERSON, STATE OF COLORADO.

### PARCEL B:

THAT PORTION OF LOT 13,  
STANDLEY HEIGHTS,  
DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF LOT 13, STANDLEY HEIGHTS, FROM WHICH THE SOUTHWEST CORNER OF SAID LOT 13 BEARS  
SOUTH 89°11.9' WEST A DISTANCE OF 251.02 FEET;  
THENCE NORTH 89°11.9' EAST ALONG THE SOUTH LINE OF SAID LOT 13, A DISTANCE OF 257.10 FEET TO A POINT 537.97 FEET EAST OF  
THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN;  
THENCE NORTH 0°04.2' WEST PARALLEL WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 17.0 FEET;  
THENCE SOUTH 89°11.9' WEST A DISTANCE OF 257.10 FEET;  
THENCE SOUTH 0°04.2' EAST A DISTANCE OF 17.0 FEET TO THE POINT OF BEGINNING,  
COUNTY OF JEFFERSON, STATE OF COLORADO.

### PARCEL C:

A TRACT OF LAND LOCATED IN LOT 17,  
STANDLEY HEIGHTS,  
A SUBDIVISION RECORDED IN THE OFFICIAL RECORDS OF JEFFERSON COUNTY, COLORADO, DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 17;  
THENCE NORTH 0°04.2' WEST ALONG THE WEST LINE OF SAID LOT 17 A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH LINE OF WEST  
50TH PLACE AS CONVEYED TO JEFFERSON COUNTY BY INSTRUMENTS RECORDED IN BOOK 987 AT PAGES 407 AND 409 OF SAID OFFICIAL  
RECORDS;  
THENCE NORTH 88°59.0' EAST ALONG THE NORTH LINE OF WEST 50TH PLACE AS RECORDED IN SAID BOOK 987 AT PAGES 407 AND 409 A  
DISTANCE OF 750.12 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE NORTH 88°59.0' EAST ALONG THE NORTH LINE OF WEST 50TH PLACE AS RECORDED IN BOOK 987 AT PAGES 407 AND 409 A  
DISTANCE OF 286.12 FEET TO THE NORTHEAST CORNER OF WEST 50TH PLACE AS RECORDED IN BOOK 987 AT PAGES 407 AND 409;  
THENCE NORTH 0°03.6' WEST ALONG THE EAST LINE OF SAID LOT 17 A DISTANCE OF 215.60 FEET;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 232.87 FEET;  
THENCE NORTH 0°03.6' WEST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 0.80 FEET;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 43.00 FEET;  
THENCE SOUTH 0°03.6' EAST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 0.80 FEET;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 10.24 FEET TO A POINT, SAID POINT BEING  
NORTH 0°03.6' WEST PARALLEL TO THE EAST LINE OF LOT 17 A DISTANCE OF 215.60 FEET FROM A POINT ON THE NORTH LINE OF WEST  
50TH PLACE AS RECORDED IN SAID BOOK 987 AT PAGES 407 AND 409;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 60.46 FEET;  
THENCE SOUTH 0°03.6' EAST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 21.14 FEET;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 97.05 FEET;  
THENCE NORTH 0°03.6' WEST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 195.06 FEET TO A POINT ON THE NORTH LINE  
OF SAID LOT 17;  
THENCE SOUTH 89°11.9' WEST ALONG THE NORTH LINE OF SAID LOT 17, A DISTANCE OF 74.50 FEET TO A POINT 518.12 FEET EAST OF THE  
WEST LINE OF SAID LOT 17, SAID 518.12 FEET BEING A DISTANCE MEASURED AT RIGHT ANGLES TO THE WEST LINE OF SAID LOT 17;  
THENCE SOUTH 00°04.2' EAST PARALLEL TO THE WEST LINE OF SAID LOT 17 A DISTANCE OF 389.80 FEET TO A POINT ON THE NORTH LINE  
OF WEST 50TH PLACE AS RECORDED IN SAID BOOK 987 AT PAGES 407 AND 409;  
THENCE NORTH 88°59.0' EAST ALONG THE NORTH LINE OF WEST 50TH PLACE AS RECORDED IN SAID BOOK 987 AT PAGES 407 AND 409 A  
DISTANCE OF 231.93 TO THE TRUE POINT OF BEGINNING.

### PARCEL D:

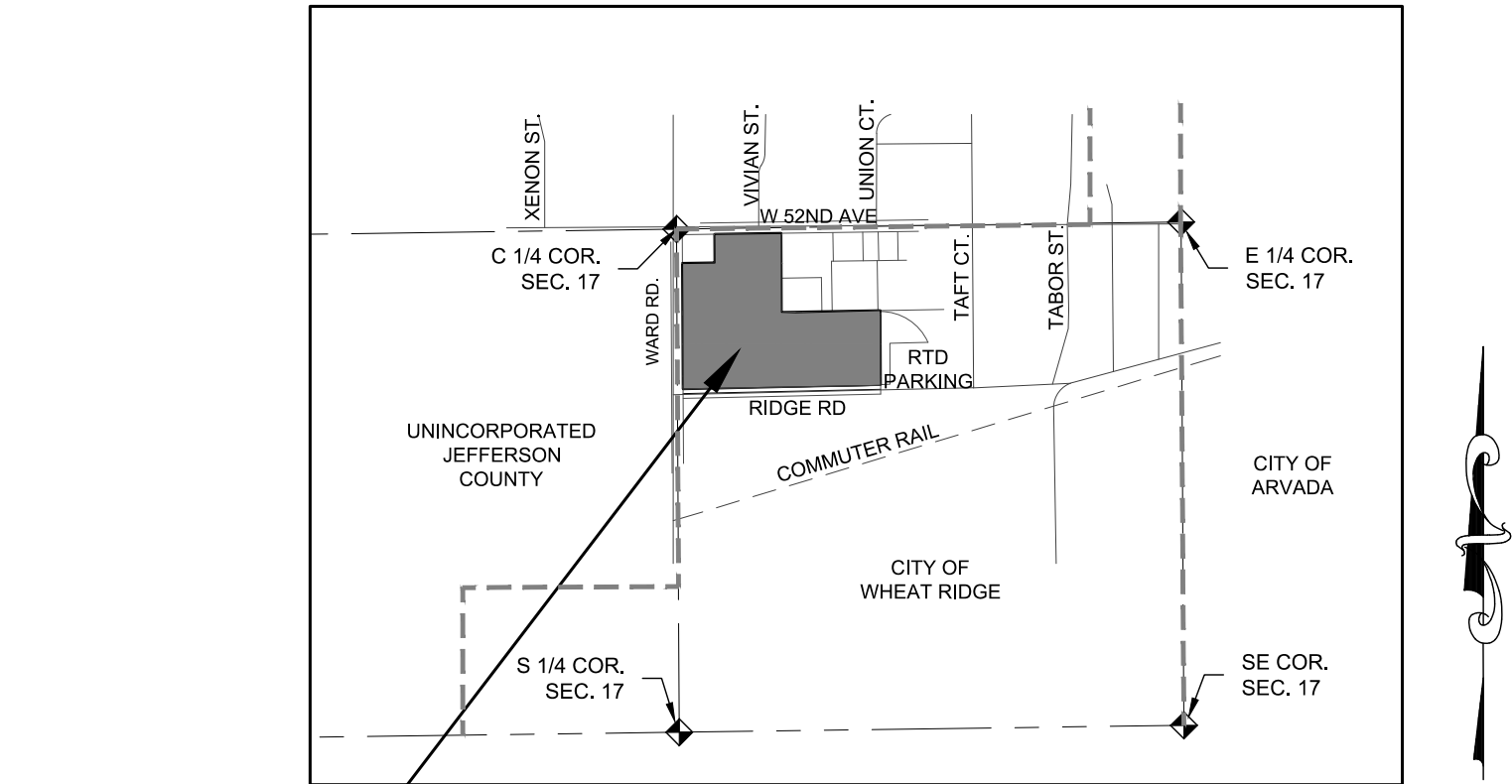
A PARCEL OF LAND SITUATED IN THE WEST ONE-HALF OF LOT 13, STANDLEY HEIGHTS, BEING LOCATED IN THE SOUTHEAST ONE- QUARTER  
OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 17;  
THENCE SOUTH 00°18'19" EAST ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER OF SECTION 17, THE BASIS OF BEARING, A  
DISTANCE OF 30.00 FEET;  
THENCE NORTH 89°11'27" EAST AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 17 A DISTANCE OF  
30.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 13;  
THENCE CONTINUING NORTH 89°11'27" EAST AND ALONG THE NORTH LINE OF SAID LOT 13 A DISTANCE OF 518.12 FEET TO THE NORTHEAST  
CORNER OF THE WEST ONE-HALF OF SAID LOT 13 AND THE POINT OF BEGINNING;  
THENCE SOUTH 89°11'27" WEST ALONG THE NORTH LINE OF SAID LOT 13 A DISTANCE OF 348.12 FEET TO A POINT 170.00 FEET EAST OF  
THE NORTHWEST CORNER OF SAID LOT 13;

THENCE SOUTH 00°18'19" EAST PARALLEL TO THE WEST LINE OF SAID LOT 13 TO A POINT 150.00 FEET SOUTH OF THE NORTH LINE OF SAID  
LOT 13;  
THENCE SOUTH 89°11'27" WEST PARALLEL TO THE NORTH LINE OF SAID LOT 13 A DISTANCE OF 170.00 FEET TO A POINT ON THE WEST LINE  
OF SAID LOT 13 AND 150.00 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 13;  
THENCE SOUTH 00°18'19" EAST ALONG THE WEST LINE OF SAID LOT 13 A DISTANCE OF 250.02 FEET TO THE NORTHWEST CORNER OF A  
PARCEL DESCRIBED IN BOOK 1862 AT PAGE 375 OF THE CLERK AND RECORDER'S OFFICE OF JEFFERSON COUNTY, SAID CORNER BEING  
17.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 13;  
THENCE NORTH 89°11'47" EAST ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN BOOK 1862 AT PAGE 375 AND PARALLEL WITH THE  
SOUTH LINE OF SAID LOT 13 A DISTANCE OF 250.00 FEET TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED IN BOOK 1862 AT  
PAGE 375;  
THENCE NORTH 89°11'47" EAST PARALLEL WITH THE SOUTH LINE OF SAID LOT 13 A DISTANCE OF 0.02 FEET TO THE NORTHWEST CORNER OF  
A PARCEL DESCRIBED AT RECEPTION NO. 82047968;  
THENCE NORTH 89°11'47" EAST ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED AT RECEPTION NUMBER 82047968 A DISTANCE OF  
256.95 FEET TO A POINT 17.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 13;  
THENCE SOUTH 00°18'19" EAST PARALLEL TO THE WEST LINE OF SAID LOT 13 A DISTANCE OF 17.0 FEET TO THE SOUTH LINE OF SAID LOT  
13 AND THE SOUTHEAST CORNER OF SAID PARCEL DESCRIBED AT RECEPTION NUMBER 82047968 SAID CORNER BEING 537.97 FEET EAST OF  
THE WEST LINE OF THE SOUTHEAST ONE-QUARTER;  
THENCE NORTH 89°11'47" EAST ALONG THE SOUTH LINE OF SAID LOT 13 A DISTANCE OF 10.16 FEET TO THE SOUTHWEST CORNER OF THE  
WEST ONE-HALF OF LOT 13;  
THENCE NORTH 00°18'24" WEST ALONG THE EAST LINE OF THE WEST ONE-HALF OF LOT 13 A DISTANCE OF 417.07 FEET TO THE POINT OF  
BEGINNING,  
COUNTY OF JEFFERSON, STATE OF COLORADO.

### PARCEL E:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 17, STANDLEY HEIGHTS;  
THENCE NORTH 0°04.2' WEST ALONG THE WEST LINE OF SAID LOT 17 A DISTANCE OF 25.00 FEET TO A POINT ON THE NORTH LINE OF WEST  
50TH PLACE AS CONVEYED TO JEFFERSON COUNTY BY INSTRUMENTS RECORDED IN BOOK 987 AT PAGES 407 AND 409 OF SAID OFFICIAL  
RECORDS;  
THENCE NORTH 88°59.0' EAST ALONG THE NORTH LINE OF WEST 50TH PLACE AS RECORDED IN BOOK 987 AT PAGES 407 AND 409 A  
DISTANCE OF 750.12 FEET;  
THENCE NORTH 0°03.6' WEST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 215.60 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 60.46 FEET;  
THENCE SOUTH 0°03.6' EAST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 21.14 FEET;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 43.00 FEET;  
THENCE NORTH 0°03.6' WEST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 195.06 FEET TO A POINT ON THE NORTH LINE  
OF SAID LOT 17;  
THENCE NORTH 89°11.9' EAST ALONG THE NORTH LINE OF SAID LOT 17 A DISTANCE OF 443.59 FEET TO THE NORTHEAST CORNER OF SAID  
LOT 17;



PROPERTY  
LOCATION

VICINITY MAP  
SCALE: 1" = 1000'

## OWNERS CERTIFICATE CONTINUED (PARCEL E CONTINUED):

THENCE SOUTH 0°03.6' EAST ALONG THE EAST LINE OF SAID LOT 17 A DISTANCE OF 5.27 FEET TO A NON-TANGENT POINT  
ON A CURVE, SAID POINT BEING A POINT OF CURVATURE;  
THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT, WHOSE CENTRAL ANGLE IS 67°00.3', WHOSE RADIUS IS 270.54  
FEET, AND WHOSE CHORD BEARS SOUTH 57°01.9' EAST A DISTANCE OF 298.66 FEET TO A POINT 240.60 FEET NORTH OF  
THE EXTENDED SOUTH LINE OF SAID LOT 17;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 200.44 FEET TO A POINT  
50.00 FEET EAST OF THE EAST LINE OF SAID LOT 17;  
THENCE SOUTH 0°03.6' EAST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 215.60 FEET TO A POINT ON  
THE EXTENDED NORTH LINE OF WEST 50TH PLACE AS RECORDED IN BOOK 987 AT PAGES 407 AND 409;  
THENCE SOUTH 88°59.0' WEST ALONG THE EXTENDED NORTH LINE OF WEST 50TH PLACE AS RECORDED IN BOOK 987 AT  
PAGES 407 AND 409 A DISTANCE OF 50.00 FEET TO THE NORTHEAST CORNER OF WEST 50TH PLACE AS RECORDED IN  
BOOK 987 AT PAGES 407 AND 409;  
THENCE NORTH 0°03.6' WEST ALONG THE EAST LINE OF SAID LOT 17 A DISTANCE OF 215.60 FEET;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 232.87 FEET;  
THENCE NORTH 0°03.6' WEST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 0.80 FEET;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 43.00 FEET;  
THENCE SOUTH 0°03.6' EAST PARALLEL TO THE EAST LINE OF SAID LOT 17 A DISTANCE OF 0.80 FEET;  
THENCE SOUTH 88°59.0' WEST PARALLEL TO THE SOUTH LINE OF SAID LOT 17 A DISTANCE OF 10.24 FEET TO THE TRUE  
POINT OF BEGINNING,  
COUNTY OF JEFFERSON, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE REGIONAL TRANSPORTATION DISTRICT, A POLITICAL SUBDIVISION OF THE STATE  
OF COLORADO, DESCRIBED IN WARRANTY DEED RECORDED OCTOBER 15, 2012 AT RECEPTION NO. 2012110197.

### SUBORDINATELY DESCRIBED AS:

COMMENCING AT THE CENTER 1/4 CORNER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL  
MERIDIAN BEING MONUMENTED BY A NO. 6 REBAR WITH A 2-1/2 INCH ALUMINUM CAP STAMPED 'LS 27609 1998" IN A  
RANGE BOX, WHENCE THE EAST ¼ CORNER OF SAID SECTION 17 AS MONUMENTED BY A 2 INCH DIAMETER PIPE WITH A  
3-1/4 INCH BRASS CAP STAMPED 'LS 13212 1984" IN A RANGE BOX IS ASSUMED TO BEAR N 89°11'13"E, A DISTANCE OF  
2646.81 FEET, WITH ALL BEARINGS RELATIVE THERETO:

THENCE S82°16'17"E, A DISTANCE OF 201.98 FEET TO A POINT ON THE SOUTHERLY LINE OF THE EXISTING 60' PUBLIC  
RIGHT OF WAY OF WEST 52ND AVENUE AND 170.00 FEET EAST OF THE NORTHWEST CORNER OF LOT 13, STANDLEY  
HEIGHTS, COUNTY OF JEFFERSON, STATE OF COLORADO TO THE POINT OF BEGINNING;

THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY LINE N 89°11'14"E, A DISTANCE OF 348.12 FEET TO NORTHEAST  
CORNER OF THE WEST ONE-HALF OF SAID LOT 13;

THENCE S 00°18'39"E, A DISTANCE OF 414.96 FEET ALONG THE SAID EAST LINE OF THE WEST ONE-HALF OF LOT 13, TO  
THE SOUTHEAST CORNER OF THE WEST ONE-HALF OF SAID LOT 13;

THENCE N 88°57'32"E, A DISTANCE OF 518.08 FEET, ALONG THE SOUTH LINE OF SAID LOT 13, TO THE SOUTHEAST CORNER  
OF SAID LOT 13, ALSO BEING THE NORTHEAST CORNER OF LOT 17, STANDLEY HEIGHTS, COUNTY OF JEFFERSON, STATE OF  
COLORADO;

THENCE S 00°17'58"E, A DISTANCE OF 387.86 FEET, ALONG THE EAST LINE OF SAID LOT 17 TO THE NORTHEAST CORNER  
OF WEST 50TH PLACE AS RECORDED IN JEFFERSON COUNTY BY INSTRUMENTS RECORDED IN BOOK 987 AT PAGES 407 AND  
409;

THENCE S 88°44'38"W, A DISTANCE OF 1036.22 FEET, ALONG THE NORTH LINE OF WEST 50TH PLACE AS RECORDED IN SAID  
BOOK 987 AT PAGES 407 AND 409 TO THE WEST LINE OF SAID LOT 17;

THENCE N 00°18'34"W, A DISTANCE OF 658.76 FEET, ALONG THE SAID WEST LINE OF LOTS 17 AND 13 TO A POINT 150.00  
FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 13;

THENCE N 89°11'14"E, A DISTANCE OF 170.00 FEET PARALLEL WITH THE NORTH LINE OF SAID LOT 13 TO A POINT 150 FEET  
SOUTH OF THE NORTH LINE OF LOT 13;

THENCE N 00°18'34"W, A DISTANCE OF 150.00 FEET PARALLEL WITH THE WEST LINE SAID LOT 13 TO THE POINT OF  
BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 593,903 SQUARE FEET (13.6341 ACRES), MORE OR LESS.

HAVE LAID OUT, SUBDIVIDED AND PLATTED SAID LAND AS PER THE DRAWING HEREON CONTAINED INTO LOTS AND TRACTS  
UNDER THE NAME AND STYLE OF RIDGE AT WARD STATION, A SUBDIVISION OF A PART OF THE CITY OF WHEAT RIDGE,  
COLORADO AND BY THESE PRESENTS DO DEDICATE TO THE CITY OF WHEAT RIDGE AND THE PUBLIC THOSE PORTIONS OF  
REAL PROPERTY SHOWN AS RIGHT-OF-WAY, AND DO FURTHER DEDICATE TO THE CITY OF WHEAT RIDGE AND THOSE  
MUNICIPALLY OWNED AND/OR MUNICIPALLY FRANCHISED UTILITIES AND SERVICES THOSE PORTIONS OF REAL PROPERTY  
SHOWN AS EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT FOR  
ALL SERVICES. THIS INCLUDES BUT IS NOT LIMITED TO TELEPHONE AND ELECTRIC LINES, GAS LINES, WATER AND SANITARY  
SEWER LINES, HYDRANTS, STORMWATER SYSTEMS AND PIPES, DETENTION PONDS, STREET LIGHTS AND ALL APPURTENANCES  
THERETO.

SHEET INDEX	
TYPE	AREA
SHEET 1	COVER SHEET
SHEET 2	TRACT AND LAND USE SUMMARY
SHEET 3	LOT SUMMARY TABLES
SHEET 4	EXISTING CONDITIONS
SHEETS 5-8	PROPOSED CONDITIONS

CASE HISTORY
WCP-18-01
WS-18-18-06
WSP-18-07

REVISION BLOCK	
DESCRIPTION	DATE
INITIAL PREPARATION	9/17/2018
REVISION 1	11/13/2018
REVISION 2	1/2/2019
REVISION 3	2/14/2019

## OWNERS CERTIFICATE CONTINUED:

OWNER:  
TOLL SOUTHWEST, LLC.

### SIGNATURE

BY: \_\_\_\_\_

AS \_\_\_\_\_ TOLL SOUTHWEST, LLC.

STATE OF COLORADO )  
COUNTY OF JEFFERSON )SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 20\_\_\_\_ BY \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL. MY COMMISSION EXPIRES:

NOTARY PUBLIC

## PLANNING COMMISSION CERTIFICATION:

RECOMMENDED FOR APPROVAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
BY WHEAT RIDGE PLANNING COMMISSION.

### CHAIRPERSON

## CITY CERTIFICATION/ACCEPTANCE OF DEDICATED INTEREST IN REAL PROPERTY:

THE CITY OF WHEAT RIDGE, COLORADO, HEREBY ACCEPTS THE DEDICATION AND CONVEYANCE TO THE CITY OF THOSE LOTS, TRACTS,  
EASEMENTS AND OTHER INTERESTS IN REAL PROPERTY DENOTED ON THIS PLAT AS BEING DEDICATED TO THE CITY FOR PUBLIC PURPOSES.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_ BY WHEAT RIDGE CITY COUNCIL.

ATTEST

CITY CLERK \_\_\_\_\_ MAYOR \_\_\_\_\_

COMMUNITY DEVELOPMENT DIRECTOR

DIRECTOR OF PUBLIC WORKS

## SURVEYOR'S CERTIFICATION:

I, KEVIN J. KUCHARCZYK, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS  
PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON OCTOBER 25-30, 2017, BY ME OR UNDER MY DIRECT  
SUPERVISION AND THAT ALL MONUMENTS EXISTS AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND  
ORDER); AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING  
WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL PROVISIONS, WITHIN MY CONTROL, OF THE TOWN SUBDIVISION REGULATIONS.

I ATTEST THE ABOVE ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

KEVIN J. KUCHARCZYK., PLS NO. 34591  
FOR AND ON BEHALF OF CVL CONSULTANTS OF COLORADO, INC.  
10333 E. DRY CREEK ROAD, SUITE 240  
ENGLEWOOD, CO 80112  
(720)-249-3584

## CLERK AND RECORDER'S CERTIFICATE:

ACCEPTED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF  
JEFFERSON COUNTY AT GOLDEN, COLORADO THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

JEFFERSON COUNTY CLERK AND RECORDER

BY: DEPUTY CLERK

SHEET 1 OF 8  
COVER SHEET

ENGINEER/SURVEYOR

**CVL**  
CONSULTANTS  
10333 E. Dry Creek Rd.  
Suite 240  
Englewood, CO 80112  
Tel: (720) 482-9526  
CVLINC.NET

# THE RIDGE AT WARD STATION

A RESUBDIVISION OF A PART OF LOTS 13 AND 17, STANDLEY HEIGHTS,  
BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 2 OF 8

## NOTES:

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE (3) YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN (10) YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CVL CONSULTANTS OF COLORADO, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, CVL CONSULTANTS OF COLORADO, INC. RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. 100-N0014041-010-TO2, AMENDMENT NO. 3, ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF SEPTEMBER 21, 2018 AT 7:00 A.M.
4. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE CITY OF WHEAT RIDGE HORIZONTAL CONTROL SYSTEM BETWEEN THE CENTER QUARTER OF SECTION 17 (POINT NO. 12109) BEING MONUMENTED BY A NO. 6 REBAR AND 2-1/2" ALUMINUM CAP IN A RANGE BOX STAMPED PLS 27609 AND THE EAST QUARTER CORNER OF SECTION 17 (POINT NO. 12209) BEING MONUMENTED BY A 2" PIPE AND 3-1/4" BRASS CAP IN RANGE BOX STAMPED LS 13212 HAVING AN ASSUMED BEARING OF NORTH 89°11'13" EAST.
5. PER COLORADO REVISED STATUTES SEC. 38-51-106(L), ALL LINEAR UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37 DIVIDED BY 12 U.S. SURVEY FEET ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
6. TRACT B MAY BE USED AS PUBLIC ACCESS / EMERGENCY ACCESS TO ADJACENT PARCELS UPON DEVELOPMENT BY OTHERS.
7. THERE ARE A TOTAL OF 201 LOTS AND 50 TRACTS IN THE RIDGE AT WARD STATION SUBDIVISION.
8. TRACTS E & U ARE NON-BUILDABLE TRACTS FOR THE USE OF STORMWATER DRAINAGE/WATER QUALITY FACILITIES AND IS FULLY ENCUMBERED BY A STORMWATER DETENTION EASEMENT TO THE BENEFIT OF THE CITY OF WHEAT RIDGE. THE STORMWATER DRAINAGE FACILITIES WITHIN THIS AREA SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNER AND SUBSEQUENT OWNERS, HEIRS, SUCCESSORS AND ASSIGNS. IN THE EVENT THAT SUCH CONSTRUCTION AND MAINTENANCE IS NOT PERFORMED BY SAID OWNER, THE CITY OF WHEAT RIDGE SHALL HAVE THE RIGHT TO ENTER SUCH AREA AND PERFORM NECESSARY WORK, THE COST OF WHICH SAID OWNER, HEIRS, SUCCESSORS, AND ASSIGNS AGREES TO PAY. NO BUILDING OR STRUCTURE WILL BE CONSTRUCTED IN THE DETENTION AREA AND NO CHANGES OR ALTERCATIONS AFFECTING THE HYDRAULIC CHARACTERISTICS OF THE DETENTION AREA WILL BE MADE WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS.
9. TRACTS I-O, Q-T, U1-V, W1-W2, X-KK, MM, AND OO-PP ARE NON-BUILDABLE FOR THE PURPOSE OF UTILITIES AND OPEN SPACE.
10. TRACTS A-D AND E1-H ARE NON-BUILDABLE FOR THE PURPOSE OF ACCESS AND EMERGENCY ACCESS.
11. TRACTS E, P, U, W, LL AND NN ARE NON-BUILDABLE FOR THE PURPOSE OF DRAINAGE.
12. TRACT E IS NON-BUILDABLE FOR THE PURPOSE OF DRAINAGE, ACCESS, EMERGENCY ACCESS AND UTILITIES.
13. WITH THE EXCEPTION OF BLOCK 16, LOT 1, ALL LOTS ARE CONSIDERED TOWNHOME LOTS AND SHALL NOT BE DEVELOPED FOR ANY PURPOSE OTHER THAN TOWNHOMES.
14. THE POCKET PARK AND LINEAR PARKS IN TRACT U AND W SHALL BE ACCESSIBLE TO THE PUBLIC IN ADDITION TO OWNERS, TENANTS, CUSTOMERS AND GUESTS.
15. THE ZONING FOR THE SITE IS MU-C TOD.
16. ALL EXISTING EASEMENTS WITHIN THE PLATTED BOUNDARY OF THE SUBDIVISION SHALL FOREVER BE REMOVED, TERMINATED, AND EXTINGUISHED UPON RECORDATION OF THIS PLAT WITH THE JEFFERSON COUNTY CLERK AND RECORDER.
17. THIS PLAT CONTAINS LOTS, BLOCKS, OR OTHER LAND INTENDED FOR THE DEVELOPMENT OF OWNER-OCCUPIED MULTI-FAMILY DWELLING UNITS OR ASSOCIATED COMMON AREAS, LIMITED COMMON ELEMENTS, OR IMPROVEMENTS (THE "MULTI-FAMILY DEVELOPMENT AREA"). TO THE EXTENT THAT THE FOLLOWING CLAIMS INVOLVE ANY MULTI-FAMILY DEVELOPMENT AREA (OR THE IMPROVEMENTS THEREON) WITHIN THE PROPERTY COVERED BY THIS PLAT, SUCH CLAIMS SHALL BE SUBMITTED TO BINDING ARBITRATION IN LIEU OF SUBMITTING ANY SUCH CLAIM TO A COURT OF LAW.  
ANY AND ALL CLAIMS THAT ALLEGE A CONSTRUCTION DEFECT AS DEFINED AT SECTION 26-1302 OF THE CODE OF LAWS AND: (1) ARE BETWEEN ANY TWO OR MORE OF THE FOLLOWING PERSONS OR ENTITIES: (A) ANY OWNER OF ANY PORTION OF THE MULTI-FAMILY DEVELOPMENT AREA, (B) ANY COMMON INTEREST COMMUNITY ASSOCIATION CREATED WITH RESPECT TO THE MULTI-FAMILY DEVELOPMENT AREA, (C) THE SUBDIVIDER, DEVELOPER, CONTRACTOR, OR ANYONE CLAIMING UNDER OR THROUGH ANY SUCH PERSONS, (D) ANY PARTY THAT CONSTRUCTS OR DESIGNS ANY PORTION OF ANY RESIDENTIAL DWELLING UNITS UPON THE MULTI-FAMILY DEVELOPMENT AREA, AND (E) ANY CONSTRUCTION PROFESSIONAL AS DEFINED IN THE CONSTRUCTION DEFECT ACTION REFORM ACT, C.R.S. § 13-80-802.5, ET SEQ., AS AMENDED ("CDARA"); AND (2) THAT PERTAINS TO ANY OF: (A) THE MULTI-FAMILY DEVELOPMENT AREA, (B) ANY DWELLING UNIT, COMMON AREA DEVELOPMENT STRUCTURE, LIMITED COMMON ELEMENTS, OR OTHER IMPROVEMENTS CONSTRUCTED ON THE MULTI-FAMILY DEVELOPMENT AREA, (C) THE COMMON INTEREST COMMUNITY TO BE CREATED FOR THE MULTI-FAMILY DEVELOPMENT AREA OR ANY PORTION THEREOF, OR (D) THE DECLARATION OR OTHER DOCUMENTS GOVERNING SUCH COMMUNITY.  
  
THE FOREGOING SHALL NOT PRECLUDE ANY OF THE PERSONS OR ENTITIES DESCRIBED ABOVE FROM ENDEAVORING TO RESOLVE ANY SUCH CLAIM(S) THROUGH EITHER NEGOTIATION OR MEDIATION BEFORE SUBMITTING SUCH CLAIM(S) TO BINDING ARBITRATION. ADDITIONALLY, THE MULTI-FAMILY DEVELOPMENT AREA MAY ALSO BE SUBJECT TO A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS THAT MAY IMPLEMENT AND EXPAND UPON THE REQUIREMENTS OF THIS PLAT NOTE AND THAT MAY EXEMPT CERTAIN CLAIMS FROM THE REQUIREMENT THAT SUCH CLAIMS MUST BE SUBMITTED TO BINDING ARBITRATION, PROVIDED, HOWEVER, THAT ANY SUBSEQUENT AMENDMENT OR CHANGE TO SUCH DECLARATION OF COVENANTS, CONDITIONS OR RESTRICTION SHALL NOT ELIMINATE THIS REQUIREMENT THAT CONSTRUCTION DEFECT CLAIMS SHALL BE SUBMITTED TO BIDDING ARBITRATION IN LIEU OF SUBMITTING ANY SUCH CLAIM TO A COURT OF LAW.  
  
FOR PURPOSES OF THIS PLAT NOTE, BINDING ARBITRATION SHALL MEAN SUBMISSION OF ANY CLAIM DESCRIBED ABOVE TO THE ARBITRATION SERVICE PROVIDER SPECIFIED IN THE DECLARATION OR OTHER GOVERNING DOCUMENTS OF THE COMMON INTEREST COMMUNITY, IF QUALIFIED PURSUANT TO THE UNIFORM ARBITRATION ACT, PART 2 OF ARTICLE 22 OF TITLE 13, C.R.S., AND, IF NOT, AN ARBITRATION SERVICE PROVIDER SO QUALIFIED IN SUCH ARBITRATION; THE COSTS AND EXPENSES OF ARBITRATION TO BE BORNE EQUALLY BY THE PARTIES.  
  
ALL FUTURE PURCHASERS OF ANY INTEREST IN THE MULTI-FAMILY DEVELOPMENT AREA ARE DEEMED TO HAVE ACCEPTED AND AGREED TO THE TERMS AND CONDITIONS OF THIS PLAT NOTE AND SHALL BE BOUND BY THE PLAT NOTE, WHICH IS RECORDED IN THE JEFFERSON COUNTY CLERK AND RECORDER'S OFFICE, DEEMED TO BE A COVENANT RUNNING WITH THE MULTI-FAMILY DEVELOPMENT AREA, AND BINDING UPON ALL SUCCESSORS IN INTEREST, GRANTEES, OWNERS, HEIRS, ASSIGNS, AND ALL OTHERS WHO ACQUIRE AN INTEREST IN OR TO THE MULTI-FAMILY DEVELOPMENT AREA, TOGETHER WITH ANY COMMON INTEREST COMMUNITY ASSOCIATION ASSOCIATED THEREWITH.
18. THE OWNER, HIS SUCCESSORS AND ASSIGNS GRANTS LIMITED RIGHTS AND PRIVILEGES TO ACCESS AND TO FREE MOVEMENT THROUGH THOSE AREAS INDICATED AS 'ACCESS EASEMENT/EMERGENCY ACCESS' AS ILLUSTRATED ON THIS PLAT. SUCH GRANT OF EASEMENT SHALL BE LIMITED TO THE OWNERS, TENANTS, CUSTOMERS, GUESTS OF THE OWNERS, EMERGENCY PERSONNEL/VEHICLES, AND SHALL FURTHERMORE GRANT ACCESS TO AND FREE MOVEMENT FROM SIMILARLY RECORDED EASEMENTS FROM ADJACENT PROPERTIES AND/OR ABUTTING PUBLIC STREETS.

## CROSS ACCESS EASEMENT:

THE OWNER, HIS SUCCESSORS AND ASSIGNS GRANTS LIMITED RIGHTS AND PRIVILEGES TO ACCESS AND TO FREE MOVEMENT THROUGH THOSE AREAS INDICATED AS ACCESS EASEMENTS (A.E.) AND AS ILLUSTRATED UPON THIS PLAT. SUCH GRANT OF EASEMENT SHALL BE LIMITED TO THE OWNERS, TENANTS, CUSTOMERS, GUESTS OF THE OWNERS, AND EMERGENCY ACCESS AND SHALL FURTHERMORE GRANT ACCESS TO AND FREE MOVEMENT THROUGH SAID EASEMENTS TO THOSE ENTERING SAID EASEMENTS FROM SIMILARLY RECORDED EASEMENTS FROM ADJACENT PROPERTIES AND/OR FROM ABUTTING PUBLIC STREETS.

## STATEMENT OF ACCURACY:

THE GEODETIC POINT COORDINATE DATA SHOWN HEREIN HAS BEEN DERIVED FROM THE NAD 83 HARN STATE PLANE COLORADO CENTRAL FIPS 0502 COORDINATE SYSTEM, AND HAS A HORIZONTAL ACCURACY CLASSIFICATION OF 0.07 U.S. SURVEY FEET AT THE 95% CONFIDENCE LEVEL, AS DEFINED IN THE GEOSPATIAL ACCURACY STANDARDS OF THE FEDERAL GEODETIC CONTROL SUBCOMMITTEE (FGDC-STD-007.2-1998).

## LINEAL UNIT STATEMENT:

PER COLORADO REVISED STATUTES SEC. 38-51-106(L), ALL LINEAR UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37 DIVIDED BY 12 U.S. SURVEY FEET ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

## CURRENT CITY DATUM:

1. THIS PLAT IS BASED ON THE CURRENT CITY DATUM, WHICH USES A HORIZONTAL COORDINATE SYSTEM THAT IS GROUND-BASED, MODIFIED FORM OF THE NAD83/92 STATE PLANE COORDINATE SYSTEM, COLORADO CENTRAL ZONE 0502, AND THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
2. THE GROUND TO STATE PLANE GRID COMBINED SCALE FACTOR IS 0.99974780300, SCALED FROM BASE POINT PHAC 1 (PERMANENT HIGH ACCURACY CONTROL POINT # 1) HAVING THE FOLLOWING NAD83/92 (NAD83 HARN) STATE PLANE COORDINATES: PHAC 1: NORTHING: 1701258.75, EASTING: 3118217.58, ELEVATION 5471.62 (NAVD 88).

## TRACT SUMMARY TABLE

TRACT	AREA	AREA	USE
A	0.133 AC.	5,783 S.F.	UTILITIES/ACCESS / EMERGENCY ACCESS
B	0.387 AC.	16,878 S.F.	UTILITIES/ACCESS / EMERGENCY ACCESS
C	0.493 AC.	21,475 S.F.	UTILITIES / ACCESS / EMERGENCY ACCESS
D	0.468 AC.	20,401 S.F.	UTILITIES / ACCESS / EMERGENCY ACCESS
E	0.283 AC.	12,321 S.F.	DRAINAGE / ACCESS / EMERGENCY ACCESS / UTILITIES
E-1	0.034 AC.	1,482 S.F.	UTILITIES / ACCESS / EMERGENCY ACCESS
E-2	0.012 AC.	520 S.F.	UTILITIES / ACCESS / EMERGENCY ACCESS
F	0.081 AC.	3,510 S.F.	UTILITIES / ACCESS / EMERGENCY ACCESS
G	0.081 AC.	3,510 S.F.	UTILITIES / ACCESS / EMERGENCY ACCESS
H	0.081 AC.	3,510 S.F.	UTILITIES / ACCESS / EMERGENCY ACCESS
I	0.038 AC.	1,636 S.F.	OPEN SPACE/UTILITIES
J	0.012 AC.	512 S.F.	OPEN SPACE/UTILITIES
K	0.012 AC.	525 S.F.	OPEN SPACE/UTILITIES
L	0.159 AC.	6,944 S.F.	OPEN SPACE/UTILITIES
M	0.018 AC.	787 S.F.	OPEN SPACE/UTILITIES
N	0.012 AC.	528 S.F.	OPEN SPACE/UTILITIES
O	0.007 AC.	299 S.F.	OPEN SPACE/UTILITIES
P	0.050 AC.	2,178 S.F.	DRAINAGE / OPEN SPACE
Q	0.032 AC.	1,402 S.F.	OPEN SPACE/UTILITIES
R	0.013 AC.	578 S.F.	OPEN SPACE/UTILITIES
S	0.020 AC.	852 S.F.	OPEN SPACE/UTILITIES
T	0.160 AC.	6,953 S.F.	OPEN SPACE/UTILITIES
U	0.347 AC.	15,136 S.F.	DRAINAGE / OPEN SPACE
U-1	0.060 AC.	2,595 S.F.	OPEN SPACE/UTILITIES
U-2	0.059 AC.	2,562 S.F.	OPEN SPACE/UTILITIES
U-3	0.059 AC.	2,557 S.F.	OPEN SPACE/UTILITIES
U-4	0.059 AC.	2,561 S.F.	OPEN SPACE/UTILITIES
V	0.018 AC.	801 S.F.	OPEN SPACE/UTILITIES
W	0.508 AC.	22,113 S.F.	DRAINAGE / OPEN SPACE
W-1	0.014 AC.	608 S.F.	OPEN SPACE/UTILITIES
W-2	0.018 AC.	765 S.F.	OPEN SPACE/UTILITIES
X	0.012 AC.	534 S.F.	OPEN SPACE/UTILITIES
Y	0.022 AC.	969 S.F.	OPEN SPACE/UTILITIES
Z	0.007 AC.	293 S.F.	OPEN SPACE/UTILITIES
AA	0.007 AC.	317 S.F.	OPEN SPACE/UTILITIES
BB	0.018 AC.	798 S.F.	OPEN SPACE/UTILITIES
CC	0.011 AC.	501 S.F.	OPEN SPACE/UTILITIES
DD	0.026 AC.	1,122 S.F.	OPEN SPACE/UTILITIES
EE	0.011 AC.	489 S.F.	OPEN SPACE/UTILITIES
FF	0.045 AC.	1,953 S.F.	OPEN SPACE/UTILITIES
GG	0.007 AC.	290 S.F.	OPEN SPACE/UTILITIES
HH	0.175 AC.	7,622 S.F.	OPEN SPACE/UTILITIES
II	0.006 AC.	282 S.F.	OPEN SPACE/UTILITIES
JJ	0.013 AC.	570 S.F.	OPEN SPACE/UTILITIES
KK	0.013 AC.	570 S.F.	OPEN SPACE/UTILITIES
LL	0.038 AC.	1,660 S.F.	DRAINAGE / OPEN SPACE
MM	0.006 AC.	244 S.F.	OPEN SPACE/UTILITIES
NN	0.019 AC.	844 S.F.	DRAINAGE / OPEN SPACE
OO	0.020 AC.	868 S.F.	OPEN SPACE/UTILITIES
PP	0.009 AC.	410 S.F.	OPEN SPACE/UTILITIES

## LAND USE SUMMARY CHART

TYPE	AREA	AREA	% OF TOTAL AREA
TOWNHOUSE LOTS	5.685 AC.	247,647 S.F.	41.69%
BLOCK 16, LOT 1	0.225 AC.	9,784 S.F.	1.65%
OPEN SPACE / UTILITIES	1.178 AC.	51,296 S.F.	8.64%
ACCESS / UTILITIES	1.769 AC.	77,069 S.F.	12.98%
DRAINAGE	1.245 AC.	54,251 S.F.	9.13%
ROAD RIGHT OF WAY	3.532 AC.	153,856 S.F.	25.91%
TOTAL	13.634 AC.	593,903 S.F.	100%

## MIN, MAX, AND AVERAGE LOT SIZE

TYPE	SQ. FT.	AREA
MINIMUM LOT SIZE	1,136 S.F.	0.026 AC.
MAXIMUM LOT SIZE	2,467 S.F.	0.057 AC.
AVERAGE LOT SIZE	1,238 S.F.	0.029 AC.
BLOCK 16, LOT 1	9,784 S.F.	0.225 AC.

SHEET 2 OF 8  
TRACT AND LAND USE SUMMARY  
ENGINEER/SURVEYOR



# THE RIDGE AT WARD STATION

A RESUBDIVISION OF A PART OF LOTS 13 AND 17, STANDLEY HEIGHTS,  
BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 3 OF 8

LOT SUMMARY TABLE			
BLOCK NO.	LOT NO.	SQUARE FOOT	ACRES
1	1	1268 S.F.	0.029 AC.
	2	1248 S.F.	0.029 AC.
	3	1248 S.F.	0.029 AC.
	4	1136 S.F.	0.026 AC.
	5	1136 S.F.	0.026 AC.
2	6	1156 S.F.	0.027 AC.
	1	1177 S.F.	0.027 AC.
	2	1271 S.F.	0.029 AC.
	3	1271 S.F.	0.029 AC.
	4	1177 S.F.	0.027 AC.
	5	1177 S.F.	0.027 AC.
	6	1273 S.F.	0.029 AC.
	7	1372 S.F.	0.032 AC.
	8	1505 S.F.	0.035 AC.
	9	1291 S.F.	0.030 AC.
	10	1271 S.F.	0.029 AC.
	11	1291 S.F.	0.030 AC.
	12	1162 S.F.	0.027 AC.
	13	1254 S.F.	0.029 AC.
	14	1254 S.F.	0.029 AC.
	15	1161 S.F.	0.027 AC.
	16	1162 S.F.	0.027 AC.
	17	1254 S.F.	0.029 AC.
	18	1254 S.F.	0.029 AC.
	19	1162 S.F.	0.027 AC.
3	1	1182 S.F.	0.027 AC.
	2	1271 S.F.	0.029 AC.
	3	1157 S.F.	0.027 AC.
	4	1271 S.F.	0.029 AC.
	5	1271 S.F.	0.029 AC.
	6	1182 S.F.	0.027 AC.
	7	1182 S.F.	0.027 AC.
	8	1271 S.F.	0.029 AC.
	9	1157 S.F.	0.027 AC.
	10	1271 S.F.	0.029 AC.
	11	1271 S.F.	0.029 AC.
	12	1182 S.F.	0.027 AC.
	1	1177 S.F.	0.027 AC.
	2	1271 S.F.	0.029 AC.
	3	1271 S.F.	0.029 AC.
	4	1177 S.F.	0.027 AC.
	5	1291 S.F.	0.030 AC.
	6	1271 S.F.	0.029 AC.
	7	1271 S.F.	0.029 AC.
	8	1291 S.F.	0.030 AC.
5	1	1234 S.F.	0.028 AC.
	2	1212 S.F.	0.028 AC.
	3	1212 S.F.	0.028 AC.
	4	1222 S.F.	0.028 AC.
	5	1291 S.F.	0.030 AC.
	6	1428 S.F.	0.033 AC.

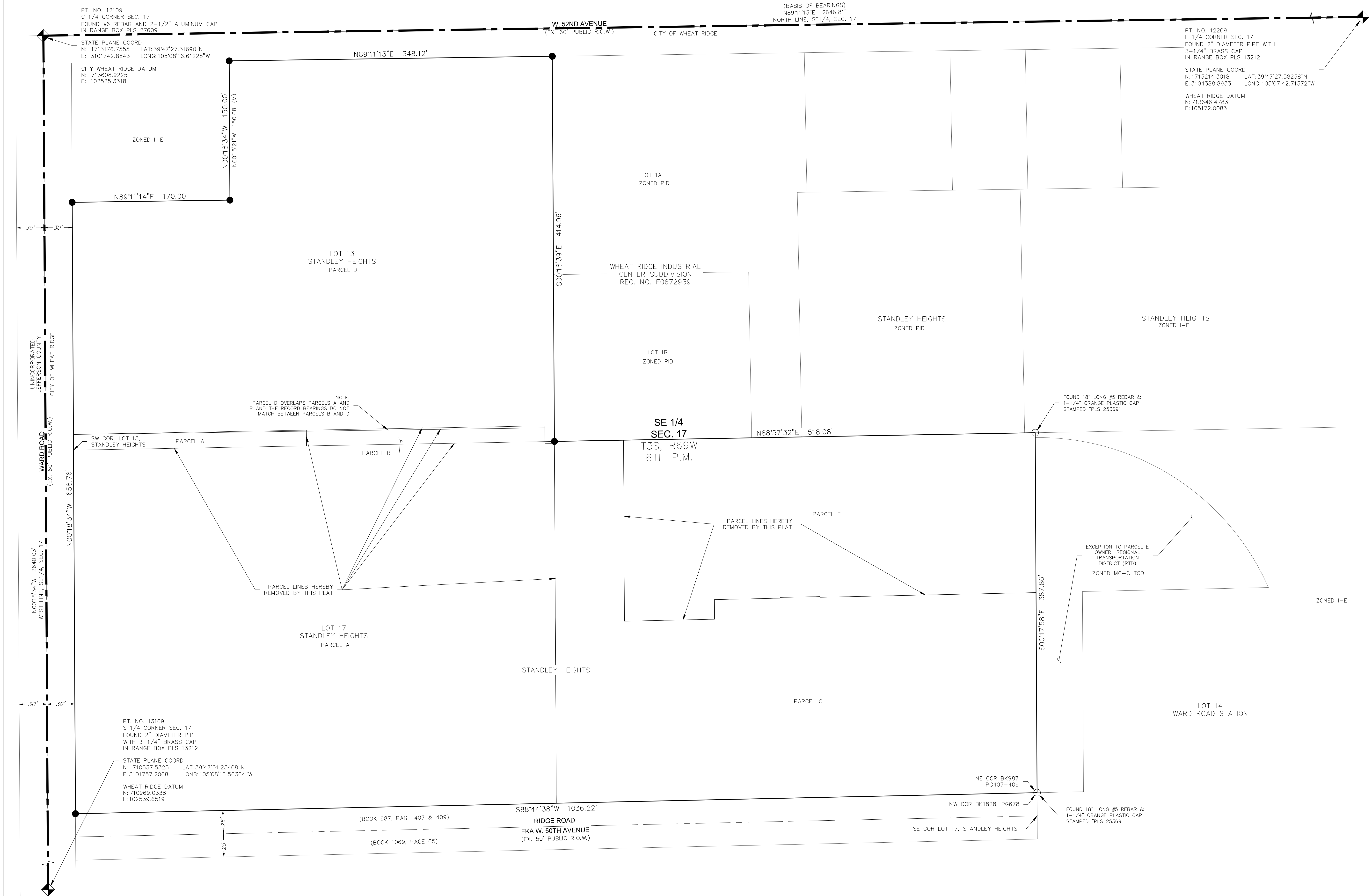
LOT SUMMARY TABLE			
BLOCK NO.	LOT NO.	SQUARE FOOT	ACRES
	7	1366 S.F.	0.031 AC.
	8	1405 S.F.	0.032 AC.
	9	1399 S.F.	0.032 AC.
	10	1298 S.F.	0.030 AC.
	11	1359 S.F.	0.031 AC.
	12	1433 S.F.	0.033 AC.
	13	1362 S.F.	0.031 AC.
	1	1529 S.F.	0.035 AC.
	2	1245 S.F.	0.029 AC.
	3	1594 S.F.	0.037 AC.
7	1	1427 S.F.	0.033 AC.
	2	1157 S.F.	0.027 AC.
	3	1157 S.F.	0.027 AC.
	4	1271 S.F.	0.029 AC.
	5	1263 S.F.	0.029 AC.
	6	1291 S.F.	0.030 AC.
	7	1182 S.F.	0.027 AC.
	8	1271 S.F.	0.029 AC.
	9	1157 S.F.	0.027 AC.
	10	1271 S.F.	0.029 AC.
	11	1177 S.F.	0.027 AC.
	12	1177 S.F.	0.027 AC.
	13	1271 S.F.	0.029 AC.
	14	1177 S.F.	0.027 AC.
	15	1177 S.F.	0.027 AC.
	16	1157 S.F.	0.027 AC.
	17	1157 S.F.	0.027 AC.
	18	1262 S.F.	0.029 AC.
	19	1271 S.F.	0.029 AC.
	20	1299 S.F.	0.030 AC.
8	1	1177 S.F.	0.027 AC.
	2	1157 S.F.	0.027 AC.
	3	1157 S.F.	0.027 AC.
	4	1157 S.F.	0.027 AC.
	5	1157 S.F.	0.027 AC.
	6	1291 S.F.	0.030 AC.
	7	1291 S.F.	0.030 AC.
	8	1157 S.F.	0.027 AC.
	9	1157 S.F.	0.027 AC.
	10	1157 S.F.	0.027 AC.
	11	1157 S.F.	0.027 AC.
	12	2467 S.F.	0.057 AC.
	13	1177 S.F.	0.027 AC.
	14	1157 S.F.	0.027 AC.
	15	1157 S.F.	0.027 AC.
	16	1157 S.F.	0.027 AC.
	17	1157 S.F.	0.027 AC.
	18	1177 S.F.	0.027 AC.
	19	1177 S.F.	0.027 AC.
	20	1157 S.F.	0.027 AC.
	21	1157 S.F.	0.027 AC.

LOT SUMMARY TABLE			
BLOCK NO.	LOT NO.	SQUARE FOOT	ACRES
	22	1157 S.F.	0.027 AC.
	23	1157 S.F.	0.027 AC.
	24	1176 S.F.	0.027 AC.
9	1	1198 S.F.	0.027 AC.
	2	1177 S.F.	0.027 AC.
	3	1177 S.F.	0.027 AC.
	4	1177 S.F.	0.027 AC.
	5	1204 S.F.	0.028 AC.
	6	1325 S.F.	0.030 AC.
	7	1204 S.F.	0.028 AC.
	8	1271 S.F.	0.029 AC.
	9	1178 S.F.	0.027 AC.
	10	1177 S.F.	0.027 AC.
	11	1157 S.F.	0.027 AC.
	12	1199 S.F.	0.028 AC.
	13	1371 S.F.	0.031 AC.
10	1	1291 S.F.	0.030 AC.
	2	1271 S.F.	0.029 AC.
	3	1271 S.F.	0.029 AC.
	4	1291 S.F.	0.030 AC.
	5	1291 S.F.	0.030 AC.
	6	1271 S.F.	0.029 AC.
	7	1291 S.F.	0.030 AC.
11	1	1381 S.F.	0.032 AC.
	2	1238 S.F.	0.028 AC.
	3	1238 S.F.	0.028 AC.
	4	1238 S.F.	0.028 AC.
	5	1238 S.F.	0.028 AC.
	6	1259 S.F.	0.029 AC.
	7	1291 S.F.	0.030 AC.
	8	1157 S.F.	0.027 AC.
	9	1157 S.F.	0.027 AC.
	10	1157 S.F.	0.027 AC.
	11	1157 S.F.	0.027 AC.
12	1	1291 S.F.	0.030 AC.
	2	1157 S.F.	0.027 AC.
	3	1157 S.F.	0.027 AC.
	4	1157 S.F.	0.027 AC.
	5	1157 S.F.	0.027 AC.
	6	1171 S.F.	0.027 AC.
	7	1291 S.F.	0.030 AC.
	8	1157 S.F.	0.027 AC.
	9	1157 S.F.	0.027 AC.
	10	1157 S.F.	0.027 AC.
	11	1157 S.F.	0.027 AC.
13	1	1291 S.F.	0.030 AC.
	2	1157 S.F.	0.027 AC.
	3	1157 S.F.	0.027 AC.
	4	1157 S.F.	0.027 AC.
	5	1157 S.F.	0.027 AC.
	6	1177 S.F.	0.027 AC.

LOT SUMMARY TABLE			
BLOCK NO.	LOT NO.	SQUARE FOOT	ACRES
	7	1291 S.F.	0.030 AC.
	8	1157 S.F.	0.027 AC.
	9	1157 S.F.	0.027 AC.
	10	1157 S.F.	0.027 AC.
	11	1157 S.F.	0.027 AC.
14	1	1177 S.F.	0.027 AC.
	2	1271 S.F.	0.029 AC.
	3	1271 S.F.	0.029 AC.
	4	1177 S.F.	0.027 AC.
	5	1177 S.F.	0.027 AC.
	6	1271 S.F.	0.029 AC.
	7	1157 S.F.	0.027 AC.
	8	1271 S.F.	0.029 AC.
	9	1182 S.F.	0.027 AC.
	10	1295 S.F.	0.030 AC.
	11	1271 S.F.	0.029 AC.
	12	1271 S.F.	0.029 AC.
	13	1156 S.F.	0.027 AC.
	14	1156 S.F.	0.027 AC.
	15	1575 S.F.	0.036 AC.
15	1	1500 S.F.	0.034 AC.
	2	1274 S.F.	0.029 AC.
	3	1204 S.F.	0.028 AC.
	4	1181 S.F.	0.027 AC.
	5	1320 S.F.	0.030 AC.
	6	2300 S.F.	0.053 AC.
	7	1335 S.F.	0.031 AC.
	8	1157 S.F.	0.027 AC.
	9	1157 S.F.	0.027 AC.
	10	1157 S.F.	0.027 AC.
	11	1157 S.F.	0.027 AC.
	12	1177 S.F.	0.027 AC.
	13	1185 S.F.	0.027 AC.
	14	1160 S.F.	0.027 AC.
	15	1160 S.F.	0.027 AC.
	16	1160 S.F.	0.027 AC.
	17	1160 S.F.	0.027 AC.
	18	1185 S.F.	0.027 AC.
	19	1185 S.F.	0.027 AC.
	20	1160 S.F.	0.027 AC.
	21	1160 S.F.	0.027 AC.
	22	1160 S.F.	0.027 AC.
	23	1160 S.F.	0.027 AC.
	24	1169 S.F.	0.027 AC.
	1	9784 S.F.	0.225 AC.

# THE RIDGE AT WARD STATION

A RESUBDIVISION OF A PART OF LOTS 13 AND 17, STANDLEY HEIGHTS,  
BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 4 OF 8



SHEET 4 OF 8  
EXISTING CONDITIONS  
ENGINEER/SURVEYOR

# THE RIDGE AT WARD STATION

A RESUBDIVISION OF A PART OF LOTS 13 AND 17, STANDLEY HEIGHTS,  
BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 5 OF 8

NOTE:  
STREET RIGHT-OF-WAY MONUMENTS SHALL BE SET PRIOR TO  
FINAL LIFT OF ASPHALT PAVEMENT. MONUMENT HARDWARE AND  
RANGE BOXES WILL BE PROVIDED BY THE CITY OF WHEAT  
RIDGE UPON REQUEST (303.235.2861)

## LEGEND

U.E.	UTILITY EASEMENT
F.S.D.	FRUITDALE SANITARY DISTRICT UTILITY EASEMENT
V.W.D.	VALLEY WATER DISTRICT UTILITY EASEMENT
A.E.	ACCESS EASEMENT / EMERGENCY ACCESS
EX U.E.	EXISTING UTILITY EASEMENT
R.O.W.	RIGHT OF WAY
●	SET 18" LONG #5 REBAR & 1-1/4" RED PLASTIC CAP STAMPED LS NO. 34591
○	FOUND 18" LONG #5 REBAR & 1-1/4" ORANGE PLASTIC CAP STAMPED LS NO. 25369
⦿	SET 30" LONG #6 REBAR & 2" ALUMINUM CAP STAMPED LS NO. 34591
△###	SET 3-1/4" BRASS CAP ON 30" LONG & 2-1/4" DIAMETER ALUMINUM PIPE STAMPED LS NO. 34591. THE NUMBER REPRESENTS THE CITY MONUMENT DESIGNATION.
---	EASEMENT LINE
---	TRACT AND LOT LINE
---	RIGHT OF WAY LINE

## CURVE TABLE

CURVE NO.	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	20.53'	13.00'	90°30'07"	N45°33'42"W	18.47'
C2	11.19'	13.00'	49°19'02"	N65°01'55"E	10.85'
C3	20.42'	13.00'	90°00'00"	S45°18'34"E	18.38'
C4	20.31'	13.00'	89°29'53"	S44°26'18"W	18.30'
C5	16.88'	13.00'	74°24'34"	S3°10'07"W	15.72'
C6	18.18'	13.00'	80°08'22"	S74°06'21"E	16.74'
C7	72.60'	181.50'	22°55'10"	S77°17'03"W	72.12'
C8	20.20'	13.00'	89°02'43"	N44°13'17"E	18.23'
C9	20.42'	13.00'	90°00'00"	S44°41'26"W	18.38'
C10	12.77'	13.00'	56°16'24"	N62°10'22"W	12.26'
C11	67.80'	118.50'	32°46'48"	N17°38'46"W	66.88'
C12	20.42'	13.00'	90°00'00"	N43°44'38"E	18.38'
C13	20.42'	13.00'	90°00'00"	S46°15'22"E	18.38'
C14	57.97'	181.50'	18°17'57"	N10°24'20"W	57.72'
C15	20.52'	13.00'	90°25'13"	S25°39'17"W	18.45'
C16	36.98'	118.50'	17°52'45"	S79°48'16"W	36.83'
C17	20.64'	13.00'	90°57'17"	N45°46'43"W	18.54'

## LINE TABLE

LINE NO.	LENGTH	DIRECTION
L1	14.50'	N88°44'38"E
L2	20.00'	N0°18'34"W
L3	20.00'	N0°18'05"W

PT. NO. 13109  
S 1/4 CORNER SEC. 17  
FOUND 2" DIAMETER PIPE  
WITH 3-1/4" BRASS CAP  
IN RANGE BOX PLS 13212

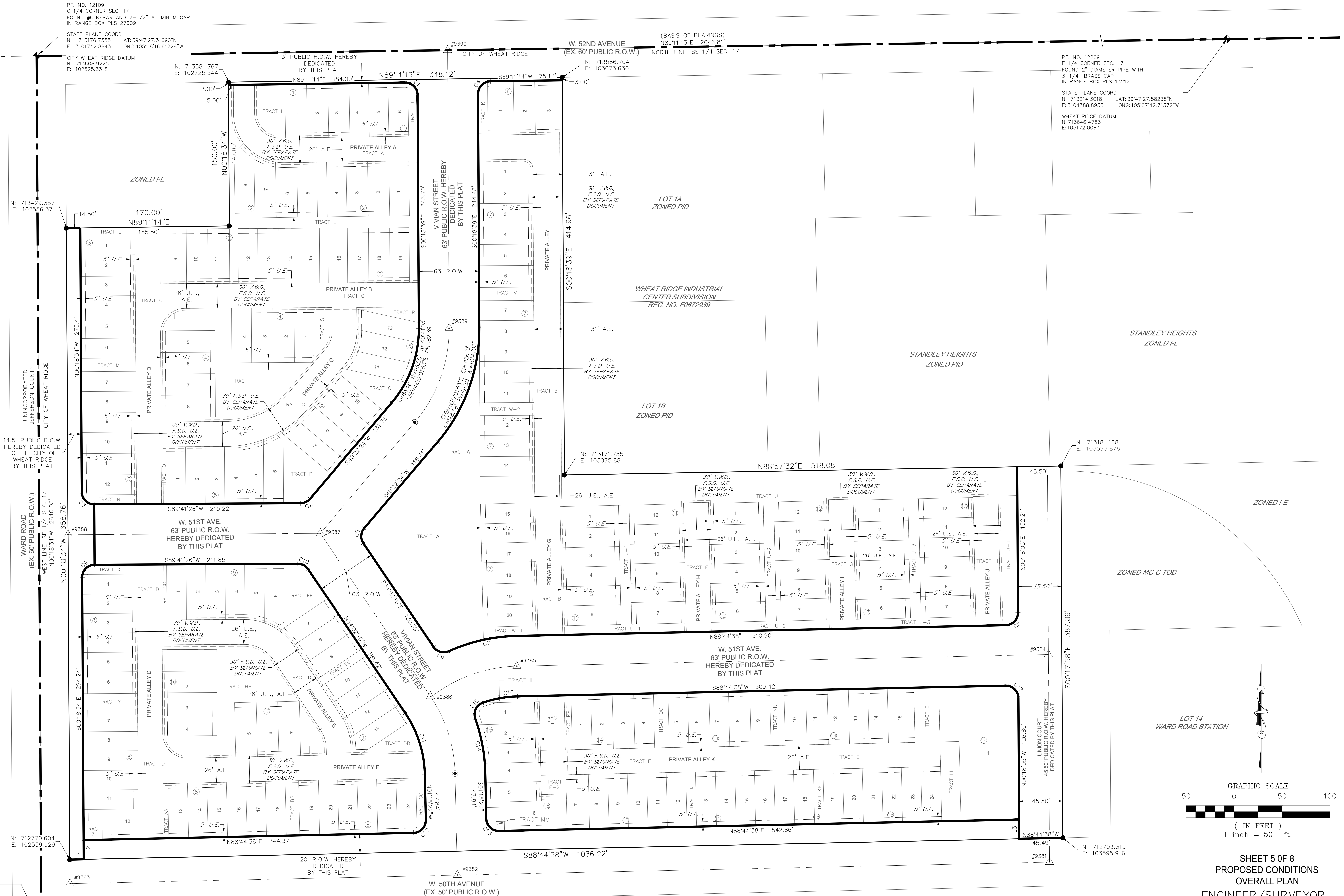
STATE PLANE COORD  
N: 1710537.5325 LAT: 39°47'01.23408"N  
E: 3101753.2008 LONG: 105°08'16.56364"W

WHEAT RIDGE DATUM  
N: 710969.0338  
E: 102539.6519

PT. NO. 12109  
C 1/4 CORNER SEC. 17  
FOUND #6 REBAR AND 2-1/2" ALUMINUM CAP  
IN RANGE BOX PLS 27609

STATE PLANE COORD  
N: 1713176.7655 LAT: 39°47'27.31690"N  
E: 3101742.8843 LONG: 105°08'16.61228"W

CITY WHEAT RIDGE DATUM  
N: 713608.9225  
E: 102525.3318



PT. NO. 12209  
E 1/4 CORNER SEC. 17  
FOUND 2" DIAMETER PIPE WITH  
3-1/4" BRASS CAP  
IN RANGE BOX PLS 13212

STATE PLANE COORD  
N: 1713214.3018 LAT: 39°47'27.58238"N  
E: 3104388.8933 LONG: 105°07'42.71372"W

WHEAT RIDGE DATUM  
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E: 105172.0083

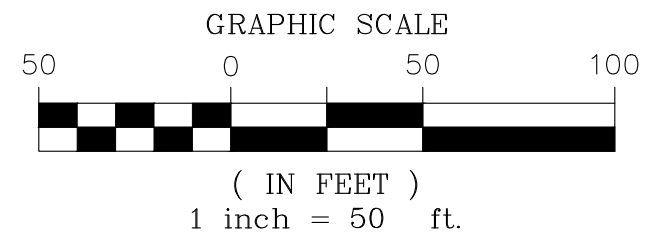
STANDLEY HEIGHTS  
ZONED I-E

STANDLEY HEIGHTS  
ZONED PID

ZONED I-E

ZONED MC-C TOD

LOT 14  
WARD ROAD STATION



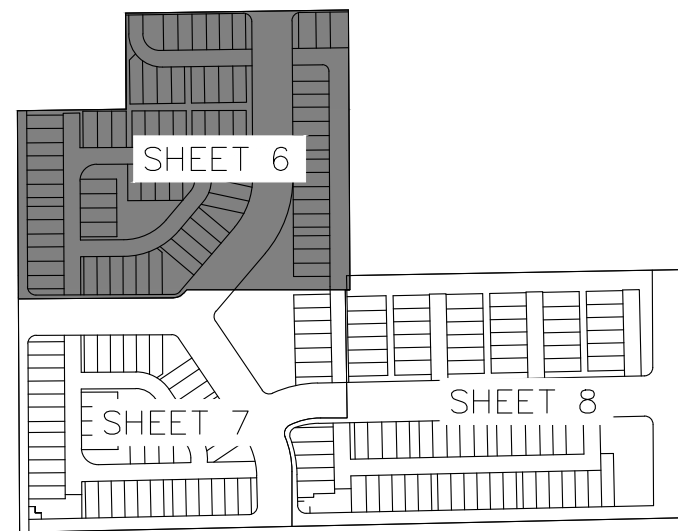
SHEET 5 OF 8  
PROPOSED CONDITIONS  
OVERALL PLAN  
ENGINEER/SURVEYOR

**CML**  
CONSULTANTS  
10333 E. Dry Creek Rd.  
Suite 240  
Englewood, CO 80112  
Tel: (720) 482-9526  
CVLINC.NET

# THE RIDGE AT WARD STATION

A RESUBDIVISION OF A PART OF LOTS 13 AND 17, STANDLEY HEIGHTS,  
BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 6 OF 8

## PROPOSED CONDITIONS KEY MAP



## LEGEND

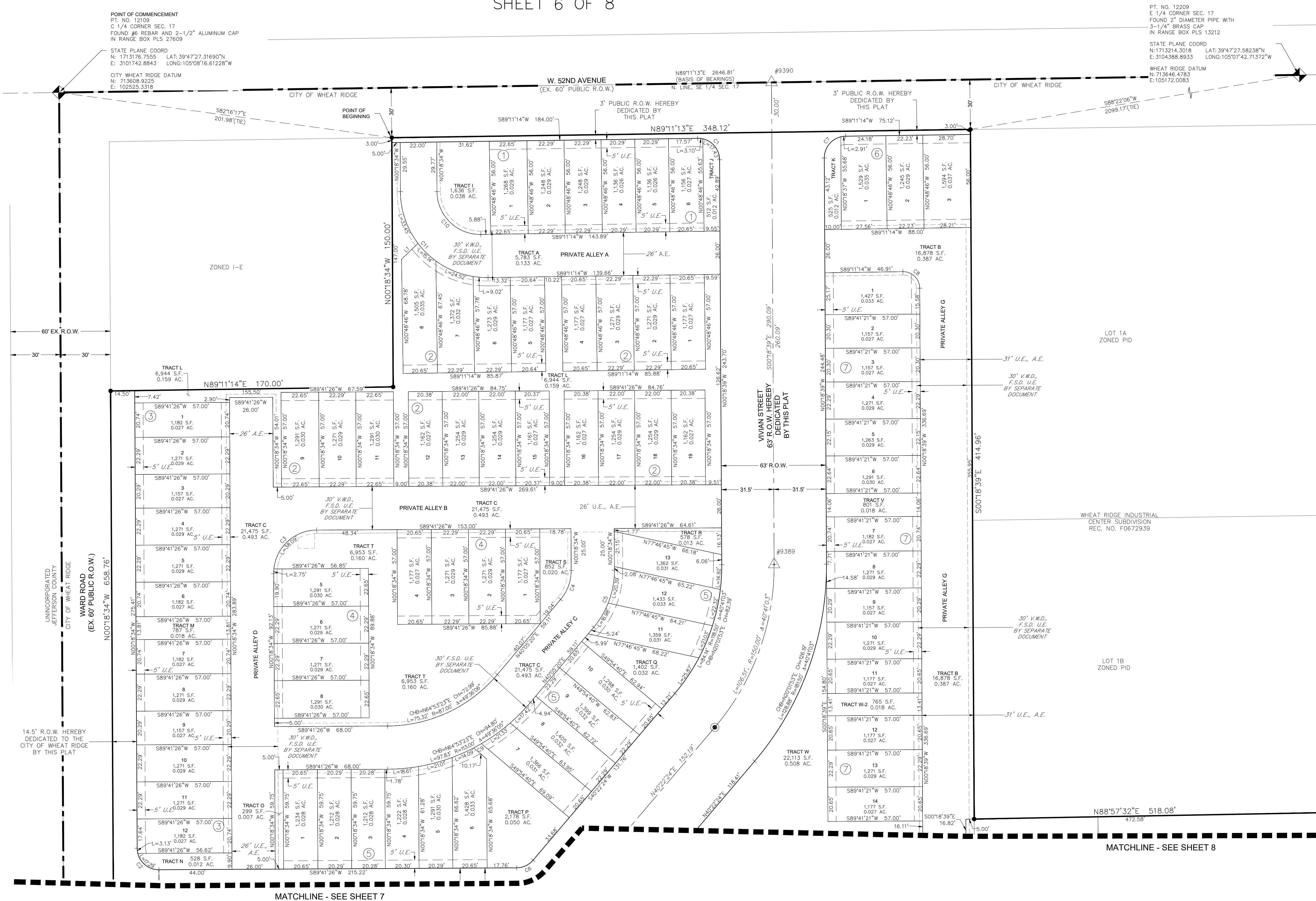
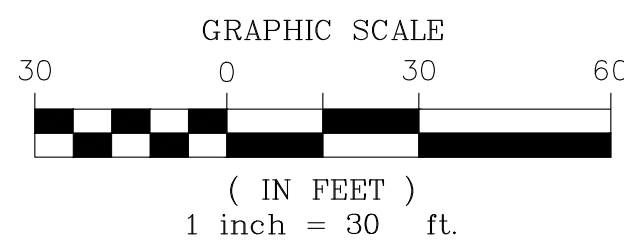
U.E.	UTILITY EASEMENT
F.S.D.	FRUITDALE SANITARY DISTRICT UTILITY EASEMENT
V.W.D.	VALLEY WATER DISTRICT UTILITY EASEMENT
A.E.	ACCESS EASEMENT / EMERGENCY ACCESS
EX U.E.	EXISTING UTILITY EASEMENT
R.O.W.	RIGHT OF WAY
●	SET 18" LONG #5 REBAR & 1-1/4" RED PLASTIC CAP STAMPED LS NO. 34591
○	FOUND 18" LONG #5 REBAR & 1-1/4" ORANGE PLASTIC CAP STAMPED LS NO. 25369
○	SET 30" LONG #6 REBAR & 2" ALUMINUM CAP STAMPED LS NO. 34591
△###	SET 3-1/4" BRASS CAP ON 30" LONG & 2-1/4" DIAMETER ALUMINUM PIPE STAMPED LS NO. 34591. THE NUMBER REPRESENTS THE CITY MONUMENT DESIGNATION.
---	EASEMENT LINE
---	TRACT AND LOT LINE
---	BOUNDARY LINE

## CURVE TABLE

CURVE NO.	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	13.00'	90°30'07"	20.53'	N45°33'42"W	18.47'
C2	13.00'	90°00'07"	20.42'	S45°18'30"E	18.39'
C3	26.00'	90°00'00"	40.84'	S44°41'27"W	36.77'
C4	27.00'	40°23'54"	19.04'	N19°53'23"E	18.65'
C5	53.00'	40°23'54"	37.37'	N19°53'23"E	36.60'
C6	13.00'	49°19'03"	11.19'	N65°01'55"E	10.65'
C7	13.00'	89°29'53"	20.31'	S44°26'18"W	18.30'
C8	10.00'	90°30'08"	15.80'	N45°33'43"W	14.20'
C9	113.01'	2°42'57"	5.36'	N61°05'51"E	5.36'
C10	26.00'	90°30'06"	41.07'	S45°33'40"E	36.93'
C11	52.00'	90°30'13"	82.14'	S45°33'40"E	73.86'

## LINE TABLE

LINE NO.	DIRECTION	LENGTH
L1	S46°04'02"W	13.75'



PT. NO. 12209  
E 1/4 CORNER SEC. 17  
FOUND 2" DIAMETER PIPE WITH  
3-1/4" BRASS CAP  
IN RANGE BOX PLS 13212

STATE PLANE COORD  
N: 1713214.3018  
E: 3104388.8933  
WHEAT RIDGE DATUM  
N: 713646.4783  
E: 105172.0083

MATCHLINE - SEE SHEET 8

MATCHLINE - SEE SHEET 7

SHEET 6 OF 8  
PROPOSED CONDITIONS  
NORTHWEST PLAN  
ENGINEER/SURVEYOR

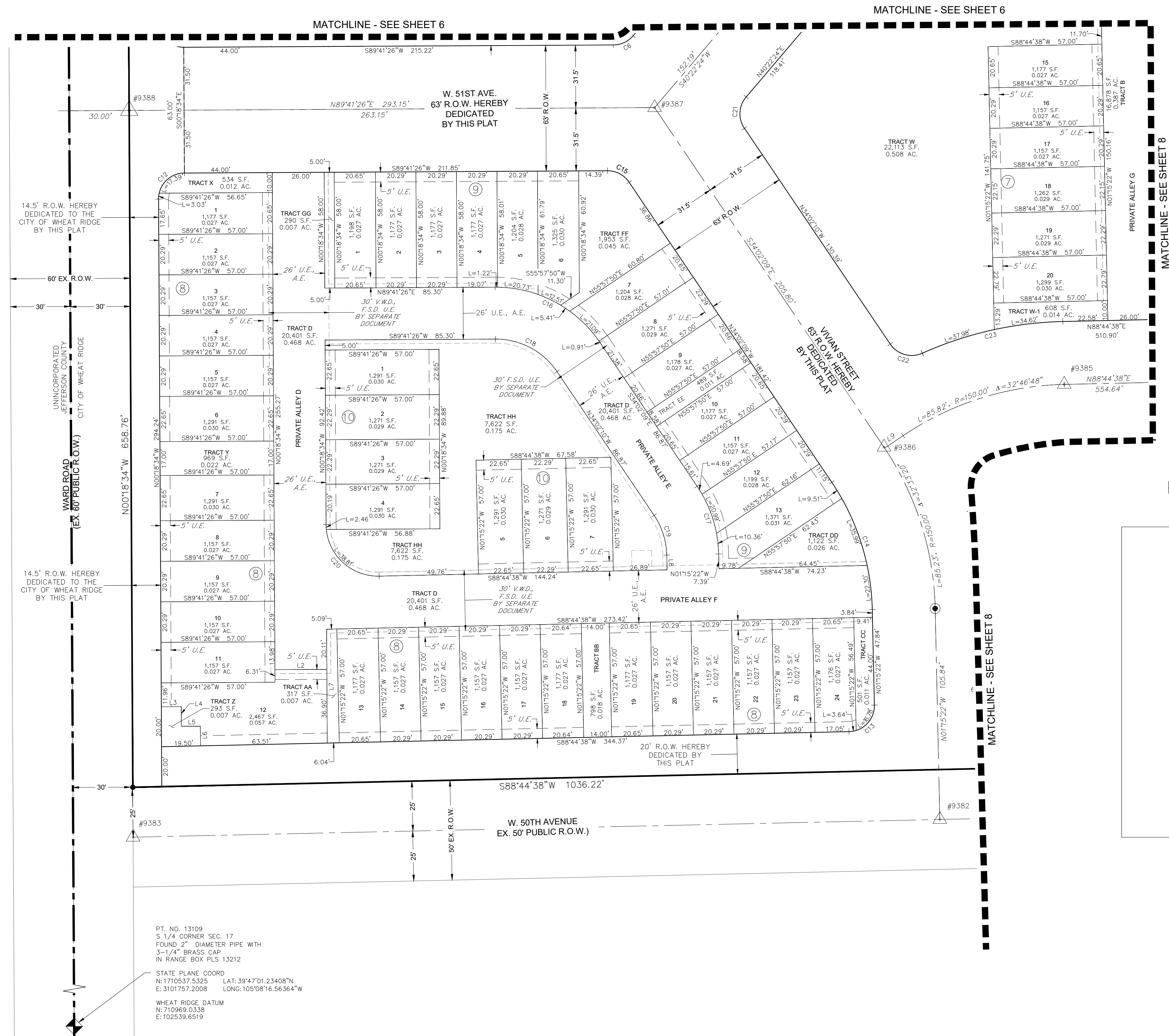
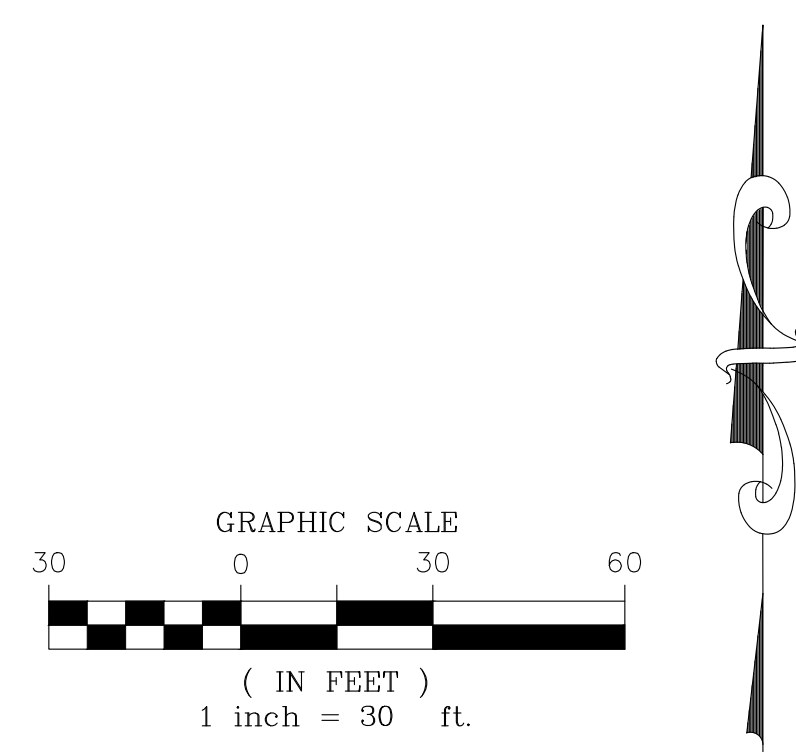
**CML**  
CONSULTANTS

10333 E. Dry Creek Rd.  
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A RESUBDIVISION OF A PART OF LOTS 13 AND 17, STANDLEY HEIGHTS,  
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CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 7 OF 8

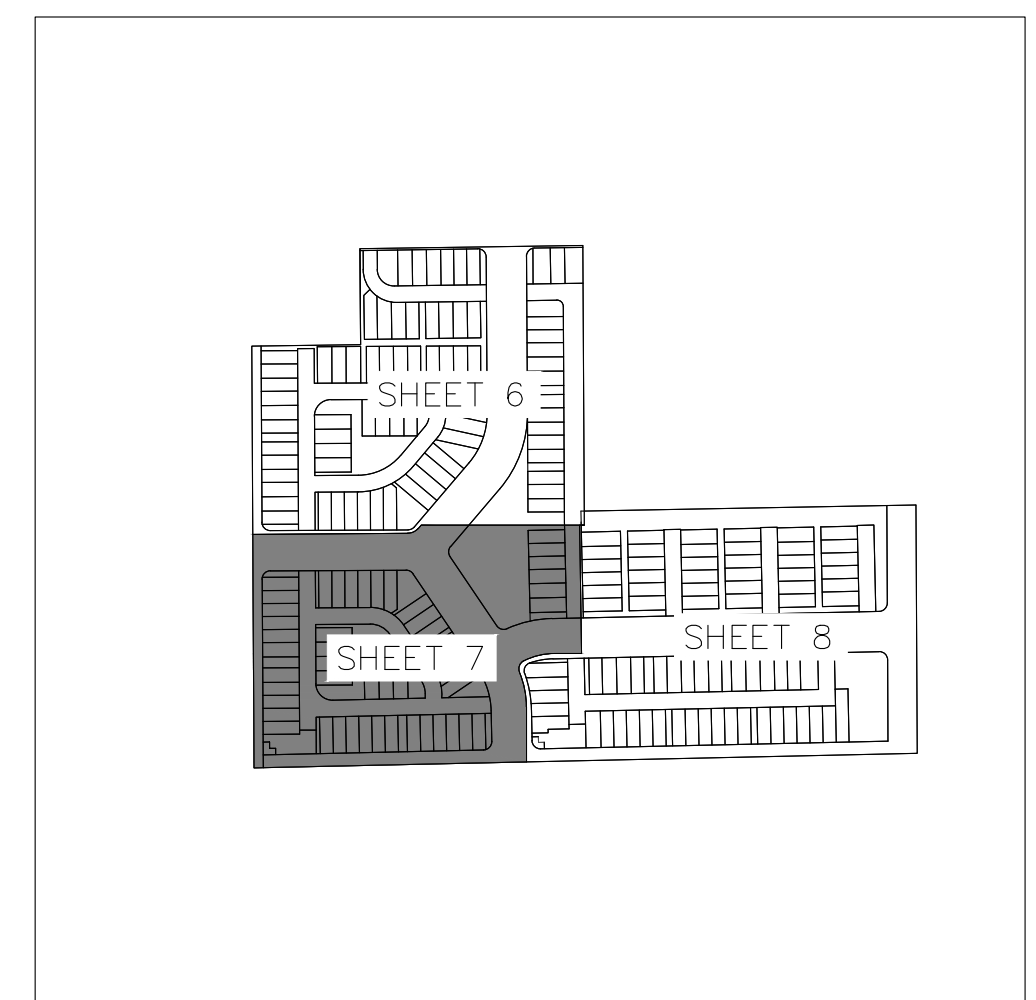
CURVE TABLE					
CURVE NO.	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C12	13.00'	89°59'53"	20.42'	S44°41'30"W	18.38'
C13	13.00'	90°00'00"	20.42'	N43°44'38"E	18.38'
C14	118.50'	32°46'48"	67.80'	N17°38'46"W	66.88'
C15	13.00'	56°16'23"	12.77'	N62°10'22"W	12.26'
C16	63.00'	56°16'25"	61.88'	N62°10'22"W	59.42'
C17	63.00'	32°46'49"	36.04'	N17°38'46"W	35.55'
C18	37.00'	56°16'23"	36.34'	N62°10'22"W	34.90'
C19	37.00'	32°46'48"	21.17'	N17°38'46"W	20.88'
C20	26.00'	90°56'50"	41.27'	S45°46'58"E	37.07'
C21	13.00'	74°24'34"	16.88'	S03°01'07"W	15.72'
C22	13.00'	80°08'22"	18.18'	S74°06'21"E	16.74'
C23	181.50'	22°55'10"	72.60'	S77°17'03"W	72.12'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L2	N89°41'26"E	26.00'
L3	N89°43'41"E	10.00'
L4	S00°18'33"E	9.83'
L5	S89°43'41"W	9.50'
L7	S00°18'34"E	57.01'
L8	N01°15'22"W	7.39'
L9	N55°57'50"E	11.19'



### PROPOSED CONDITIONS

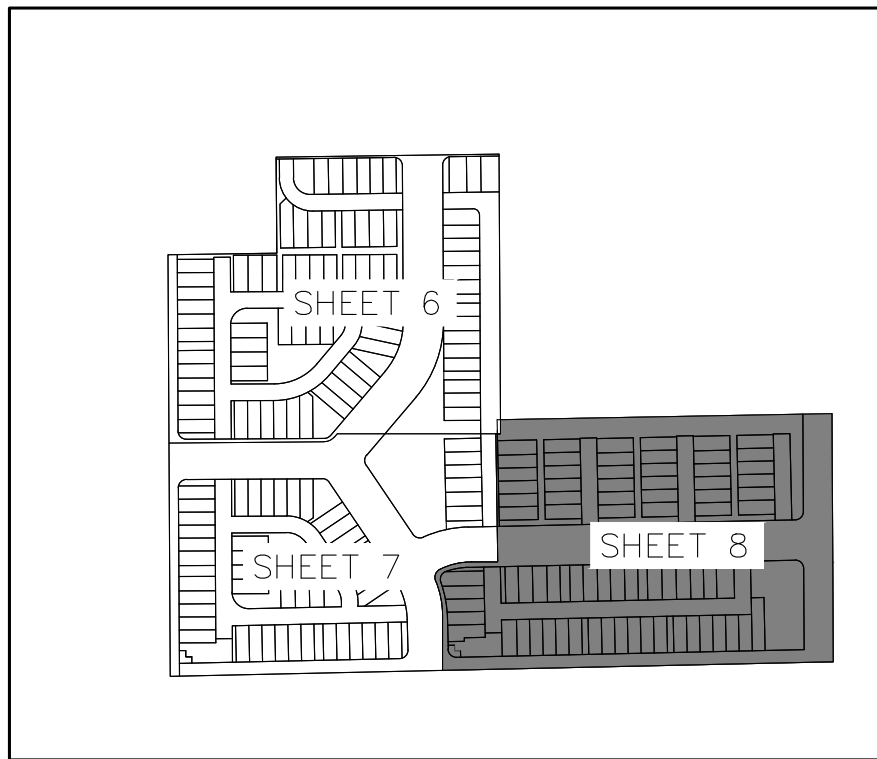
### KEY MAP



# THE RIDGE AT WARD STATION

A RESUBDIVISION OF A PART OF LOTS 13 AND 17, STANDLEY HEIGHTS,  
BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,  
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO  
SHEET 8 OF 8

PROPOSED CONDITIONS  
KEY MAP



## LEGEND

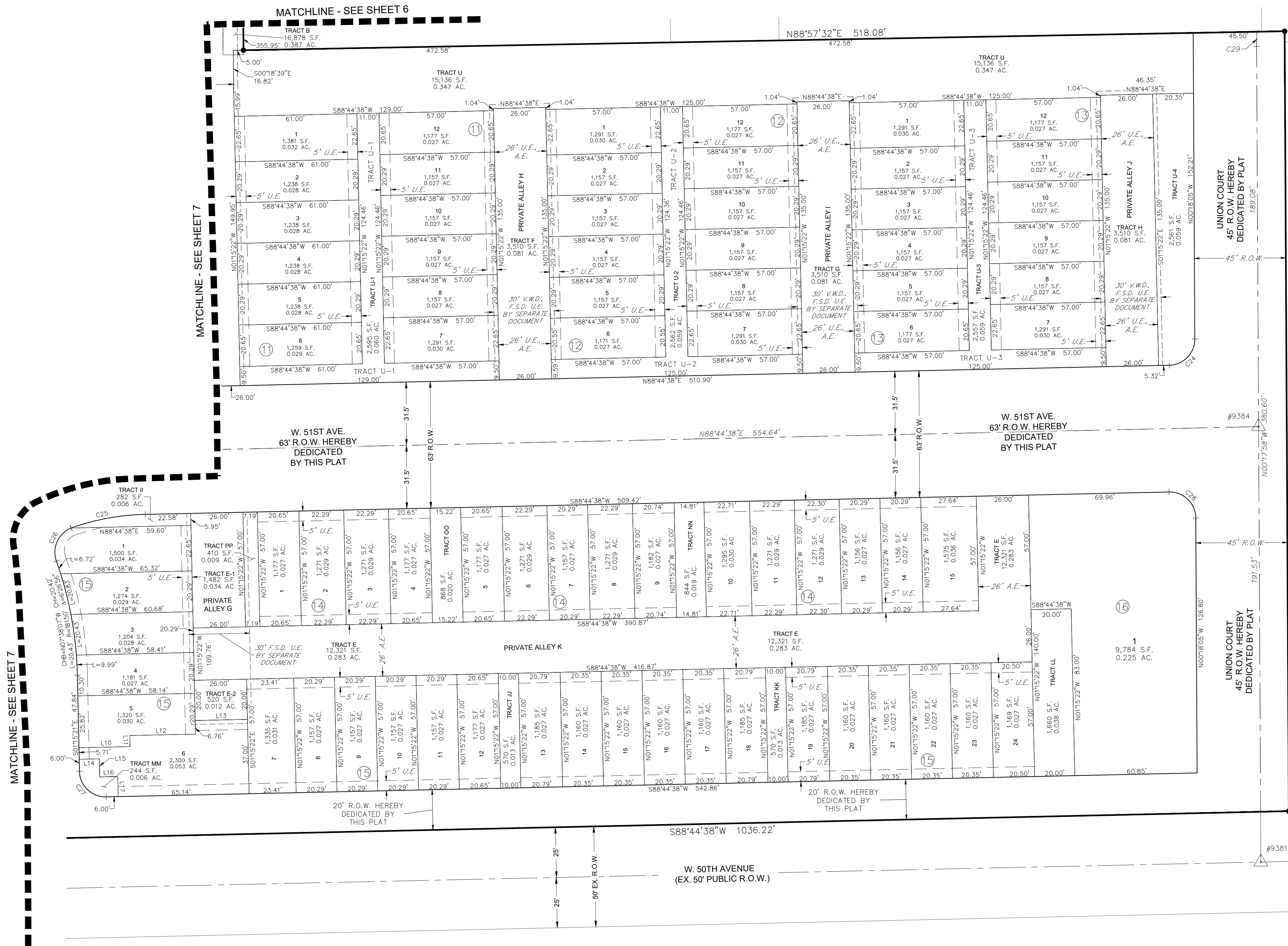
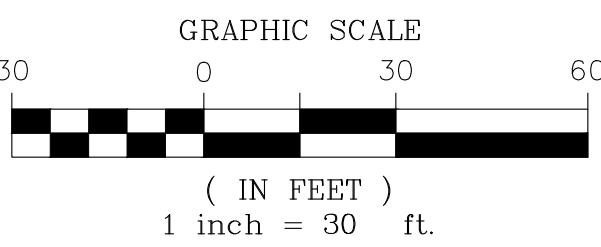
U.E.	UTILITY EASEMENT
F.S.D.	FRUITDALE SANITARY DISTRICT UTILITY EASEMENT
V.W.D.	VALLEY WATER DISTRICT UTILITY EASEMENT
A.E.	ACCESS EASEMENT / EMERGENCY ACCESS
EX U.E.	EXISTING UTILITY EASEMENT
R.O.W.	RIGHT OF WAY
●	SET 18" LONG #5 REBAR & 1-1/4" RED PLASTIC CAP STAMPED LS NO. 34591
○	FOUND 18" LONG #5 REBAR & 1-1/4" ORANGE PLASTIC CAP STAMPED LS NO. 25369
⦿	SET 30" LONG #6 REBAR & 2" ALUMINUM CAP STAMPED LS NO. 34591
△###	SET 3-1/4" BRASS CAP ON 30" LONG & 2-1/4" DIAMETER ALUMINUM PIPE STAMPED LS NO. 34591. THE NUMBER REPRESENTS THE CITY MONUMENT DESIGNATION.
---	EASEMENT LINE
---	TRACT AND LOT LINE
---	BOUNDARY LINE

## CURVE TABLE

CURVE NO.	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C24	13.00'	89°02'43"	20.20'	N44°13'17"E	18.23'
C25	118.50'	18°12'14"	37.65'	S79°37'04"W	37.49'
C26	13.00'	87°26'50"	19.84'	S24°10'06"W	17.97'
C27	13.00'	90°00'00"	20.42'	S46°15'22"E	18.38'
C28	13.00'	90°57'17"	20.64'	N45°46'43"W	18.54'
C29	150.00'	2°47'31"	7.31'	N01°05'48"E	7.31'

## LINE TABLE

LINE NO.	DIRECTION	LENGTH
L10	N88°44'31"E	25.43'
L11	S01°15'20"E	5.50'
L12	N88°44'40"E	32.70'
L13	N88°44'38"E	26.00'
L14	N88°44'38"E	10.00'
L15	S01°15'22"E	9.00'
L16	N88°44'38"E	9.00'
L17	S01°15'22"E	10.00'



SHEET 8 OF 8  
PROPOSED CONDITIONS  
SOUTHEAST PLAN

ENGINEER/SURVEYOR



10333 E. Dry Creek Rd.  
Suite 240  
Englewood, CO 80112  
Tel: (720) 482-9526  
CVLINC.NET



## **PLANNING COMMISSION**

### **Minutes of Meeting**

**April 4, 2019**

#### **1. CALL THE MEETING TO ORDER**

The meeting was called to order by Chair OHM at 7:01 p.m. in the City Council Chambers of the Municipal Building, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

#### **2. ROLL CALL OF MEMBERS**

Commission Members Present: Melissa Antol  
Daniel Larson  
Janet Leo  
Scott Ohm  
Richard Peterson  
Jahi Simbai  
Vivian Vos

Commission Members Absent:

Staff Members Present: Lauren Mikulak, Planning Manager  
Scott Cutler, Planner II  
Mark Westberg, Engineering Projects Manager  
Tammy Odean, Recording Secretary

#### **3. PLEDGE OF ALLEGIANCE**

#### **4. APPROVE ORDER OF THE AGENDA**

**It was moved by Commissioner LARSON and seconded by Commissioner LEO to approve the order of the agenda. Motion passed 7-0.**

#### **5. APPROVAL OF MINUTES – March 21, 2019**

**It was moved by Commissioner VOS and seconded by Commissioner LARSON to approve the minutes of March 21, 2019, as amended. Motion carried 7-0.**

#### **6. PUBLIC FORUM (This is the time for any person to speak on any subject not appearing on the agenda.)**

No one wished to speak at this time.

## 7. PUBLIC HEARING

- A. **Case No. WS-18-06:** An application filed by Toll Southwest, LLC for approval of a major subdivision for a 200-unit townhome development for property zoned Mixed Use-Commercial TOD (MU-C TOD) and located at 5060 Ward Road.

Ms. Mikulak gave a short presentation regarding the major subdivision and the application. She entered into the record the contents of the case file, packet materials, the zoning ordinance, and the contents of the digital presentation. She stated the public notice requirements have been met, therefore the Planning Commission has jurisdiction to hear this case.

Commissioner PETERSON asked about the arched parcel boundary to the east which is also zoned MU-C TOD zoning.

Ms. Mikulak explained that before RTD purchased the land for their parking lot, the old Jolly Rancher Factory had included all of the land zoned MU-C TOD and they had a railroad spur that came into the property where the arch is. She explained that the zoning was changed on the property in 2012, before RTD had finished their property negotiations. Transit stations and parking lots are permitted in MU-C TOD and a Special Use permit in I-E so when the split zoning does not affect the land use, it is not changed or cleaned up.

Commissioner PETERSON asked if the open space park ends at Union Ct.

Ms. Mikulak said the park will terminate at a detached sidewalk on Union which can then be taken south to the Wheat Ridge · Ward Station area and eventually with 2E funds a pedestrian bridge will be built over the station and connect it to a Linear Park that will continue to the ponds around I-70.

Commissioner PETERSON also inquired if the 37,000 sq. ft. of designated parkland is enough to accommodate the new residents and the public.

Ms. Mikulak explained that the codified parkland dedication requirement uses an industry standard of 7.5 acres per 1,000 people and because this property is 13 acres there will be a fee in lieu of parkland dedication in addition to the proposed ¾-acre park because it does not entirely fulfill the parkland requirement.

Commissioner PETERSON asked about the curvilinear street design and wanted to ensure that there would be logical wayfinding and addressing particularly where Vivian St. and 51<sup>st</sup> Ave. intersect twice.

Ms. Mikulak mentioned that the address plan has not been looked at yet, but will be once the location of the front doors of the townhomes is known. This will be

done in conjunction with fire and police in mind so they easily know where to go in an emergency situation. She also explained there are disconnect streets throughout the City and the sequencing of number is done per block; so the numbering will be logical east and west of Vivian St.

Commissioner PETERSON then asked what the percentage of total covered land area will be and what is required for permeable surfaces.

Ms. Mikulak explained that she does not have an answer for impervious surfaces because it's related to the site plan, but the zoning requires 15% open space and that will be exceeded and the two detention vaults will be sufficient to accommodate all the flows.

Commissioner SIMBAI referenced page 5 of the staff report and asked for clarification on the statement that the lots "appear" to be shaped and sized appropriately.

Ms. Mikulak explained the subdivision regulations require a logical lot layout which needs to be consistent with the proposed site design so it does not need to be re-platted.

Commissioner ANTOL asked what the distance is to the nearest park from this development.

Ms. Mikulak mentioned that the Van Bibber Trail is to the north; the Haskins Ridge project, to the east in Arvada, will have a park and Prospect Park is to the south off of 44<sup>th</sup> Ave.

Commissioner LARSON asked why the ROW dedication on Ward and Ridge Roads is different compared to 52<sup>nd</sup> Ave.

Mr. Westberg explained the dedication varies because of differences in what is going to be built and differences in what right-of-way widths are already existing.

Commissioners LARSON, PETERSON, ANTOL, VOS and LEO asked about traffic and about the three intersections at Ward Rd (at Ridge, 51<sup>st</sup>, and 52<sup>nd</sup>) and asked if there will be additional traffic lights installed.

Ms. Mikulak and Mr. Westberg said the City would like to see a signal at Ridge and Ward Roads, but CDOT has not agreed to that because of the spacing requirements of traffic lights on State Highways. They also mentioned that CDOT is going to require that 51<sup>st</sup> Ave be designed as a right in and right out only at Ward Rd. Mr. Westberg also added that CDOT has required the City to modify the access at Ridge Rd to a three quarter movement, so there will be a right in, a right out and a left in, but no left out at Ridge Rd. CDOT required this because Ridge Road was previously a low volume dead end street, but now connects through to

the north and east of the station area. He reiterated that CDOT has said no traffic signal at Ridge Road and CDOT has the jurisdiction to tell the City what can and can't be done on the State Highway.

Commissioner PETERSON then asked what other travel options will be, specifically to get to I-70.

Mr. Westberg explained that one option would be to go to 52<sup>nd</sup> and turn left and the second option is to take Tabor south to the I-70 Frontage Road and take that to Ward Rd which is also signalized.

Commissioner VOS wanted clarification about the Parkland Dedication and the "reduced fee" of \$2,021.62 per unit.

Ms. Mikulak explained how the parkland dedication and fee amounts are calculated and codified in the subdivision regulations. Ms. Mikulak then explained there are several fee classifications—the standard fee, and slightly reduced fees for properties that are in urban renewal area, in a transit area, or for senior housing.

Ms. Vos also asked if this development will be done in phases and asked about infrastructure costs.

Ms. Mikulak confirmed this development will be done in phases and the SIA will memorialize the timing of such and what infrastructure has to be in place before ending and starting phases. She did not know what the cost of the infrastructure will be.

Commissioner LEO wanted to confirm that there was no community outreach and that there were no issues or objections.

Ms. Mikulak confirmed this to be true, and added that there is no neighborhood meeting requirement for a subdivision plat. Prior to this meeting the posting requirement were met and the City received one inquiry, but no objections. She clarified the neighborhood meeting requirement for the concept plan, an associated application, and general outreach the City had done for 2E infrastructure projects.

Commissioner OHM asked what percentage of single use residential is for this project.

Ms. Mikulak said she doesn't know the percentage, but 200 of 201 lots is residential, the ROW dedication is 3.5 acres, and the parks are .75 of an acre and the rest is residential.

**Tom Beyer, Business/Property Owner**  
**12200 Ridge Road, Wheat Ridge**

Mr. Beyer had 3 concerns: he wants to understand if there would be sufficient parking for the number of units and if parking waivers would be given. His second concern is what the access to Ridge Road will look like and if there will be on street parking on Ridge Road. Mr. Beyer's third concern is the no left turn out of the site or from Ridge Road to Ward Road.

**Fred Orr, Property Owner  
5040 Acoma Street, Denver**

Mr. Orr said he owns the two industrial buildings to the north of the property and would like the sewer infrastructure accommodated to have a gravity flow instead of it being lifted to 52<sup>nd</sup> Avenue.

**Sean Baker, Property Owner  
5040 Ward Road**

Mr. Baker has concerns about people cutting through his property to turn left onto Ward Road to avoid the no left turn from Ridge Road. He explained this happened to him when Jolly Rancher was in business.

Answers to public testimony:

- Parking space requirement

Ms. Mikulak explained that the parking design is a site planning issue and that there are minimum and maximum parking requirements, and she confirmed that no waivers are given. She also said the internal ROW dedications and the ROW dedication on the north side of Ridge Road will provide 94 on-street spaces. There will also be off-street parking with garages attached to the townhomes. Mr. Westberg added there will be no parking added to the south side of Ridge Road and it will remain a bike lane until those properties decide to redevelop.

- RV parking on the streets

Ms. Mikulak said the City Code only allows for operable and licensed RV's to be parked on City Streets for no more than a two week period.

**Matt Foran, Applicant  
2753 E 139 Dr., Thornton**

Mr. Foran mentioned the HOA documents were not finalized, but does not think that RV parking is going to be an issue.

- Sewer line around 52<sup>nd</sup> Avenue

Mr. Westberg said staff will talk to the developers and Fruitdale Sanitation to see if the request can be accommodated. Gravity is typically preferable to lift stations.

**Tom Odle, CVL, Applicant's Engineer  
10333 E Dry Creek Road**

Mr. Odle explained there will be a sanitary sewer line adjacent to the Toll Brothers property that the Mr. Orr's parcel can tap into it.

Commissioner PETERSON asked if there will be visitor parking on the site.

Ms. Mikulak explained some of the tracts will accommodate parking and all interior streets will also allow on-street parking.

Commissioner VOS asked how the no left turns will be enforced.

Ms. Mikulak said by City signs and curbing installed at the City's expense.

Commissioner LEO asked if the businesses will be allowed to turn left off their properties.

Mr. Westberg said yes unless CDOT decides to build a median on Ward Road.

Commissioner PETERSON asked if Tabor Road can handle truck traffic if there is no left turns onto Ward Road.

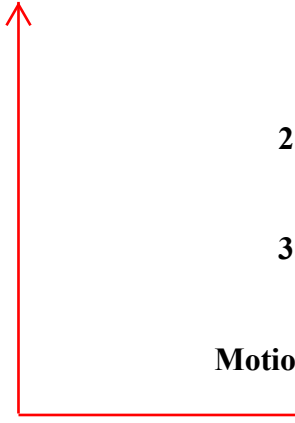
Mr. Westberg explained that Tabor Road was improved a few years ago and is now a wider two lane road with a bike lane and sidewalks and can accommodate trucks.

**It was moved by Commissioner LEO and seconded by Commissioner PETERSON to recommend APPROVAL of Case No. WS-18-06, a request for approval of a major subdivision plat on property zoned Mixed Use-Commercial (MU-C) and located at the 5060 Ward Road, for the following reasons:**

- 1. All requirements of the subdivision regulations (Article IV) of the zoning and development code have been met.**
- 2. All agencies can provide services to the property with improvements installed at the developer's expense.**

**With the following conditions:**

- 1. The applicant shall enter into a development covenant prior to recordation of the subdivision plat and subsequently into a subdivision improvement agreement.**

- 
2. **Prior to issuance of building permits, the applicant shall enter into a subdivision improvement agreement and shall provide homeowner's association covenants for review and approval by staff.**
  3. **Prior to issuance of building permits, the applicant shall pay the required fees-in-lieu of parkland dedication.**

**Motion carried 7-0.**

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: COUNCIL BILL NO. 05-2019 - AN ORDINANCE AMENDING SECTION 16-132 AND SUBSECTION 16-133(H) OF THE WHEAT RIDGE CODE OF LAWS TO EXEMPT NEEDLE-STICK PREVENTION AND SYRINGE EXCHANGE PROGRAM PARTICIPANTS FROM CRIMINAL PROSECUTION**

☐ PUBLIC HEARING      ☒ ORDINANCES FOR 1<sup>ST</sup> READING (04/22/2019)  
☐ BIDS/MOTIONS      ☐ ORDINANCES FOR 2<sup>ND</sup> READING (05/13/2019)  
☐ RESOLUTIONS      (continued from April 8, 2019)

QUASI-JUDICIAL:      ☐ YES      ☒ NO



City Attorney



City Manager

**ISSUE:**

Council Bill 05-2019 provides exemptions from criminal prosecution for individuals who actively alert law enforcement or first responders to the presence of injection devices and for participants in clean syringe exchange programs.

**PRIOR ACTION:**

At the February 25, 2019, Study Session, Council provided consensus to bring forward an ordinance that conforms the Wheat Ridge Code of Laws to the needle-stick prevention and clean syringe program provisions of state law, currently found in C.R.S. §§ 18-18-428 and 18-18-430.5.

**FINANCIAL IMPACT:**

No financial impact is projected.

**BACKGROUND:**

The possession of injection devices, such as needles and syringes, and other paraphernalia and devices that are used to ingest controlled substances has long been unlawful, under both state and

local law. Criminalizing the possession of the devices used to consume illegal drugs is one method of deterring the actual consumption.

Injection devices present a serious threat of harm by their capacity to transfer blood and fluid-borne diseases, some of which can be terminal. As such, state laws have been amended to incentivize individuals who have needles or syringes in their possession to actively alert law enforcement and other first responders to the location of these items. The incentive provided is an exemption from criminal prosecution for possessing the injection device.

State law extends this same exemption to individuals who are participating in a clean syringe exchange program. Exchange programs offer educational and referral resources in addition to clean devices.

**RECOMMENDATIONS:**

Staff recommends approval of the ordinance on first reading.

**RECOMMENDED MOTION:**

“I move to approve Council Bill No. 05-2019, an ordinance amending Section 16-132 and Subsection 16-133(H) of the Wheat Ridge Code of Laws to Exempt Needle-Stick Prevention and Syringe Exchange Program participants from criminal prosecution, on first reading, order it published, public hearing set for Monday, May 13, 2019, at 7:00 p.m. in City Council Chambers, and that it take effect fifteen (15) days after final publication.”

Or,

“I move to postpone indefinitely Council Bill No. 05-2019, an ordinance amending Section 16-132 and Subsection 16-133(H) of the Wheat Ridge Code of Laws to Exempt Needle-Stick Prevention and Syringe Exchange Program participants from criminal prosecution, on first reading, for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED AND REVIEWED BY:**

Carmen Beery, City Attorney's Office

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Council Bill No. 05-2019

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_**  
**Council Bill No. 05**  
**Ordinance No. \_\_\_\_\_**  
**Series of 2019**

**TITLE: AN ORDINANCE AMENDING SECTION 16-132 AND SUBSECTION 16-133(H) OF THE WHEAT RIDGE CODE OF LAWS TO EXEMPT NEEDLE-STICK PREVENTION AND SYRINGE EXCHANGE PROGRAM PARTICIPANTS FROM CRIMINAL PROSECUTION**

**WHEREAS**, the City of Wheat Ridge, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to its home rule authority and C.R.S. § 31-15-401, the City, acting through its City Council (the "Council"), is authorized to adopt rules and regulations prohibiting certain conduct and defining general offenses that harm or pose a threat to the public health, safety or welfare; and

**WHEREAS**, pursuant to such authority, the Council has previously defined and adopted certain general offenses, codified as Chapter 16 of the Wheat Ridge Code of Laws ("Code"), including prohibitions of possessing injection devices, such as needles and syringes, generally consistent with state statute; and

**WHEREAS**, state statutes have evolved to provide exemptions from criminal prosecution for individuals who actively alert law enforcement and first responder personnel to the presence of syringes and needles in their possession and who possess syringes in connection with a clean syringe exchange program operated by a public health agency; and

**WHEREAS**, the City Council finds that such criminal exemptions incentivize individuals to protect law enforcement and first responders from potentially grave injury and harm via needle-sticks and to protect the public health generally by participation in approved clean syringe exchange programs; and

**WHEREAS**, the City Council therefore finds that it would promote the public health, safety and welfare to provide exemptions from City prosecution for such individuals in a manner that mirrors the exemptions provided under state law.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Section 16-132 of the Wheat Ridge Code of Laws, concerning injection devices, is hereby amended as follows:

**Sec. 16-132. Possession of injection devices.**

(A) It shall be unlawful for any person to possess any hypodermic needle, syringe or similar device which may be adapted or used for injecting drugs or other substances by subcutaneous or intracutaneous injection into the body, unless such possession has been authorized for medical or physical treatment by a licensed medical doctor or osteopathic physicians; provided,

however, that the prohibitions contained in this section shall not apply to manufacturers, jobbers, licensed medical technicians, hospitals, nursing homes, technologists, nurses, laboratories, research teaching institutes, medical doctors, osteopathic physicians, dentists, veterinarians or persons who lawfully use injection devices for the sole purpose of providing medical treatment to their pets or livestock, pharmacists and embalmers selling or using such devices in the legal course of their respective businesses or professions. A violation of this section shall be subject to the penalty provided in section 16-4 of this Code, together with a surcharge of ten dollars (\$10.00) to be paid to the police department through the court to offset the expense of destruction of drugs, injection devices and drug paraphernalia, whether or not any of those items was confiscated from the defendant.

(B) (1) PRIOR TO SEARCHING A PERSON, A PERSON'S PREMISES, OR A PERSON'S VEHICLE, A PEACE OFFICER MAY ASK THE PERSON WHETHER THE PERSON IS IN POSSESSION OF A HYPODERMIC NEEDLE OR SYRINGE THAT MAY CUT OR PUNCTURE THE OFFICER OR WHETHER SUCH A HYPODERMIC NEEDLE OR SYRINGE IS ON THE PREMISES OR IN THE VEHICLE TO BE SEARCHED. IF A HYPODERMIC NEEDLE OR SYRINGE IS ON THE PERSON, ON THE PERSON'S PREMISES, OR IN THE PERSON'S VEHICLE AND THE PERSON, EITHER IN RESPONSE TO THE OFFICER'S QUESTION OR VOLUNTARILY, ALERTS THE OFFICER OF THAT FACT PRIOR TO THE SEARCH, ASSESSMENT, OR TREATMENT, THE PEACE OFFICER SHALL NOT ARREST OR CITE THE PERSON PURSUANT TO THIS SECTION, NOR SHALL THE CITY PROSECUTOR CHARGE OR PROSECUTE SUCH OFFENSE. THE CIRCUMSTANCES DESCRIBED IN THIS PARAGRAPH (B) MAY BE USED AS A FACTOR IN A PROBABLE CAUSE OR REASONABLE SUSPICION DETERMINATION OF ANY CRIMINAL OFFENSE IF THE ORIGINAL STOP OR SEARCH WAS LAWFUL.

(2) PRIOR TO ASSESSING OR TREATING A PERSON, AN EMERGENCY MEDICAL SERVICE PROVIDER OR OTHER FIRST RESPONDER MAY ASK THE PERSON WHETHER THE PERSON IS IN POSSESSION OF A HYPODERMIC NEEDLE OR SYRINGE THAT MAY CUT OR PUNCTURE THE TECHNICIAN OR FIRST RESPONDER. IF A HYPODERMIC NEEDLE OR SYRINGE IS ON THE PERSON, AND THE PERSON, EITHER IN RESPONSE TO THE QUESTION OR VOLUNTARILY, ALERTS THE EMERGENCY MEDICAL SERVICE PROVIDER OR FIRST RESPONDER OF THAT FACT, A PEACE OFFICER SHALL NOT ARREST OR CITE THE PERSON PURSUANT TO THIS SECTION, NOR SHALL THE CITY PROSECUTOR CHARGE OR PROSECUTE SUCH OFFENSE.

**Section 2.** Subsection 16-133(h) of the Wheat Ridge Code of Laws, concerning exemptions to offenses related to drug paraphernalia, is hereby amended as follows:

- (h) The provisions of this section shall not apply to the possession, display, purchase, transport or use in private by any person that is twenty-one (21) years of age or older of drug paraphernalia that is used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging,

repackaging, storing, vaporizing, or containing marijuana or for ingesting, inhaling, or otherwise introducing marijuana into the human body; OR TO ANY PERSON PARTICIPATING AS AN EMPLOYEE, VOLUNTEER, OR PARTICIPANT IN AN APPROVED SYRINGE EXCHANGE PROGRAM CREATED PURSUANT TO SECTION 25-1-520, C.R.S.

**Section 3. Safety Clause.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

**Section 4. Severability; Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 5. Effective Date.** This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of \_\_\_\_\_ to \_\_\_\_\_ on this 8<sup>th</sup> day of April, 2019, continued to April 22, 2019, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for May 13, 2019, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of \_\_\_\_\_ to \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

SIGNED by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk

Approved As To Form

\_\_\_\_\_  
Gerald E. Dahl, City Attorney

First Publication:  
Second Publication:  
Wheat Ridge Transcript  
Effective Date:

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: COUNCIL BILL NO. 06-2019 – AN ORDINANCE APPROVING THE REZONING OF PROPERTY LOCATED AT 3300 AMES STREET FROM RESIDENTIAL-THREE (R-3) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) WITH AN OUTLINE DEVELOPMENT PLAN (ODP) (CASE NO. WZ-18-25 / FEASTER)**

☐ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☐ RESOLUTIONS

☒ ORDINANCES FOR 1<sup>ST</sup> READING (04/22/2019)  
☐ ORDINANCES FOR 2<sup>ND</sup> READING (05/13/2019)

QUASI-JUDICIAL:

☒ YES

☐ NO

  
**Community Development Director**

  
**City Manager**

**ISSUE:**

The applicant is requesting approval of a zone change from Residential-Three (R-3) to Planned Residential Development (PRD) with an Outline Development Plan (ODP) for property located at 3300 Ames Street (northeast corner of W. 33<sup>rd</sup> Avenue and Ames Street). The purpose of this request is to prepare the property for the development of two duplexes.

**PRIOR ACTION:**

Planning Commission heard the request at a public hearing on April 4, 2019, and recommended approval. The staff report and meeting minutes from the Planning Commission meeting will be included with the ordinance for second reading.

**FINANCIAL IMPACT:**

Fees in the amount of \$1,079 were collected for the review and processing of Case No. WZ-18-25. If approved, parkland dedication fees in lieu will be paid through the subdivision review process. Building permit and plan review fees, along with building use tax will be paid as part of the issuance of building permits

**BACKGROUND:**

The subject property is located at the northeast corner of W. 33<sup>rd</sup> Avenue and Ames Street at 3300 Ames Street. The property is approximately four-tenths of an acre in size. Currently the property is vacant. Ownership of the subject property has transferred several times in recent years. The site consists of four parcels: two developable lots and two tracts from the vacated alley previously located between Ames Street and Sheridan Boulevard.

*Surrounding Land Uses*

The property is currently zoned Residential-Three (R-3). The properties to the north and south are also zoned R-3; the lot to the north contains a three-story apartment building. Properties across Ames Street to the west, and properties further to the south, are zoned Residential-One C (R-1C) which permits small-lot single-family homes. There is a senior living facility to the east of the property which is zoned Neighborhood Commercial (NC). There is a mix of single-family and multi-family uses in the immediate surrounding area.

*Current and Proposed Zoning*

The property is currently zoned Residential-Three (R-3), which permits medium to high-density residential development, ranging from single-family to multi-unit developments up to 12 units per acre. If the subject property were consolidated into a single parcel, the current zoning would allow up to five (5) townhome units. The applicant wants to develop two duplexes, so a total of four (4) units; however, that cannot be accommodated in R-3 because of minimum lot size requirements.

The applicant is therefore requesting the property be rezoned to Planned Residential Development to facilitate the development of two duplexes. The request is essentially a downzone. They have proposed to limit the allowed uses to single-family and two-family uses. The proposed density is 9.29 units per acre, which is a lower allowance than the 12 units per acre allowed under the current R-3 zoning. The PRD also establishes a lower maximum building height, and a smaller lot size and width than R-3. The proposed duplexes would be accessed from a shared driveway off of W. 33<sup>rd</sup> Avenue, with two-car detached garages for each unit.

A complete analysis of the zone change criteria and the ODP will be included with the ordinance for second reading.

*Related Applications*

Rezoning to a planned development in the City of Wheat Ridge entails approval of two documents. The first is the Outline Development Plan, which, if approved, changes the zoning designation on the land, establishes allowed uses and development standards for the property, and establishes access configurations for vehicles, pedestrians, and bicycles. The second document is the Specific Development Plan (SDP), which focuses on specific details of a development such as site design, architecture, landscaping, and drainage design.

Section 26-302 of the Municipal Code allows for concurrent *or* sequential applications for the ODP and SDP. In this case, the applicant is requesting concurrent review of the ODP and SDP.

Because the zone change is the only document approved by ordinance, it is the only component that requires a first reading. Both the ODP and SDP will be presented at the second reading.

**RECOMMENDATIONS:**

The application in this case is for the rezoning of property. This action is quasi-judicial, and as a result, the applicant is entitled to a public hearing on the application.

As Council is aware, rezoning in Wheat Ridge is accomplished by ordinance (Charter Sec. 5.10; Code Section 26-112). Ordinances require two readings, and by Charter, the public hearing takes place on second reading.

First reading in these cases is a procedural action that merely sets the date for the (second reading) public hearing. No testimony is taken on first reading. Because it is important that the applicant and all interested parties have their due process rights to a hearing, the City Attorney advises Council to approve rezoning ordinances on first reading. This merely sets the date for the public hearing, and for this reason, the packet materials provided on first reading are generally limited. The Planning Commission staff report and minutes will be included in the City Council packet for the public hearing.

**RECOMMENDED MOTION:**

“I move to approve Council Bill No. 06-2019 an ordinance approving the rezoning of property located at 3300 Ames Street from Residential-Three (R-3) to Planned Residential Development (PRD) with approval of an Outline Development Plan, on first reading for the sole purpose of ordering it published for a public hearing set for Monday, May 13, 2019 at 7 p.m. in City Council Chambers, and, if adopted, that it take effect 15 days after final publication.”

**REPORT PREPARED/REVIEWED BY:**

Scott Cutler, Planner II

Kenneth Johnstone, Community Development Director

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Council Bill No. 06-2019

**CITY OF WHEAT RIDGE**  
**INTRODUCED BY COUNCIL MEMBER \_\_\_\_\_**  
**COUNCIL BILL NO. 06**  
**ORDINANCE NO. \_\_\_\_\_**  
**Series of 2019**

**TITLE: AN ORDINANCE APPROVING THE REZONING OF PROPERTY LOCATED AT 3300 AMES STREET FROM RESIDENTIAL-THREE (R-3) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) WITH AN OUTLINE DEVELOPMENT PLAN (ODP) (CASE NO. WZ-18-25 / FEASTER)**

**WHEREAS**, Chapter 26 of the Wheat Ridge Code of Laws establishes procedures for the City's review and approval of requests for land use cases; and,

**WHEREAS**, Ames Partners LLC submitted a land use application for approval of a zone change to the Planned Residential Development (PRD) District for property at 3300 Ames Street; and,

**WHEREAS**, the City of Wheat Ridge has adopted a Comprehensive Plan, Envision Wheat Ridge, which calls for vibrant neighborhoods and diversification of housing stock and household types; and,

**WHEREAS**, the proposed duplex development is more compatible with the area than alternatives otherwise allowed under the current zoning; and,

**WHEREAS**, the zone change criteria support the request; and,

**WHEREAS**, the City of Wheat Ridge Planning Commission held a public hearing on April 4, 2019 and voted to recommend approval of the rezoning of the property to Planned Residential Development (PRD).

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Upon application by Ames Partners, LLC for approval of a zone change ordinance from Residential-Three (R-3) to Planned Residential Development (PRD) for property located at 3300 Ames Street, and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, a zone change is approved for the following described land:

LOTS 10 AND 11 TOGETHER WITH THE 1/2 OF THE VACATED ALLEY ADJOINING SAID LOTS, A RESUBDIVISION OF BLOCK 5 OF COLUMBIA HEIGHTS, COUNTY OF JEFFERSON, STATE OF COLORADO.

THE EAST 1/2 OF THE VACATED ALLEY ADJOINING LOTS 12 AND 13, A SUBDIVISION OF BLOCK 5 COLUMBIA HEIGHTS, AS VACATED BY

INSTRUMENT RECORDED JULY 1ST 1957 IN BOOK 1068 PAGE 60,  
COUNTY OF JEFFERSON, STATE OF COLORADO.

**Section 2. Vested Property Rights.** Approval of this zone change does not create a vested property right. Vested property rights may only arise and accrue pursuant to the provisions of Section 26-121 of the Code of Laws of the City of Wheat Ridge.

**Section 3. Safety Clause.** The City of Wheat Ridge hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

**Section 4. Severability; Conflicting Ordinance Repealed.** If any section, subsection or clause of the ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 5. Effective Date.** This Ordinance shall take effect 15 days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of \_\_\_ to \_\_\_ on this 22<sup>nd</sup> day of April 2019, ordered it published with Public Hearing and consideration on final passage set for **Monday, May 13, 2019 at 7:00 o'clock p.m.**, in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado, and that it takes effect 15 days after final publication.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of \_\_\_\_\_ to \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

SIGNED by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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William "Bud" Starker, Mayor

ATTEST:

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Janelle Shaver, City Clerk

Approved as to Form

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Gerald Dahl, City Attorney

1<sup>st</sup> publication:

2<sup>nd</sup> publication:

Wheat Ridge Transcript:

Effective Date:


**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: MOTION TO RECONSIDER COUNCIL BILL NO. 02-2019 - AN ORDINANCE APPROVING A ZONE CHANGE FROM RESIDENTIAL-THREE (R-3) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) WITH AN OUTLINE DEVELOPMENT PLAN (ODP) FOR PROPERTY LOCATED AT 4000-4066 UPHAM STREET (CASE NO. WZ-18-17/RIDGETOP VILLAGE)**

☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO

  
\_\_\_\_\_  
City Manager

**ISSUE:**

Council Bill No. 02-2019, Case No. WZ-18-17/Ridgetop Village was denied by City Council on April 8, 2019. Councilmember Leah Dozeman has requested that a motion for reconsideration of this Council Bill be included on the April 22, 2019 regular business meeting agenda for City Council consideration.

**PRIOR ACTION:**

A public hearing was conducted on Council Bill No. 02-2019, Case No. WZ-18-17/Ridgetop Village on April 8, 2019. City Council voted five (5) to three (3) to approve this Council Bill. However, a legal protest was received for this case; therefore an affirmative vote of six (6) councilmembers was required to approve.

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

Section VI. of the Rules of Order and Procedure for the City Council of the City of Wheat Ridge allows a City Council Member originally voting with the prevailing side of an issue to make a motion to reconsider the item. The motion to reconsider shall be made only at that or the next scheduled regular meeting. A motion to reconsider shall require an affirmative vote of a majority of the entire City Council. It is appropriate for a reconsideration motion to schedule substantive consideration of the matter (if the motion passes) at a future Council meeting. If the motion to reconsider is not made, or if made and does not pass by five votes, the original action (in this case, denial of the Ridgetop Village rezoning) is final.

**RECOMMENDED MOTION:**

“I move to reconsider Council Bill No. 02-2019, an ordinance approving a zone change from residential-three (R-3) to Planned Residential Development (PRD) with an Outline Development Plan (ODP) for property located at 4000-4066 Upham Street and schedule city council action for the May 13, 2019 regular business meeting.”

**REPORT PREPARED/REVIEWED BY:**

Patrick Goff, City Manager

Gerald Dahl, City Attorney

**ATTACHMENTS:**

1. None

**REQUEST FOR CITY COUNCIL ACTION****TITLE: MOTION TO APPROVE APPOINTMENTS TO BOARDS AND COMMISSIONS**

☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL:

☐ YES☒ NO  
City Clerk  
City Manager**ISSUE:**

At the February 25, 2019 City Council meeting, Council appointed several citizens to various Boards and Commissions. However, due to a code change that needed to be adopted, there remained two seats open that still require a motion by Council to fill. These appointed seats are in District I and District III for the Liquor Licensing Authority.

Due to recent resignations, other positions are currently vacant. These include the Cultural Commission (District IV), Planning Commission (District III), and Board of Adjustment (At Large). The positions were advertised in the Wheat Ridge Transcript, on Channel 8, Facebook and the City's Website.

**PRIOR ACTION:**

None

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

In the case of the Liquor Authority vacancies in Districts I and III, extensive advertising has been done but there are no applicants who live in those districts. Consequently, applicants Rocco

Germano and Leonard Ortiz, neither of whom live in District I or III, are eligible for appointment to fill those seats.

In the case of the Planning Commission, the only valid applicants who live in District III are Ihor Figlus, Will Kerns, David Land-Closson, and David Sjaastad.

**RECOMMENDED MOTIONS:**

“I move to appoint \_\_\_\_\_ to the Liquor Authority District I, term to expire 03/02/2022.”

“I move to appoint \_\_\_\_\_ to the Liquor Authority District III, term to expire 03/02/2022.”

“I move to appoint \_\_\_\_\_ to the Planning Commission District III, term to expire 03/02/2022.”

“I move to appoint \_\_\_\_\_ to fill the vacant position on the Cultural Commission District IV, term to expire 03/02/2021.”

“I move to appoint \_\_\_\_\_ to fill the vacant position on the Board of Adjustment – Alternate At Large, term to expire 03/02/2020.”

**REPORT PREPARED BY:**

Robin Eaton, Deputy City Clerk

Janelle Shaver, City Clerk

Patrick Goff, City Manager

**ATTACHMENTS:**

1. List of Applicants
2. District I Applications
3. District III Applications
4. District IV Applications
5. At Large Applications



### APPLICANT LIST

Current Term Ending	Board District	Current Member / Re-applied	Other Applicants
<b>DISTRICT I</b>			
03/02/2019	Liquor Authority	Robert Alldredge / NO	Rocco Germano*
<b>DISTRICT III</b>			
03/02/2019	Liquor Authority	John Miks / NO	Leonard Ortiz*
03/02/2019	Planning Commission	Amanda Weaver / NO	Shawna Black* Ihor Figlus Will Kerns Cheyanne Kinghorn* David Land-Closson Carol Mathews* David Sjaastad
<b>DISTRICT IV</b>			
03/02/2021	Cultural Commission	Val Nosler Beck / NO	V. Ruth Baranowski
<b>AT LARGE</b>			
03/02/2020	Board of Adjustment Alternate	Open	Cheyanne Kinghorn Tiamo Wright

\*DENOTES: Lives out of District



2019 FEB 19 P 3:32

## Board & Commission Application CITY OF WHEAT RIDGE

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION PER APPLICATION**

APPLICATION FOR APPOINTMENT TO THE:

LIQUOR LICENSING AUTHORITY  
(BOARD/COMMISSION/COMMITTEE)

DATE: 2/19/2019 DISTRICT I 02 TIL

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 8 YRS

ARE YOU A REGISTERED VOTER? YES

WHY ARE YOU SEEKING THIS APPOINTMENT? I HAVE EXPERIENCE ON LIQUOR BOARDS

DO YOU HAVE EXPERIENCE IN THIS AREA? 10 YRS ON ARVADA LIQUOR BOARD & 10 YEARS ON JEFFERSON COUNTY

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? 5 YRS ALTERNATE ON BOA WHEAT RIDGE

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? NO

SIGNATURE Rocco Germano

PLEASE PRINT OR TYPE NAME: Rocco Germano

ADDRESS: 6410 W 47th AVE ZIP: 80033

HOME PHONE: (303) 902-1202

BUSINESS or CELL PHONE: (303) 234-0546

E-MAIL ADDRESS: RockGermano@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



## **Board and Commission Application**

RECEIVED

2019 JAN 31 A 8:26

CITY OF WHEAT RIDGE

**APPLICATION FOR APPOINTMENT TO THE:**

Liquor Commission

**(Board/Commission/Committee)**

**DATE:** 1/27/19

**DISTRICT:** 2

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?** 20 years

**ARE YOU A REGISTERED VOTER?** Yes

**WHY ARE YOU SEEKING THIS APPOINTMENT?**

Volunteer in my community.

**DO YOU HAVE EXPERIENCE IN THIS AREA?**

Seventeen years in Law Enforcement

**HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

Civil Service 2000-2001

**ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

No

**PRINT NAME**

Leonard (Lenny) Ortiz

**ADDRESS**

4945 Newland St Wheat Ridge

**HOME PHONE** 303 940-4723

**BUSINESS PHONE**

**E-MAIL ADDRESS** lennyortiz@comcast.net



Checking here completes your application, constitutes your signature and affirmation that the statements made are true.

APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR

**ATTACHMENT 3**

*Handwritten signature and date:*  
for 703-940-4723  
1-27-19  
S



## Board & Commission Application

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION PER APPLICATION**

APPLICATION FOR APPOINTMENT TO THE:

District 1 Planning Commission

(BOARD/COMMISSION/COMMITTEE)

DATE: January 19, 2019

DISTRICT District 1

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 19 years

ARE YOU A REGISTERED VOTER? Yes

WHY ARE YOU SEEKING THIS APPOINTMENT? More involvement into the community and how I may be able to give a voice, thoughts and understanding to the city of Wheat Ridge. I enjoy Wheat Ridge the old and the new and being involved in that future sound interesting and fun.

DO YOU HAVE EXPERIENCE IN THIS AREA? I worked in the Technical field as a Systems Consultant and Project Manager field for 25 years, planning and excututing project for companies.

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? NO

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? No

SIGNATURE *Shawnna Black*

PLEASE PRINT OR TYPE NAME: Shawnna Black

ADDRESS: 2915 Pierce Street

ZIP: 80214

HOME PHONE: 303.503.6233

BUSINESS or CELL PHONE: 303.503.6233

E-MAIL ADDRESS: sleab@icloud.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



## **Board and Commission Application**

**APPLICATION FOR APPOINTMENT TO THE:**

**(Board/Commission/Committee)**

**DATE:**

**DISTRICT:**

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?**

**ARE YOU A REGISTERED VOTER?**

**WHY ARE YOU SEEKING THIS APPOINTMENT?**

**DO YOU HAVE EXPERIENCE IN THIS AREA?**

**HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

**ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

**PRINT NAME**

**ADDRESS**

**HOME PHONE**

**BUSINESS PHONE**

**E-MAIL ADDRESS**

**Checking here completes your application, constitutes your signature and affirmation that the statements made are true.**

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**

**City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033**

Ihor Figlus

## Answers:

Why are you seeking this appointment?

As I have seen various development come to Wheat Ridge, I have taken an interest in local matters and learned how vital citizen involvement is in guiding that development to maintain and improve the quality of life of its residents and the vibrancy of the city. I would like to serve my community and I think that I can make a relevant contribution to attain these goals.

Do you Have experience in the area?

Not directly, but I do have community service experience. I hold a B.A. in Economics from the University of Colorado. I am currently President of the Federal Blvd. Partnership, a Registered Neighborhood Organization in Denver, where I own property. The Partnership represents businesses and residents along North Federal Blvd. and interacts with the City of Denver. In 1992, I helped set up the American Chamber of Commerce in Ukraine and served as its Executive Director and President for five years.

## Board & Commission Application City of Wheat Ridge



### PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION

APPLICATION FOR APPOINTMENT TO THE: Planning Commission

\_\_\_\_\_  
(BOARD/COMMISSION/COMMITTEE) DATE: 3.26.19

DISTRICT 3

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 3 years

ARE YOU A REGISTERED VOTER? Yes

WHY ARE YOU SEEKING THIS APPOINTMENT? Interested in becoming more

involved in local planning, currently most of my projects are out of state or overseas.

DO YOU HAVE EXPERIENCE IN THIS AREA? Yes, I'm an AICP certified planner with 16  
years of planning experience in public, private, and non-profit sectors.

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A  
BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? I was the  
Chair of the River North Neighborhood Design Team, my term ended in 2016.

ARE YOU EMPLOYED BY THE CITY OF WHEAT RIDGE? No

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR  
ATTENDANCE OR DUTIES? I might be called away for work projects, but 90% of my time  
has been working from home for the past year.

SIGNATURE \_\_\_\_\_

PLEASE PRINT OR TYPE NAME: William Andrew Kerns

ADDRESS: 8525 W. 32nd Avenue Wheat Ridge, CO ZIP: 80033

HOME PHONE: 303.815.4264

BUSINESS PHONE: 303.815.4264

E-MAIL ADDRESS: wkerns@openplan.net

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



WILL KERNS, AICP  
8525 W. 32<sup>ND</sup> AVENUE  
WHEAT RIDGE, CO 80033  
303-815-4264  
[WKERNS@OPENPLAN.NET](mailto:WKERNS@OPENPLAN.NET)

Planning Commission District 3 – Applicant Introduction

Dear Wheat Ridge City Council, Planning Commission, and Municipal Staff,

I am interested in filling the role of District 3 Planning Commissioner to become more involved in local planning as most of my projects are out of state or overseas. My background is in transportation planning, originally spent 11 years as the Jefferson County Transportation Planner, then in 2011 founded Open Plan Consultants, LLC.

My experience as a private sector consultant for Open Plan had me involved with a wider variety of land use and transportation planning projects for various clients. I was then hired full time by Hyperloop Transportation Technologies as the Global Planning & System Structure Lead. Currently, we are under construction on a full-scale hyperloop prototype in Toulouse, France. More info at [www.hyperloop.global](http://www.hyperloop.global)

Some past experience on a board includes my time as Chair of the River North Neighborhood Design Team (RiND) which is the development review committee for the River North Arts District, my term as Chair ended in 2016, by then we were growing tired of living in the city. We decided to move to Wheat Ridge because we liked how quiet and dark at night it is here. We loved the easy access to the mountains and friendly people here, we found our dream house near Crown Hill Park on 32<sup>nd</sup> Avenue. I've since been building my bonsai garden in the backyard for my seemingly ever-growing collection of bonsai trees sourced from Colorado native plant material.

As a planner I understand the importance of gaining a wide variety of input from different stakeholders on plans. Creating opportunities for high quality development to occur rather than only low-cost and low-quality development. I also favor a balance of housing in Wheat Ridge that includes affordable, accessible housing critical to making a place where people can afford to work and live.

Thank you for your consideration,

Will Kerns, AICP



**William A. Kerns, AICP**  
Open Plan Consultants, LLC  
8525 West 32<sup>nd</sup> Avenue Wheat Ridge, CO 80033  
303.815.4264 – [wkerns@openplan.net](mailto:wkerns@openplan.net)  
[www.openplan.net](http://www.openplan.net)

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### Principal Consultant

#### **Project Management – Healthy Community Design - Transportation Planning**

Talented, creative, and accomplished transportation professional with extensive background in multimodal transportation planning, project implementation, and urban design. Highly familiar with public outreach, technical writing and GIS mapping. Adept at developing and implementing plans and policies. Experienced in population forecasting, demographic analysis, geographic analysis, and integrating public health into the planning process.

Knowledgeable in formulating new ideas, gaining both internal and public support, funding procurement and implementation. Experienced, big picture visionary that can drill into the details of any given project. Excellent presentation and communication skills across these and other competencies:

- |                           |                                      |                               |
|---------------------------|--------------------------------------|-------------------------------|
| - Public Speaking         | - Team Coaching                      | - Technical Writing           |
| - Project Team Lead       | - Project Management                 | - Public/Environmental Health |
| - Transportation Research | - GIS Mapping and Analysis           | - Systems Engineering         |
| - Cartography             | - Inter-jurisdictional Coordination- | - Coalition Building          |
| - Bike/Ped Planning       | - Transit Planning                   | - Land Planning/Zoning        |

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### Professional Experience

Open Plan Consultants LLC – Founded in 2012  
*Principal Consultant* – 2012 to Present

Jefferson County, Colorado – Transportation and Engineering Division  
*Transportation Planner* - 2003 to 2012, *Traffic Engineering Technician* - 2001 to 2003

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### Open Plan Consultants, LLC - Project Experience

**Hyperloop Transportation Technologies, Hyperleader Global Planning and System Structure-** Contributing management and planning expertise to Los Angeles based startup Hyperloop Transportation Technologies, Inc. Leading two international teams of planners, engineers, designers and attorneys focused on developing a new form of ultra-high speed transportation poised to disrupt existing non-sustainable forms of transportation. Coordinated a Feasibility Study onsite in the United Arab Emirates to plan a Hyperloop corridor between the cities of Abu Dhabi and Al Ain. Currently planning a Hyperloop prototype at Francal in Toulouse, France.

**Jefferson County Public Health - Health Policies Coalition Facilitator-** Provided trainings, resources, toolkits, funding opportunities, one-on-one and coalition capacity building to Active Living Coalition members. Used a variety of active living policy and program issues such as: active transportation, connectivity, public transit, park access, shade, Safe Routes to School, and HEAL Cities & Towns Campaign. Led a Jefferson County Active Living Policy Scan which supports a process to develop and adopt an Active Living Plan and included policy, land use code, regulations, initiatives and funding histories.

**Safe Routes to School Building Community Coalitions Grant-** Managed large community-based coalitions in five selected Colorado towns for a two year CDOT Safe Routes to School pilot program. Served as the lead in implementing all activities for non-profit Action for Healthy Kids, facilitated communications and coalition meetings, developed community tool kits, directed the competitive seed grant process and activated the SRTS target audiences in each community.

**Chair, River North Art District Neighborhood Design Team (RiND)-** Led the Urban Design and Architectural Review Committee for the rapidly developing RiNo Art District, served as the main neighborhood point of contact for incoming developers, established and followed a set of goals when reviewing conceptual site plans for urban design public/private improvements that are tied to the goals of the RiNo Art District. Collaborated with the members of the RiND to then make recommendations to developers regarding master site plans.

**Faculty/Team Coach, Leadership in Healthy Community Design-** Assisted with the design and development of the master program curriculum for non-profit Regional Institute for Health and Environmental Leadership (RIHEL). Planned the programs and evaluations for five individual program events. Delivered workshops on various aspects of healthy community design, teamwork, team projects, leadership and communication during the on-site training events. Served as an adviser for the program participant teams meeting with, supporting, and provided transportation planning assistance to the multidisciplinary teams regarding their team projects.

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### NEPA Experience

**Key Achievements:**

**RTD-** Assisted RTD with the Gold Line EIS and on the final steps of the West Corridor EIS, collaborated with RTD staff, consultants, and stakeholders, provided technical assistance as a representative of Jefferson County at working groups and public meetings.

**US 36-** Worked on the US 36 EIS and helped to point the stakeholders toward a more flexible side running BRT system that covers a smaller, less impactful footprint, later adopted as the preferred alternative for the corridor. Currently implementing a network of secure Bus then Bike shelters along the US 36 Corridor.

**I 70 PEIS-** Helped to develop the I 70 Programmatic EIS through stakeholder participation meetings, the I 70 Coalition, and the I 70 Coalition Technical Committee which was responsible for reading and making comments on the I 70 PEIS document. Performed this duty on behalf of both Jefferson County and the I 70 Coalition. Project has a long range timeline of over 20 years.

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### Plan Creation

**Key Achievements:**

**Evergreen Trails Master Plan-** Currently managing planning, mapping, and public involvement for this local planning process. Focusing on connecting the downtown area with surrounding library, schools, parks, and retail areas with a walkable/bikeable trails plan. Conducting outreach to area stakeholders and residents. Plan is currently in draft form to be adopted in 2015.

**Conifer Trails Plan-** Developed the Conifer Walkability Plan which envisions a network of hard and loose surface trails in the Conifer area. This network connects parks, schools, commercial areas and the RTD Park n Ride with a walkable and bike friendly network. Worked with the Conifer Area Council, a community organization to refine the plan, then conducted public outreach and solicited feedback from the community. Jefferson County has finished two of the initial priority projects with the third now in the design phase.

**Statewide Transit Plan-** Conducted public engagement for the CDOT Statewide Transit Plan. Created an interactive statewide contact database. Provided support and coordination of statewide open houses and work sessions. Assisted in stakeholder engagement and collected and reviewed feedback from stakeholders. The Statewide Transit Plan identifies and evaluates passenger rail and express bus corridors throughout the state and is focused on linking planned improvements with existing local transit providers.

**I 70 Studies-** Served on the I 70 Coalition Technical Committee and helped prepare the I-70 Land Use Study for Transit. Assisted in selecting and guiding the consultant team, which made recommendations for the land uses surrounding potential I 70 rail stations along the corridor. This study looked at potential rail alignments both inside the I 70 highway corridor and off-corridor. Participated in the Rocky Mountain Rail Authority High Speed Rail Feasibility Study by attending steering committee plus occasional executive committee meetings, provided clear and relevant technical expertise. Both studies were developed concurrently, and each utilized the findings of the other.

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### Education and Certification

American Planning Association, American Institute of Certified Planners, February 2007  
University of Northern Colorado, Bachelor of Science, Applied Geography, Earth Science Minor, May 2001

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### Personal Accomplishments

2013 Bonsai Artist of the Year, Membership Chair – Rocky Mountain Bonsai Society  
2<sup>nd</sup> Degree Black Belt – Assistant Instructor, Clear Creek Taekwondo  
Eagle Scout – Troop 737 Evergreen, Colorado, Boy Scouts of America



3-25-19 R15

## **Board and Commission Application**

### **APPLICATION FOR APPOINTMENT TO THE:**

Planning Commission, District I

**(Board/Commission/Committee)**

**DATE:** March 11, 2019

**DISTRICT:** I

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?** Since 8/15/2016

**ARE YOU A REGISTERED VOTER?** Yes

### **WHY ARE YOU SEEKING THIS APPOINTMENT?**

Because I live in this community, my two young children will grow up here, I have a relevant skill set, and I want to help create the future vision for Wheat Ridge.

### **DO YOU HAVE EXPERIENCE IN THIS AREA?**

I am an attorney. I work for the State holding unemployment appeal hearings. I preside over the hearings, make evidentiary rulings, and issue written decisions. I interpret laws and regulations and apply them to the facts of each case. I work with citizens, employers, attorneys, and other stakeholders daily, and my work impacts public funds.

### **HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

I have served on numerous legal associations at the board level while in private practice. I am no longer in private practice, as I currently serve in the public sector. However, I volunteer each month at an assisted living facility and I am also a voting member of the PTA.

### **ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

No.

### **PRINT NAME**

Cheyenne Kinghorn

### **ADDRESS**

7190 W. 33rd Avenue, Wheat Ridge, CO 80033

**HOME PHONE** (615) 573-3206

**BUSINESS PHONE** (615) 573-3206

**E-MAIL ADDRESS** cheyannez@hotmail.com

☒ **Checking here completes your application, constitutes your signature and affirmation that the statements made are true.**

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**  
City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033

**Submit**



3/27/19 rle

## **Board and Commission Application**

### **APPLICATION FOR APPOINTMENT TO THE:**

Planning Commission

**(Board/Commission/Committee)**

**DATE:** 3/27/19

**DISTRICT:** III

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?** 15 years

**ARE YOU A REGISTERED VOTER?** Yes

### **WHY ARE YOU SEEKING THIS APPOINTMENT?**

I am interested in working with the Commission and citizens to help to guide the future of development and planning in the Wheat Ridge community.

### **DO YOU HAVE EXPERIENCE IN THIS AREA?**

Yes. I am a Landscape Architect with 25 years of experience in a wide array of project areas and client types. My initial career experience was in residential design and construction. After that I worked on commercial and civic projects with an architecture firm for 18 years. This included work on parks, commercial and public buildings, higher ed and healthcare campuses, as well as sports and recreation projects. The majority of these projects involved public agency approvals and afforded me an opportunity to work with many local municipalities and a variety of regulatory groups.

### **HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

I served on the LocalWorks (then WR2020) board for 3 years. I still volunteer with LocalWorks on various projects.

### **ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

I don't believe I have any conflicts but would like to understand the commitment a bit more.

### **PRINT NAME**

David Land-Closson

### **ADDRESS**

8730 W. 34th Ave

**HOME PHONE** c. 720-320-6615

**BUSINESS PHONE**

**E-MAIL ADDRESS** dlandclosson@gmail.com



Checking here completes your application, constitutes your signature and affirmation that the statements made are true.

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**

City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033

**Submit**

RECEIVED

**Board & Commission Application  
City of Wheat Ridge**



2019 FEB 14 P 1:53

CITY OF WHEAT RIDGE **PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION**

APPLICATION FOR APPOINTMENT TO THE:

Planning Commission

(BOARD/COMMISSION/COMMITTEE)

DATE: February 13, 2019

DISTRICT 111 or IV

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 58 years

ARE YOU A REGISTERED VOTER? yes

WHY ARE YOU SEEKING THIS APPOINTMENT? I want to participate in the decision making for the future of our city

DO YOU HAVE EXPERIENCE IN THIS AREA? I was a member of the Denver Downtown Cooalition representing Stage Stores Inc. during the revitalization project for the downtown business district and the Sixteenth Street Mall. I attended the seminars and participated in the activities.  
HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? Cultural Commission ( 3 years) NRS study since July 2018

ARE YOU EMPLOYED BY THE CITY OF WHEAT RIDGE? No

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? No

SIGNATURE

*Carol Anne Mathews*

PLEASE PRINT OR TYPE NAME: Carol Anne Mathews

ADDRESS: 3851 Hoyt Street, Wheat Ridge , Colorado

ZIP: 80033

HOME PHONE: 303-420-8753

BUSINESS PHONE: cell: 720-271-5083

E-MAIL ADDRESS: carolannemathews@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



## **Board and Commission Application**

2019 MAR 15 4:15 PM  
CITY OF WHEAT RIDGE

### **APPLICATION FOR APPOINTMENT TO THE:**

Planning Commission

**(Board/Commission/Committee)**

**DATE:** 3-12-2019

**DISTRICT:** 3

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?** 10 years

**ARE YOU A REGISTERED VOTER?** Yes

### **WHY ARE YOU SEEKING THIS APPOINTMENT?**

As a resident and land owner within District 3, I am very interested in supporting my local government's efforts to grow and prosper through a pro-active, thoughtful, and strategic process well into the next 50 years.

### **DO YOU HAVE EXPERIENCE IN THIS AREA?**

I am a recent retired Federal employee, who worked 33 years for the Bureau of Land Management. While working for the country's largest land managers, I have had countless interactions with land use issues from leasing and permitting various activities which sometimes conflict, to land restoration, recovery and improvements.

**HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

No

**ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

No

### **PRINT NAME**

David Sjaastad

### **ADDRESS**

12172 West 30th Place, Wheat Ridge, CO. 80215

**HOME PHONE** 760-608-2132

**BUSINESS PHONE** same

**E-MAIL ADDRESS** dsjaastad@gmail.com

☒ Checking here completes your application, constitutes your signature and affirmation that the statements made are true.

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**

City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033

Submit

RECEIVED

2019 FEB 14 P 1:53

CITY OF WHEAT RIDGE

**Board & Commission Application  
City of Wheat Ridge**



**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION**

APPLICATION FOR APPOINTMENT TO THE:

Cultural Commission

(BOARD/COMMISSION/COMMITTEE)

DATE: 2/14/2019 DISTRICT Four

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 7 yrs

ARE YOU A REGISTERED VOTER? yes

WHY ARE YOU SEEKING THIS APPOINTMENT? To represent district Four on the commission, my background in non profit fundraising and as an artist I believe would be beneficial for my district and the city

DO YOU HAVE EXPERIENCE IN THIS AREA? \_\_\_\_\_

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? \_\_\_\_\_

DIRT Task Force duration

ARE YOU EMPLOYED BY THE CITY OF WHEAT RIDGE? no

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? no

SIGNATURE

V. Ruth Baranowski

PLEASE PRINT OR TYPE NAME: V. Ruth Baranowski

ADDRESS: 10430 W 47<sup>th</sup> Pl Wheat Ridge ZIP: 80033

HOME PHONE: 720 258 6445

BUSINESS PHONE: 913 687 1302

E-MAIL ADDRESS: vrbaranowski@gmail.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



## **Board and Commission Application**

### **APPLICATION FOR APPOINTMENT TO THE:**

Board Of Adjustment, At Large

**(Board/Commission/Committee)**

**DATE:** March 11, 2019

**DISTRICT:** I

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?** Since 8/15/2016

**ARE YOU A REGISTERED VOTER?** Yes

### **WHY ARE YOU SEEKING THIS APPOINTMENT?**

Because I live in this community, my two young children will grow up here, I have a relevant skill set, and I want to help create the future vision for Wheat Ridge.

### **DO YOU HAVE EXPERIENCE IN THIS AREA?**

I am an attorney. I work for the State holding unemployment appeal hearings. I preside over the hearings, make evidentiary rulings, and issue written decisions. I interpret laws and regulations and apply them to the facts of each case. I work with citizens, employers, attorneys, and other stakeholders daily, and my work impacts public funds.

### **HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

I have served on numerous legal associations at the board level while in private practice. I am no longer in private practice, as I currently serve in the public sector. However, I volunteer each month at an assisted living facility and I am also a voting member of the PTA.

### **ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

No.

### **PRINT NAME**

Cheyanne Kinghorn

### **ADDRESS**

7190 W. 33rd Avenue, Wheat Ridge, CO 80033

**HOME PHONE** (615) 573-3206

**BUSINESS PHONE** (615) 573-3206

**E-MAIL ADDRESS** cheyannez@hotmail.com

☒ Checking here completes your application, constitutes your signature and affirmation that the statements made are true.

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**  
City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033

Submit



## **Board and Commission Application**

### **APPLICATION FOR APPOINTMENT TO THE:**

Board of Adjustment, At Large

**(Board/Commission/Committee)**

**DATE:** 3/11/2019

**DISTRICT:** II

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?** 2 1/2 years

**ARE YOU A REGISTERED VOTER?** Yes

### **WHY ARE YOU SEEKING THIS APPOINTMENT?**

Working in Downtown and in River North for the last several years I have become really engaged in where I work and I want to become more engaged in where I live. By being on the Board of Adjustment I will be given the opportunity to support my local government and the citizens in a way that will continue to evolve our county for the better.

### **DO YOU HAVE EXPERIENCE IN THIS AREA?**

I worked in commercial real estate development in Denver county and kept updated on the zoning ordinances, temporary use permits, floodplain zoning ordinance, and sign code and interprets these ordinances for our development. While I understand these are different counties I feel like this experience will offer a good deal of tools to reflect on.

### **HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

I am currently on a non-profit board Big Brothers Big Sisters of Colorado as co-chair, and have been active for 2 years.

### **ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

No

### **PRINT NAME**

Tiamo Wright

### **ADDRESS**

4075 Quay Street

**HOME PHONE** 720-666-5957

**BUSINESS PHONE**

**E-MAIL ADDRESS** TiamoWright@gmail.com



Checking here completes your application, constitutes your signature and affirmation that the statements made are true.

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**  
City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033

**Submit**

**REQUEST FOR CITY COUNCIL ACTION****TITLE: MOTION TO RATIFY MAYORAL APPOINTMENTS TO THE HOUSING AUTHORITY**

☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL:

☐ YES☒ NO  
\_\_\_\_\_  
City Clerk  
\_\_\_\_\_  
City Manager**ISSUE:**

The members of the Housing Authority are appointed by the Mayor and ratified by City Council. There currently are vacancies in District I, term to expire 3/2/2021, re-appointment in District II, term to expire 3/2/2024 and a City Council Member appointment due to Tim Fitzgerald's resignation.

Two applications were received for the vacant position in District I. Those applicants are Shawnna Black and Cheyanne Kinghorn, both residents of District I. Current Housing Authority Member Chad Harr, District II, has reapplied for another five-year term.

**PRIOR ACTION:**

None

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

Members of the Housing Authority are appointed by the Mayor and ratified by City Council. Mayor Starker has reviewed the applications and requested input from Council Members regarding the Elected Official position vacancy.

**RECOMMENDATIONS:**

Mayor Starker is recommending that Cheyenne Kinghorn be appointed to the Housing Authority representing District I, Chad Harr be re-appointed to the District II position and Council Member Amanda Weaver be appointed to the Authority.

**RECOMMENDED MOTION:**

“I move to ratify the District I Mayoral appointment of Cheyenne Kinghorn to the Housing Authority, term to expire March 2, 2021, and

“I move to ratify the District II Mayoral re-appointment of Chad Harr to the Housing Authority, term to expire March 2, 2024, and

I move to ratify the appointment of Amanda Weaver as the Elected Official Appointee.

Or

“I move to deny the appointment of \_\_\_\_\_ to the Housing Authority for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED BY:**

Robin Eaton, Deputy City Clerk

Janelle Shaver, City Clerk

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Housing Authority Applications



## Board & Commission Application

**PLEASE APPLY ONLY FOR ONE BOARD OR COMMISSION PER APPLICATION**

APPLICATION FOR APPOINTMENT TO THE:

District 1 Planning Commission Per 03/12/2019 email use this Planning Commission application for any of the positions and the At Large

(BOARD/COMMISSION/COMMITTEE)

DATE: January 19, 2019

DISTRICT District 1

HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE: 19 years

ARE YOU A REGISTERED VOTER? Yes

WHY ARE YOU SEEKING THIS APPOINTMENT? More involvement into the community and how I may be able to give a voice, thoughts and understanding to the city of Wheat Ridge . I enjoy Wheat Ridge the old and the new and being involved in that future sound interesting and fun.

DO YOU HAVE EXPERIENCE IN THIS AREA? I worked in the Technical field as a Systems Consultant and Project Manager field for 25 years, planning and excututing project for companies.

HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG? NO

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES? No

SIGNATURE Shawnna Black

PLEASE PRINT OR TYPE NAME: Shawnna Black

ADDRESS: 2915 Pierce Street

ZIP: 80214

HOME PHONE: 303.503.6233

BUSINESS or CELL PHONE: 303.503.6233

E-MAIL ADDRESS: sleab@icloud.com

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



**City of Wheat Ridge  
Board & Commission  
Application for Reappointment**

**Please circle one of the following:**

**Yes, I would like to reapply for another Five-year term (Go to Section A&B)**

No, I do not wish to serve another term (Go to Section B)

**A. APPLICATION FOR REAPPOINTMENT TO THE:  
WRHA**

(BOARD/COMMISSION/COMMITTEE)

DATE: **3.6.19** DISTRICT **2**

ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR  
ATTENDANCE OR DUTIES? **No**

**B. INFORMATION – PLEASE COMPLETE TO UPDATE RECORDS**

NAME: **Chad Harr**

ADDRESS: **7190 W. 48th Ave. Wheat Ridge CO 80033**

HOME PHONE: **303 489 5748**

BUSINESS or CELL PHONE: **Same**

E-MAIL ADDRESS: **Chad@Lakotaskye.com**

I hereby certify and affirm that all the information contained in this application is true, complete and correct. I understand that false or misleading statements or the omission of important information made on this application or any time during the process may disqualify me from serving for this position. I understand that the City Council must appoint or ratify all members to Boards and Commissions.

SIGNATURE 

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**



3-11-19 RLC

## **Board and Commission Application**

### **APPLICATION FOR APPOINTMENT TO THE:**

Housing Authority, District I

**(Board/Commission/Committee)**

**DATE:** March 11, 2019

**DISTRICT:** I

**HOW LONG HAVE YOU BEEN A RESIDENT OF WHEAT RIDGE?** Since 8/15/2016

**ARE YOU A REGISTERED VOTER?** Yes

### **WHY ARE YOU SEEKING THIS APPOINTMENT?**

Because I live in this community, my two young children will grow up here, I have a relevant skill set, and I want to help create the future vision for Wheat Ridge.

### **DO YOU HAVE EXPERIENCE IN THIS AREA?**

I am an attorney. I work for the State holding unemployment appeal hearings. I preside over the hearings, make evidentiary rulings, and issue written decisions. I interpret laws and regulations and apply them to the facts of each case. I work with citizens, employers, attorneys, and other stakeholders daily, and my work impacts public funds.

### **HAVE YOU EVER SERVED, OR ARE YOU CURRENTLY ON A BOARD/COMMISSION/COMMITTEE AND IF SO, WHICH ONE? HOW LONG?**

I have served on numerous legal associations at the board level while in private practice. I am no longer in private practice, as I currently serve in the public sector. However, I volunteer each month at an assisted living facility and I am also a voting member of the PTA.

### **ARE THERE ANY CONFLICTS WHICH WOULD INTERFERE WITH REGULAR ATTENDANCE OR DUTIES?**

No.

### **PRINT NAME**

Cheyanne Kinghorn

### **ADDRESS**

7190 W. 33rd Avenue, Wheat Ridge, CO 80033

**HOME PHONE** (615) 573-3206

**BUSINESS PHONE** (615) 573-3206

**E-MAIL ADDRESS** cheyannez@hotmail.com

☒ **Checking here completes your application, constitutes your signature and affirmation that the statements made are true.**

**APPLICATION WILL BE KEPT ON FILE FOR ONE YEAR**  
City Clerk's Office, 7500 W. 29<sup>th</sup> Ave., Wheat Ridge CO 80033


Submit

**REQUEST FOR CITY COUNCIL ACTION****TITLE: MOTION TO APPROVE APPOINTMENT OF REPRESENTATIVES TO THE 2020 OUTSIDE AGENCY PROGRAM COMMITTEE**

☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO



City Manager

**ISSUE:**

The purpose of creating the 2020 Outside Agency Program Committee is to provide an additional opportunity for citizens to participate in the budget process. This committee gives citizens the opportunity to weigh community needs with available resources and provide recommendations to City Council.

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

The current committee had three returning members from the 2019 Outside Agency Program Committee. In order to fill the openings in each district, the staff advertised for new committee members on the city website, social media, mainstream media, print publications, and Mayor's Matters.

Current members' appointments will expire in 2019 after recommendations are presented. New members will be appointed to serve on the committee in May/June 2019. The second year of their term will be in May/June 2020, to expire after recommendations are presented in 2020. The Outside Agency Program Committee (the Committee) had five seats to fill, and received six applications. The application period was open from March 21 until Monday, April 15. All qualified appointments were chosen based upon districts seats needing to be filled and

availability to attend the presentation dates. The applications of the new appointments are included as Attachment 1.

District I:

1. Alejandra Major (Current Member)
- 2. Cheryl Brungardt (New Member)**

District II:

- 1. James Skinner (New Member)**
- 2. Kristine Disney (New Member)**

District III:

1. Margie Robinson (Current Member)
- 2. Madelaine DeVan (New Member)**

District IV:

1. Sunny Garcia (Current Member)
- 2. Christopher Schilling (New Member)**

Applications for organizations requesting funding allotments are due April 26, 2019. The presentations to the Committee will be Tuesday nights from 6-8:30 p.m.: May 14, May 21, May 28, and June 4. The final recommendation decision meeting will be the week of June 10. The committee or representatives will present its recommendations to Council on June 17.

**RECOMMENDED MOTIONS:**

"I move to appoint \_\_\_\_\_ to the 2020 Outside Agency Program Committee, District \_\_\_\_\_, term to expire after 2021 budget recommendations are presented in 2020."

**REPORT PREPARED/REVIEWED BY:**

Marianne Schilling, Assistant to the City Manager  
Patrick Goff, City Manager

**ATTACHMENTS:**

1. Outside Agency Program Committee Appointment Applications



## Outside Agency Program Committee Application

The Wheat Ridge City Council is seeking volunteers to participate on the Outside Agency Program Committee to review and recommend funding allocations for the Outside Agency Program.

One Wheat Ridge resident will be chosen from each City Council District to serve on the Committee for a two-year budget cycle term (2019 & 2020) to expire July 2020.

### Contact Information

Full Name

Cheryl Brungardt

Address

5621 W. 36th Pl. Wheat Ridge, 80212

I live in  
District:

Email Address

cherylbrungardt@gmail.com

Phone

303-425-0230

Why do you want to serve on the Outside Agency Program Committee?

I am a longtime Wheat Ridge resident, have a Human Services degree from Metro State University with emphasis in nonprofit administration. I have experience as a manager of volunteers at several Jefferson County non-profits and am a community volunteer myself. With experience in grant writing, I know what is expected on the agency end of a grant as well as what is expected from the funding sources as well. Having served on the Wheat Ridge Housing Authority for 12 yrs from the initial funding of the housing authority from the State Division of Housing up and through a grant we actually wrote for from Wells Fargo, I am well aware of funding cycles, complete applications and the need to be fair, non biased and conscientious when reviewing applications and making recommendations for said limited outside agency funds.

Can you foresee any conflicts of interest you may have with the outside agencies that may apply? (i.e. working at or serving on a board or non-profit)

☐ Yes    ☒ No

If yes, please explain

I am currently self-employed and do not currently work nor serve on any boards or non-profit boards at this time.

To be considered for the Outside Agency Program Committee, you will need to attend the application review presentations in 2019. Please check the dates you are available to attend:

☒ May 14    ☒ May 21    ☐ May 28    ☒ June 4

---

## Verification

(Please check box)

☒ I am requesting appointment as a member of the Outside Agency Program Committee. If appointed, I hereby commit to the best of my ability to fulfill the role for a two year term until July 2020.

Full Name

Date

Cheryl Brungardt

04/14/2019

---

*Please submit your application to Assistant to the City Manager Marianne Schilling at  
mschilling@ci.wheatridge.co.us*

All qualified candidates will be contacted directly regarding next steps.

**Applications are due by Monday, April 15, 2019 at 5 p.m.**



# Outside Agency Program

## Citizen Review Committee Application

---

The Wheat Ridge City Council is seeking volunteers to participate on the Outside Agency Program Citizen Review Committee to review and recommend funding allocations for the Outside Agency Program.

One Wheat Ridge resident will be chosen from each City Council District to serve on the Committee for a two-year budget cycle term (2019 & 2020) to expire July 2020.

---

### Contact Information

Full Name

Madelaine DeVan

Address

3304 Zephyr Court

I live in  
District:

III

Email Address

Madelaine.DeVan@gmail.com

Phone

720.219.2033

---

Why do you want to serve on the Committee?

I am interested in serving on this committee because I am an active member of the Wheat Ridge community and feel that this type of review for outside agency funding is very important. I believe I am an objective person and have served in a similar role previously, not within the city. I also believe this is a great way to learn more about the organizations that Wheat Ridge supports. Thank you for your consideration.

Can you foresee any conflicts of interest you may have with the outside agencies that may apply? (i.e. working at or serving on a board or non-profit)

☐ Yes    ☒ No

If yes, please explain

To be considered for the Outside Agency Committee, you will need to attend the application review presentations in 2019. Please check the dates you are available to attend:

☒ May 14    ☒ May 21    ☒ May 28    ☒ June 4

---

## Verification

(Please check box)

☒ I am requesting appointment as a member of the Outside Agency Committee. If appointed, I hereby commit to the best of my ability to fulfill the role for a two year term until July 2020.

Full Name

Date

Madelaine R DeVan

03/25/2019

---

*Please submit your application to Assistant to the City Manager Marianne Schilling at [mschilling@ci.wheatridge.co.us](mailto:mschilling@ci.wheatridge.co.us)*

All qualified candidates will be contacted directly regarding next steps.

**Applications are due by Monday, April 15, 2019 at 5 p.m.**



## Outside Agency Program Committee Application

The Wheat Ridge City Council is seeking volunteers to participate on the Outside Agency Program Committee to review and recommend funding allocations for the [Outside Agency Program](#).

One Wheat Ridge resident will be chosen from each City Council District to serve on the Committee for a two-year budget cycle term (2019 & 2020) to expire July 2020.

### Contact Information

Full Name

Kristine Disney

Address

3940 Balsam St

I live in  
[District:](#)

II

Email Address

kristinedisney74@gmail.com

Phone

303-909-6036

Why do you want to serve on the Outside Agency Program Committee?

I have been a volunteer for the city since approx 2012 when I attended the Wheat Ridge Civic Academy. Since then, I have served as the President of the Board of Directors for Localworks for 2.5 terms, volunteered for several ballot initiatives to get out the vote, graduated from the Wheaties Academy Cohort in 2015 and currently serve on the NRS Steering committee. I would like to continue my service to the community once the NRS term is completed in May.

As a volunteer for the city and Localworks, I have a well rounded perspective on what the city needs to remain vital. I have also worked as a grant writer for the Boys and Girls Clubs of Metro Denver, so I have seen what it takes to provide services as a nonprofit. I believe this experience, and my work as a volunteer, will allow me to provide critical analysis of outside agency requests.

Can you foresee any conflicts of interest you may have with the outside agencies that may apply? (i.e. working at or serving on a board or non-profit)

☐ Yes    ☒ No

If yes, please explain

To be considered for the Outside Agency Program Committee, you will need to attend the application review presentations in 2019. Please check the dates you are available to attend:

☒ May 14    ☒ May 21    ☒ May 28    ☒ June 4

---

### Verification

(Please check box)

☒ I am requesting appointment as a member of the Outside Agency Program Committee. If appointed, I hereby commit to the best of my ability to fulfill the role for a two year term until July 2020.

Full Name

Date

Kristine Disney

4/4/2019

---

*Please submit your application to Assistant to the City Manager Marianne Schilling at [mschilling@ci.wheatridge.co.us](mailto:mschilling@ci.wheatridge.co.us)*

All qualified candidates will be contacted directly regarding next steps.

**Applications are due by Monday, April 15, 2019 at 5 p.m.**



# Outside Agency Program Committee Application

---

The Wheat Ridge City Council is seeking volunteers to participate on the Outside Agency Program Committee to review and recommend funding allocations for the [Outside Agency Program](#).

One Wheat Ridge resident will be chosen from each City Council District to serve on the Committee for a two-year budget cycle term (2019 & 2020) to expire July 2020.

---

## Contact Information

Full Name

Christopher Schilling

Address

4690 Everett St

I live in  
[District:](#)

IV

Email Address

cschilling88@hotmail.com

Phone

816-351-2637

---

Why do you want to serve on the Outside Agency Program Committee?

I would like to serve on the Outside Agency Program Committee to begin understanding where and why money is allocated within the community and the services those programs provide. I am relatively new to the city of Wheat Ridge and am looking to get involved to better the city in which I live.

Can you foresee any conflicts of interest you may have with the outside agencies that may apply? (i.e. working at or serving on a board or non-profit)

☐ Yes    ☒ No

If yes, please explain

To be considered for the Outside Agency Program Committee, you will need to attend the application review presentations in 2019. Please check the dates you are available to attend:

☐ May 14    ☐ May 21    ☐ May 28    ☐ June 4

---

## Verification

(Please check box)

☐ I am requesting appointment as a member of the Outside Agency Program Committee. If appointed, I hereby commit to the best of my ability to fulfill the role for a two year term until July 2020.

Full Name

Date

Christopher Schilling

04/04/2019

---

*Please submit your application to Assistant to the City Manager Marianne Schilling at [mschilling@ci.wheatridge.co.us](mailto:mschilling@ci.wheatridge.co.us)*

All qualified candidates will be contacted directly regarding next steps.

**Applications are due by Monday, April 15, 2019 at 5 p.m.**



## Outside Agency Program Committee Application

The Wheat Ridge City Council is seeking volunteers to participate on the Outside Agency Program Committee to review and recommend funding allocations for the [Outside Agency Program](#).

One Wheat Ridge resident will be chosen from each City Council District to serve on the Committee for a two-year budget cycle term (2019 & 2020) to expire July 2020.

### Contact Information

Full Name

James Skinner

Address

3905 Carr St

I live in  
[District:](#)

II

Email Address

jmsinusa@gmail.com

Phone

720-989-4900

Why do you want to serve on the Outside Agency Program Committee?

It is important that funds are allocated so as to provide the maximum benefit to Wheat Ridge and its residents. Having worked for both the British and US Federal Governments, I have experience of reviewing funding applications. I see this committee as an opportunity to apply my experience for the benefit of my local community.

Can you foresee any conflicts of interest you may have with the outside agencies that may apply? (i.e. working at or serving on a board or non-profit)

☐ Yes    ☒ No

If yes, please explain

To be considered for the Outside Agency Program Committee, you will need to attend the application review presentations in 2019. Please check the dates you are available to attend:

☐ May 14    ☒ May 21    ☒ May 28    ☒ June 4

---

## Verification

(Please check box)

☒ I am requesting appointment as a member of the Outside Agency Program Committee. If appointed, I hereby commit to the best of my ability to fulfill the role for a two year term until July 2020.

Full Name

Date

James Skinner

3 April 2019

---

*Please submit your application to Assistant to the City Manager Marianne Schilling at [mschilling@ci.wheatridge.co.us](mailto:mschilling@ci.wheatridge.co.us)*

All qualified candidates will be contacted directly regarding next steps.

**Applications are due by Monday, April 15, 2019 at 5 p.m.**