

**STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO**

June 4, 2012

Mayor DiTullio called the Study Session to order at 6:30 p.m. Council Members present: Davis Reinhart, William "Bud" Starker, Kristi Davis, Mike Stites, Joseph DeMott, George Pond, and Tracy Langworthy.

Also present: Deputy City Clerk, Bruce Roome; City Treasurer, Larry Schulz; City Manager, Patrick Goff; Community Development Director, Ken Johnstone; Public Works Director, Tim Paranto; Parks and Recreation Director, Joyce Manwaring; Economic Development Manager, Steve Art; Police Commander, Jim Lorentz; Planner 1, Sarah Showalter; staff, and interested citizens.

Citizen Comment

Nancy Snow, Wheat Ridge resident, spoke in opposition of the proposed amendment to Wheat Ridge Code regarding group homes (Item #5.)

Tim Sabus, on behalf of ERCN, LLC, spoke in regards to Martensen Elementary (Item #4.)

1. Elected Officials' Reports(s)

Mayor DiTullio addressed Council regarding business owners wanting to have occasional amplified music at their businesses. The City has a process to have amplified music at City parks and Mayor DiTullio would like to work with City Manager and City Attorney to draft a process that would involve a Special Event Permit for all users of amplified music, which would include businesses, residents and the City. The Mayor would like the process and permit in place soon. This process would benefit the new direction the City is going with regards to festivals, new businesses and block parties, etc.

Consensus reached by Council to have the Mayor work with the City Attorney at a maximum of 5 hours' work time by the City Attorney.

Council Member Jay attended the DRCOG Board meeting in May as well as the 38th Avenue Leadership Committee.

Council Member Reinhart is attending a fund raiser for Boys and Girl Club on this Saturday in an effort to get a club in Wheat Ridge.

2. Staff Reports(s)

- a. 38th Avenue Corridor Rezoning (Ken Johnstone/Sarah Showalter)

At a study session in January 2012, City Council directed staff to start the process of a City initiated rezoning on 38th Avenue, following the process that was used for the legislative rezoning of the Wadsworth corridor in 2011. The first step in the process is outreach to property and business owners. The purpose of the study session on June 4th is to share the results of this outreach and ask for approval on next steps of the process.

Consensus to automatically opt property and business owners out if they sent in comments stating opposition to the rezoning and also add a 30 day window if and when the ordinance passes giving a second opportunity to opt out of the new zoning.

b. Wadsworth Corridor Rezoning (Ken Johnstone/Sarah Showalter)

In July 2011, City Council approved a legislative rezoning of the Wadsworth Corridor to Mixed Use-Commercial (MU-C), per Case No. WZ-11-03. It has come to staff's attention that a single parcel—located at 7750 Three Acre Lane—was inadvertently left out of the city-initiated zone change.

Staff has met with the property owner to explain the error, and the property owner has requested that the parcel be rezoned from Residential-Three (R-3) to MU-C, as was originally intended. Staff is requesting approval from Council to proceed with a legislative rezoning for the property at 7750 Three Acre Lane.

Consensus reached to move forward with this rezoning.

c. HOME Federal Grant Funding Consortium IGA (Ken Johnstone)

The federal government makes funds available to local governments for assistance with affordable housing through a program entitled HOME. HOME funds are to be used to assist low to moderate income persons with housing needs. The funds can be used for new construction, rehabilitation, acquisition of housing, assistance to homebuyers and tenant based rental assistance.

In order to form the HOME Consortium, HUD is requiring the execution of an IGA between Jefferson County and Wheat Ridge since Wheat Ridge is a part of the Urban County. The IGA must be signed by the Mayor with a resolution passed giving the Mayor authority to sign the IGA.

Consensus reached to move forward with this IGA.

d. Camping in Greenbelt and Parks (Commander Lorentz)

The Police Department and the Parks and Recreation Department are working collaboratively in addressing concerns of transient homeless people using the City's greenbelt or parks, to camp and live. Parks personnel, Community Service and Police Officers routinely patrol the greenbelt and parks in an effort to make citizens and visitors

to our community feel safe, as well as to educate citizens or take enforcement action related to the City's park regulations. The *City Code of Laws, Section 17-33*, prohibits camping overnight, to include parking any vehicle, trailer or camper overnight for camping purposes.

In an effort to assess the scope of this issue in Wheat Ridge, the Police and Parks Department will have teams in the greenbelt area to assess the extent of the camping problem, remove any existing camps, address any safety issues presented by these camps and provide resource information to anyone camping in the area.

Commander Lorentz passed out pamphlets that the Police Department has on hand to give out to those found camping in the green belt or parks. This contains a variety of resources for those that need a place to sleep.

e. Renewal Wheat Ridge Gap Funding Request (Steve Art)

Renewal Wheat Ridge is requesting that the City of Wheat Ridge provide an interest free gap loan in the amount of \$350,000 to complete infrastructure improvements at Town Center North.

Consensus reached to proceed with the interest free gap loan.

3. Martensen Elementary

Jeffco School District closed Martensen Elementary School at the end of the 2010-2011 school year. This school closure has presented an opportunity for the City to explore acquiring the site for use as a neighborhood park. If acquired, the intention would be to substitute the Martensen site for the 44th and Kendall site which is owned by the City and designated for future development as a neighborhood park.

Staff has met with the school district to determine a contract price for the site. The negotiated purchase price for the site is \$1,400,000 over a 10-year period with 2.5% interest. The total purchase price including interest is \$1,583,734. The annual payment is \$158,373.

Consensus reached to expend Open Space funds for professional services to develop a program plan for building and site use and the associated costs of \$9,080.

Consensus reached for potentially housing a Boys and Girl Club at this location.

Mayor DiTullio excused himself from the meeting at 8:37 p.m.

4. 38th Avenue Corridor Plan Implementation Update (Tim Paranto)

Mr. Paranto was present to field any questions from Council regarding the 38th Avenue project since the restriping project was implemented last week.

5. Amendment to Wheat Ridge Code Regarding Group Homes (Ken Johnstone and Carmen Beery)

City staff recently met to discuss the current state of the law concerning the regulation of group homes for the handicapped and how the Wheat Ridge Code of Laws ("Code") operates to regulate group homes of various types. As a result of those discussions, the City Attorney was directed to prepare a draft ordinance for the June 4 study session. The draft ordinance revises the interrelated provisions in the Code presently governing group homes to bring them in line with our review of current case law and with staff recommendations based on their experience administering the regulations.

Consensus to bring forward the proposed ordinance.

The study session was adjourned at 9:23 p.m.



Bruce Roome, Deputy City Clerk