

STUDY SESSION NOTES

CITY OF WHEAT RIDGE, COLORADO

City Council Chambers 7500 W. 29th Avenue

July 18, 2016

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

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

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

PUBLIC COMMENT ON AGENDA ITEMS

(All speakers addressed Item 3.)

Benny Gonzales (WR) moved here because he doesn't want to be like North Denver, but now it is. He lamented the big house on Fenton that took away his view; he's heartbroken. It doesn't fit the neighborhood. He encouraged Council to be the leader in keeping the small town atmosphere. Those who want big modern homes should look elsewhere. The architecture doesn't match; new buildings should match the neighborhood and neighbors should have a say. He thinks the height should be about 25 ft. If people want a third story, they should dig deeper. He likes the Edgewater bulk plane diagram.

Al Lazalde (WR) has looked at the studies and comparisons to Denver, Arvada, Lakewood and North Denver. We aren't those areas. He feels strongly about the 25 ft height. He's not against growth, but we need to be responsible to the neighborhoods, your constituents. He said it was at that meeting in 2012 that a councilmember said this scraping replaced with 3-story houses wouldn't happen to our area. We are Wheat Ridge; let's keep it that way.

Melissa Archuletta (WR) is concerned about height and wants to know how the Mayor/Council are going to address it. This kind of construction is going to ruin the charm and affordability of our city. We need not become another over-developed, disgruntled community. Yes, neighborhoods will evolve and people should be able to scrape, but allowing 3-story mega houses next to 1-story homes isn't fair. The impact is ridiculous. She suggested a collaborative design review process that includes developers, architects, designers, and the community. Be innovative. Don't let there be another disheartened neighborhood filled with big boxes. Do something before it's too late.

1. Staff Report(s)

a Amendment to Ordinance for Pawn Shops and Secondhand Dealers ~ Police Department

Lieutenant Mark Cooney elaborated on the packet material explaining the recommended changes in the pawn shop ordinance. These changes would make investigative work more efficient, help in the recovery of stolen property, and aid prosecution. Proposed changes include:

- Add the definition of "Secondhand Dealers" and include them in the ordinance
- Require all pawnshops and secondhand dealers to
 - maintain a computer system with internet access capability
 - take a digital photograph of persons pawning/selling property
 - not delete any digital data from their electronic devices for 30 days

Officer Keith Weimer was on hand for questions and **Chief Brennan** spoke.

- Nothing in the recommendations is outside state law.
- Lakewood, Englewood and Thornton have these requirements in place.
- This sometimes leads to solving a larger crime.

Discussion and questions from Council

- Consignment shops are not included.
- Brokers already have access to these systems. Just need a computer to access it.
- Wheat Ridge detectives have successfully used Leads Online. If WR brokers participate, our detectives won't be slowed down with manual data entry from pawn slips.
- The online database is kept for years, and Leads Online has been around for years.
- Current challenges: A paper system is cumbersome and provides no real leads. The video systems don't provide good pictures.
- All pawn shops and second hand dealers have been talked to. Most are supportive; the others at least understand.
- No cost to the dealers for participating; PD pays a \$3,700 yearly fee to use this data.
- PD not interested in blocking citizens' rights; just want to be more efficient.

Councilmember Mathews received unanimous consent to accept the proposal in the packet.

b 2016 Justice Assistance Grant ~ Lieutenant Dave Pickett

The Department has received a 2016-2017 Justice Assistance Grant (JAG) in the amount of \$11,288. The PD plans to use this money for:

1) Pole camera surveillance system

We have an officer who is a trained technician. Can be used for all sorts of investigations.

2) EDGE FX Forensic Elite Edition Upgrade

We already have the Edge FX program for accident reconstruction and diagramming. The upgrade will allow for 3D graphic animation – which jurors expect these days. Criminal defense teams often provide 3D animation; the prosecution needs to have access to similar technology.

3) Community Policing Overtime

For the TLC Neighborhood program

It was noted that this grant requires Council approval and this meeting was advertised.

Councilmember Urban received unanimous consensus to move forward with the items presented.

2. Clear Creek Crossing Update ~ Scott Brink and Patrick Goff

Mr. Goff reported the Environmental Assessment (EA) was done. It outlines the improvements that have to be done before Clear Creek Crossing can open.

- Some improvements have been made – 32nd & Youngfield and the 40th Ave/I-70 underpass. The hook ramps for 32nd Ave were not done.
- Other reasons the development has not happened: It requires \$50M in infrastructure. No one had the money.
- The City went back to the Federal Highway Administration (FHA) to see if infrastructure could be phased in. That was approved. Now Phase 2 needs to be reevaluated.

Scott Brink reported that Phase 1 was a long 2-year process that would allow for development on 1/3 of the property. However, the developer wants to do something bigger – using 2/3 of the property, which will require a Phase 2 EA. Staff is hopeful that Phase 2 can be completed in 1 year.

Tyler Carlson of Evergreen Development (specializing in retail and multi-family development) gave a presentation.

- They are proposing something larger than what the Phase 1 EA will allow.
- They propose to use all the land Cabela's owns south of the creek.
- It will be a true multi-use development with residential, employment and entertainment areas.
- He said a "Disneyland retail project" will never happen there.
- He showed a number of projects they have done and talked about the integrity of the company which is based in Arizona.
- In 60 days they will be bringing a package to Council. They think the mixture of uses will be better in the long term.

Mr. Goff reported that feelers have been put out for traffic engineers; there's been some response. This reevaluation will cost \$100,000 or more, but the project would reimburse the City for this cost.

Phase 2 will use most of the existing data, but look closely at the hook ramps.

Jim Paulmeno from Parsons Brinkerhoff spoke briefly about the hook ramps.

Discussion:

- Timeline? Evergreen would like to close by year's end. CDOT process may take a year. Construction expected by fall 2017.
- Denver Water also has big project there next year.
- Evergreen anticipates opening retail by fall of 2018.
- A large employer is interested in locating a campus there.
- They will build the restaurant/entertainment area first, then the employment area, then the residential.

Mr. Goff noted there is nothing in the budget for this right now. Staff will look in the budget for possible savings from some other projects, or we can dip into reserves. Staff hopes many of the things that were approved will hold.

No consensus needed tonight.

3. Residential Development Standards ~ Ken Johnstone

Ken Johnstone note the goal is to make sure infill development fits the neighborhood and scale. He went through the data from other cities

Zach Wallace, who has taken the lead on the research, presented the findings.

- Analysis of height and setback compared to surrounding cities
- Many new developments in the city are using height of 35ft
- We don't regulate architecture, just setback and height.
- Setback findings: We're mostly in line with other cities, except our 5 ft rear yard setback is more permissive.
- Height findings: Denver has 30 ft max in their suburban zone.

He explained Bulk Plane and illustrated how it is applied in Edgewater, Denver, Arvada, and Lakewood.

Council discussion of residential bulk plane requirements, height limits and setback adjustments followed.

- Need more affordable housing. Allowing these big houses in bungalow neighborhoods ruins the existing neighborhoods.
- What's the difference between R1 and R1C?
- All councilmembers expressed interest in looking at bulk plane and setbacks.

- We need to start thinking about design standards
- Be careful about imposing design standards; we don't want to squash development.
- Favor looking at surrounding structures
- Citizens want to keep the character of the neighborhoods.
- Edgewater reduced its height limit along Sheridan
- We are not other cities; we are Wheat Ridge
- Citizens have asked for the 25 ft height limit, we should look at it.
- We should remember we are unique.
- Need to keep in mind the transition areas near residential zones.
- Don't support cutting 10 ft off the height limit as not all WR neighborhoods are alike. Also not all lots are rectangles. Honoring the character of one neighborhood may jeopardize the character of other neighborhoods.
- 35 ft is ok in most of the city

There was consensus to look at all the factors – bulk plane, height and setbacks. There was approval to work with the Planning Commission. Mr. Goff said they will do bulk plane and setbacks first as they are the least difficult. Height is the most complicated.

4. Residential Occupancy Limits ~ Ken Johnstone & Chief Brennan

Staff presentation

Enforcement is multi-faceted and complicated. Progress has been made in the code enforcement area which helps promote strong neighborhoods and lure good redevelopment. Efforts are currently reactionary due to low staffing.

On the issue of excessive occupancy, staff uses the definition of a family and the International Building Code. He elaborated on the challenges.

Discussion followed.

- Q: Why wasn't the 2009 pilot program pursued? It was decided to stick primarily with larger rental properties. Chief Brennan said older rental properties require the most attention. It really came down to resources. We don't have the money to start a rental inspection program. They have put together an administrative model.
- NRS updates revealed that we still have very low rental prices in WR. Code enforcement issues with rental properties are the toughest issues the Chief deals with.
- Interior inspection is overly intrusive.
- Could we do it on a need-driven basis?
- People would be better served if we used the PIO money for another CSO.

- Replace the PIO, but also hire more CSO's.
- Mr. Goff offered that staffing has been discussed -- splitting duties for the areas of animal, code enforcement and park duty. Chief Brennan added they are putting together a plan to separate animal and code enforcement, and giving park enforcement to the patrol division. He encouraged to leave the PIO position in place.
- Total number of landlords in WR? Unknown. We have 13,000 residential units; 6,000 are rental properties.
- The issue of Air B&B's
- Causes for problems vary around the city? Sometimes it's the building, sometimes it's the landlord.
- Idea of a landlord council. Get ideas from them.

Protracted discussion continued.

There was consensus to move forward with code enforcement as a tool and pursuing options for a rental inspection program. There was consensus to obtain further information about occupancy enforcement in other jurisdictions.

5. Elected Officials' Reports ~ none

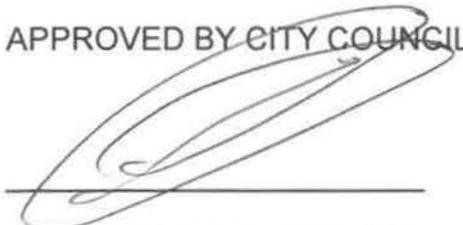
ADJOURNMENT

The Study Session adjourned at 9:28p.m.



Janelle Shaver, City Clerk

APPROVED BY CITY COUNCIL ON August 8, 2016



George Pond, Mayor Pro Tem