

STUDY SESSION NOTES
CITY OF WHEAT RIDGE, COLORADO
City Council Chambers 7500 W. 29th Avenue
July 15, 2019

Mayor Bud Starker called the Study Session to order at 6:30 p.m.

Council members present: George Pond, Janeece Hoppe, David Kueter, Zachary Urban, Kristi Davis, Larry Mathews, and Leah Dozeman

Absent: Amanda Weaver (excused)

Also present: City Clerk, Janelle Shaver; City Attorney, Jerry Dahl; City Manager, Patrick Goff; Community Development Director, Ken Johnstone; Police Chief Dan Brennan; Executive Director RWR, Steve Art; WRPD Division Chief, Jim Lorentz, other staff, guests and interested citizens.

Citizen Comment on Agenda Items No one came forward to speak.

1. Intergovernmental Agreement with Urban Renewal Authority ~ Steve Art

Mr. Art, Economic Development Coordinator, gave a brief presentation on the renewal of an Intergovernmental Agreement (IGA) that exists between the City and Renewal Wheat Ridge (RWR) to provide funding on an annual basis to help complete their undertakings and activities.

- The IGA provides an annual contribution of \$300K to RWR.
- It establish the rights and responsibilities of the City and RWR with respect to (1) operational assistance and (2) funding for urban renewal activities.
- This agreement started in 2006 and was last modified in 2014.
- The current IGA expires on December 31, 2019.
- RWR is requesting that City Council extend the IGA for a five-year term through December 31, 2024.
- The funds are used to help remove blight.
 - The Town Center and Town Center North apartments have been completed.
 - Construction on Ridge House apartments will begin shortly.
 - Almost \$1M has been spent to buy and remediate contamination on the lot at 38th & Yukon Court. Still awaiting final clearance from the State on that.

Questions and discussion followed.

- The \$300K can be spent on any project area.
 - The Corners, Hacienda CO and Clear Creek Crossing all have their own funding sources.
 - Mr. Art's salary comes from the General Fund - not Urban Renewal.
 - The \$300K is spent down annually on such things as stop lights and remediating contaminated sites.
 - 2019 funds are being used for remediation of Yukon Ct.
 - Mr. Goff added that typically funds are transferred at the beginning of the year. If they don't spend it, it rolls over.
 - Pedestrian lights on 38th Avenue were funded with RWR money
- Salary for the RWR attorney, Cory Hoffman, come from these funds.
- Hesitancy to write a 5-year blank check
- RWR paid for the replacement of the hail damaged street lights on 38th Avenue.
- RWR paid for the stop light at 44th & Vance and half of the stop light at 32nd & Xenon
- They have an RFP out for a crossing light in front of Clancy's
- There was discussion about the I-70 & Kipling corridor and the SE corner of I-70 & Kipling as a place where Urban Renewal funds could assist. There are many projects and the area is ripe for the use of TIF.
- Specific needs for 2020 have not been identified.
- Would like an annual or periodic accounting from RWR of how the money is spent.

There was consensus to move forward with the budgeting of \$300,000 for Renewal Wheat Ridge with an annual review of how the funds are spent.

2. Extended Stay Lodging Regulations ~ Kenneth Johnstone

Introduction

- Hotel and motels receive higher calls for service from the Police department.
- Yearly inspections have revealed issues of public health and safety concern.
- Extended stay lodging could be regulated in the Code with an ordinance.
- Tonight is a high level of discussion – deep details to follow.
- Staff has ideas, but would like to get input from the hotel/motel industry.
- Direction on some decision points is needed from Council.

1. Definition of Extended Stay Lodging

- Our Code doesn't have a category called "extended stay lodging". If that is defined they can be regulated as far as location, physical/operational characteristics, and how to treat existing situations allowing long term guests.
- The code is silent on what constitutes "transient."
- Hotels/motels are currently a Special Use in C-1, C-2, and I/E zone districts.
- Some cities differentiate a traditional hotel/motel from extended stay lodging, may prohibit one or the other in certain districts, or regulate them in some ways.

Questions and discussion followed. Discussion points included:

- By defining and allowing them are we inviting more crime?
- Where extended stay lodging could be of benefit near I-70.
- “Longer than 30 days” is considered residential and is not taxed.
- Extended stay lodging should be defined.
- What zone districts are appropriate for extended stay? Staff recommends C1, C2, and all MU districts.

Councilmember Hoppe received sufficient consensus to proceed with definition and allowance of extended stay lodging in our Code.

Councilmember Hoppe received unanimous consent to restrict extended stay lodging to C1, C2 zones as Conditional Use and in all MU zones.

2. Physical and Operational Characteristics and Duration of Stay

Discussion about how many days to allow.

- Staff suggests 10 days for traditional hotel/motel rooms, maximum 30 days for long term stay, and maximum 120 days per year.
- Mr. Johnstone indicated it would be helpful to define “transient”.
- Extended stay rooms should have some amenities.
- A regulatory process would allow the City to find out what’s really going on.
- Construction workers and corporate folks often stay for months. Industry standards should be explored.
- How would we enforce the 120 day yearly maximum? Or the 30 day limit?
- Could have a percentage of rooms allowed for 30-day stay and for 120-day stay.
- Should guard against having so many requirements that those that accommodate homeless people are forced to discontinue that option.

Councilmember Hoppe’s request for consensus to approve the 30/120 day duration of stay for extended stay and 10 days duration of stay for traditional hotel/motel failed.

There was further discussion.

Councilmember Hoppe received consensus for public outreach through staff and return to Council before an ordinance is drafted.

Councilmember Hoppe received consensus to support the 30/120 days duration of stay for extended stay, and 10 days for traditional stay hotel/motel.

There was a question about providing resources for people who stay long term in budget motels as affordable housing. We currently don’t have the staff for that – other than what is available through the County. Chief Brennan noted that not all extended stay tenants commit crimes and generate calls for service.

3. In-Room Characteristics

Staff recommends some requirements for extended stay lodging, to include:

- minimum size of the unit and for living area
- minimum kitchen/cooking facilities; dedicated sink; refrigerator
- maximum sleeping occupancy
- prohibit storage of personal items on balconies or in hallways
- available daily housekeeping

Discussion continued on various issues.

- Support storing a bicycle or stroller on the balcony.
- Do we have a reality check of what is possible for existing businesses?
- How to pay for monitoring this since the lodger's tax only applies for 30 days.
 - Staff does one inspection a year, but will that be adequate?
 - Hiring added personnel is likely.
 - The Special Use fee will pay for some or it.
 - Retrofitting rooms would generate building permit fees.
- Would like to see revenues from this remain self-contained and pay for the program
- Facilities with extended stay need to provide refrigerators and cooking capabilities
- Mr. Dahl advised that Council can set licensing fees and require they be used for the regulatory program; this would not require voter approval as it is not a tax.

Councilmember Hoppe received consensus for the general characteristics suggested for in-room requirement for extended stay lodging.

4. Common Area Characteristics

- Staff recommends requiring some common area amenities to make the extended stay facilities more attractive and of higher quality. These elements make it a better business model.
- Suggested are such services as: 24 hr desk, business center, fitness center, heated pool, laundry facilities, meeting areas/conference rooms, on-site restaurant.
- Could be flexible and require a certain number of these items from the list.

The only point of concern was the difficulty for existing facilities to retrofit.

Councilmember Hoppe received consensus to support the general framework presented for minimum common area characteristics for extended stay lodging

5. Existing Hotels/Motels

Minimum standards? How long to come into compliance? Council might want to grant a grace period for compliance to benefit occupants and business owners.

There was discussion about providing information about resources for those who need a different housing option.

Councilmember Hoppe received consensus to provide information about available resources to those who need long term housing, and to provide a grace period for compliance by the businesses.

Following Mr. Johnstone's inquiry about grace periods there was consensus that:

- Grace period needs to be considerable for some of these requirements.
- Graduated grace periods for the different requirements should be included.

6. Exceptions

- Some exceptions should be allowed such as temporary housing funded by an insurance company for someone whose house is unlivable due to fire, weather damage, etc.; resident on-site manager; persons in crisis receiving temporary housing assistance from the government
- Would like to see an exception for extended medical treatments or rehab
- Suggest only a certain percentage can be used for exception purposes.

Councilmember Hoppe received consensus to allow some exceptions to the maximum 30-day occupancy rule and for staff to research/recommend a number for percentage.

Mr. Johnstone said staff will work to craft a framework for further discussion and outreach, and meet with industry members and existing operators about these issues.

3. Lodging Facility Licensing Program -- Chief Brennan

Chief Brennan highlighted some information about dealing with budget motels

- Police departments and city services employ a disproportionate amount of resources dealing with budget motels
- Wheat Ridge has nine motels in its jurisdiction with a total of 972 rooms.
- Citizen calls for service (CFS) at these nine motels account for 7.5% of the total calls for service in the entire city of 14,616 households and 4,194 businesses.
- 6% of the calls receive a report – i.e. some form of crime was committed
- We do annual inspections. Significant health/safety issues have been identified and remediated.
- Prevention measures have been taken with mixed results.
- Staff believes creating a lodging facility licensing program would help lower police calls at budget motels and make the area safer for surrounding businesses/visitors.
- Hotel Motel licensing tends to be the last resort, but it is becoming more common in various cities and states.

Division Chief Jim Lorentz reported on the proposed ordinance.

- The Justice Dept has a good publication that provides ideas of how to handle budget motels. There are 6 solutions presented in the Memo to Council. We use 4 of the suggested ideas.
- Talked to Lakewood to learn what they are doing. In Lakewood the City Clerk's office reviews the licensing. He explained Lakewood's program.
- Staff likes the tiered system that categorizes the hotels based on the number of calls for service.

Chief Brennan offered additional input.

Questions and discussion followed.

- How the tier system works. Incentives can be provided. Fewer calls has less expensive license.
- Suggest requiring them to hire off duty police officers or security company
- How strict would the hearing process be? Mr. Dahl explained a process similar to the Liquor License show cause hearing would serve well.
- The nexus of a Liquor License show cause hearing and a Lodging facility hearing.
- Issue of drug involved activities. Mr. Dahl said it could be a trigger for a show cause hearing.

Councilmember Hoppe received unanimous consent to pursue lodging licensing.

4. Staff Reports

Mr. Goff reported that Rocky Mountain Bottling Company has made some recent changes. We offered tax share back incentive, but there are code issues now related to noise. He will update council on communications with them and the neighbors. RMBC is actively trying to do noise mitigation.

Mr. Dahl explained there is a state statute that deals with this – noise levels. Local regulations can only be more stringent.

5. Elected Official Reports

David Kueter said he would like to have staff explore having someone from the County come and present concerning things that can be done to promote construction of affordable housing. There was agreement to put that on a future study session agenda.

Kristi Davis invited everyone to order Palisade peaches through the Rotary. Do it on the Rotary website. You can order a half case, but she recommended ordering a full case. Pick up will be at Pietra's. If you can't pick it up, give her a call and she will bring your order to you.

Larry Mathews reported spending time at the Ward Station asking questions of riders. Riders were very complimentary of the service; unfortunately in the middle of the day

ridership is low. He also reminded his constituents that even though it is a quiet zone, the operators do have discretion to sound their horn if the need arises. If it's a problem, let us know.

Mr. Goff reminded Council that Friday is Chief Brennan's last day. Council is invited to come to his farewell at the Rec Center at 2:00pm this Friday.


ADJOURNMENT

The Study Session adjourned at 8:55pm.

APPROVED BY CITY COUNCIL ON October 28, 2019



Janelle Shaver, City Clerk



Janece Hoppe, Mayor Pro Tem