

Arvada City Council Meeting, December 07, 2015

Notes taken by Susan Shirley

Spano: From Cukes to Kombucha

In attendance were Mayor Marc Williams, Mayor Pro Tem Bob Fifer, and Councilmembers Don Allard, Nancy Ford, Dave Jones, John Marriott, and Mark McGoff.

At 6 p.m., attendance by citizens was 28.

Minutes from the November 16 meeting were approved with no changes.

Recognition:

The American Legion has chosen Arvada as a city to honor with its "Proud to Be an American" award. Arvada is being honored for, among other things, its annual Independence Day celebration, commemoration of Veterans Day, support for active military Arvada employees and recognition of inactive military employees, Veterans' Voices programming, and the Veterans' Town Hall. American Legion Post 161 Chair William Baldaccini presented the award to Mayor Williams. Baldacci noted that the American Legion is the largest veterans' organization in the country. He commended Arvada for consistently, through the years, supporting exceptional activities and programs to promote Americanism. He mentioned that the eagle atop City Hall was provided through donations by American Legion members, and is dedicated to all Arvada area veterans; it was especially chosen because it looks watchful rather than threatening.

Mayor Williams, in accepting the award, gave a special mention to Councilmember Don Allard, who is a veteran. Williams also said the American Legion hosts a First Friday Forum at their facility at 6230 W. 60th Ave., for the sharing of information among elected officials and Arvada citizens.

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Public Comment: None

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Consent Agenda:

Relief Municipal Judges, renewal of employment agreements with Geoge W. Boyle, II, Kristan K. Wheeler, Michael S. Matassa, and Ralph C. Turano. (R15-157, -158, -159, and -160.)

Olde Town Arvada Business Improvement District (BID): Approval of 2016 budget and operating plan, and Memorandum of Agreement between the City and the BID. (R15-161 and -162)

Oracle Software, renewal of support agreement for financial software, \$148,179 for 2016. (R15-163)

Transit shelters: Outdoor Promotions has come to an agreement with the City which will allow Outdoor Promotions to continue to install and maintain transit shelters with benches and advertising. The City will receive 15% of the net revenue from the advertising. (R15-164)

More transit seating: In November, Outfront Media, the previous supplier of 153 bus benches, abruptly removed the benches, leaving riders without seating. The City is contracting with Creative Outdoor Advertising for replacements and maintenance. The City will receive, for the advertising, \$125 per bench per year, on an expected 150-200 benches. (R15-165)

West Woods Links Homeowners Association, revocable encroachment license to replace their existing entry sign. (R15-166)

Arvada Sustainability Advisory Committee: Reduces the number of City Council members on the committee from two to one. (R15-166)

All items were approved, 7 to 0.

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Resolutions:

2016 Legislative Agenda: This item is to approve positions taken by City Council relating to the activities of the Colorado General Assembly. The main themes include maintaining local and home rule; no mandates (federal and state mandates, especially unfunded, should not be imposed on local government); preserve current municipal authority in such areas as land use, zoning, urban renewal, and sales tax; and local problems need local solutions. (R15-168)

This was approved, 7 to 0.

Reno Park Design Guidelines:

In May of this year, at the request of 85% of the homeowners in the Reno Park Historic District, City Council approved rezoning from Residential-Multifamily to Residential-Small Lot. The next step in the protection and preservation of the neighborhood will be to hire a consultant to help the neighborhood develop a set of guidelines. The City has been awarded a \$24,000 grant, and will match that with \$10,500. (R15-169)

Director of Community Development Rita McConnell walked through the process needed, and the reasons for setting up design guidelines. Reno Park Historic District was formed in 1997. Arvada's other Historic Districts have design guidelines, Reno Park up to now has not.

Design guidelines, continued McConnell, promote consistent, fair decision making when evaluating proposals to develop a property or improve an existing structure. The guidelines are there to influence the scale and bulk of structures, as well as their placement and height, to keep in character with existing development.

The next step will be to request bids for consultants, select a consultant in Spring of 2016, and conclude the process by January of 2018.

Councilmember Allard asked why it will take so long to develop the guidelines; McConnell said it is because of the extensive stakeholder input needed. Councilmember Mark McGoff asked how many properties will be affected, and how many of the residents approve the action. McConnell said there are

fifty-some properties, the action was initiated by two property owners and ultimately approved by 85%. Councilmember Dave Jones asked what happens if a property sells during the process of drafting guidelines, and the new owner scrapes it and builds something that doesn't fit. McConnell said that's the problem we have now--there are only zoning code requirements which won't stop that eventuality, and that's why we need guidelines in place to influence the design and the way new construction relates to adjacent structures.

Councilmember John Marriott asked for an overview of the public process, and was especially interested in whether or not all affected property owners would have the opportunity for input.

McConnell said there will be extensive research, first for the staff to fully understand historic images of the district, then to understand what the citizens want to achieve. She said the community outreach will be largely for the purpose of giving information, and there will be focus groups in order to get information. There will be a community meeting for feedback, then design concepts submitted to the design review advisory committee for input, and also input will be sought from the Planning Commission and City Council. HOTA and other concerned groups will also be consulted.

Marriott reiterated his support for all affected property owners to be notified, especially because if they have a new set of rules to follow, they should have some say in the way those rules are drafted. He added that he hopes there will be "robust" notification to the surrounding area, "bigger than 400 feet," because even properties not included in the guidelines will be affected anyway due to being in the general area. McConnell agreed.

Mayor Williams said we don't want this to become a case of closing the barn door after the cows are out, and that he supports this action because the neighborhood overwhelmingly desires it. He said if not for such strong resident involvement he would not support it.

Councilmember Bob Fifer said the Colorado grant makes this a win/win.

This item passed, 7 to 0.

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Ordinances, First Reading:

Public Hearings for these items will be January 4, 2016 at 6:30 p.m.

Bike Training Facility: Arvada and Jefferson County will be partnering on the creation of a training facility on the grounds of the Head Start property at 52nd and Yarrow. The facility is expected to be in operation in late spring or early summer, 2016. The purpose will be to teach bicycle safety, rules, and etiquette to children. The City's cost will be \$90,000 plus maintenance. (CB15-049)

Amendments to the Engineering Code, section 78-261. (CB15-050)

Spano Corner, 5190 Marshall Street: the applicant, Ilan Salzburg, is requesting annexation and rezoning from agricultural to industrial/commercial. Brew Lab plans to develop the property for light industrial, office, and retail. (CB15-051 and -052)

Morningstar Senior Living, 64th Avenue and Easley Road: request is for rezoning from business-professional to business-professional-residential. THE applicant wants to construct senior living on a 4.5 acre property, to include 70 independent living residences, 41 assisted living units, and 29 units for memory care. (CB15-053)

All items were approved on first reading, 7 to 0.

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Other:

Ratification of AEDA Board members Scott Marcum and Ron Slinger (Agenda Item 8A)
Appointment of Michael VanderKolk to the board of AEDA (Agenda Item 8B)

Appointments of City Council members to boards and committees. Details here:
<http://www.arvadarecords.org/.../08.C.%20Appointment%20of%20C...>
(Agenda Item 8C)

All items were approved on a 7 to 0 vote.

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Public Hearings:

IGA between the City and Richards Farm Metropolitan District, 72nd Avenue between Alkire and Ward Road. The developer will be contributing \$192,500 toward upgrades at the intersection of 72nd and Indiana. (CB15-042)

There was no public comment and no comment from councilmembers. Approval was on a 7 to 0 vote.

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Authorization of restated and amended IGA between the City and Hometown Metropolitan District Number 1. (CB15-043)

Termination of IGA between the City and Hometown Metropolitan Districts 3 and 4. (CB15-044)

There was no public comment on either item, nor questions from councilmembers. A vote of 7 to 0 to approve the items followed.

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Amendment to Emergency Operations Plan:

Adoption of updates to the Basic Plan for emergencies. This is updated periodically and added to the City Code by Council vote. (CB15-045)

Emergency Management Coordinator Jim Lancy spoke about the action being taken in this meeting. He said that Arvada has a plan for emergencies, outlining who does what and where they do it. In contrast to many other entities, Arvada has only two emergency response levels: Normal and Emergency. Lancy

defines a disaster or emergency as a situation which approaches or exceeds the resources of the City and the Fire District.

In emergencies, the City Manager or a designee of the City Manager is in charge. The City has an emergency coordination center in the Police Department, which was recently upgraded. The City's Emergency Plan was updated following the 2013 floods, notably with the addition of a comprehensive check list.

The Emergency plan is to be updated every year, and City Council is to be briefed every two years. Councilmember Marriott asked if there will also be an opportunity for citizen input. Lancy said that hasn't happened in the past, it's all done in-house and coordinated with such organizations as the Red Cross and the Salvation Army. Marriott said maybe City Council stands in for citizen review, as councilmembers are the elected officials.

This item passed on a 7 to 0 vote.

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Updates to the Land Development Code to incorporate changes in the Floodplain maps. (CB15-046)
With no public or Council comment, this item passed, 7 to 0.

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Additional appropriation for 2015 budget:

Increases the adopted budget from \$191.6 million to \$231.4 million. (CB15-047)

There was a request for clarification on bookkeeping from Councilmember McGoff; no public comment. This passed, 7 to 0.

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Rezoning of property at 6265 W. 52nd Avenue (Valley Farms) from residential to industrial/commercial. The applicant, Ilan Salzburg, is seeking rezoning in order to develop the property for light industrial, office, and retail uses. (CB15-048)

Salzburg said there is a producer of kombucha (fermented tea) who wants to move into an existing building on the property. There is also a bunkhouse which is home to several people; the applicant wants to allow them to remain on the property, as a legal, nonconforming use of the property which will eventually sunset as the occupants move elsewhere over time. Later, the applicant plans a flex office site, and a large canning/bottling facility. Mayor Williams asked if the kombucha facility, which has a contract with Whole Foods, will require more water than has been used in the past at the location. Salzburg said the building was a greenhouse until recently, producing cucumbers, and was a much more major user of water then, than will be the case making kombucha.

This item was approved, 7 to 0.

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Public Comment: None

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Reports from City Council:

Mayor Williams said the Thursday after next will be the Arvada employee holiday get together. Councilmembers commended the City staff, with Councilmember Marriott citing their "incredibly helpful, kind, useful help to me to be better at what I do."

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Reports from City Manager:

Next Monday will be the last workshop of 2015. Topics include aging assessment, the comprehensive plan, and neighborhood engagement update.

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Report from City Attorney:

City Attorney Chris Daly requested permission to hire, on a contract basis, attorney Daniel Evans of the Denver firm Gordon & Rees. Evans specializes in construction-related litigation.

Approval was given on a 7 to 0 vote.

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The meeting was adjourned at 7:55.