

# Citizens Sue Arvada City Hall on *\$30 Land Deal*

(Arvada, Colorado) Arvada City Hall got off on the wrong track when it railroaded through the *\$30 Land Deal* last month and the grassroots group *Arvada for All the People* is going to court to get the local government back on the right rails.

A Complaint for Declaratory Relief was filed late yesterday in Jefferson County District Court. The suit asks that the City of Arvada be found in violation of its own laws and procedures, and that the council's approval of the *\$30 Land Deal* Preliminary Development Plan be deemed invalid. Defendants in the action are the City of Arvada, Arvada Urban Renewal Authority, and developer Trammell Crow.

On Monday, March 19, 2018, the city council of Arvada passed a motion to rehear the *\$30 Land Deal* Preliminary Development Plan (PDP) that had been rejected just 55 days earlier. The project formally named "Olde Town Residences" was then passed by the council 6-to-1 at that same meeting.

*Arvada for All the People* contends that the council motion was based on a wrong interpretation of the City's Land Development Code §3.1.17. That section mandates a previously defeated PDP must wait a year before being reconsidered if it is substantially the same – unless the council **explicitly** agrees to hear it sooner. Contrary to the City Charter, the council took no official action to have another Public Hearing until **after** it was formally scheduled and the Public Notice posted. The vote to rehear the plan occurred less than a hour before the new hearing was opened.

City emails from a Colorado Open Records Act (CORA) request by *Arvada for All the People* show that Arvada Urban Renewal and the developer were discussing literally only two days after the council originally defeated the project to revive the plan and railroad it through as quickly as possible.

*Arvada for All the People* argues that citizens and taxpayers depend upon the rule of law to ensure that participation in government decisions is open, fair, and meaningful. There is grave injury to the whole democratic system when government itself subverts due process for citizen involvement. As in this case, when government officials re-interpret law for the advantage of powerful special interests, then the entire concept of government of, by, and for the people is severely damaged.

"This is the kind of maneuver that creates distrust and cynicism towards local government. Heavy-handed agencies like Arvada Urban Renewal – with millions of taxpayer's dollars to giveaway – brazenly defying the expressed views of a majority of the city council and the citizens to railroad through a project already rejected sets a precedent dangerous to democracy," said Dave Chandler, spokesperson for *Arvada for All the People*. "We tried to alert City Hall to the mistaken route they were taking before March 19 and were ignored. Going to court is a last resort, but the only way now to get Arvada City Hall back on the right track."

The citizens grassroots group, *Arvada for All the People*, dedicated to local government reform, began calling attention to the "Olde Town Residences" apartment complex plan a year ago. The *\$30 Land Deal* refers to the nine acres of publicly-owned, prime real estate that was to have been "sold" for \$30, and all sales and property tax revenue rebated to the developer until 2034. The group has long maintained that the size of the high density residential project makes it inappropriate and *incompatible* with the site and location at 56<sup>th</sup> Avenue and Wadsworth Bypass in Olde Town Arvada.

*Arvada for All the People* is represented by attorney Karen Breslin of Progressive Law LLC.

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