



# WESTMINSTER

## Staff Report

TO: The Mayor and Members of the City Council  
DATE: March 17, 2011  
SUBJECT: Briefing and Post-City Council Briefing Agenda for March 21, 2011  
PREPARED BY: J. Brent McFall, City Manager

*Please Note: Study Sessions and Post City Council briefings are open to the public, and individuals are welcome to attend and observe. However, these briefings are not intended to be interactive with the audience, as this time is set aside for City Council to receive information, make inquiries, and provide Staff with policy direction.*

Looking ahead to Monday night's Briefing and Post-City Council meeting briefing, the following schedule has been prepared:

Dinner	6:00 P.M.
Council Briefing ( <i>The public is welcome to attend.</i> )	6:30 P.M.
CITY COUNCIL MEETING	7:00 P.M.
POST BRIEFING ( <i>The public is welcome to attend.</i> )	

### PRESENTATIONS

1. Northeast Comprehensive Plan Dissolution

### CITY COUNCIL REPORTS

1. Report from Mayor (5 minutes)
2. Reports from City Councillors (10 minutes)

### EXECUTIVE SESSION

1. Obtain Direction from City Council re Proposed Economic Development Agreement with Metalcraft Industries pursuant to WMC 1-11-3(C)(4), WMC 1-11-3(C)(7) and CRS 24-6-402(4)(e)

### INFORMATION ONLY

1. New Public Art Pieces
2. Monthly Residential Development Report
3. Centennial Celebration

Items may come up between now and Monday night. City Council will be apprised of any changes to the post-briefing schedule.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager





# WESTMINSTER

## Staff Report

City Council Meeting  
March 21, 2011



**SUBJECT:** Northeast Comprehensive Development Plan Dissolution

**Prepared By:** Mac Cummins, Planning Manager

### **Recommended City Council Action:**

Provide input to staff regarding the potential dissolution of the IGA with Jefferson County regarding the Northeast Comprehensive Development Plan.

### **Summary Statement:**

The “Northeast Comprehensive Development Plan” (NECDP) was adopted in 1996, and amended/readopted in 2006, and is in effect for 10 years, terminating in 2016. The NECDP was adopted by an intergovernmental agreement with Jefferson County, and is binding on all property covered within the plan. The plan addresses land use, design, and general planning principles for those properties in the plan, the vast majority of which were unincorporated at the time of the adoption of plan.

At the time of the original adoption, the City had significant concerns about property at or near US36, particularly the parcels that became the Shops at Walnut Creek. At the same time, Jefferson County had concerns about a perceived “intrusion” of City development toward the rural lifestyle of some of the large lot residential properties in this portion of the County. The plan was enacted, and effectively locked in zoning and design standards that protected those interests. Over the past 15 years, the parcels and land uses that the City of Westminster was primarily concerned about, have developed in a manner consistent with our policy objectives.

The discussion this evening is to provide input as to the relative value of continuing this IGA with Jefferson County, and to consider dissolving the IGA and NECDP.

**Expenditure Required:** \$0

**Source of Funds:** N/A



**Policy Issue:**

Should Westminster work with Jefferson County in the potential dissolution of the IGA regarding the Northeast Comprehensive Development Plan?

**Alternative:**

Do not work with Jefferson County in the potential dissolution of the IGA regarding the Northeast Comprehensive Development Plan. This option is not supported as Staff believes the plan has served its purpose and is no longer necessary to control land use in this area.

**Background Information:**

As mentioned above, the NECDP was approved in 1996 and readopted in 2006. It puts in place expectations and “rules” for development in portions of unincorporated Jefferson County regarding land use and design considerations. In the past, this document was very valuable to the City in terms of how the commercial properties developed, and how they came into the City. It also allowed for a higher quality of development than might have occurred if these parcels were allowed to develop in the County.

In the past few months, Staff has had discussions with a parcel owner who would like to petition both the City of Westminster and Jefferson County to have the designation on their property changed to better allow the land uses they would like. This dialogue has created a tremendous burden on both Staff’s time and resources as to 1) how to process such a change; 2) how does each entity feel about the proposed change; and 3) how to amend the NECDP to address significant process issues with a proposed change. The Plan and IGA contemplate how either Jefferson County or the City of Westminster would change the plan, but neither document contemplates how a private property owner would propose to change their zoning under the plan. This burden on staff time has led to some discussions about the relative “worth” of the NECDP to either Jefferson County or the City of Westminster at this time.

Staff has met with Jefferson County staff to discuss the issue of potentially amending the plan, or dissolving the plan altogether. Jefferson County staff have indicated that at this point in time, they would favor dissolving the plan altogether, as it is the only mandatory compliance “plan” that the County has adopted. As we discussed the applicant’s proposed changes to the plan, it became clear to everyone that to amend this plan, it would effectively take “an act of congress.” Jefferson County staff indicated that this does not align with the Jefferson County elected officials’ goals of having these sorts of “plans” be advisory only, and not require mandatory compliance. In contrast, our Comprehensive Land Use Plan (CLUP) requires mandatory compliance. Given the regulatory compliance nature of this plan, the Jefferson County staff have indicated they would favor recommending its dissolution to their Board of Commissioners.

City of Westminster staff have evaluated the pros and cons of considering such dissolution. The pros for such an action, in our opinion, outweigh the cons. The primary property that the City of Westminster was concerned about at the time of the adoption of this document has developed in a manner that the City of Westminster is happy with. The remainder parcels are nearly all large lot residential, and though we may be concerned with how they are ultimately developed, there is a cost benefit analysis that should be considered, in this discussion. To process development requests

consistent with this plan is relatively straightforward; however, to process a change to this plan is tremendously cumbersome in terms of staff resources, as evidenced by our recent discussions with the aforementioned parcel owner. By virtue of the plan needing both the City of Westminster and the Jefferson County Board of County Commissioners approval to make a change, staff resources must be dedicated to not only evaluating any proposed changes, but also to coordinate with Jefferson County on their thoughts on any proposed changes.

Staff has had discussions with Jefferson County on how these parcels would be developed, if the plan were to be dissolved. County staff have pointed out that Jefferson County has less overall design requirements than the City of Westminster and the development that may occur on those parcels may not be what City of Westminster is used to accomplishing through our design review process. Our thoughts are that while that is true, we have a history of a strong relationship with Jefferson County, both at the staff and the elected official levels. The “normal” referral process can accomplish nearly all of our concerns; and at this point in time, we have no reason to believe that any of our referral comments would not be addressed; thereby not needing a “requirement” for something embedded in the NECDP.

Another issue is that by dissolving this plan, the City would relinquish control of zoning and land use in the enclaves covered by the NECDP, solely to Jefferson County. The current county zoning, on nearly all the parcels covered by the current NECDP, is for large lot residential. The anomalies to this are generally PUD’s approved by the County years ago, and allow for some commercial zoning; and are currently legal nonconforming to the NECDP. These parcels would be allowed to develop commercially or would go through a County zoning/development review process prior to development. Our conclusion on these parcels is the same as described above. We believe the referral process would address any potential issues that may arise, and at this point in time, are confident in our relationship with Jefferson County.

County staff have also indicated that as they are revising their long term planning documents, they have discovered that this plan is the “only” plan that requires mandatory compliance. All of their other documents are advisory only. As such, they have indicated that it is likely that when the term of the current IGA expires in 2016, their intent would be to **not** readopt the plan in keeping with their philosophy of having advisory long range plans, not regulatory compliance plans.

Given this analysis, our recommendation is to move forward with dissolving the IGA and NECDP. County staff have indicated they would like to do this at the end of the year, after they finish their update to the North Plains Community Plan, which basically covers the land at the base of the Front Range foothills out to the eastern edge of Jefferson County. Our staff have been reviewing this plan, and it remains consistent with the goals of the NECDP, as it pertains to land covered within the current NECDP.

This proposed action would meet City Council’s Strategic Goals of Vibrant Neighborhoods in One Livable Community and a Financially Sustainable City Government Providing Exceptional Services.

Respectfully submitted,

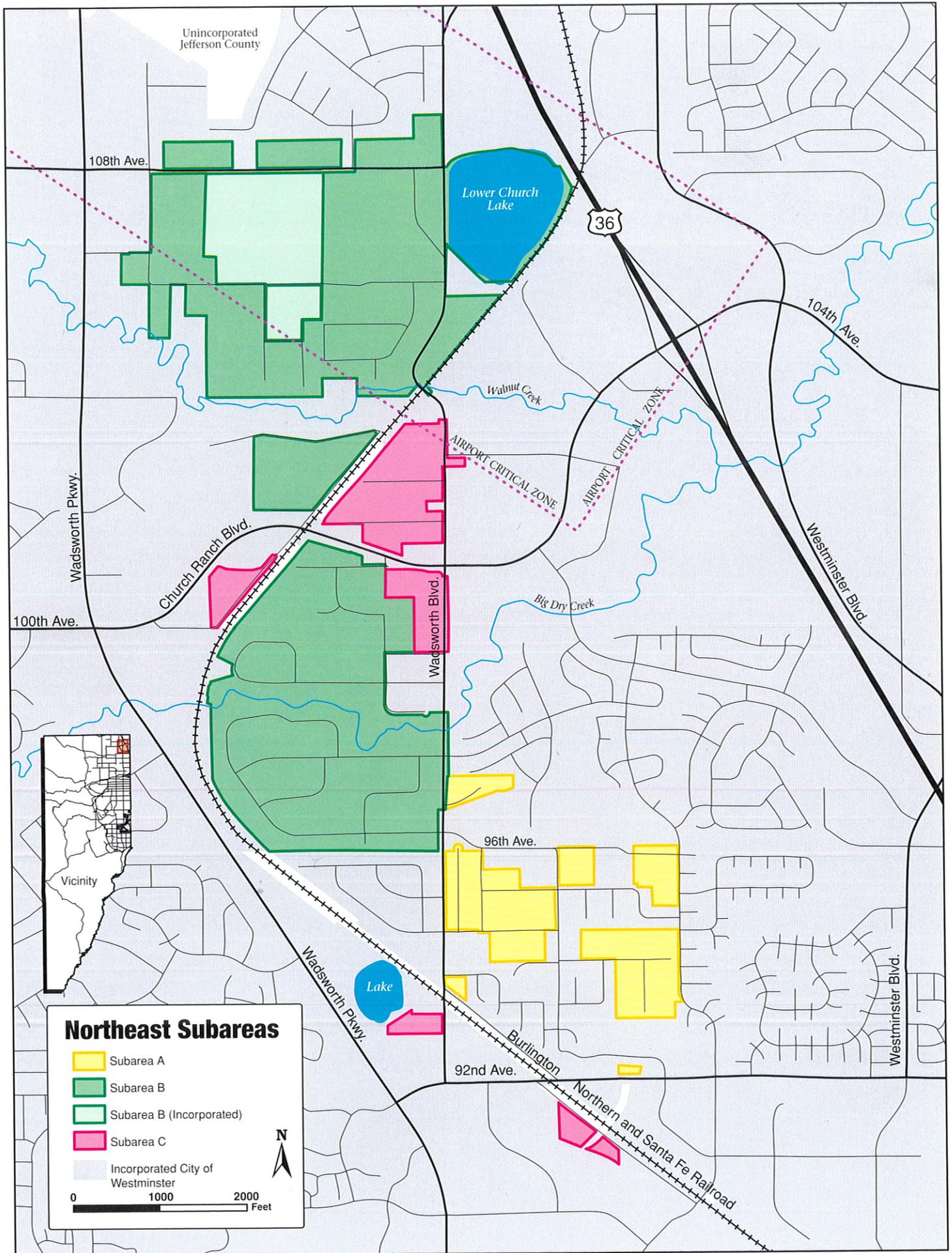
Stephen P. Smithers  
Acting City Manager

Staff Report – Northeast Comprehensive Development Plan Dissolution

March 21, 2011

Page 4

Attachment





# WESTMINSTER

## Staff Report

Information Only Staff Report  
March 21, 2011



SUBJECT: New Public Art Piece  
PREPARED BY: John Carpenter, Director of Community Development

### Summary Statement:

This report is for City Council information only and requires no action by City Council.

This Staff Report is to inform City Council of the planned installation of a new City funded public art piece at the southwest corner of Turnpike Drive and Lowell Boulevard. The most recent phase of the Lowell Boulevard Streetscape Project included the construction of a landscaped plaza where Turnpike Drive, Lowell Boulevard and 78<sup>th</sup> Avenue intersect. The plaza was designed to accommodate a sculpture in the center of it.

The proposed sculpture is of a butterfly on a tree stump. The artist is Thomas Moran from Onaway, Michigan. Staff proposes to contract for the sculpture for the cost of \$15,800, plus the cost of transportation and installation of the piece by the artist (\$3,000). The piece would be delivered to the site and installed by the artist.

### Background Information:

The Lowell Boulevard/78<sup>th</sup> Avenue plaza area was completed in 2010 and includes a location for a public art piece. The Lowell Boulevard Streetscape Project has remaining funds that are sufficient to fund the fabrication and installation of the proposed sculpture.

Staff is proposing the installation of a sculpture by Thomas Moran. The sculpture depicts a butterfly resting in a tree stump. The sculpture is about 8 feet in height and about 6 feet wide and deep. The butterfly is made of stainless steel and is designed to be very durable and sturdy. The coloration in the butterfly wings will be made by incorporating different colors of metals. The tree stump will be made with steel which will have a brownish rust patina. The sculpture will be attached to a 7 foot diameter, one foot thick cement disk to give the sculpture stability.

Attached is a drawing prepared by Thomas Moran which shows the design of the sculpture. The sculpture piece will be one of a kind, unique to Westminster. However, the artist has created another butterfly sculpture, which is located on the grounds of Charlevoix, Michigan, library. See the attached photograph of that sculpture which is much larger than the piece proposed for Westminster.



Staff Report – New Public Art Piece

March 21, 2011

Page 2

Staff believes that the sculpture will form an attractive and unique gateway to south Westminster for southbound Lowell Boulevard vehicles. The sculpture will be a dynamic focal point for the 78<sup>th</sup> Avenue/Lowell Boulevard plaza. Staff believes that a butterfly is an appropriate symbol for the rebirth and metamorphosis of South Westminster. The decorative light fixtures in the plaza will provide nighttime illumination of the sculpture and discourage vandalism.

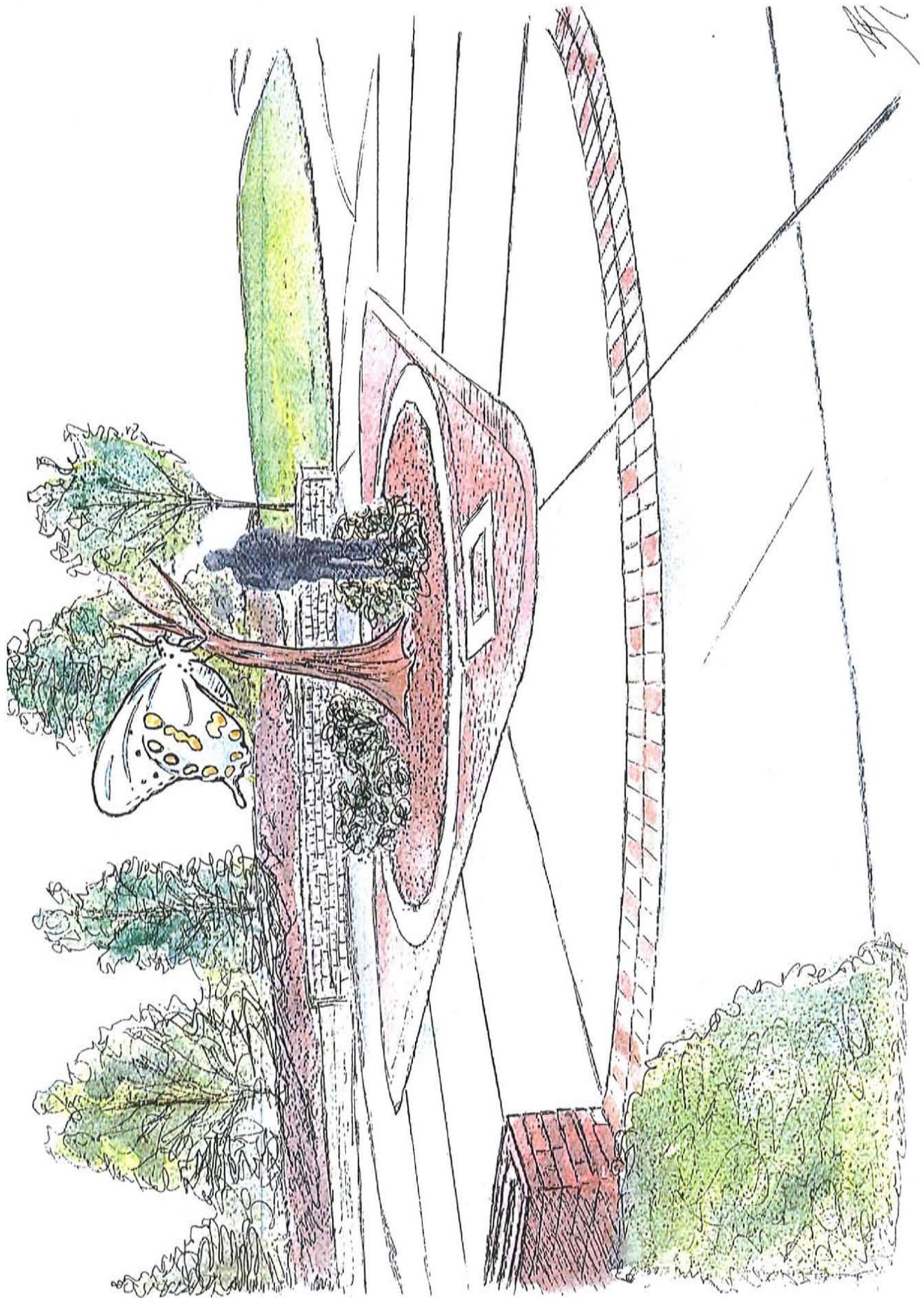
Staff intends to proceed with this installation unless Councillors express objections.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachment – Butterfly Sculpture Picture  
Westminster Butterfly Sculpture Drawing









# WESTMINSTER

## Staff Report

Information Only Staff Report  
March 21, 2011



SUBJECT: Monthly Residential Development Report

PREPARED BY: Walter G. Patrick, Planner I

### Summary Statement:

This report is for City Council information only and requires no action by City Council.

- The following report updates 2011 residential development activity per subdivision (please see attachment) and compares 2011 year-to-date totals with 2010 year-to-date totals.
- The table below shows an overall increase (866.7%) in new residential construction for 2011 year-to-date when compared to 2010 year-to-date totals (58 units in 2011 vs. 6 units in 2010).
- Residential development activity for the month of February 2011 reflects an increase in single-family detached (10 units in February 2011 versus 1 unit in February 2010), an increase in single-family attached (6 units in February 2011 versus 0 units in February 2010), an increase in multiple family (40 units in February 2011 versus 0 units in February 2010), and no change in senior housing (0 units in both years).

### NEW RESIDENTIAL UNITS (2010 AND 2011)

UNIT TYPE	FEBRUARY		<u>% CHG.</u>	YEAR-TO-DATE		<u>% CHG.</u>
	2010	2011		2010	2011	
Single-Family Detached	1	10	900.0	3	12	300.0
Single-Family Attached	0	6	-	3	6	100.0
Multiple-Family	0	40	-	0	40	-
Senior Housing	0	0	-	0	0	-
<b>TOTAL</b>	<b>1</b>	<b>56</b>	<b>5500.0</b>	<b>6</b>	<b>58</b>	<b>866.7</b>



**Background Information:**

In February, 2011, there were 56 new Service Commitments issued for new housing units.

The column labeled “# Rem.” on the attached table shows the number of approved units remaining to be built in each subdivision.

Total numbers in this column increase as new residential projects (awarded Service Commitments in the new residential competitions), Legacy Ridge projects, build-out developments, etc. receive Official Development Plan (ODP) approval and are added to the list.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager

Attachment – Residential Development Report

**ACTIVE RESIDENTIAL DEVELOPMENT**

**Single-Family Detached Projects:**

Bradburn (120th & Tennyson)
CedarBridge (111th & Bryant)
Country Club Highlands (120th & Zuni)
Countryside Vista (105th & Simms)
Huntington Trails (144th & Huron)
Hyland Village (96th & Sheridan)
Legacy Ridge West (104th & Leg. Ridge Pky.)
Lexington (140th & Huron)
Meadow View (107th & Simms)
Tuscany Trails (95th & Westminster Blvd.)
Ranch Reserve (114th & Federal)
Savory Farm Estates (109th & Federal Blvd.)
Shoenberg Farms (72nd & Sheridan)
Various Infill
Winters Property (111th & Wads. Blvd.)
Winters Property South (110th & Wads. Blvd.)

Jan-11	Feb-11	2010 YTD	2011 YTD	# Rem.*	2010 Total
0	0	0	0	44	7
0	0	1	0	3	1
0	0	0	0	96	3
0	0	0	0	9	0
0	8	1	8	98	21
0	0	0	0	106	1
0	0	0	0	4	0
0	0	0	0	3	0
0	0	0	0	0	1
1	1	1	2	33	5
0	0	0	0	0	0
0	0	0	0	24	0
1	1	0	2	44	1
0	0	0	0	10	3
0	0	0	0	8	0
0	0	0	0	10	0
<b>2</b>	<b>10</b>	<b>3</b>	<b>12</b>	<b>492</b>	<b>43</b>

***SUBTOTAL***

**Single-Family Attached Projects:**

Alpine Vista (88th & Lowell)
Bradburn (120th & Tennyson)
CedarBridge (111th & Bryant)
Cottonwood Village (88th & Federal)
East Bradburn (120th & Lowell)
Eliot Street Duplexes (104th & Eliot)
Highlands at Westbury (112th & Pecos)
Hollypark (96th & Federal)
Hyland Village (96th & Sheridan)
Legacy Village (113th & Sheridan)
South Westminster (East Bay)
Shoenberg Farms
Summit Pointe (W. of Zuni at 82nd Pl.)
Sunstream (93rd & Lark Bunting)

0	0	0	0	84	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	62	0
0	0	0	0	117	0
0	0	0	0	10	0
0	0	3	0	0	9
0	0	0	0	20	0
0	0	0	0	153	0
0	0	0	0	54	8
0	0	0	0	58	0
0	6	0	6	42	6
0	0	0	0	58	0
0	0	0	0	14	2
<b>0</b>	<b>6</b>	<b>3</b>	<b>6</b>	<b>672</b>	<b>25</b>

***SUBTOTAL***

**Multiple-Family Projects:**

Bradburn (120th & Tennyson)
Hyland Village (96th & Sheridan)
Mountain Vista Village (87th & Yukon)
Orchard Arbour Square
Prospector's Point (87th & Decatur)
South Westminster (East Bay)
South Westminster (Harris Park Sites I-IV)

0	0	0	0	233	0
0	0	0	0	54	0
0	0	0	0	144	0
0	40	0	40	504	0
0	0	0	0	24	0
0	0	0	0	28	0
0	0	0	0	6	0
<b>0</b>	<b>40</b>	<b>0</b>	<b>40</b>	<b>993</b>	<b>0</b>

***SUBTOTAL***

**Senior Housing Projects:**

Covenant Retirement Village
Crystal Lakes (San Marino)
Legacy Ridge (112th & Federal)

0	0	0	0	0	0
0	0	0	0	7	0
0	0	0	0	91	77
<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>98</b>	<b>77</b>

***SUBTOTAL***

**TOTAL (all housing types)**

<b>2</b>	<b>56</b>	<b>6</b>	<b>58</b>	<b>2255</b>	<b>145</b>
----------	-----------	----------	-----------	-------------	------------

\* This column refers to the number of approved units remaining to be built in each subdivision.



# WESTMINSTER

## Staff Report

Information Only Staff Report  
March 21, 2011



SUBJECT: Centennial Celebration

PREPARED BY: Katie Harberg, Public Information Officer

### Summary Statement:

This report is for information only and requires no action by City Council. This report updates City Council on the April 4, 2011 Centennial Celebration and the status of other Centennial related activities.

### Background Information:

On April 4, 2011 the City of Westminster will observe its 100<sup>th</sup> anniversary of a vote by 35 citizens that incorporated the municipality and gave it the name "Westminster." Council has previously been advised of the plan to maximize citizen exposure to this milestone anniversary through the use of a widespread branding program, and about the other efforts planned to acknowledge this milestone in 2011. To that end, the centennial logo is now on City stationery, the website, and various printed pieces. In addition, departments are using the City's centennial as a theme idea for projects and programs that normally exist within their annual operating budgets.

Additional details are as follows:

### Community Participation

An invitation to various community organizations was mailed in January providing access to the centennial logo and inviting others outside the City of Westminster organization to also join in the celebration. This letter included a request for letters or proclamations of congratulations to the City of Westminster to be used on April 4, 2011. A proclamation has been received from Jefferson County Public Schools. Governor Hickenlooper has signed a proclamation and Congressman Polis has read a proclamation into the Congressional Record. The Butterfly Pavilion has sent a letter of congratulations. The Butterfly Pavilion is extending promotions for discounts on admissions to Westminster residents, and at 12:30 p.m. on April 4<sup>th</sup> they will release 100 butterflies in honor of Westminster's 100<sup>th</sup> birthday.



**April 4, 2011** – At noon on April 4, 2011, an appreciation lunch for employees will be sponsored by the Department of General Services. The first Teams in Action awards of 2011 will be presented at 12:30 p.m. In addition, City Manager Brent McFall will introduce an employee initiative for the Centennial year: "APPLY YOURSELF: This is our Legacy Moment." Brent will talk about legacy moments throughout the City's history that have made us an exceptional organization and City to live in, and challenge our employees to that ongoing commitment to excellence.

On the evening of April 4, 2011, a reception, open to the community, will be held in the lobby of City Hall from 5:30-6:30 p.m. The program for the evening includes the unveiling of the portrait of living persons who either currently, or have in the past, served on the Westminster City Council. Also, the contents for a time capsule (the date and location as yet to be determined) will be disclosed. Councillor Briggs will present the sponsors of the book "Westminster The First 100 Years" with a recognition plaque. Birthday cupcakes will be served, along with sparkling juice, as Council blows out a giant "100" candle on a ceremonial cake and toasts the anniversary. At that time, a "peal" of the belltower will be played by the City's carillon keyboardist, Robert Gift. Though this event is open to the public, invitations have been sent to a guest list of over 900 persons.

Due to Colorado's unpredictable weather in April, all of the events are planned for inside the lobby of City Hall. Should the weather permit, the courtyard will be utilized.

**Poster** – The City commissioned artist Steve Lowtwait to create an original piece of art celebrating Westminster's Centennial. The poster includes multiple landmarks within the city. The poster will be unveiled on April 4<sup>th</sup>. Each member of City Council will receive a framed original print of the poster on Monday evening.

**Photo History Display** - Originally, a photo history of the City's first 100 years, divided along a decade theme, and created in collaboration with the Westminster Historical Society, was expected to debut on April 4<sup>th</sup>. The Historical Society, however, had already begun work on a display for City Hall in March that focused on the stories of those who petitioned and voted for incorporation of the City. That display will be installed the week of March 21<sup>st</sup> and remain through April 7<sup>th</sup>. The photo history display-by-decade debut has been delayed until June, at which time it will become a traveling exhibit for the remainder of the year, with scheduled displays in City Hall, College Hill Library, Irving Street Library and the MAC. It is hoped that the display will find a permanent home at the Westminster Historical Society after the centennial year.

**Time Capsule** – The city is working collectively with the Westminster Historical Society on the contents of a time capsule. In conjunction with this, the time capsule buried in 1961 for the 50<sup>th</sup> anniversary will be extricated. The location and date for the centennial capsule is still being determined. All third grade students in Westminster have been invited to contribute letters to the future about life in Westminster in 2011 to be included in the time capsule.

**Flags, Banners, Signs** – Flags bearing the centennial logo are flying at various City facility flagpole locations. Banners for year-long display have been placed in City recreation centers. "Blade banners" and retractable banners are available for use at events like Community Outreach events, We're All Ears and the Westminster Faire.

**Lapel Pins** – Epoxy dome pins have been distributed to all City employees. Each member of Council has been given 100 pins to distribute as desired. The remaining pins are available for use at Community Outreach events during the summer.

Staff Report – Centennial Celebration

March 21, 2011

Page 3

**Website** – The City’s website has a section devoted to the Centennial. A 20-second video is now on the website featuring Linda Graybeal inviting everyone to learn about Westminster history through the book, lecture series and other activities taking place throughout the year.

Respectfully submitted,

Stephen P. Smithers  
Acting City Manager