

City of Arvada

City Council Agenda

MAY 3, 2021

CITY COUNCIL CHAMBERS

Regular Business

Councilmembers:

Marc Williams, Mayor
Dot Miller, Mayor Pro-Tem
Bob Fifer, At large
Nancy Ford, District 1
David Jones, District 4
John Marriott, District 3
Lauren Simpson, District 2

Staff Members Usually Present:

Mark Deven, City Manager
Lorie Gillis, Deputy City Manager
Rachel Morris, City Attorney
Don Wick, Director of Public Works
Sharon Israel, Director of Utilities
Ryan Stachelski, Dir. of Community & Economic Development
Bryan Archer, Director of Finance
Rob Smetana, Manager of City Planning & Development
Ben Irwin, Chief Communications Manager
Kristen Rush, City Clerk

Info: 720-898-7550

CITY COUNCIL MEETING – CITY COUNCIL CHAMBERS 6:00 PM

1. Call to Order - 6:00 PM
2. Moment of Reflection and Pledge of Allegiance - Mayor Pro Tem Miller
3. Roll Call of Councilmembers
4. Approval of Minutes
 - A. April 19, 2021 City Council Meeting
5. Recognitions and Communications
 - A. Proclamation Honoring Frontline Workers - Presented by Mayor Williams
 - B. Proclamation for Mental Health Month - Presented by Councilmember Ford
 - C. Proclamation for Poppy Month - Presented by Councilmember Jones
6. Presentations - None
7. Public Comment on Issues not Scheduled on Agenda - Three Minute Limit
8. New Business

A. Consent Agenda

1. R21-070 A Resolution Accepting an Annexation Petition Concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street, Finding said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. For City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation
2. R21-071 A Resolution Accepting an Annexation Petition Concerning Maple Valley Park, Approximately Located at 6900 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

B. Resolutions

1. R21-072 A Resolution Authorizing Acceptance of Second Amendment to the Intergovernmental Agreement by and between the City of Arvada and the Arvada Fire Protection District for the Use and Maintenance of Arvada's Public Safety Radio System Approved by City Council on August 5, 2013

C. Ordinances (First Reading) - None

9. Other

A. Appointments to Olde Town Arvada Business Improvement District Board

10. Public Hearings - 6:15 PM

A. Conditional Use Application for Ralston Commons, Generally Located at the Northwest Corner of Ralston Road and Garrison Street

11. Public Comment - Five Minute Limit

12. Reports from City Council

A. Council Committee Reports

13. Reports from City Manager

A. Review of Future Workshops and Presentations

14. Reports from City Attorney

15. Adjournment



SUMMARY OF MINUTES OF THE MEETING OF THE ARVADA CITY COUNCIL HELD APRIL 19, 2021

1. Call to Order - 6:00 p.m.

In accordance with physical distancing guidelines, this Arvada City Council meeting was held in the City Council Chambers and remotely using webinar technology. Mayor Williams, Mayor Pro Tem Miller, Councilmember Marriott, Councilmember Jones and Councilmember Simpson were present in the council chambers. Councilmember Fifer and Councilmember Ford attended remotely via Zoom. Members of the public were given notice with instructions on how to participate with public comment.

2. Moment of Reflection and Pledge of Allegiance

3. Roll Call of Councilmembers

Those Present: Mayor Marc Williams, Mayor Pro Tem Dot Miller, Councilmember Bob Fifer, Councilmember Nancy Ford, Councilmember David Jones, Councilmember John Marriott, Councilmember Lauren Simpson

Also Present: Mark Deven, City Manager; Rachel Morris, City Attorney; Lorie Gillis, Deputy City Manager; Bryan Archer, Finance Director; and Kristen Rush, City Clerk.

4. Approval of Minutes of the April 5, 2021 City Council Meeting

The minutes stand approved.

5. Recognition and Communication

A. Recognition of Lions Club of Arvada - Presented by Councilmember Fifer

Councilmember Fifer said that the Lions Club of Arvada marks their 75th year of service. The Lions Club of Arvada was chartered on April 29, 1946 by the International Association of Lions Clubs. They were sponsored by the Golden Lions Club under president Ron Presion. Arvada's first president was Harold Peterson. There were 32 members on charter night. In that first year the club raised over \$1,000 for community projects.

As with most service clubs the Lions have struggled over the last year but are looking forward to a year of renewal. They continue to collect used eye glasses at various retail locations around Arvada. At the onset of the pandemic, the Lions provided masks and used clothes to the Rising Church for the homeless. They also collected money for the Community Table. The Lions Club of Arvada continues to support the national causes of childhood cancer, diabetes and hunger.

Representatives from the Lions Club of Arvada were present to accept the certificate.

6. Presentations - none
7. Public Comment
 - A. Michael Civitano, Arvada resident, addressed council regarding the port-a-potties in McIlvoy Park
8. New Business
 - A. Consent Agenda
 1. R21-067 A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$416,550 with Sill-TerHar Motors, Inc., for the Purchase of Five 2021 Ford Police Interceptor Utility Vehicles and Six Ford Police F150 Special Services Vehicles
 2. R21-068 A Resolution Authorizing an Agreement By and Between the City of Arvada and Colorado Golf and Turf, Inc. for Lease of Golf Cars and Utility Vehicles at the West Woods Golf Club and the Lake Arbor Golf Club Financed Through Exchange Bank

Councilmember Marriott moved that R21-067, A Resolution Authorizing the Issuance of a Purchase Order in the Amount of \$416,550 with Sill-TerHar Motors, Inc., for the Purchase of Five 2021 Ford Police Interceptor Utility Vehicles and Six Ford Police F150 Special Services Vehicles; R21-068, A Resolution Authorizing an Agreement By and Between the City of Arvada and Colorado Golf and Turf, Inc. for Lease of Golf Cars and Utility Vehicles at the West Woods Golf Club and the Lake Arbor Golf Club Financed Through Exchange Bank, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

- B. Resolutions
 1. R21-069 A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the Arvada Urban Renewal Authority to Complete the #.04 Denver Tramway Streetcar Site Development Project

Mark Deven, City Manager, reviewed this resolution with council.

Councilmember Ford moved that R21-069, A Resolution Authorizing an Intergovernmental Agreement By and Between the City of Arvada and the Arvada Urban Renewal Authority to Complete the #.04 Denver Tramway Streetcar Site Development Project, be approved.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

9. Other

- A. Ratification and Approval of CP2021-0002, a Resolution by the Planning Commission for the City of Arvada, Colorado, Adopting the 2014 Arvada Comprehensive Plan as Arvada's Three Mile Plan Pursuant to Section 31-12-105(1)(E), C.R.S., as Amended

Mark Deven, City Manager, reviewed this item with council.

Councilmember Marriott moved that that CP2021-0002, a Resolution by the Planning Commission for the City of Arvada, Colorado, Adopting the 2014 Arvada Comprehensive Plan as Arvada's Three Mile Plan Pursuant to Section 31-12-105(1)(E), C.R.S., as Amended, be ratified and approved. This motion is based on the findings of fact adopted by Planning Commission.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

10. Public Hearings - 6:15 p.m.

- A. CB21-013 An Ordinance Repealing and Reenacting Article VI of Chapter 38, Environment, of the Arvada City Code (Ordinance No. 4760)

Mayor Williams opened the public hearing on CB21-013.

Enessa Janes, Deputy Director of Vibrant Community and Neighborhoods, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Simpson moved that CB21-013, An Ordinance Repealing and Reenacting Article VI of Chapter 38, Environment, of the Arvada City Code, be approved on final reading, numbered 4760 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson

The Motion was Approved

- B. CB21-014 An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2021 (Ordinance No. 4761)

Mayor Williams opened the public hearing on CB21-014.

Bryan Archer, Director of Finance, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Ford moved that CB21-014, An Ordinance Authorizing an Additional Appropriation for Fiscal Year 2021, be approved on final reading, numbered 4761 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson
The Motion was Approved

- C. CB21-015 An Ordinance Authorizing an Intergovernmental Agreement between the City of Arvada and Jefferson County School District No. R-1 Relating to Street Improvements to Ralston Road Public Project No. 18-ST-40 (Ordinance No. 4762)

Mayor Williams opened the public hearing on CB21-015.

Mark Deven, City Manager, reviewed this ordinance with council.

No one wishing to speak for or against, the public hearing was closed.

Councilmember Marriott moved that CB21-015, An Ordinance Authorizing an Intergovernmental Agreement between the City of Arvada and Jefferson County School District No. R-1 Relating to Street Improvements to Ralston Road Public Project No. 18-ST-40, be approved on final reading, numbered 4762 and ordered published by title only.

The following votes were cast on the Motion

Those voting yes: Williams, Miller, Fifer, Ford, Jones, Marriott, Simpson
The Motion was Approved

11. Public Comment - Five Minute Limit - none
12. City Council Reports
 - A. Councilmember Ford noted the passing of Arvada resident David Hendricks.
 - B. Councilmember Simpson discussed the Arvada Fire Protection District meeting that she and Councilmember Fifer attended.
13. City Manager Reports
 - A. Mark Deven, City Manager, reviewed the upcoming Workshop Schedule.
14. City Attorney Reports – none
15. Adjournment at 7:15 p.m.

Marc Williams, Mayor

SEAL:

Kristen R. Rush, City Clerk



REPORT TO CITY COUNCIL

AGENDA ITEM
5.A.

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: Proclamation Honoring Frontline Workers - Presented by Mayor Williams

Report in Brief

Since March of 2020, essential workers have continued doing their jobs on the frontlines helping to ensure the health, well-being and safety of our citizens. In honor of the employees' dedication, the Mayor and members of City Council will express their gratitude to these individuals who continue to make sacrifices for the sake of the residents of the City of Arvada.

Mayor Williams will read a Proclamation recognizing these frontline workers.

Prepared by:

Chris Koch, CCO Admin

Reviewed by:

Toni Riebschlager, Law Office Administrator 4/12/2021

Approved by:

Rachel Morris, City Attorney 4/20/2021

Lorie Gillis, Deputy City Manager 4/21/2021

Mark Deven, City Manager 4/21/2021

Enclosure, exhibits & attachments required to support the report

Proclamation



CITY OF ARVADA

Whereas COVID-19 is a generational event that has impacted every aspect of our country; and

Whereas we have called on our frontline workers who have answered this call and carried out their critical missions to protect the health and safety of our community and to minimize the disruption that COVID-19 has caused to our daily lives; and

Whereas first responders, police officers, health care professionals, city employees and other essential workers such as warehouse workers, delivery workers, postal workers, construction workers, grocery store clerks, truck drivers, gas attendance and other public servants have put their own lives at risk for the betterment of their fellow citizens and for our community; and

Whereas these workers, and other frontline workers, have continued to perform critical and essential missions during the COVID-19 pandemic, and

Whereas these individuals on the frontlines are the unsung heroes of our time who deserve our gratitude and respect,

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and City Council of the City of Arvada, Colorado, that we wish to recognize and applaud the contributions of frontline workers during the COVID-19 pandemic and we appreciate that frontline workers have answered the call to serve their community during these unprecedented times; and we further Proclaim that these acts of heroism that have allowed essential services to continue operating, minimized the inevitable disruption to the daily lives of our citizens, and played a critical role in protecting the health and safety of the City of Arvada.

Dated this 3rd day of May, 2021.

Marc Williams, Mayor

Dot Miller, Mayor Pro Tem

Bob Fifer, Councilmember

Nancy Ford, Councilmember

David Jones, Councilmember

John Marriott, Councilmember

Lauren Simpson, Councilmember



REPORT TO CITY COUNCIL

AGENDA ITEM
5.B.

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: Proclamation for Mental Health Month - Presented by Councilmember Ford

Report in Brief

The month of May, 2021 is Mental Health Month. Mental health support and resources are important to our community, now more than ever. This year's campaign will provide tools that everyone can use to improve their mental health and increase resiliency.

A representative from the Jefferson Center for Mental Health will be present to accept the Proclamation.

Prepared by:
Chris Koch, CCO Admin

Reviewed by:
Toni Riebschlager, Law Office Administrator 4/12/2021

Approved by:

Rachel Morris, City Attorney 4/20/2021
Lorie Gillis, Deputy City Manager 4/21/2021
Mark Deven, City Manager 4/21/2021

Enclosure, exhibits & attachments required to support the report

Proclamation



CITY OF ARVADA

WHEREAS, good mental health is essential to the overall health and emotional wellbeing of all children, youth, adults and families; and promotes a healthy community; and

WHEREAS, one in five people in our communities experience a mental health condition each year; and

WHEREAS, 8.1% of individuals in our communities experience substance use disorder each year; and

WHEREAS, increased focus on the prevention of mental health conditions and substance use disorders among children and adolescents through screening and early intervention helps improve lives, and

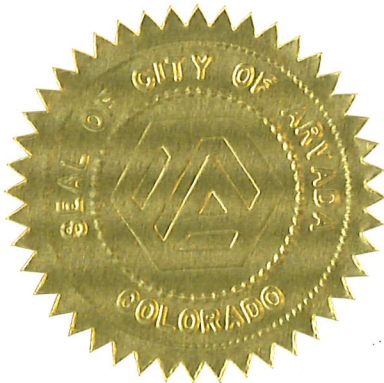
WHEREAS, the stigma against mental health conditions and substance use disorders prevents many people from accessing care; and

WHEREAS, when mental health problems and substance use disorders are detected early and treated, people can recover and maintain a healthy and independent life; and

WHEREAS, the City of Arvada is dedicated to improving the health and wellbeing of its citizens by ending stigma and focusing on the integrated role of mental health in all our lives,

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and City Council of the City of Arvada, Colorado, that May 2021 be designed as Mental Health Month and call upon all citizens, government agencies, public and private institutions, businesses, and schools to recommit our communities and resources to increasing awareness and understanding of mental health, providing appropriate and accessible services for all citizens, and making mental health a priority.

Dated this 3rd day of May, 2021.



Marc Williams, Mayor

Dot Miller, Mayor Pro Tem

Bob Fifer, Councilmember

Nancy Ford, Councilmember

David Jones, Councilmember

John Marriott, Councilmember

Lauren Simpson, Councilmember



REPORT TO CITY COUNCIL

AGENDA ITEM
5.C.

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: Proclamation for Poppy Month - Presented by Councilmember Jones

Report in Brief

This proclamation designates May as Poppy Month in Arvada.

The red Flanders poppy was first described as a flower of remembrance by a World War I colonel who wrote in pencil on a page torn from his dispatch book a verse describing how the poppies grew among “row on row” of graves of soldiers who had died on Flanders battlefields located in western Belgium and northern France.

In 1923, unemployed and disabled veterans began to produce artificial poppies. From this beginning the Flanders Field Poppy promotion was born, and since that time proceeds raised through the promotion of the Flanders Field Poppy have been used exclusively for the benefit of disabled and needy veterans and the widows, widowers and orphans of deceased veterans.

Following this meeting, the proclamation will be sent to American Legion Auxiliary Wilmore-Richter Unit 161.

Prepared by:

Janet Newman, Administrative Specialist

Reviewed by:

Toni Riebschlager, Law Office Administrator 4/19/2021

Approved by:

Rachel Morris, City Attorney 4/20/2021

Lorie Gillis, Deputy City Manager 4/21/2021

Mark Deven, City Manager 4/21/2021

Enclosure, exhibits & attachments required to support the report

Proclamation



CITY OF ARVADA

WHEREAS, the sacrifices of those who have lost their lives, their health, or their livelihood as a result of their military service are rightly the concern of all citizens; and

WHEREAS, the annual sale of poppies by the American Legion Auxiliary Unit 161 offers an opportunity for the people of this community to express their solicitude for those unfortunate persons who have paid more than their share of the cost of freedom; and

WHEREAS, the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans, in the desire to "Honor the Dead by Helping the Living";

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and City Council of the City of Arvada, Colorado that the month of May be designated:

Poppy Month in Arvada

Section 1. The Arvada City Council encourages all Arvada residents to participate in Poppy Month and to wear a poppy as mute evidence of our gratitude to the men and women of this country who have risked or lost their lives in fulfilling their obligations as American citizens.

Section 2. The Arvada City Council recognizes the merits of the American Legion Auxiliary Unit 161.

Dated this 3rd day of May, 2021

Marc Williams, Mayor

Dot Miller, Mayor Pro Tem

Bob Fifer, Councilmember

Nancy Ford, Councilmember

David Jones, Councilmember

John Marriott, Councilmember

Lauren Simpson, Councilmember





REPORT TO CITY COUNCIL

AGENDA ITEM
8.A.

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: Consent Agenda

Report in Brief

8.A.1. R21-070 A Resolution Accepting an Annexation Petition Concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street, Finding said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6: 15 P.M. For City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

8.A.2. R21-071 A Resolution Accepting an Annexation Petition Concerning Maple Valley Park, Approximately Located at 6900 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6: 15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

Suggested Motion: Moved by: _____

I move that the Consent Item(s), Number(s) R _____ be (Removed from the Consent Agenda and Heard Upon Item _____) (Referred to a Workshop) (Postponed Indefinitely).

YES _____ NO _____ ABSENT _____

That All/Remaining Consent Items be (Approved) (Rejected).

YES _____ NO _____ ABSENT _____

Prepared by:
Chris Koch, CCO Admin

Reviewed by:

Approved by:

Enclosure, exhibits & attachments required to support the report



REPORT TO CITY COUNCIL RESOLUTION

**AGENDA ITEM
8.A.1.**

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: R21-070 A Resolution Accepting an Annexation Petition Concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street, Finding said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. For City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

Report in Brief

The proposed annexation is concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street.

Attached is the annexation petition totaling 24.93 acres. The purpose of the annexation is to provide City water and sanitary sewer service to the property.

The Arvada team recommends that the City Council approve R21-070, A Resolution Accepting an Annexation Petition Concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street, Finding Said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation.

Financial Impact

There will be no financial impact to the City directly associated with the annexation action as described herein.

Background

The property proposed to be annexed into the City is comprised of three parcels located at 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a portion of 6720 Indiana Street. Each of these properties currently contain a single-family home and associated accessory buildings, outbuildings, barns, and other structures generally used for agricultural purposes.

Discussion

A petition for Annexation is required to be submitted to City Council for consideration of annexation prior to the public hearing for the annexation application.

Should this petition be accepted, the application will proceed to the public hearing on June 14, at which time the proposed zoning will also be considered. Subsequently, the administrative Site Plan approval will need to be completed prior to issuance of a building permit.

Public Contact

SUBJECT: R21-070 A Resolution Accepting an Annexation Petition Concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street, Finding said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. For City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

PAGE: 2
ITEM: 8.A.1.

The required neighborhood meeting for this project took place on November 18, 2020 and in conjunction with the Maple Valley Park annexation case (DA2020-0118). Due to the COVID-19 pandemic, a virtual neighborhood meeting was held. The applicant and team members were in attendance as well as 35 neighbors. Issues regarding plans for the park and ensuring that the park would not be developed on were discussed in addition to the various concerns for the Project Indiana Site. Concerns around traffic, lighting, noise, and potential impacts to wildlife habitat and the floodplain were also discussed. The applicant thoroughly explained the operations of the center in relation to time-of-day and off-peak hours and how all of their large truck trips occur at night.

A second virtual neighborhood meeting was held on March 11, 2021 also in conjunction with Project Indiana to address additional neighbor concerns that arose during the review cycle.

Approximately 300 residents were in attendance at the meeting. The applicant, Scannell Properties, along with the eventual end user, Amazon, gave a presentation regarding the project. Representatives from Amazon provided information about overall delivery logistics between various building types in the region, and their operations of this specific site. Amazon explained the three different types of distribution centers they build and operate based on the scale of the site, building size, and employment, and explained that this site would be their smallest type. The developer then gave a presentation on the annexation and rezoning process and an overview of the construction of the site including details related to the building, access and parking, lighting, landscaping, drainage and stormwater, and other various site development details.

Several representatives from the Protect Maple Valley Park Committee were then allowed to present their concerns. Various issues related to compatibility with the existing neighborhoods, traffic, noise, lighting, drainage, and property values were discussed. Additionally, the Committee brought up concerns about potential negative impacts to the adjacent Maple Valley Park including noise and a desire to protect the wildlife that may live there.

Attendees submitted questions and expressed concerns related to the planned land-use of the site, the Comprehensive Plan, zoning, and the development review process.

Many questions and concerns were then raised regarding traffic. The applicant's traffic engineer was present to discuss the trip generation model used to estimate the trip counts for this project and showed various graphs to demonstrate that Amazon delivery vans would be making their trips to and from the site during off-peak hours. Additionally he showed attendees a comparison of the number of daily trips for this use compared to other uses such as other existing industrial uses, retail uses, grocery store, and community recreation center to show that their counts were lower. Various other questions were asked and answered regarding public improvements to Indiana Street, the proposed traffic signal at Indiana and W. 68th Avenue that the developer would construct, site circulation, Fig Street access, and semi-truck traffic.

Questions and concerns related to drainage, stormwater, and the Ralston Creek floodplain were discussed. The applicant's civil engineer discussed how a stormwater detention pond has been designed and sized to accommodate the impervious area of the site and capture other historic flows, treat the water according to State and local guidelines and eventually outfall to the City storm system in Fig Street. Additionally, the civil engineer and Arvada team members were able to respond to the floodplain concerns by stating that the City, Jefferson County, and the Mile High Flood District were in coordination with each other to prevent any negative impacts to the floodplain. Additionally, any area of the site that lies within the 100-year floodplain area would be dedicated to the City and made part of Maple Valley Park.

Issues and discussions around trees and landscaping on the site were brought up. The developer stated that over 700 new trees would be planted on-site. Included in that count would be a wide landscaped buffer along the northern boundary which would include deciduous and evergreen trees along with a masonry wall. The wall would be built to help mitigate negative impacts of noise and lighting.

This neighborhood meeting also included a discussion regarding the annexation and rezoning for Maple Valley Park, a City of Arvada park. The park is currently zoned Jefferson County A-2 and would be rezoned to Arvada OS (Open Space). The park is

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PAGE: 3
ITEM: 8.A.1.

adjacent to the Project Indiana site described above and would not be part of the development.

In addition to the neighborhood meeting, the public notice for the City Council meeting was posted.

Commission Recommendation

Review by the Planning Commission was not required for this item.

Strategic Alignment

The proposed action aligns with the Community and Economic Development Priority Area of the City Council Strategic Plan.

Alternative Courses of Action

NA

Recommendation for Action

The Arvada team recommends that the City Council approve R21-070, A Resolution Accepting an Annexation Petition Concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street, Finding Said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation.

Suggested Motion:

I move that R21-070, A Resolution Accepting an Annexation Petition Concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street, Finding Said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation, be (approved) (rejected).

Prepared by:
Stephanie Wallace, Administrative Specialist

Reviewed by:

Approved by:

Jeremiah Bebo, Planner II	4/13/2021
Josie Suk, Development Systems and Administrative Manager	4/14/2021
Robert Smetana, Manager of City Planning and Development	4/14/2021
Ryan Stachelski, Director of Community and Economic Development	4/19/2021
Gail Walker, Legal Specialist-Contracts	4/19/2021

SUBJECT: R21-070 A Resolution Accepting an Annexation Petition Concerning 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a Portion of 6720 Indiana Street, Finding said Petition Substantially Compliant With C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. For City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

PAGE: 4
ITEM: 8.A.1.

Emily Grogg, Senior Assistant City Attorney

4/19/2021

Rachel Morris, City Attorney

4/21/2021

Lorie Gillis, Deputy City Manager

4/21/2021

Mark Deven, City Manager

4/22/2021

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R21-070

A RESOLUTION ACCEPTING AN ANNEXATION PETITION CONCERNING 6700 INDIANA STREET, 6702 INDIANA STREET, 6710 INDIANA STREET, AND A PORTION OF 6720 INDIANA STREET, FINDING SAID PETITION SUBSTANTIALLY COMPLIANT WITH C.R.S. 31-12-107(1), AND SETTING A PUBLIC HEARING FOR JUNE 14, 2021, 6:15 P.M. FOR CITY COUNCIL TO DETERMINE WHETHER THE AREA MEETS THE REQUIREMENTS OF C.R.S. 31-12-104 AND 105, AND IS CONSIDERED ELIGIBLE FOR ANNEXATION

WHEREAS, the owner of certain property located in Jefferson County, Colorado, filed a petition for annexation with the City Clerk of the City of Arvada, Colorado (the “City”), for annexation of property more particularly described below (the “subject property”), into the City limits;

WHEREAS, having received the petition for annexation, the City Council of the City of Arvada is required under the Municipal Annexation Act of 1965, as amended, to determine whether said petition is in substantial compliance with C.R.S. Sections 31-12-107 (1), 31-12-105, 31-12-104, and if so, to follow the procedure set forth in C.R.S. Sections 31-12-108 through 111;

WHEREAS, the City Council of the City of Arvada, having examined the filings and the petition for annexation of the subject property, and being duly advised by the City planning team, finds as follows:

1. On its face, the annexation petition is in substantial compliance with C.R.S. §31-12-107(1), as the petition contains the following:
 - a. An allegation that it is desirable and necessary that the area be annexed to the City of Arvada;
 - b. An allegation that the requirements of §§ 31-12-104 and 31-12-105 C.R.S. exist or are met.
 - c. An allegation that the signer of the petition comprises the landowners of more than 50 percent of the territory included in the area and own more than fifty percent of the area proposed to be annexed, exclusive of streets and alleys and any land owned by the annexing municipality.
 - d. A request that the City of Arvada approve the annexation of the area proposed to be annexed.

- e. The signature of such landowner.
 - f. The mailing address of such signer.
 - g. The legal description of the land owned by such signer.
 - h. The date of signing of each signature.
 - i. The affidavit of the circulator of the petition stating that each signature therein is the signature of the person whose name it purports to be.
2. That the annexation petition was filed with an annexation map containing the following information, and is in substantial compliance with the Municipal Annexation Act:
- a. A written legal description of the boundaries of the area proposed to be annexed;
 - b. A map showing the boundary of the area proposed to be annexed;
 - c. Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;
 - d. Next to the boundary of the area proposed to be annexed is drawn the contiguous boundary of the City of Arvada, and that the dimensions of the contiguous boundary are shown on the map.
3. That no signature on the petition is dated more than 180 days prior to the date of filing of the Petition for Annexation with the City Clerk of the City of Arvada, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above, and finds that the annexation petition on its face is in substantial compliance with the requirements of C.R.S. §31-12-107(1).

Section 2. That the City Council hereby accepts the annexation petition for the following described unincorporated territory, situated in the County of Jefferson and State of Colorado, to wit:

See Exhibit A

Section 3. That a public hearing shall be held on the 14th day of June, 2021 at 6:15 p.m. at the Arvada City Hall and/or virtually for the purpose of determining and finding whether the areas proposed to be annexed meet the applicable requirements of §§31-12-104 and 31-12-105 C.R.S. and are considered eligible for annexation.

Section 4. This resolution shall be effective five days after its approval by the City Council.

APPROVED AND ADOPTED this 3rd day of May, 2021.

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
Rachel A. Morris, City Attorney

By: _____

Publication Dates: May 6, 2021
 May 13, 2021
 May 20, 2021
 May 27, 2021

EXHIBIT A

A TRACT OR PARCEL OF LAND LOCATED IN THE WEST ONE-HALF OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH/ PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING ALL OF THOSE PARCELS OF LAND DESCRIBED BY DEED RECORDED WITH THE JEFFERSON COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2017111129, 20147016997, AND 2015126759 AND A PORTION OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017119140, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY MOST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, AS RECORDED WITH THE CLERK AND RECORDER OF JEFFERSON COUNTY, COLORADO, WHENCE THE CENTER OF SAID SECTION 6 BEARS S46°18'37"E, 852.84 FEET;

THENCE S08°06'50"E, 368.50 FEET TO THE NORTHEASTERLY CORNER OF LOT 5, BLOCK 5, PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 81024687;

THENCE S85°17'41"W, 349.19 FEET TO THE NORTHWESTERLY CORNER OF LOT 5, BLOCK 5, PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 81024687;

THENCE S00°01'19"E, 217.46 FEET TO THE SOUTHWESTERLY CORNER OF LOT 5, BLOCK 5, PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 81024687;

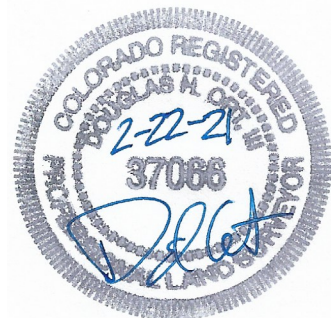
THENCE S88°36'14"W, 549.78 FEET TO THE NORTHWESTERLY CORNER OF LOT 1A, PARKWAY CENTER SUBDIVISION FILING NO. 6, MINOR SUBDIVISION, RECEPTION NUMBER 2019043406;

THENCE S00°01'35"E, 724.00 FEET TO THE NORTHEASTERLY CORNER OF LOT 1, INDIANA BUSINESS CENTER, MINOR SUBDIVISION, RECEPTION NUMBER 83023441;

THENCE N89°35'58"W, 167.53 FEET TO A CORNER OF LOT 1, INDIANA BUSINESS CENTER, RECEPTION NUMBER 83023441;

THENCE S00°03'05"E, 95.39 FEET TO A CORNER OF LOT 1, INDIANA BUSINESS CENTER, RECEPTION NUMBER 83023441;

THENCE N89°36'05"W, 196.75 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HOLMAN STREET;



THENCE S00°07'46"E, 123.85 FEET TO THE NORTHEASTERLY CORNER OF LOT 10 INDIANA BUSINESS CENTER, RECEPTION NUMBER 83023441;

THENCE N89°35'35"W, 522.06 FEET TO THE SOUTHWESTERLY CORNER OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2015126759;

THENCE N00°02'58"W, 291.32 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT PARCEL DESCRIBED UNDER RECEPTION NO. 90066231;

THENCE ALONG THE EXTERIOR OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231, N89°57'02"E, 181.00 FEET TO A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, AND A LONG CHORD OF N44°54'24"E, 28.28 FEET;

THENCE NORTHEASTERLY ALONG THE EXTERIOR OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231, A DISTANCE OF 31.42 FEET ALONG SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90°00'00";

THENCE ALONG THE EXTERIOR OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231, N00°05'36"W, 517.89 FEET TO A NORTHWESTERLY CORNER OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129;

THENCE CONTINUE NORTHERLY ALONG THE EXTERIOR OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231, A DISTANCE OF 99.54 FEET TO THE NORTHEASTERLY CORNER OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231;

THENCE N89°57'02"W, 230.51 FEET TO THE SOUTHWESTERLY CORNER OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017119140;

THENCE ALONG THE WESTERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017119140, N00°02'36"W, 56.64 FEET;

THENCE S89°07'58"E, 124.28 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 135.50 FEET AND A LONG CHORD OF S55°37'16"E, 149.62 FEET;

THENCE SOUTHEASTERLY, A DISTANCE OF 158.51 FEET ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 67°01'24";

THENCE S22°06'34"E, 74.99 FEET TO A POINT ON THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129;

THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129, N89°49'10"E, 201.76 FEET;



THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER
RECEPTION NO. 2017111129, N00°00'55"E, 351.26 FEET;

THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER
RECEPTION NO. 2017111129, S78°41'24"E, 161.57 FEET;

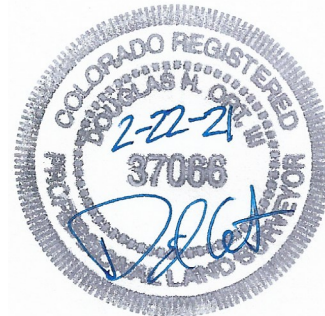
THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER
RECEPTION NO. 2017111129, N67°31'37"E, 590.00 FEET;

THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER
RECEPTION NO. 2017111129, N72°13'57"E, 609.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,085,635 SQUARE FEET OR 24.923 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON THE EAST-WEST
CENTER LINE OF THE WEST HALF OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69
WEST, OF THE 6TH P.M., BEING N88°58'53"E USING THE COLORADO STATE PLANE
COORDINATES - CENTRAL ZONE, AS MONUMENTED AT THE WEST 1/4 CORNER OF
SECTION 6, FOUND ILLEGIBLE 2.0" ALUMINUM CAP, PER MONUMENT RECORD BY PLS
12405 DATED 8/16/00, AND AS MONUMENTED AT THE CENTER 1/4 CORNER OF
SECTION 6, BY A FOUND 2.5" ALUMINUM CAP PLS 5112, PER MONUMENT RECORD BY
PLS 5112, DATED 6/11/97.

PREPARED UNDER THE SUPERVISION OF:
DOUGLAS H. ORT III, PLS 37066
(303) 501-1221
1675 BROADWAY, SUITE 200
DENVER, CO 80202



TO: THE CITY OF ARVADA, COLORADO.

RE: PETITION FOR ANNEXATION

DATE: December 11, 2020

The undersigned landowners (collectively, the “**Petitioner**”), in accordance with the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Statutes (the “**Act**”), as amended and as in effect on the submission date set forth below, hereby petitions the City Council of the City of Arvada for annexation to the City of Arvada (the “**City**”) of the following unincorporated properties located at 6700 Indiana Street, 6702 Indiana Street, 6710 Indiana Street, and a portion of 6720 Indiana Street in the County of Jefferson and State of Colorado (collectively, the “**Property**”), the Property being more particularly described by their legal description in “Exhibit A,” which is attached hereto and incorporated herein by reference.

In support of this petition for annexation (the “**Petition**”), Petitioner further alleges to the City Council of the City that:

1. It is desirable and necessary that the areas described above be annexed to the City.
2. The requirements of C.R.S. §§ 31-12-104 and 31-12-105, as amended, exist or have been met in that:
 - a) Not less than one-sixth of the perimeter of the areas proposed to be annexed are contiguous with the City or will be contiguous with the City within such time as required by C.R.S. § 31-12-104.
 - b) A community of interest exists between the areas proposed to be annexed and the City.
 - c) The areas proposed to be annexed are urban or will be urbanized in the near future.
 - d) The areas proposed to be annexed are integrated with or are capable of being integrated with the City.
 - e) No land within the boundary of the areas proposed to be annexed which is held in identical ownership, whether consisting of one (1) tract or parcel of real estate or two (2) or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road or other public way.
 - f) No land within the boundary of the areas proposed to be annexed which is held in identical ownership, comprises twenty (20) acres or more, and which, together with the buildings and improvements situated thereon has an assessed value in excess of two hundred thousand dollars and 00/100 (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.

- g) The Property are not presently a part of any incorporated city, city and county, or the City; nor have any proceedings been commenced for incorporation or annexation in an area that is part or all of the Property; nor has any election for annexation of the Property or substantially the same areas to the City been held within the twelve (12) months immediately preceding the filing of this Petition.
 - h) The annexation of the areas proposed to be annexed will not result in the detachment of area from any school district or attachment of same to another school district.
 - i) Except to the extent necessary to avoid dividing parcels within the Property held in identical ownership, at least fifty percent (50%) of which are within the three (3)-mile limit, the proposed annexation will not extend the municipal boundary of the City more than three (3) miles in any direction from any point of the current municipal boundary in any one (1) year.
 - j) Prior to completion of the annexation of the areas proposed to be annexed, the City will have in place a plan for those areas, which generally describes the proposed: location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City; and the proposed land uses for the areas; such plan to be updated at least once annually.
 - k) In establishing the boundary of the areas proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the areas to be annexed.
 - l) The City will not deny reasonable access to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed to the City but is not bounded on both sides by the City.
3. Petitioner comprises more than fifty percent (50%) of the landowners in the Property owning more than fifty percent (50%) of the Property, excluding public streets, alleys and any land owned by the annexing municipality, and the Petitioner hereby consents to the establishment of the boundaries of the Property as shown in the annexation maps submitted herewith. The legal description of the lands owned by the Petitioner is set forth in "Exhibit A" attached hereto and incorporated herein by reference.
4. Accompanying this Petition are four (4) copies of an annexation map containing the following information:
- a) A written legal description of the boundaries of the areas proposed to be annexed;
 - b) A map showing the boundary or the areas proposed to be annexed, said

map prepared and containing the seal of a registered engineer;

- c) Within the annexation boundary maps, a showing of the location of each ownership tract in unplatted land and, if part or all of the areas are platted, the boundaries and the plat numbers of plots or of lots and blocks;
 - d) Next to the boundary of the areas proposed to be annexed, a drawing of the contiguous boundary of the City and the contiguous boundary of any other municipality abutting the areas proposed to be annexed, and a showing of the dimensions of such contiguous boundaries.
- 5. The affidavit of the circulator of this Petition certifying that the signature on this Petition is the signature of each person whose name it purports to be certifying the accuracy of the date of such signatures is attached hereto as “Exhibit B” and is incorporated herein by this reference.
 - 6. The proposed annexation of the Property complies with § 30(1)(b) of Article II of the Colorado Constitution.
 - 7. Upon the annexation ordinance becoming effective, the Property proposed to be annexed will become subject to all ordinances, rules and regulations of the City, except for general property taxes of the City which shall become effective as the January 1 next ensuing following the adoption of the annexation ordinance.
 - 8. This Petition is conditioned upon the approval of Light Industrial zoning classification for the entire Property and approval by the Petitioner of one or more annexation agreements for the Property that are acceptable to the Petitioner and the City.

WHEREFORE, the following Petitioner respectfully requests that the City, acting through its City Council, approve the annexation of the Property pursuant to the provisions of the Act.

[Signature Pages to Follow]

Respectfully submitted this 22nd day of October, 2020. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

6700 INDIANA STREET PROPERTY OWNER:

Name of Owner:

Scannell Properties #456, LLC

an Indiana limited liability company

By:

Marc D. Pflieger
Marc D. Pflieger

Title: Manager

Date of Signature: 10-22-20

Mailing Address:

c/o Scannell Properties

8801 River Crossing Blvd.,

Suite 300

Indianapolis, IN 46240

Resident of the Property: _____

STATE OF INDIANA)
) ss.

COUNTY OF MARION

The foregoing instrument was acknowledged before me this 22nd day of October, 2020,
by Jane Ellen Butler by Marc D. Pflieger, Manager of Owner

My commission expires:

7-9-2027

Witness My hand and official seal.

Notary Public



Respectfully submitted this 21st day of October, 2020. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

6702 INDIANA STREET PROPERTY OWNER:

By: Gary Edward Dymond
Gary Edward Dymond

By: Michelle Avienne Dymond
Michelle Avienne Dymond

Date of Signature: 10-21-20

Date of Signature: October 21, 2020

Mailing Address:

6702 INDIANA ST
ARVADA CO 80007

Mailing Address:

6702 Indiana St.
Arvada, CO 80007

Resident of the Property: YES

Resident of the Property: yes

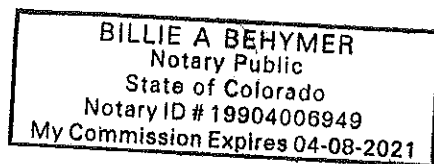
STATE OF COLORADO)
) ss.
COUNTY OF JEFFERSON

The foregoing instrument was acknowledged before me this 21 day of OCTOBER, 2020,
by Billie A. Behymer

My commission expires: 4-21-2021

Witness My hand and official seal.

Notary Public



Respectfully submitted this 15 day of October, 2020. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

6710 INDIANA STREET PROPERTY OWNER:

By: [Signature]
Troy Newsome

Date of Signature: 10.15.2020

Mailing Address:

995 S. Gaylord St.
Denver, CO 80209

Resident of the Property: _____

STATE OF COLORADO)
) ss.
COUNTY OF Adams)

The foregoing instrument was acknowledged before me this 15 day of October, 2020,
by Troy Newsome.

My commission expires: 01/07/2023

Witness My hand and official seal.

Notary Public [Signature]

VICKI L. WEISS NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20104052605 MY COMMISSION EXPIRES 01/07/2023

Respectfully submitted this 16 day of OCTOBER, 2020. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

6720 INDIANA STREET PROPERTY OWNER:

By: [Signature]
Kenneth F. Hathaway Jr.

Date of Signature: 10-16-20

By: [Signature]
Nancy J. Hathaway

Date of Signature: 10-16-20

Mailing Address:
6720 INDIANA ST
ARVADA CO 80007

Resident of the Property: _____

Mailing Address:
6720 INDIANA ST
ARVADA CO 80007

Resident of the Property: _____

STATE OF COLORADO)
) ss.
COUNTY OF Jefferson)

The foregoing instrument was acknowledged before me this 16 day of October, 2020,
by Kenneth F. Hathaway and Nancy J. Hathaway.

My commission expires: February 21ST, 2024

Witness My hand and official seal.

[Signature]
Notary Public

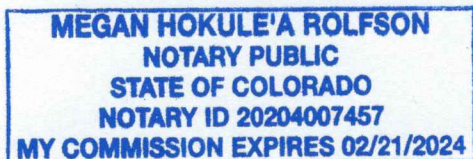


EXHIBIT A

6700 Indiana Street

That part of the Northwest $\frac{1}{4}$ Southwest $\frac{1}{4}$ of Section 6, Township 3 South, Range 69 West, described as follows:

Beginning at a point from which the West Quarter corner of said Section 6 bears North 01 degree 10 minutes East 710.2 feet; Thence South 88 degrees 23 minutes East 749.0 feet; Thence South 01 degree 10 minutes West 95.6 feet; Thence North 88 degrees 23 minutes West 448.4 feet; thence South 01 degree 10 minutes West 69.4 feet; Thence North 88 Degrees 23 minutes west 300.6 feet; Thence North 01 degree 10 minutes East 165 feet to the Point of Beginning, (Except the West 30 feet thereof, and except that part described in Book 2266 at Page 960, which was conveyed to William L. Hart III and Nevae L. Hart).

also;

A part of the Northwest Quarter of the Southwest Quarter of Section 6 in Township 3 South in Range 69 West of the Sixth Principal Meridian, described as follows: Beginning at a point on the West line of said Northwest Quarter of the Southwest Quarter which is 875.2 feet South of the West Quarter corner of said Section 6, Thence South 88°23' East 300.6 feet; Thence North 01°10' East 69.4 feet; Thence South 88°23' East 251.4 Feet; Thence South 01°10' 123.7 Feet, Thence North 88°23' West 552 feet to a point on the West line of said Northwest Quarter of the Southwest Quarter; Thence North 01°10' East along said West line 54.3 feet to the Point of Beginning,

Except:

A tract of land in the Northwest One-Quarter of the Southwest One-Quarter of Section 6, Township 3 South, Range 69 West of the 6th P.M., more particularly described as follows: Beginning at a point on the West line of said Northwest One-Quarter of the Southwest One-Quarter, whence the West One-Quarter corner of said Section bears North 1° 10' East, 710.2 feet, Thence South 88°23' East, 300.6 feet to the True Point of Beginning, Thence continuing South 88°23' East 448.4 feet to a point; Thence South 1°10' West, 95.6 feet to a point; Thence North 88°23' West, 197.0 feet to a point; Thence South 1° 10' West, 123.7 feet to a point; Thence North 88° 23' West, 251.4 feet to a point; Thence North 1° 10' East, 219.3 feet to the True Point of Beginning,

County of Jefferson,
State of Colorado.

6702 Indiana Street

Parcel 1:

A tract of land in the Northwest One-Quarter of the Southwest One-Quarter of Section 6, Township 3 South, Range 69 West of the 6th P.M., more particularly described as follows:

Beginning at a point on the West line of said Northwest One-Quarter of the Southwest One-Quarter, whence the West One-Quarter corner of said Section bears North 01°10'00" East, 710.2 feet; Thence South 88°23'00" East, 300.6 feet to the True Point of Beginning; Thence continuing South 88°23'00" East 448.4 feet to a point; Thence South 01°10'00" West, 95.6 feet to a point; Thence North 88°23'00" West, 197.0 feet to a point; Thence South 01°10'00" West, 123.7 feet to a point; Thence North 88°23'00" West, 251.4 feet to a point; Thence North 01°10'00" East, 219.3 feet to the True Point of Beginning,

County of Jefferson,
State of Colorado.

Parcel 2:

A non-exclusive easement for Private Road purposes over the Northerly 15.0 feet of the West 300.6 feet of that property described in Book 1083 at Page 145 of the Jefferson County records, as set forth and described in Warranty Deed recorded June 8, 1971 in Book 2266 at Page 960 of the Jefferson County records.

6710 Indiana Street

THAT PORTION OF THE SOUTHWEST 1/4 AND THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 6; THENCE SOUTH 01°10' WEST ALONG THE WEST LINE OF SAID SECTION 6, 710.2 FEET;
THENCE SOUTH 88°23' EAST 916.5 FEET;
THENCE NORTH 1°10' EAST, 724.0 FEET;
THENCE NORTH 89°49' EAST, 550.0 FEET;
THENCE NORTH 1°07' EAST, 217.7 FEET;
THENCE NORTH 86°32' EAST, 349.6 FEET;
THENCE NORTH 6°55' WEST, 617.5 FEET;
THENCE NORTH 87°22' WEST, 298.0 FEET;
THENCE SOUTH 81°9' WEST, 384.5 FEET;
THENCE SOUTH 65°22' WEST, 225.4 FEET;
THENCE SOUTH 49°17' WEST, 219.9 FEET;
THENCE SOUTH 17°27' WEST, 138.7 FEET;
THENCE NORTH 85°58' WEST, A DISTANCE OF 646.3 FEET, MORE OR LESS, TO A POINT O THE WEST LINE OF SAID SECTION 6;
THENCE SOUTH 1°12' WEST ALONG SAID WEST LINE A DISTANCE OF 471.9 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPT THOSE PORTIONS OF THE ABOVE DESCRIBED PROPERTY DESCRIBED IN DEEDS RECORDED OCTOBER 7, 1869 IN BOOK P AT PAGE 224 AND 225, APRIL 5, 1870 IN BOOK P AT PAGE 405 AND 406, JUNE 6, 1873 IN BOOK 4 AT PAGE 83; MARCH 15, 1887 IN BOOK 46 AT PAGE 184; DECEMBER 18, 1920 IN BOOK 226 AT PAGE 30; MAY 4, 1943 IN BOOK 471 AT PAGE 261; MARCH 19, 1970 IN BOOK 2168 AT PAGE 423; JANUARY 6, 1970 IN BOOK 2153 AT PAGE 738 AND DECEMBER 28, 1992 UNDER RECEPTION NO. 92167755, RE-RECORDED JANUARY 11, 1993 UNDER RECEPTION NO. 93004477; AND EXCEPT THAT PART LYING WITHIN INDIANA STREET.

THE ABOVE PARCEL IS ALSO DESCRIBED AS:

A parcel of land situated in the North half of the Southwest quarter and the South half of the Northwest quarter of Section 6, Township 3 South, Range 69 West of the Sixth Principal Meridian, City of Arvada, County of Jefferson, State of Colorado, more particularly described as follows:

Commencing at the West quarter corner of said Section 6;

Thence South 00°04'37" East, for 710.20 feet to the POINT OF BEGINNING;
Thence South 89°37'37" East, for 916.50 feet;
Thence North 00°04'37" West, for 724.00 feet;
Thence North 88°34'23" East, for 550.00 feet;
Thence North 00°07'37" West, for 217.70 feet;
Thence North 85°17'23" East, for 349.60 feet;
Thence North 08°09'37" West, for 368.91 feet;
Thence South 72°10'40" West, for 610.00 feet;
Thence South 67°28'20" West, for 590.00 feet;
Thence North 78°44'41" West, for 161.57 feet;
Thence South 00°02'37" West, for 351.20 feet;
Thence South 89°57'23" West, for 246.83 feet;
Thence South 00°04'37" East, for 518.04 feet;
Thence along a curve to the right, having a radius of 20.00 feet, a central angle of 90°02'01", along a curve length of 31.43 feet;
Thence South 89°57'23" West, for 210.99 feet;
21155208.2

Thence South 00°04'37" West, for 72.48 feet, to the POINT OF BEGINNING,

County of Jefferson,
State of Colorado.

A portion of 6720 Indiana Street

A TRACT OR PARCEL OF LAND LOCATED IN THE WEST 1/2 OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ARVADA, STATE OF COLORADO, BEING A PORTION OF THAT PARCEL OF LAND DESCRIBED BY DEED RECORDED WITH THE JEFFERSON COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2017119140, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID PARCEL DESCRIBED UNDER RECEPTION NO. 2017119140, WHENCE THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS N00°02'35"W, 1.17 FEET;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL, N00°02'36"W, 56.64 FEET;

THENCE S89°07'58"E, 124.28 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 135.50 FEET AND A LONG CHORD OF S55°37'16"E, 149.62 FEET;

THENCE SOUTHEASTERLY, A DISTANCE OF 158.51 FEET ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 67°01'24";

THENCE S22°06'34"E, 74.99 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL;

THENCE S89°49'10"W, 45.26 FEET TO A SOUTHWESTERLY CORNER OF SAID PARCEL;

THENCE N00°05'36"W, 99.54 FEET TO A CORNER OF SAID PARCEL;

THENCE S89°57'02"W, 230.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 13,413 SQUARE FEET OR 0.308 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON THE CENTER LINE OF THE WEST HALF OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH P.M., BEING N88°58'53"E USING THE COLORADO STATE PLANE COORDINATES - CENTRAL ZONE, AS MONUMENTED AT THE WEST 1/4 CORNER OF SECTION 6, FOUND ILLEGIBLE 2.0" ALUMINUM CAP, PER MONUMENT RECORD BY PLS 12405 DATED 8/16/00, AND AS MONUMENTED AT THE CENTER 1/4 CORNER OF SECTION 6, BY A FOUND 2.5" ALUMINUM CAP PLS 5112, PER MONUMENT RECORD BY PLS 5112, DATED 6/11/97.

PREPARED UNDER THE SUPERVISION OF:
DOUGLAS H. ORT III, PLS 37066
(303) 501-1221
1675 BROADWAY, SUITE 200
DENVER, CO 80202

EXHIBIT B

Affidavit of Circulator

STATE OF COLORADO)
) ss.
COUNTY OF _____)

_____, being first duly sworn upon oath, deposes and says that he was the circulator of this Petition for Annexation of lands to the City of Arvada, Colorado, consisting of _____ (__) pages including this page and that each signature hereon was witnessed by your affiant and is the signature of the person whose name it purports to be.

CIRCULATOR

By: _____

Name: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020,
by _____.

My commission expires:

Witness My hand and official seal.

Notary Public

PROJECT INDIANA ANNEXATION
TO THE CITY OF ARVADA

LOCATED IN THE WEST 1/2 OF SECTION 6, TOWNSHIP 3 SOUTH,
RANGE 69 WEST, OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF JEFFERSON, STATE OF COLORADO

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND LOCATED IN THE WEST ONE-HALF OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING ALL OF THOSE PARCELS OF LAND DESCRIBED BY DEED RECORDED WITH THE JEFFERSON COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 2017111129, 20147016997, AND 2015126759 AND A PORTION OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017119140, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY MOST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, AS RECORDED WITH THE CLERK AND RECORDER OF JEFFERSON COUNTY, COLORADO, WHENCE THE CENTER OF SAID SECTION 6 BEARS S46°18'37"E, 852.84 FEET;

THENCE S08°06'50"E, 368.50 FEET TO THE NORTHEASTERLY CORNER OF LOT 5, BLOCK 5, PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 81024687;

THENCE S85°17'41"W, 349.19 FEET TO THE NORTHWESTERLY CORNER OF LOT 5, BLOCK 5, PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 81024687;

THENCE S00°01'19"E, 217.46 FEET TO THE SOUTHWESTERLY CORNER OF LOT 5, BLOCK 5, PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 81024687;

THENCE S88°36'14"W, 549.78 FEET TO THE NORTHWESTERLY CORNER OF LOT 1A, PARKWAY CENTER SUBDIVISION FILING NO. 6, MINOR SUBDIVISION, RECEPTION NUMBER 2019043406;

THENCE S00°01'35"E, 724.00 FEET TO THE NORTHEASTERLY CORNER OF LOT 1, INDIANA BUSINESS CENTER, MINOR SUBDIVISION, RECEPTION NUMBER 83023441;

THENCE N89°35'58"W, 167.53 FEET TO A CORNER OF LOT 1, INDIANA BUSINESS CENTER, RECEPTION NUMBER 83023441;

THENCE S00°03'05"E, 95.39 FEET TO A CORNER OF LOT 1, INDIANA BUSINESS CENTER, RECEPTION NUMBER 83023441;

THENCE N89°36'05"W, 196.75 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HOLMAN STREET;

THENCE S00°07'46"E, 123.85 FEET TO THE NORTHEASTERLY CORNER OF LOT 10 INDIANA BUSINESS CENTER, RECEPTION NUMBER 83023441;

THENCE N89°35'35"W, 522.06 FEET TO THE SOUTHWESTERLY CORNER OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2015126759;

THENCE N00°02'58"W, 291.32 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT PARCEL DESCRIBED UNDER RECEPTION NO. 90066231;

THENCE ALONG THE EXTERIOR OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231, N89°57'02"E, 181.00 FEET TO A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, AND A LONG CHORD OF N44°54'24"E, 28.28 FEET;

THENCE NORTHEASTERLY ALONG THE EXTERIOR OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231, A DISTANCE OF 31.42 FEET ALONG SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90°00'00";

THENCE ALONG THE EXTERIOR OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231, N00°05'36"W, 517.89 FEET TO A NORTHWESTERLY CORNER OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129;

THENCE CONTINUE NORTHERLY ALONG THE EXTERIOR OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231, A DISTANCE OF 99.54 FEET TO THE NORTHEASTERLY CORNER OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 90066231;

THENCE N89°57'02"W, 230.51 FEET TO THE SOUTHWESTERLY CORNER OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017119140;

THENCE ALONG THE WESTERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017119140, N00°02'36"W, 56.64 FEET;

THENCE S89°07'58"E, 124.28 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 135.50 FEET AND A LONG CHORD OF S55°37'16"E, 149.62 FEET;

THENCE SOUTHEASTERLY, A DISTANCE OF 158.51 FEET ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 67°01'24";

THENCE S22°06'34"E, 74.99 FEET TO A POINT ON THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129;

THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129, N89°49'10"E, 201.76 FEET;

THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129, N00°00'55"E, 351.26 FEET;

THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129, S78°41'24"E, 161.57 FEET;

THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129, N67°31'37"E, 590.00 FEET;

THENCE ALONG THE NORTHERLY LINE OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2017111129, N72°13'57"E, 609.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,085,635 SQUARE FEET OR 24.923 ACRES, MORE OR LESS.



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU DISCOVER SUCH DEFECT. IN NO EVENT MAY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE CERTIFICATION SHOWN HEREON.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY WILSON AND COMPANY TO DETERMINE TITLE OR EASEMENTS OF RECORD. RESEARCH FOR THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH CRS 38-51-106 AND THE RULES OF PROCEDURE AND BOARD POLICY STATEMENTS OF THE STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS. SPECIFICALLY THOSE BOARD RULES AND POLICY STATEMENTS RELATING TO THE DEPICTION OF EASEMENTS AND RIGHTS OF WAY ON SUBDIVISION PLATS. THE FOLLOWING TITLE COMMITMENTS WERE PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND WERE RELIED UPON FOR ALL INFORMATION REGARDING EASEMENTS OF RECORD, RIGHTS OF WAY, TITLE OF RECORD AND CIVIL COURT ACTIONS OF RECORD.
- COMMITMENT NO. NCS-10055889-5-CH12, DATED 11-30-2020 (DYMOND PROPERTY - 6702 INDIANA STREET)
COMMITMENT NO. NCS-10055889-1-CH12, DATED 11-30-2020 (NEWSOME PROPERTY - 6710 INDIANA STREET)
COMMITMENT NO. NCS-10055889-3-CH12, DATED 11-30-2020 (FOSTER PROPERTY - 6700 INDIANA STREET)
3. BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON THE EAST-WEST CENTERLINE OF THE WEST HALF OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH P.M., BEING N88°58'53"E USING THE COLORADO STATE PLANE COORDINATES - CENTRAL ZONE, AS MONUMENTED ON THE WEST BY A FOUND ILLEGIBLE 2.0" ALUMINUM CAP, ACCEPTED AS THE WEST 1/4 CORNER OF SECTION 6, PER MONUMENT RECORD BY PLS 12405 DATED 8/16/00, AND AS MONUMENTED ON THE EAST BY A FOUND 2.5" ALUMINUM CAP PLS 5112, ACCEPTED AS THE CENTER CORNER OF SECTION 6, PER MONUMENT RECORD BY PLS 5112, DATED 6/11/97.

SURVEYOR'S CERTIFICATE:

I, DOUGLAS H. ORT III, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, DO HEREBY CERTIFY THAT IN JUNE 2020, A ANNEXATION MAP WAS MADE UNDER MY SUPERVISION, IN ACCORDANCE WITH THE STANDARD OF CARE FOR THE STATE OF COLORADO, AND THAT THIS ANNEXATION MAP AND ALL NOTES SHOWN HEREON IS AN ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY THIS SURVEY. ENCROACHMENTS, EASEMENTS, RIGHTS OF WAY OR PASSAGEWAYS ACROSS SAID PROPERTY THAT ARE IN EVIDENCE OR KNOWN TO ME, ARE AS SHOWN TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS SURVEY, AND THE INFORMATION SHOWN HEREON ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

THE ABOVE DESCRIBED LAND IS CONTIGUOUS TO THE CITY OF ARVADA AND MEETS THE REQUIREMENTS SET FORTH IN COLORADO REVISED STATUTES 1973, 31-12-104-(1)(A) THAT ONE-SIXTH OR MORE OF THE PERIMETER TO BE ANNEXED IS CONTIGUOUS WITH THE ANNEXING MUNICIPALITY.

CONTIGUITY STATEMENT:

- TOTAL PERIMETER OF AREA CONSIDERED FOR ANNEXATION=6994.83'
- ONE-SIXTH OF TOTAL PERIMETER OF AREA=1165.81'
- PERIMETER OF THE AREA CONTIGUOUS WITH EXISTING CITY LIMITS=4722.83'
- THE TOTAL CONTIGUOUS PERIMETER IS 67.5%, WHICH EXCEEDS THE 1/6 AREA REQUIRED

DOUGLAS H. ORT III, PLS 37066
LICENSED COLORADO LAND SURVEYOR
FOR AND ON BEHALF OF WILSON & COMPANY



APPROVAL CERTIFICATE:

APPROVED FOR FILING BY THE CITY OF ARVADA THIS _____ DAY OF _____, 20____

MAYOR

ATTEST: _____
CITY CLERK

ORDINANCE NUMBER(S) _____

CLERK AND RECORDER:

RECEPTION NUMBER _____

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, AT GOLDEN COLORADO ON THIS _____ DAY OF _____, 20____ AT _____ O'CLOCK

BY: _____
JEFFERSON COUNTY CLERK AND RECORDER

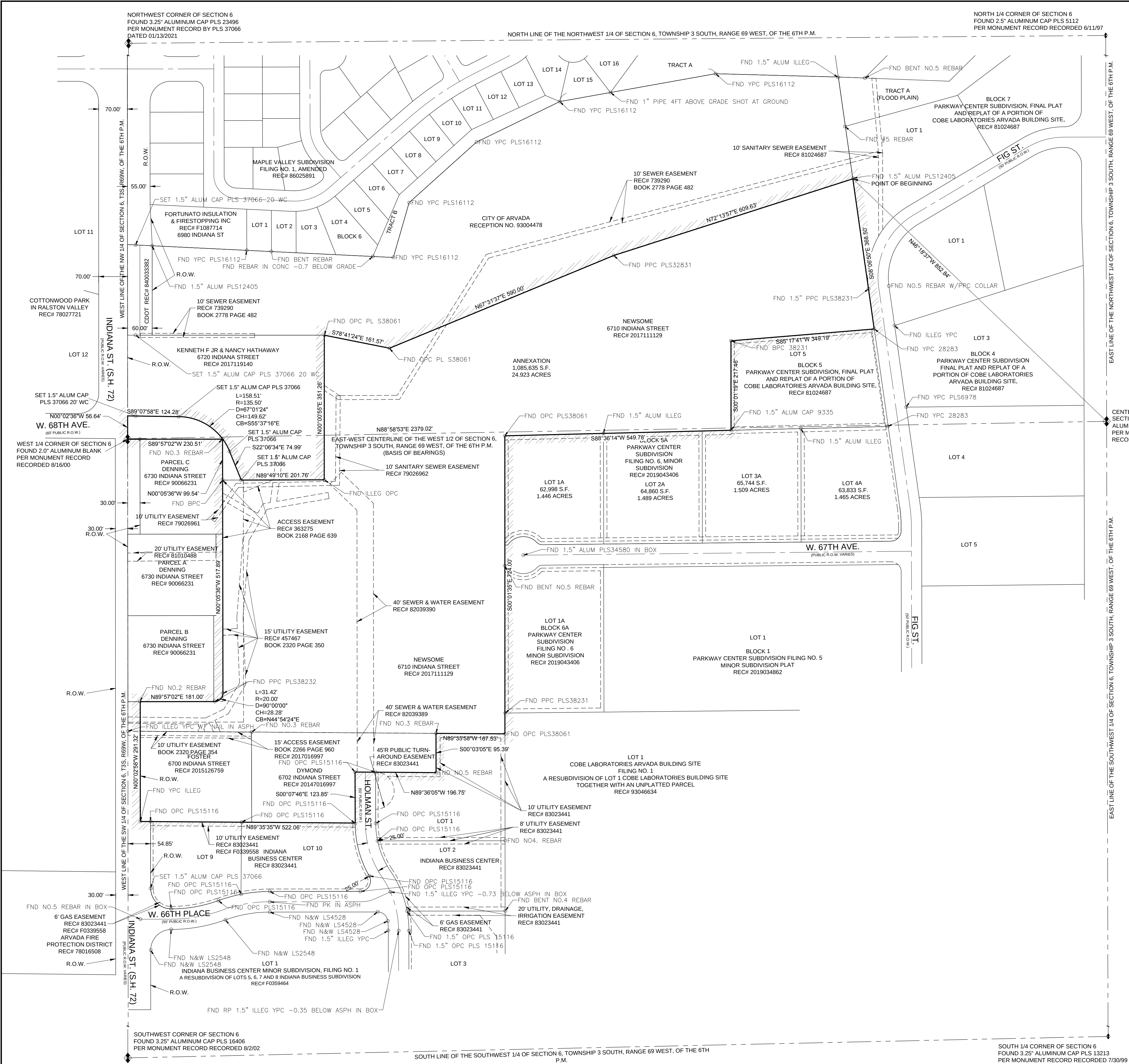
DEPUTY CLERK _____

20-300-075

					SHT. NO.: 1 OF 2	WILSON & COMPANY 1675 Broadway Suite 200 Denver, CO 80202 Phone: 303-297-2976 Fax: 303-297-2693
					SCALE: NTS	
					DWN. BY: TJB	
					CHK. BY: DHO	
					PROJ. MGR: DHO	
02	CITY COMMENTS	DHO	01/22/21		DATE: 6-2-2020	ANNEXATION MAP INDIANA & FIG ARVADA SITE CITY OF ARVADA COUNTY OF JEFFERSON STATE OF COLORADO
01	CITY COMMENTS	DHO	12/08/20		6-2-2020	
NO.	REVISION-DESCRIPTION	BY	DATE	CHKD	APP'D	

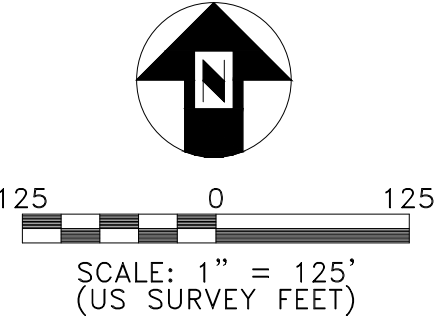
PROJECT INDIANA ANNEXATION
TO THE CITY OF ARVADA

LOCATED IN THE WEST 1/2 OF SECTION 6, TOWNSHIP 3 SOUTH,
RANGE 69 WEST, OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF JEFFERSON, STATE OF COLORADO



LEGEND

- OPC = ORANGE PLASTIC CAP
- PPC = PURPLE PLASTIC CAP
- YPC = YELLOW PLASTIC CAP
- N&W = NAIL & WASHER
- FND = FOUND
- ALUM = ALUMINUM
- ILLEG = ILLEGIBLE
- R.O.W. = RIGHT OF WAY
- = BOUNDARY LINE
- - - - - = EASEMENT LINE
- — — — — = LOT LINE
- - - - - = SECTION LINE
- - - - - = ROAD CENTERLINE
- /// = LIMITS OF ANNEXATION



20-300-075

				SHT. NO.	2 OF 2
				SCALE:	1"=125'
				DWN. BY:	TJB
				CHK. BY:	DHO
				PROJ. MGR:	DHO
				CLIENT APP:	
02	CITY COMMENTS	DHO	01/22/21		
01	CITY COMMENTS	DHO	12/08/20		
NO.	REVISION-DESCRIPTION	BY	DATE	CHKD	APPD

WILSON & COMPANY
1675 Broadway Suite 200
Denver, CO 80202
Phone: 303-297-2976
Fax: 303-297-2693
ANNEXATION MAP
INDIANA & FIG ARVADA SITE
CITY OF ARVADA
COUNTY OF JEFFERSON
STATE OF COLORADO



REPORT TO CITY COUNCIL RESOLUTION

**AGENDA ITEM
8.A.2.**

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: R21-071 A Resolution Accepting an Annexation Petition Concerning Maple Valley Park, Approximately Located at 6900 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

Report in Brief

The annexation is approximately located at 6900 Indiana Street. Attached is the annexation petition totaling approximately 12.33 acres. The purpose of the annexation is for the City to retain complete jurisdictional control over the property. Currently the park is owned by the City; however, Jefferson County maintains zoning and other regulatory controls because it is in unincorporated Jefferson County.

The Arvada team recommends approval of R21-071, A Resolution Accepting an Annexation Petition Concerning Maple Valley Park, Approximately Located at 6900 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation.

Financial Impact

There will be no financial impact to the City in association with the annexation action as described herein.

Background

The subject property is located at approximately 6900 Indiana Street and is currently utilized and operating as a City owned park and serves as part of the Ralston Creek Trail. The subject property is located just north of the Indiana Street and W. 68th Avenue intersection. This property was deeded from Jefferson County to the City of Arvada to be used exclusively for public open space, park and recreational purposes. If the City of Arvada, its successors or assigns, should use the property for any purpose other than public open space, park and recreational purposes, the property shall revert to Jefferson County and the deed shall be null and void.

Discussion

A petition for Annexation is required to be submitted to City Council for consideration of annexation prior to the public hearing for the annexation application.

Should this petition be accepted, the application will proceed to the public hearing on June 14.

Public Contact

The required neighborhood meeting for this project took place on November 18, 2020 in conjunction with Project Indiana (DA2020-0117). Due to the COVID-19 pandemic, a virtual neighborhood meeting was held. The applicant and team members were in attendance as well as 35 neighbors. Questions regarding plans for the park and ensuring that the park would not be

SUBJECT: R21-071 A Resolution Accepting an Annexation Petition Concerning Maple Valley Park, Approximately Located at 6900 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

PAGE: 2
ITEM: 8.A.2.

developed on were discussed. Concerns regarding potential negative impacts to the park from the development of the Project Indiana site were also raised.

A second virtual neighborhood meeting was held on March 11, 2021 also in conjunction with Project Indiana to address additional neighbor concerns that arose during the review cycle.

Approximately 300 residents were in attendance at the meeting. The applicant along with the eventual end user of the building for Project Indiana, Amazon, gave a presentation regarding that project. This neighborhood meeting included a discussion regarding the annexation and rezoning for Maple Valley Park and clarification to the public that no development would happen on the park site.

Several representatives from the Protect Maple Valley Park Committee were then allowed to present their concerns. Various issues related to protecting the park from development, ensuring that native animal species that live in the park are protected, and preserving and enhancing the park for active uses for nearby residents were presented. The Committee also discussed the findings of the Maple Valley Park Ecological Assessment which was completed by the Colorado Natural Heritage Program and the Warner College of Natural Resources and is attached in the packet.

Attendees were able to submit questions and expressed concerns related to the planned land-use of the site, the Comprehensive Plan, zoning, and the development review process.

Other questions and concerns related to drainage, stormwater, and the Ralston Creek floodplain were also discussed.

In addition to the neighborhood meeting, the public notice for the City Council meeting was posted.

Commission Recommendation

Review by the Planning Commission was not required for this item.

Strategic Alignment

The proposed action aligns with the Community and Economic Development Priority Area of the City Council Strategic Plan.

Alternative Courses of Action

NA

Recommendation for Action

The Arvada team recommends that the City Council approve R21-071, A Resolution Accepting an Annexation Petition Concerning Maple Valley Park, Approximately Located at 6900 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation.

Suggested Motion:

I move that R21-071, A Resolution Accepting an Annexation Petition Concerning Maple Valley Park, Approximately Located at 6900 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation, be (approved) (rejected).

SUBJECT: R21-071 A Resolution Accepting an Annexation Petition Concerning Maple Valley Park, Approximately Located at 6900 Indiana Street, Finding Said Petition Substantially Compliant with C.R.S. 31-12-107(1), and Setting a Public Hearing for June 14, 2021, 6:15 P.M. for City Council to Determine Whether the Area Meets the Requirements of C.R.S. 31-12-104 and 105, and Is Considered Eligible for Annexation

PAGE: 3
ITEM: 8.A.2.

Prepared by:
Stephanie Wallace, Administrative Specialist

Reviewed by:

Approved by:

Jeremiah Bebo, Planner II	4/13/2021
Josie Suk, Development Systems and Administrative Manager	4/14/2021
Robert Smetana, Manager of City Planning and Development	4/14/2021
Ryan Stachelski, Director of Community and Economic Development	4/19/2021
Gail Walker, Legal Specialist-Contracts	4/19/2021
Emily Grogg, Senior Assistant City Attorney	4/19/2021
Rachel Morris, City Attorney	4/21/2021
Lorie Gillis, Deputy City Manager	4/21/2021
Mark Deven, City Manager	4/22/2021

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R21-071

A RESOLUTION ACCEPTING AN ANNEXATION PETITION CONCERNING MAPLE VALLEY PARK, APPROXIMATELY LOCATED AT 6900 INDIANA STREET, FINDING SAID PETITION SUBSTANTIALLY COMPLIANT WITH C.R.S. 31-12-107(1), AND SETTING A PUBLIC HEARING FOR JUNE 14, 2021, 6:15 P.M. FOR CITY COUNCIL TO DETERMINE WHETHER THE AREA MEETS THE REQUIREMENTS OF C.R.S. 31-12-104 AND 105, AND IS CONSIDERED ELIGIBLE FOR ANNEXATION

WHEREAS, the developer of an adjacent property located in Jefferson County, Colorado, filed a petition for annexation with the City Clerk of the City of Arvada, Colorado (the “City”), for annexation of property more particularly described below (the “subject property”), into the City limits;

WHEREAS, having received the petition for annexation, the City Council of the City of Arvada is required under the Municipal Annexation Act of 1965, as amended, to determine whether said petition is in substantial compliance with C.R.S. Sections 31-12-107 (1), 31-12-105, 31-12-104, and if so, to follow the procedure set forth in C.R.S. Sections 31-12-108 through 111;

WHEREAS, the City Council of the City of Arvada, having examined the filings and the petition for annexation of the subject property, and being duly advised by the City planning team, finds as follows:

1. On its face, the annexation petition is in substantial compliance with C.R.S. §31-12-107(1), as the petition contains the following:
 - a. An allegation that it is desirable and necessary that the area be annexed to the City of Arvada;
 - b. An allegation that the requirements of §§ 31-12-104 and 31-12-105 C.R.S. exist or are met.
 - c. An allegation that the signer of the petition comprises the landowners of more than 50 percent of the territory included in the area and own more than fifty percent of the area proposed to be annexed, exclusive of streets and alleys and any land owned by the annexing municipality.
 - d. A request that the City of Arvada approve the annexation of the area proposed to be annexed.
 - e. The signature of such landowner.

- f. The mailing address of such signer.
 - g. The legal description of the land owned by such signer.
 - h. The date of signing of each signature.
 - i. The affidavit of the circulator of the petition stating that each signature therein is the signature of the person whose name it purports to be.
2. That the annexation petition was filed with an annexation map containing the following information, and is in substantial compliance with the Municipal Annexation Act:
- a. A written legal description of the boundaries of the area proposed to be annexed;
 - b. A map showing the boundary of the area proposed to be annexed;
 - c. Within the annexation boundary map, a showing of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;
 - d. Next to the boundary of the area proposed to be annexed is drawn the contiguous boundary of the City of Arvada, and that the dimensions of the contiguous boundary are shown on the map.
3. That no signature on the petition is dated more than 180 days prior to the date of filing of the Petition for Annexation with the City Clerk of the City of Arvada, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above, and finds that the annexation petition on its face is in substantial compliance with the requirements of C.R.S. §31-12-107(1).

Section 2. That the City Council hereby accepts the annexation petition for the following described unincorporated territory, situated in the County of Jefferson and State of Colorado, to wit:

See Exhibit A

Section 3. That a public hearing shall be held on the 14th day of June, 2021 at 6:15 p.m. at the

Arvada City Hall and/or virtually for the purpose of determining and finding whether the areas proposed to be annexed meet the applicable requirements of §§31-12-104 and 31-12-105 C.R.S. and are considered eligible for annexation.

Section 4. This resolution shall be effective five days after its approval by the City Council.

APPROVED AND ADOPTED this 3rd day of May, 2021.

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
Rachel A. Morris, City Attorney

By: _____

Publication Dates: May 6, 2021
 May 13, 2021
 May 20, 2021
 May 27, 2021

MAPLE VALLEY PARK ANNEXATION LAND DESCRIPTION

A TRACT OR PARCEL OF LAND LOCATED IN THE WEST ONE-HALF OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, JEFFERSON COUNTY, STATE OF COLORADO, BEING ALL OF THOSE PARCELS OF LAND DESCRIBED BY DEED RECORDED WITH THE JEFFERSON COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 93004477 AND A PORTION THE RIGHT-OF-WAY IN INDIANA AVENUE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY MOST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, AS RECORDED WITH THE CLERK AND RECORDER OF JEFFERSON COUNTY, COLORADO, WHENCE THE CENTER OF SAID SECTION 6 BEARS S46°18'37"E, 852.84 FEET;

THENCE ALONG THE A NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, S72°13'57"W, 609.63 FEET;

THENCE ALONG THE A NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, S67°31'37"W, 590.00 FEET;

THENCE ALONG THE A NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, N78°41'24"W, 161.57 FEET TO THE NORTHEASTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017119140;

THENCE ALONG THE A NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017119140, N89°59'16"W, 477.98 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6;

THENCE ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6, N00°02'36"W, 220.09 FEET;

THENCE ALONG A SOUTHERLY LINE OF MAPLE VALLEY SUBDIVISION FILING NO. 1, AMENDED, RECEPTION NUMBER 86025891, FOR THE NEXT SEVEN (7) COURSES:

1. S87°13'39"E, 646.65 FEET;
2. N16°03'41"E, 138.57 FEET;
3. N48°02'25"E, 219.93 FEET;
4. N64°04'33"E, 225.23 FEET;
5. N79°51'27"E, 384.59 FEET;
6. S88°27'45"E, 298.02 FEET



7. S87°55'45"E, 0.44 FEET TO THE NORTHWESTERLY CORNER OF PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 81024687;

THENCE ALONG A WESTERLY LINE OF SAID PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE,, RECEPTION NUMBER 8102468, S08°03'46"E, 249.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 537,034 SQUARE FEET OR 12.329 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON THE EAST-WEST CENTER LINE OF THE WEST HALF OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH P.M., BEING N88°58'53"E USING THE COLORADO STATE PLANE COORDINATES - CENTRAL ZONE, AS MONUMENTED AT THE WEST 1/4 CORNER OF SECTION 6, FOUND ILLEGIBLE 2.0" ALUMINUM CAP, PER MONUMENT RECORD BY PLS 12405 DATED 8/16/00, AND AS MONUMENTED AT THE CENTER 1/4 CORNER OF SECTION 6, BY A FOUND 2.5" ALUMINUM CAP PLS 5112, PER MONUMENT RECORD BY PLS 5112, DATED 6/11/97.

PREPARED UNDER THE SUPERVISION OF:
DOUGLAS H. ORT III, PLS 37066
(303) 501-1221
1675 BROADWAY, SUITE 200
DENVER, CO 80202



TO: THE CITY OF ARVADA, COLORADO.

RE: PETITION FOR ANNEXATION

DATE: October 22, 2020

The undersigned landowner (the "**Petitioner**"), in accordance with the Municipal Annexation Act of 1965 as set forth in Article 12, Title 31, Colorado Revised Statutes (the "**Act**"), as amended and as in effect on the submission date set forth below, hereby petitions the City Council of the City of Arvada for annexation to the City of Arvada (the "**City**") of Maple Valley Park, in the County of Jefferson and State of Colorado (the "**Property**"), the Property being more particularly described by its legal description in "**Exhibit A**" which is attached hereto and incorporated herein by reference.

In support of this petition for annexation (the "**Petition**"), Petitioner further alleges to the City Council of the City that:

1. It is desirable and necessary that the area described above be annexed to the City.
2. The requirements of C.R.S. §§ 31-12-104 and 31-12-105, as amended, exist or have been met in that:
 - a) Not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City or will be contiguous with the City within such time as required by C.R.S. § 31-12-104.
 - b) A community of interest exists between the area proposed to be annexed and the City.
 - c) The area proposed to be annexed is urban or will be urbanized in the near future.
 - d) The area proposed to be annexed is integrated with or is capable of being integrated with the City.
 - e) No land within the boundary of the area proposed to be annexed which is held in identical ownership, whether consisting of one (1) tract or parcel of real estate or two (2) or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road or other public way.
 - f) No land within the boundary of the area proposed to be annexed which is held in identical ownership, comprises twenty (20) acres or more, and which, together with the buildings and improvements situated thereon has an assessed value in excess of two hundred thousand dollars and 00/100 (\$200,000.00) for ad valorem tax purposes for the year next preceding the annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.
 - g) The Property is not presently a part of any incorporated city, city and county, or the City; nor have any proceedings been commenced for

incorporation or annexation in an area that is part or all of the Property; nor has any election for annexation of the Property or substantially the same area to the City been held within the twelve (12) months immediately preceding the filing of this Petition.

- h) The annexation of the area proposed to be annexed will not result in the detachment of area from any school district or attachment of same to another school district.
 - i) Except to the extent necessary to avoid dividing parcels within the Property held in identical ownership, at least fifty percent (50%) of which are within the three (3)-mile limit, the proposed annexation will not extend the municipal boundary of the City more than three (3) miles in any direction from any point of the current municipal boundary in any one (1) year.
 - j) Prior to completion of the annexation of the area proposed to be annexed, the City will have in place a plan for such area, which generally describes the proposed: location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the City; and the proposed land uses for the area; such plan to be updated at least once annually.
 - k) In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area to be annexed.
 - l) The City will not deny reasonable access to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed to the City but is not bounded on both sides by the City.
3. Petitioner comprises more than fifty percent (50%) of the landowners in the Property owning more than fifty percent (50%) of the Property, excluding public streets, alleys and any land owned by the annexing municipality, and the Petitioner hereby consents to the establishment of the boundaries of the Property as shown in the annexation map submitted herewith. The legal description of the land owned by the Petitioner is set forth "Exhibit A" attached hereto and incorporated herein by reference.
4. Accompanying this Petition are four (4) copies of an annexation map containing the following information:
- a) A written legal description of the boundaries of the area proposed to be annexed;
 - b) A map showing the boundary or the area proposed to be annexed, said map prepared and containing the seal of a registered engineer;
 - c) Within the annexation boundary maps, a showing of the location of each

ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks;

- d) Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the City and the contiguous boundary of any other municipality abutting the area proposed to be annexed, and a showing of the dimensions of such contiguous boundaries.
- 5. The affidavit of the circulator of this Petition certifying that the signature on this Petition is the signature of each person whose name it purports to be certifying the accuracy of the date of such signatures is attached hereto as "Exhibit B" and is incorporated herein by this reference.
- 6. The proposed annexation of the Property complies with § 30(1)(b) of Article II of the Colorado Constitution.
- 7. Upon the annexation ordinance becoming effective, the Property proposed to be annexed will become subject to all ordinances, rules and regulations of the City, except for general property taxes of the City which shall become effective as the January 1 next ensuing following the adoption of the annexation ordinance.
- 8. This Petition is conditioned upon the approval of Open Space zoning classification for the entire Property and approval by the Petitioner of an annexation agreement for the Property that is acceptable to the Petitioner and the City.

WHEREFORE, the following Petitioner respectfully requests that the City, acting through its City Council, approve the annexation of the Property pursuant to the provisions of the Act.

[Signature Pages to Follow]

Respectfully submitted this 22 day of OCT, 2020. By this acknowledgment, the undersigned hereby certify that the above information is complete and true.

MAPLE VALLEY PARK PROPERTY OWNER:

Name of Owner:

City of Arvada

By:

Eric B. Ellis

Title: Acting City Manager

Date of Signature: 10/22/20

Mailing Address:

8101 Kalsten Rd

Arvada, CO 8002

Resident of the Property: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this 22 day of October, 2020,
by B. Ellis.

My commission expires: 10/29/2022

Witness My hand and official seal.

Notary Public

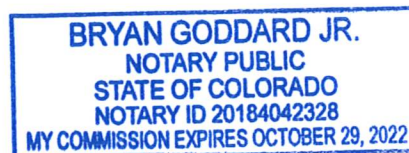


EXHIBIT A

Legal Description of Maple Valley Park

3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY MOST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, AS RECORDED WITH THE CLERK AND RECORDER OF JEFFERSON COUNTY, COLORADO, WHENCE THE CENTER OF SAID SECTION 6 BEARS S46°18'45" E, 852.86 FEET;

THENCE S72°13'57"W, 609.59 FEET;

THENCE S67°31'37"W, 590.00 FEET;

THENCE N78°41'24"W, 161.57 FEET;

THENCE N89°59'20"W, 418.15 FEET;

THENCE N00°01'19"W, 216.52 FEET;

THENCE S87°12'32"E, 586.75 FEET;

THENCE N16°04'47"E, 138.57 FEET;

THENCE N48°03'31"E, 219.93 FEET;

THENCE N64°05'39"E, 225.23 FEET;

THENCE N79°52'33"E, 384.59 FEET;

THENCE S88°26'39"E, 298.02 FEET;

THENCE S87°54'39"E, 0.44 FEET;

THENCE S08°02'40"E, 248.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 522,290 SQUARE FEET OF 11.990 ACRES, MORE OR LESS.

EXHIBIT B

Affidavit of Circulator

STATE OF COLORADO)
) ss.
COUNTY OF _____)

_____, being first duly sworn upon oath, deposes and says that he was the circulator of this Petition for Annexation of lands to the City of Arvada, Colorado, consisting of _____ () pages including this page and that each signature hereon was witnessed by your affiant and is the signature of the person whose name it purports to be.

CIRCULATOR

By: _____

Name: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2020,
by _____.

My commission expires:

Witness My hand and official seal.

Notary Public

LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, JEFFERSON COUNTY, STATE OF COLORADO, BEING ALL OF THOSE PARCELS OF LAND DESCRIBED BY DEED RECORDED WITH THE JEFFERSON COUNTY CLERK AND RECORDER UNDER RECEPTION NO. 93004478 AND A PORTION THE RIGHT-OF-WAY IN INDIANA AVENUE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY MOST CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, AS RECORDED WITH THE CLERK AND RECORDER OF JEFFERSON COUNTY, COLORADO, WHENCE THE CENTER OF SAID SECTION 6 BEARS S46°18'37"E, 852.84 FEET;

THENCE ALONG THE A NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, S72°13'57"W, 609.63 FEET;

THENCE ALONG THE A NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, S67°31'37"W, 590.00 FEET;

THENCE ALONG THE A NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017111129, N78°41'24"W, 161.57 FEET TO THE NORTHEASTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017119140;

THENCE ALONG THE A NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 2017119140, N89°59'16"W, 477.98 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6;

THENCE ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 6, N00°02'36"W, 220.09 FEET;

THENCE ALONG A SOUTHERLY LINE OF MAPLE VALLEY SUBDIVISION FILING NO. 1, AMENDED, RECEPTION NUMBER 86025891, FOR THE NEXT SEVEN (7) COURSES:

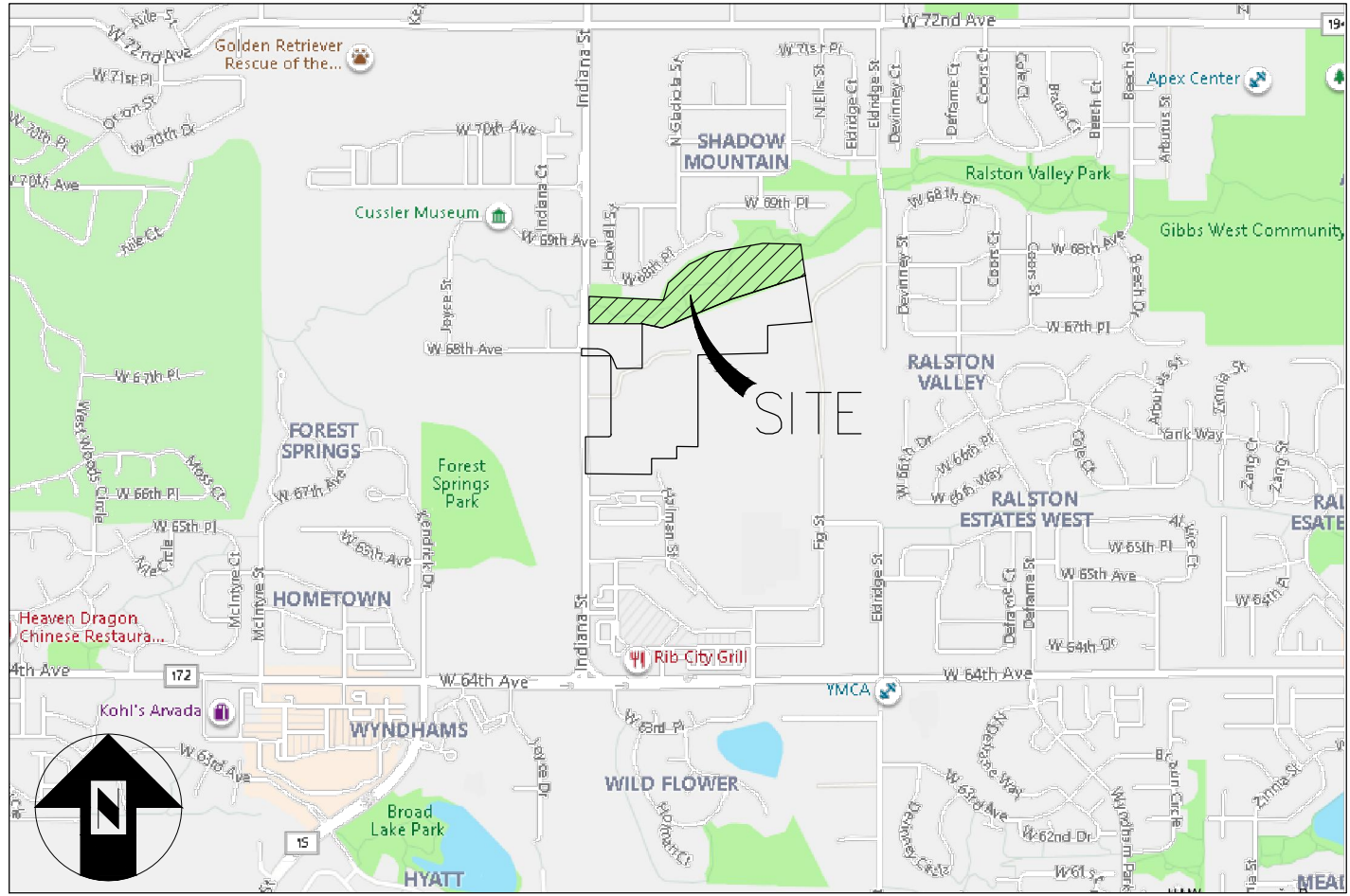
1. S87°13'39"E, 646.65 FEET;
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3. N48°02'25"E, 219.93 FEET;
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5. N79°51'27"E, 384.59 FEET;
6. S88°27'45"E, 298.02 FEET
7. S87°55'45"E, 0.44 FEET TO THE NORTHWESTERLY CORNER OF PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 81024687;

THENCE ALONG A WESTERLY LINE OF SAID PARKWAY CENTER SUBDIVISION, FINAL PLAT AND REPLAT OF A PORTION OF COBE LABORATORIES ARVADA BUILDING SITE, RECEPTION NUMBER 8102468, S08°03'46"E, 249.90 FEET TO THE POINT OF BEGINNING.

CONTAINING 537,034 SQUARE FEET OR 12.329 ACRES, MORE OR LESS.

MAPLE VALLEY ANNEXATION TO THE CITY OF ARVADA

LOCATED IN THE NORTHWEST 1/4 OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO



VICINITY MAP
NOT TO SCALE

GENERAL NOTES

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU DISCOVER SUCH DEFECT. IN NO EVENT MAY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE CERTIFICATION SHOWN HEREON.

2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY WILSON AND COMPANY TO DETERMINE TITLE OR EASEMENTS OF RECORD. RESEARCH FOR THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH CRS 38-51-106 AND THE RULES OF PROCEDURE AND BOARD POLICY STATEMENTS OF THE STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS. SPECIFICALLY THOSE BOARD RULES AND POLICY STATEMENTS RELATING TO THE DEPICTION OF EASEMENTS AND RIGHTS OF WAY ON SUBDIVISION PLATS. NO TITLE COMMITMENTS WAS PROVIDED FOR THIS PROPERTY.

3. BASIS OF BEARINGS: BEARINGS USED HEREIN ARE BASED ON THE EAST-WEST CENTERLINE OF THE WEST HALF OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 69 WEST, OF THE 6TH P.M., BEING N88°58'53"E USING THE COLORADO STATE PLANE COORDINATES - CENTRAL ZONE, AS MONUMENTED ON THE WEST BY A FOUND ILLEGIBLE 2.0" ALUMINUM CAP, ACCEPTED AS THE WEST 1/4 CORNER OF SECTION 6, PER MONUMENT RECORD BY PLS 12405 DATED 8/16/00, AND AS MONUMENTED ON THE EAST BY A FOUND 2.5" ALUMINUM CAP PLS 5112, ACCEPTED AS THE CENTER CORNER OF SECTION 6, PER MONUMENT RECORD BY PLS 5112, DATED 6/11/97.

SURVEYOR'S CERTIFICATE:

I, DOUGLAS H. ORT III, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, DO HEREBY CERTIFY THAT IN JUNE 2020, A ANNEXATION MAP WAS MADE UNDER MY SUPERVISION, IN ACCORDANCE WITH THE STANDARD OF CARE FOR THE STATE OF COLORADO, AND THAT THIS ANNEXATION MAP AND ALL NOTES SHOWN HEREON IS AN ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY THIS SURVEY. ENCROACHMENTS, EASEMENTS, RIGHTS OF WAY OR PASSAGeways ACROSS SAID PROPERTY THAT ARE IN EVIDENCE OR KNOWN TO ME, ARE AS SHOWN TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF. THIS SURVEY, AND THE INFORMATION SHOWN HEREON ARE NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

THE ABOVE DESCRIBED LAND IS CONTIGUOUS TO THE CITY OF ARVADA AND MEETS THE REQUIREMENTS SET FORTH IN COLORADO REVISED STATUTES 1973, 31-12-104-(1)(A) THAT ONE-SIXTH OR MORE OF THE PERIMETER TO BE ANNEXED IS CONTIGUOUS WITH THE ANNEXING MUNICIPALITY.

CONTIGUITY STATEMENT:

- TOTAL PERIMETER OF AREA CONSIDERED FOR ANNEXATION=4222.59'
- ONE-SIXTH OF TOTAL PERIMETER OF AREA=703.76'
- PERIMETER OF THE AREA CONTIGUOUS WITH EXISTING CITY LIMITS=2093.19'
- THE TOTAL CONTIGUOUS PERIMETER IS 49.6%, WHICH EXCEEDS THE 1/6 AREA REQUIRED

DOUGLAS H. ORT III, PLS 37066
LICENSED COLORADO LAND SURVEYOR
FOR AND ON BEHALF OF WILSON & COMPANY



APPROVAL CERTIFICATE:

APPROVED FOR FILING BY THE CITY OF ARVADA THIS _____ DAY OF _____, 20____

MAYOR _____ ATTEST: _____
CITY CLERK

ORDINANCE NUMBER(S) _____

CLERK AND RECORDER:

RECEPTION NUMBER _____

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, AT GOLDEN COLORADO ON THIS _____ DAY OF _____, 20____ AT _____ O'CLOCK

BY: _____ JEFFERSON COUNTY CLERK AND RECORDER
DEPUTY CLERK

- LEGEND**
- OPC = ORANGE PLASTIC CAP
 - PPC = PURPLE PLASTIC CAP
 - YPC = YELLOW PLASTIC CAP
 - N&W = NAIL & WASHER
 - FND = FOUND
 - ALUM = ALUMINUM
 - ILLEG = ILLEGIBLE
 - R.O.W. = RIGHT OF WAY
 - = BOUNDARY LINE
 - - - - - = EASEMENT LINE
 - ===== = LOT LINE
 - ===== = SECTION LINE
 - ===== = ROAD CENTERLINE
 - ===== = LIMITS OF ANNEXATION

				SHT. NO.: 1 OF 1	WILSON & COMPANY 1675 Broadway Suite 200 Denver, CO 80202 Phone: 303-297-2976 Fax: 303-297-2693
				SCALE: 1"=125'	
				DWN. BY: TJB CHK. BY: _____ DATE: 6-2-2020	
				PROJ. MGR: DHO CLIENT APP: _____ DATE: 6-2-2020	
02	CITY COMMENTS	DHO	01/22/21		MAPLE VALLEY ANNEXATION TO THE CITY OF ARVADA COUNTY OF JEFFERSON STATE OF COLORADO
01	CITY COMMENTS	DHO	12/08/20		
NO.	REVISION-DESCRIPTION	BY	DATE	CHKD	



REPORT TO CITY COUNCIL RESOLUTION

AGENDA ITEM
8.B.1.

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: R21-072 A Resolution Authorizing Acceptance of Second Amendment to the Intergovernmental Agreement by and between the City of Arvada and the Arvada Fire Protection District for the Use and Maintenance of Arvada's Public Safety Radio System Approved by City Council on August 5, 2013

Report in Brief

On August 5, 2013, the City of Arvada entered into an agreement with the Arvada Fire Protection District for the vendor support and use of our Public Safety Radio Communications System.

The Arvada team proposes to extend the approved IGA until March 31, 2023.

The proposed action will allow the agreement with Arvada Fire Protection District to have the same timeline that supports the contract with L3Harris for the use along with support and maintenance of our Public Safety Radio Communications System.

The Arvada team recommends that the City Council approve R21-072, A Resolution Authorizing Acceptance of Second Amendment to the Intergovernmental Agreement by and between the City of Arvada and the Arvada Fire Protection District for the Use and Maintenance of Arvada's Public Safety Radio System Approved by the City Council on August 5, 2013.

Financial Impact

If the proposed IGA is approved, the Arvada Fire Protection District will continue to pay an annual flat fee of \$13,000.00 to use the Public Safety Communication System. In addition, the the Fire District contributes \$50,667 for their portion of the annual system maintenance costs provided through the City's agreement with L3Harris.

Background

Resolution R13-102, An Intergovernmental Agreement by and between the City of Arvada and The Arvada Fire Protection District for the use and maintenance of the Arvada's Public Safety Radio System was approved by the City Council on August 5, 2013 .

The First Amendment to the Intergovernmental Agreement by and between the City of Arvada and The Arvada Fire Protection District for the use and maintenance of Arvada's Public Safety Radio System as approved by City Council on June 4, 2018.

These actions illustrate the close working relationship and collaboration between the City and the Fire Protection District that support public safety services for Arvada citizens and businesses at the lowest possible cost.

Discussion

The benefits associated with the City Council's approval would allow the City to bill the Arvada Fire Protection District for their portion of the vendor L3Harris system maintenance services along with a flat fee for the use of the Arvada's Public Safety Radio Communication System on a yearly basis.

SUBJECT: R21-072 A Resolution Authorizing Acceptance of Second Amendment to the Intergovernmental Agreement by and between the City of Arvada and the Arvada Fire Protection District for the Use and Maintenance of Arvada's Public Safety Radio System Approved by City Council on August 5, 2013

PAGE: 2
ITEM: 8.B.1.

This IGA will be reviewed and updated in the future after Arvada's Public Safety Radio Communication System is upgraded in 2022. The renewed and updated IGA will reflect the maintenance requirements that will need to be performed by L3Harris in order to support the upgraded Public Safety Radio Communications System that will serve the Arvada Police Department and Arvada Fire Protection District. The updated IGA will return to the City Council and the Fire Protection District Board for consideration following completion of the upgrades in early 2023.

Public Contact

Posting of the City Council agenda.

Commission Recommendation

N/A.

Strategic Alignment

Approval of this resolution authorizing the Intergovernmental Agreement with the Arvada Fire Protection District aligns with the Safe Community and Organizational and Service Effectiveness Priority Areas within the City Council Strategic Plan. The recommended action supports the following Principles within those Priority Areas:

Community-based policing, connected neighbors, engaged local businesses, supportive community institutions, and a fair and impartial justice system, all working together, to ensure Arvada is a safe place to live, work, play and stay.

Leverages technology, and benchmarks to guide decisions, improve results, enhance service delivery, and maintain the highest level of data security in support of City effectiveness, now and into the future.

Alternative Courses of Action

N/A.

Recommendation for Action

The Arvada team recommends that the City Council approve R21-072, A Resolution Authorizing Acceptance of Second Amendment to the Intergovernmental Agreement by and between the City of Arvada and the Arvada Fire Protection District for the Use and Maintenance of Arvada's Public Safety Radio System Approved by the City Council on August 5, 2013.

Suggested Motion:

I move that R21-072, A Resolution Authorizing Acceptance of Second Amendment to the Intergovernmental Agreement by and between the City of Arvada and the Arvada Fire Protection District for the Use and Maintenance of Arvada's Public Safety Radio System Approved by the City Council on August 5, 2013, be (approved) (rejected).

Prepared by:

Erin Green, Technology Infrastructure and Operations Manager

Reviewed by:

Gail Walker, Legal Specialist-Contracts 4/19/2021

SUBJECT: R21-072 A Resolution Authorizing Acceptance of Second Amendment to the Intergovernmental Agreement by and between the City of Arvada and the Arvada Fire Protection District for the Use and Maintenance of Arvada's Public Safety Radio System
Approved by City Council on August 5, 2013

PAGE: 3
ITEM: 8.B.1.

Approved by:

Craig Poley, Chief Information Officer	4/19/2021
Bryan Archer, Director of Finance	4/19/2021
Laura Hemler, Assistant City Attorney	4/19/2021
Rachel Morris, City Attorney	4/20/2021
Lorie Gillis, Deputy City Manager	4/21/2021
Mark Deven, City Manager	4/21/2021

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R21-072

A RESOLUTION AUTHORIZING ACCEPTANCE OF SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF ARVADA AND THE ARVADA FIRE PROTECTION DISTRICT FOR THE USE AND MAINTENANCE OF ARVADA'S PUBLIC SAFETY RADIO SYSTEM APPROVED BY CITY COUNCIL ON AUGUST 5, 2013

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. The Mayor or Mayor Pro Tem is authorized to sign and the City Clerk to attest, in form approved by the City Attorney, an Amendment, which is in substantially the same form as that attached hereto.

Section 2. This resolution shall be effective upon its approval by the City Council.

APPROVED AND ADOPTED this 3rd day of May, 2021.

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
Rachel A. Morris, City Attorney

By: _____

**SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND
BETWEEN THE CITY OF ARVADA AND THE ARVADA FIRE PROTECTION
DISTRICT FOR THE USE AND MAINTENANCE OF ARVADA’S PUBLIC SAFETY
RADIO SYSTEM APPROVED BY CITY COUNCIL ON AUGUST 5, 2013**

1.0 PARTIES. The Parties to this Second Amendment are the City of Arvada, a Colorado home rule municipal corporation (“Arvada”), and the Arvada Fire Protection District, a Colorado special district and political subdivision of the State of Colorado (“AFPD”).

2.0 RECITALS AND PURPOSE.

2.1 On or about August 5, 2013, the Arvada City Council approved, by way of Resolution R-13-102, The Intergovernmental Agreement By And Between The City Of Arvada And The Arvada Fire Protection District For The Use And Maintenance Of Arvada’s Public Safety Radio System (“Original Agreement”). For the convenience of the parties and due to the voluminous nature of the exhibits to the Original Agreement, the Original Agreement is not attached hereto but is incorporated herein by reference.

2.2 The term of the Original Agreement commenced on August 1, 2013 and extended through July 30, 2018 (“Initial Term”). The Original Agreement provides for three additional five year renewal periods. However, the renewals are not automatic.

2.3 On or about June 4, 2018, the Parties executed the First Amendment To The Intergovernmental Agreement By And Between The City Of Arvada And The Arvada Fire Protection District For The Use And Maintenance Of Arvada’s Public Safety Radio System Approved By City Council On August 5, 2013 (“First Amendment”). For the convenience of the parties, the First Amendment is not attached hereto but is incorporated herein by reference.

2.4 The First Amendment extended the Initial Term through March 31, 2019.

2.5 The purpose of this Second Amendment is to amend Sections 6.1 and 6.1.1 of the Original Agreement to allow for a four year renewal term to run from March 31, 2019 to March 31, 2023 and renew the Original Agreement for such renewal term. The remaining sections of the Original Agreement remain unchanged. While the Initial Term expired on March 31, 2019, the parties have continued to treat the Original Agreement as being in effect, but agree that best business practices would be to amend and re-memorialize the terms of the Original Agreement and formally renew the Original Agreement.

- 3.0 AMENDMENT TO SECTION 6.1 (TERM AND TERMINATION).** Section 6.1 of the Original Agreement terms are amended to read as follows: This Agreement shall commence as set forth below. Unless sooner terminated as a result of non-appropriation of funds as set forth below, the initial term of this Agreement shall run for five years (“Initial Term”). This Agreement may be renewed for up to three additional four or five year periods (“Renewal Term(s)”). The duration of the selected Renewal Term shall be mutually agreed upon in writing by both Parties. Such Renewal Terms shall not be automatic.
- 4.0 AMENDMENT TO SECTION 6.1.1.** Section 6.1.1 of the Original Agreement terms are amended to read as follows: The Initial Term of this Agreement shall begin on August 1, 2013 and extend through March 31, 2019. The first Renewal Term shall be for four years, beginning on March 31, 2019, and extending through March 31, 2023. No later than six months prior to the end of the Initial Term or any subsequent Renewal Term, the Agency RCS Administrators shall meet for the purpose of reviewing the terms of the Original Agreement. Following this meeting(s), each Party shall notify the other Party in writing whether that Party wishes to renew the Original Agreement.
- 5.0 BINDING AUTHORITY.** AFPD represents and affirms that the signature page hereof accurately states the full legal name of AFPD (whether as a corporation, partnership, limited liability company, sole proprietorship, or other), contains all requisite signature(s) on behalf of AFPD, and in all other respects is effective to bind AFPD, in accordance with all applicable statutes, regulations, resolutions, rules, bylaws, agreements, or similar sources of authority or limitation. This Second Amendment may be executed in counterpart(s), each of which shall be deemed to be an original, and all of which, taken together, shall constitute one instrument.
- 6.0 FULL FORCE AND EFFECT.** All other terms and conditions shall be as set forth in the Agreement and the First Amendment. In the event of a conflict between the terms of this Second Amendment and the terms of the Original Agreement or First Amendment, the terms of this Second Amendment shall control.

DATED this ____ day of _____, 2021.

CITY OF ARVADA, a Colorado home rule
municipal corporation

Marc Williams, Mayor
8101 Ralston Road
P.O. Box 8101
Arvada, CO 80001

ATTEST:

City Clerk

APPROVED AS TO FORM:
Rachel A. Morris

By: _____

**ARVADA FIRE PROTECTION
DISTRICT**

Jim Whitfield, President
Arvada Fire Protection District Board
7903 Allison Way
Arvada, CO 80005

ATTEST:

Ted Terranova, Secretary



REPORT TO CITY COUNCIL

AGENDA ITEM
9.A.

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: Appointments to Olde Town Arvada Business Improvement District Board

Report in Brief

City Council needs to make three appointments to the Olde Town Arvada Business Improvement District Board for three year terms ending April 30, 2024.

I move to **Appoint** Allyson Skiba, Loren Naftz and Kristin Chayer to the Olde Town Arvada Business Improvement District Board for three year terms ending April 30, 2024.

Prepared by:
Chris Koch, CCO Admin

Reviewed by:
Toni Riebschlager, Law Office Administrator 4/9/2021

Approved by:

Rachel Morris, City Attorney	4/20/2021
Lorie Gillis, Deputy City Manager	4/21/2021
Mark Deven, City Manager	4/22/2021

Enclosure, exhibits & attachments required to support the report



REPORT TO CITY COUNCIL PUBLIC HEARING

AGENDA ITEM
10.A.

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: Conditional Use Application for Ralston Commons, Generally Located at the Northwest Corner of Ralston Road and Garrison Street

Report in Brief

Andre Baros, with Shears Adkins Rockmore Architects, on behalf of Loftus Development Inc., is requesting Conditional Use approval to allow for residential development within the MX-U-45 (Mixed Use-Urban with a 45-foot height limit) zoning district on the 7.2 acre parcel at the northwest corner of Ralston Road and Garrison Street.

The new community is proposed to include 185 multifamily units in two buildings; 27 townhome units in three buildings; and approximately 5,500 square feet of commercial space in two buildings arranged around a plaza that can accommodate food trucks and other pop-up commercial activities. The multifamily buildings are three stories above a garden level parking podium and the townhomes will not exceed three stories in height.

The Arvada Team recommends that the City Council approve the Conditional Use Application for Ralston Commons, generally located at the northwest corner of Ralston Road and Garrison Street

Financial Impact

There is no direct financial impact associated with the proposed action.

Background

The subject property consists of three parcels located at the northwest corner of Ralston Road and Garrison Street, between Ralston Road and Ralston Creek (see Vicinity Map in staff report). The subject property does not include the freestanding emergency room at 9505 Ralston Road. The property was annexed into the City of Arvada in 1955 as part of the larger Ogilvie Peck Annexation. The subject property was previously home to the Arvada Square inline retail center; a convenience store with gas and a motor vehicle service station; and a pad site that was most recently a Subway sandwich shop. All buildings have been scraped and the subject property is now vacant.

Discussion

In association with the Planning Commission's consideration of this application during their April 6 meeting, Community and Economic Development team members reviewed relevant Approval Criteria. The findings generated by this review is summarized below as well as in the Planning Commission Staff Report, pages 9-10.

8-3-5-1 Conditional Use Permit Approval Criteria (5-18-20)	Finding	Rationale
1. The application complies with the applicable standards of this LDC, other adopted City ordinances, resolutions and regulations including but not limited to any use-specific	Complies	The proposed use complies with all of the requirements of the LDC. At this time, no Code modifications are proposed or required.

standards for the proposed conditional use in Division 3-1-3, any approved Master Development Plan that includes the property, and any conditions specifically applied to development of the property by the Planning Commission or City Council in a prior decision affecting the property;

2. The application is consistent with the Arvada Comprehensive Plan;

Complies

The proposed use is consistent with numerous Comprehensive Plan goals.

3. The use is consistent with the purpose and intent of the zoning district in which it is located;

Complies

The proposed use is consistent with the purpose of the MX-U zone district, which allows for a variety of residential and nonresidential uses, in a mixed-use or single-use configuration. The project, as planned, will comply with all of the dimensional and development standards of the zoning district.

4. The size, scale, height, density, multi-modal traffic impacts, hours of operation and other similar characteristics of the proposed use are comparable with existing and planned uses in the surrounding area;

Complies

The size, scale, height, density, and traffic impacts are consistent with existing and planned uses in the surrounding area. The land on the south side of Ralston Road and the adjacent land to the west have Comprehensive Plan Future Land Use designations of Mixed-Use and are zoned MX-U. There is a large public park to the east and the Ralston Creek and Ralston Creek Trail provide a transition to the single-family residential neighborhood to the north. For these reasons, staff finds that the proposed conditional use is comparable with existing and planned uses in the surrounding area.

5. Facilities and services including sewer, water, storm water, gas, electricity, police and fire protection, and roads and transportation will, prior to or as part of the development, be available to serve the subject property while maintaining adequate levels of service for existing development; and

Complies

All facilities and services are available to this site. The proposed use will not have an adverse impact on facilities or services.

6. The application mitigates any adverse impacts on the surrounding area to the degree practicable.

Complies

The proposed development is similar to both the previous use of the subject property and adjacent properties. It is also similar to the existing and planned uses along Ralston Road. The Ralston Creek and Ralston Creek Trail buffer the single-family residential neighborhood to the north. For these reasons, staff finds that the proposed conditional use mitigates any adverse impacts on the surrounding area to the degree practicable.

Public Contact

The required neighborhood meeting for this project took place on September 23, 2020. The applicant, staff and approximately 40 neighbors were in attendance.

Written notice was sent 15 days prior to the meeting, a published notice was posted in the newspaper 15 days prior to the meeting, and a public hearing sign was posted 15 days prior to the meeting.

Commission Recommendation

The Planning Commission voted 7 to 0 to recommend approval to the City Council.

Strategic Alignment

This project aligns with the Community and Economic Development Priority Area of the City Council Strategic Plan. The following Principles within the Community and Economic Development Priority Area apply to the Council's consideration of the proposed action:

Uses the Comprehensive Plan to guide planning, land use code decisions, development management, and informational resources that are delivered to residents, businesses, the development community, decision-making bodies and neighborhood partners to achieve a well-planned, aligned, sustainable, and livable community for current and future generations.

Ensures the alignment of all City Master Plans providing an aligned and integrated approach to the achievement of strategic and operational targets.

Alternative Courses of Action

NA

Recommendation for Action

The Arvada Team recommends that the City Council approve a Conditional Use Application for Ralston Commons, generally located at the northwest corner of Ralston Road and Garrison Street

Suggested Motion:

I move that the Conditional Use Application, for Ralston Commons, generally located at the northwest corner of Ralston Road and Garrison Street, be (approved) (rejected).

This motion is based on the findings of fact adopted by Planning Commission (if approved).

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:
Stephanie Wallace, Administrative Specialist

Reviewed by:

Approved by:

Jacob Nitchals, Senior Planner	4/15/2021
Josie Suk, Development Systems and Administrative Manager	4/15/2021
Robert Smetana, Manager of City Planning and Development	4/15/2021
Ryan Stachelski, Director of Community and Economic Development	4/19/2021

Gail Walker, Legal Specialist-Contracts	4/19/2021
Emily Grogg, Senior Assistant City Attorney	4/19/2021
Rachel Morris, City Attorney	4/20/2021
Lorie Gillis, Deputy City Manager	4/21/2021
Mark Deven, City Manager	4/22/2021

Enclosure, exhibits & attachments required to support the report

Synopsis of meeting minutes from April 6, 2021 Planning Commission

A Conditional Use Application For Ralston Commons, Generally Located At The Northwest Corner Of Ralston Road And Garrison Street

Mr. Owens entered into the record the Staff Report dated April 6, 2021, affidavit of mailing, posting log and public comment that was received via email.

Mr. Nitchals noted that there was a defect in the mailing notice. The LDC requires a 500 ft radius, but since this project was an Arvada Urban Renewal Authority (AURA) project they request that all properties within a 2,000 ft radius receive notification. The error was discovered in the Jefferson County property search which is used to generate the address reports. It was discovered after the notice was sent that there were 11 addresses that did not get the notice, but once it was caught those 11 addresses were mailed a notice. To the best of the Staffs' knowledge none of the 11 addresses attempted to contact the City.

Commissioner Michael P Griffith wanted to make it a record that he has no relation to the person with the last name Griffith, who submitted a public comment.

Mr. Nitchals gave a brief overview of the project. He stated that the applicants of this project are requesting a Conditional Use for a project that includes residential and commercial land uses on a 7.2 acre piece of land within the MX-U zone district. The proposed development includes 185 multi-family units in two buildings, 27 for sale townhome units in 3 buildings and approximately 5,500 square feet of commercial space in two buildings. These will all be arranged around a plaza that can accommodate food trucks and other programming. Staff presented the case with a recommendation of approval.

Mr. James Drever, Developer, gave an overview of the project and background. He stated that this property is part of a 25 year plan created by AURA to revitalizes ailing parts of the community to create a mix of vibrant retail, commercial and residential properties. Mr. Drever started to work with AURA in 2014 to create a mixed use urban walkable project that is an asset to the community. He continued to describe that they have been working with the community to develop these plans for the past 7 years and this proposed phase meets the goals of the AURA revitalization efforts.

Mr. Andre Baros, Architect, discussed the 6 phases of the total project in the AURA plan. He stated that this project fits in with the other phases that have been completed or are in future plans. He stated that this project fits the goals for this area. Mr. Baros discussed some of the neighbor comments and concerns that they have received from their neighborhood meeting; he said that the community is excited about this project. He continued to explain the reasons for the Conditional Use requests noting the convenience of public transportation and walk/biking ability and the community inclusion that this project will bring to the area

Mr. Owens opened the hearing for comments from the public.

PUBLIC COMMENT

IN FAVOR

None

IN OPPOSITION

Lindsay Compton asked for comments from the developer about the height of the building and if they would block the mountain view from the park.

David Jensen submitted his comments in writing and also made a statement to the commission. His concern was that they have an inadequate setback from the creek and the development. He would like to see more green space along the creek. He feels that the City has the discretion to allow a more generous setback and not impact the creek trail with the development being too close.

Nicole Rades asked if there has been discussion on solar/renewable energy with this plan, as well as over congestion of the area with the several phases of residential units. She was concerned that residents may not be able to enjoy the community areas with so many more people.

Reva Boyles asked if the entrance and exit on Garrison Street and how it will impact the traffic.

There was no further public comment and Mr. Owens asked if the applicant wanted to provide a rebuttal.

APPLICANT REBUTTAL

Mr. Drever responded that the project had been reduced from four stories to three stories over concern of the height. He request Mr. Baros to explain further.

Mr. Baros confirmed that they are always concerned about height. He stated that the retail that faces the park on Garrison Street is shorter and that the majority of the height is pulled away from the park. On the North side of the property they pulled back some of the retail and left some closer to eliminate a wall of buildings straight across. He confirmed that they went with three stories but could have gone four stories, but that would not make sense for the area..

Mr. Drever noted that they have hired a consultant named Group Fourteen to look at water conservation. They are not sure if solar will work at this particular site, but will look at efficiencies for the property. He addressed concerns about congestion and traffic and stated that they did a traffic study and according to the study there are no major recommendations, since it was previously used as a grocery store and 100,000 square feet of retail space.

Mr. Baros added that the energy used per unit will be at the highest one-quarter the energy use of the single family residential. This project is probably 4 times more efficient and they are working with experts to make it better.

Mr. Owens closed the public input portion of the meeting and allowed comments from the Commission.

QUESTIONS FROM THE COMMISSION

Mr. Griffith asked if any certification have been considered for this project, such as Well, Envision, Lead Neighborhood Development.

Mr. Baros responded that at this time they have chosen to not pursue any third party certifications. However, it does not mean that it is off the table. He continued to state that they will investigate those standards for Lead Neighborhood Development and that it is a perfect candidate.

Mr. Griffith commented that they could focus on using native seed and irrigated turf to reflect the adjacent park. He cautioned them about the trees on the North side along 58th, they will struggle if they are not shade tolerant and to put mature trees in. He mentioned that they may look at some shade canopies for the lawn area.

Mr. Magee questioned the amount of open retail spaces in the other phases of the project and wanted to know how much open (vacant) space was there in addition to the 5,500 square feet that they are adding in this phase.

Mr. Drever responded the Shops at Ralston Creek is approximately 30,000 square feet and 14 spaces. There are 3 vacant spaces since it was built. He stated one of the concerns from the neighborhood is there is no sit down restaurants and everything is fast casual dining. They have been working with AURA and they are going to provide some assistance with the plaza. They are looking for a more regional or sit down restaurant that will engage the community. They are hoping to add an ice cream shop and they will be adding a local coffee shop and martial arts studio in the other retail space in the near future.

Mr. Magee stated he likes the underground parking and the walk ability. He asked how many units will have steps that lead to a sidewalk.

Mr. Baros stated approximately 75% out of the ground units.

Mr. Magee stated there was a concern from the neighborhood meeting regarding the access to the sidewalk from the units for a person with a walker or wheelchair.

Mr. Baros responded there are two considerations, every unit will be served from the corridor and the corridor will have an elevator and a fully accessible path. Additionally there will be ramps. He stated traditionally the ground units tend to be taken by the dog owners and that is why they have a mixture.

Mr. Magee stated that the previous use had more traffic five years ago when it was retail and asked what level of service the intersections near the development will see as it pertains to the traffic stand point.

Ms. Wolfschlag responded that all of the signalized intersections in that area will operate at level B or better which is rated until 2045. The un-signalized intersections will operate at a level C or better until 2045

Mr. Gay commented he had the same question/comments as Commissioner Magee regarding the elevators and parking. He asked since the parking is below grade, if it could be lowered a foot or two and preserving the stoops, to lower the building height. He commented on the staff report, page 6 third paragraph; it talks about a publicly accessible private street as being West 58th Ave. It is 58th PI and that is not very private.

Mr. McCarron asked staff if there have been any thoughts on how to limit the speed in this area. He has noticed that this area is very active and has concern over speeds and that traffic calming in this development is a necessity. He asked if speed bumps would be used in the area.

Ms. Wolfschlag responded that the speed on Garrison is currently posted at 25MPH. City Traffic staff generally monitors this on an annual basis. Or more frequently if they are receiving complaints from the police department. If it is a problem the police department would help add additional control through speed enforcement. She stated there are some different patterns in the concrete to delineate where pedestrians would be crossing. She commented that the City has evaluated some traffic calming alternatives and have not found anything that would be better than what is currently there.

Mr. Nitchals commented that the applicant is exploring on street parking on Garrison Street along with a bike lane which would potentially slow down traffic.

Mr. McCarron asked what the liner foot from the setback is from the building's foot print. He stated that it feels substantial and beyond what the normal set back would be. He also stated he likes the project and suggests looking in to the lead certified building.

Mr. Nitchals responded that conservatively it's about 175 feet from the building to the Southside of Brooks Drive and add another 60 feet of right of way on Brooks Drive. Depending on where you take the measurement it would be 170-230 feet to the actual building. The normal required setback for this use requires a 10 foot setback along the northern property line. On the conceptual plan proposal, which is not finalized, they show the setback around 15 or 16 feet. Mr. Nitchals clarified that if the MX-U zone district was adjacent to a property zoned RN-6 the height transition zone would require the first 35-45 feet of their property to be restricted to the height of the adjacent zoning. Which would be 28 feet of the first 35-45 feet of their property if they shared a common property line.

Mr. Owens asked if there were any further comments, no more comments were made. Mr. Owens asked for a motion.

MOTION:

It was moved by Mr. Magee, that a Conditional Use Application for Ralston Commons, generally located at the northwest corner of Ralston Road and Garrison Street, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 9 & 10 of the Staff Report.

DISCUSSION OF MOTION:

Mr. Owens stated he used to live in this area and the original plan for this area was for 400 apartments. This is a more welcoming idea for this property. He acknowledged AURA work in bringing this beautiful project.

Mr. Hannan reiterated the same thoughts as Chairman Owens. He appreciates the step down from Garrison Street and the park, so there are no giant buildings looking over the park. He stated that from a conditional use standpoint this is excellent use and he will be supporting it.

Mr. Magee stated his appreciation of the presentation and there will be a Phase 5 of affordable housing on the Southside of Ralston Road. He applauded the thoughts into the landscape.

Ms. Connell expressed the same appreciations as the other commissioners. Noting the landscaping softens buildings and the practicality of the project being next to the large park eliminates driving and shows a soft environment for the larger buildings.

Mr. Griffith thanked the public for joining. He applauded the developers on their graphics on the presentation to better understand.

The Commissioners all stated their support of this project.

The following votes were cast on the motion:

Those voting Yes: Owens, McCarron, Gay, Connell, Griffith, Magee, Hannan

Those voting No: None

Those absent: None

The motion carried 7-0.

Mr. Owens explained that the motion carried.

RALSTON COMMONS

Ralston Commons is a mixed-use development including retail and residential uses on the currently vacant site on the North West corner of Ralston Road and Garrison Street. The program includes 5,500 SF of retail, 185 rental apartments, and 27 townhomes (to be constructed in a separate phase). The site design also includes an extension of (58th place) from the existing portion west of the site to Ralston Central Park, an outdoor plaza supporting the retail, streetscape and planting improvements, and improvements to the riparian edge of Ralston Creek.

The land is currently controlled by the Arvada Urban Renewal Authority (AURA) with whom the development team (Loftus Development and Mapleton Asset Management) has a purchase agreement. AURA has an interest in the project and the current plan as presented represents an evolution of a Master Plan which was developed in conjunction with AURA and has been approved by the AURA board.

The site is currently a vacant lot with nearly 100% impermeable coverage including vacant buildings and vacant parking. The empty lot is occasionally utilized as overflow parking for Ralston Central Park. To compensate for this need and to provide a safer pedestrian experience along Garrison St. the project is proposing adding street parking along Garrison St. This additional parking is not included in the required parking calculations for the project. The project is required to obtain a Conditional Use Permit (CUP) per the zoning code, because it includes a residential use in a mixed-use district. Based on market analysis and experience in the area, we believe that 5,500 SF of retail is an appropriate amount to complement the existing retail on adjacent sites. After considering other complimentary uses, we have settled on residential as the most needed use to add to the retail at this location. The retail compliments the existing retail and the residential compliments the existing residential, both filling gaps in the local market.

This project falls within the goals of the City of Arvada Comprehensive Plan which reflects the City residents' desire to increase housing density in specific areas, diversify the housing stock and promote greater neighborhood cohesion within the City. Originally crafted in 2014, but still relevant and being implemented, the specific guidelines for the Ralston Creek Corridor where this project sits call for diversifying the uses in an area which was exclusively retail by adding residential and modern retail. In addition to adding both the retail and the residential which are supported in the plan, this project also aims to enhance the walkability of the area.

Outside of the residential use which requires the CUP, all other aspects of the plan such as height, setbacks, and parking are designed to fit within the recently updated zoning code and do not require any exceptions to the Zone District or LDC. Any deviation from this is an unintended consequence of the preliminary nature of the drawings and will be brought into line with the code as the project proceeds.

Thank you for your consideration. We hope that you will agree with us that retail and residential are complimentary uses for the site and for the neighborhood

PROJECT TYPE: Development Application
PROJECT SUB-TYPE: Multifamily
PROJECT NAME: Ralston Commons

FORMAL SUBMITTAL AND CONDITIONAL USE APPLICATION

PROJECT DATA:
ACRES: 7.19 ACRES TOTAL (313,356 SF)

DEVELOPMENT PLAN (FDP): 7.19 ACRES (313,356 SF)
FINAL PLAT/REPLAT (FP): 7.19 ACRES (313,356 SF)

LAND USE: Mixed Use (Residential/Retail)
NON-RESIDENTIAL GROSS FLOOR AREA (GFA): 5,500
SF DETACHED UNITS: 0
SF ATTACHED UNITS: 263,328 GSF
MULTI-FAM UNITS: 212
NET DENSITY: 30 UNITS PER ACRE

ZONING:
MX-U
NO PROPOSED CHANGE TO ZONING
COMPREHENSIVE PLAN DESIGNATION: MIXED-USE

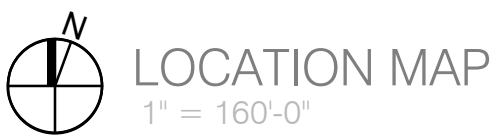
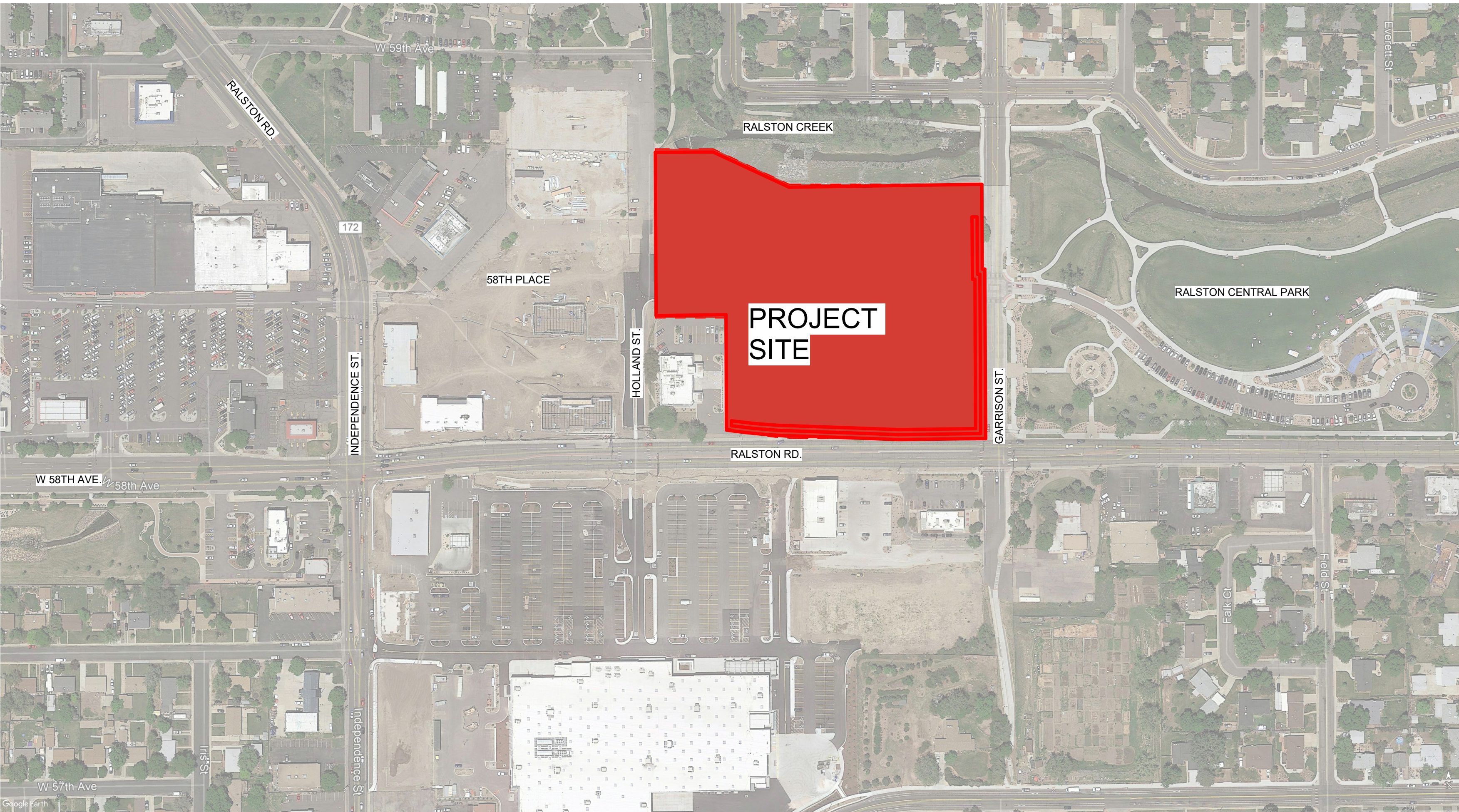
LANDSCAPE/PARKING:
OPEN SPACE REQUIRED: 15%=47,003 SF
OPEN SPACE PROVIDED: 22%=68,880 SF
PARKING REQUIRED: 394
PARKING PROVIDED: 408
NET DENSITY: 55 CARS PER ACRE
BICYCLE PARKING SPACES: 98 (.25 per unit)
LOT COVERAGE REQUIRED: 70% Max
LOT COVERAGE PROPOSED: 38% (118,154 SF/313,356 SF)

BUILDING HEIGHT:
MAX 45'
PROVIDED 45'

ADDITIONAL INFO:
GENERAL LOCATION:
PRE-APP PROJECT NUMBER: PA2020-0109

Parcel ID (AIN): 39-103-03-021, 39-103-03-022, 39-103-99-003
(Schedule): 300511976, 300511977, 300109592

Property Address
9215 RALSTON RD
ARVADA CO 80002



PROJECT NARRATIVE

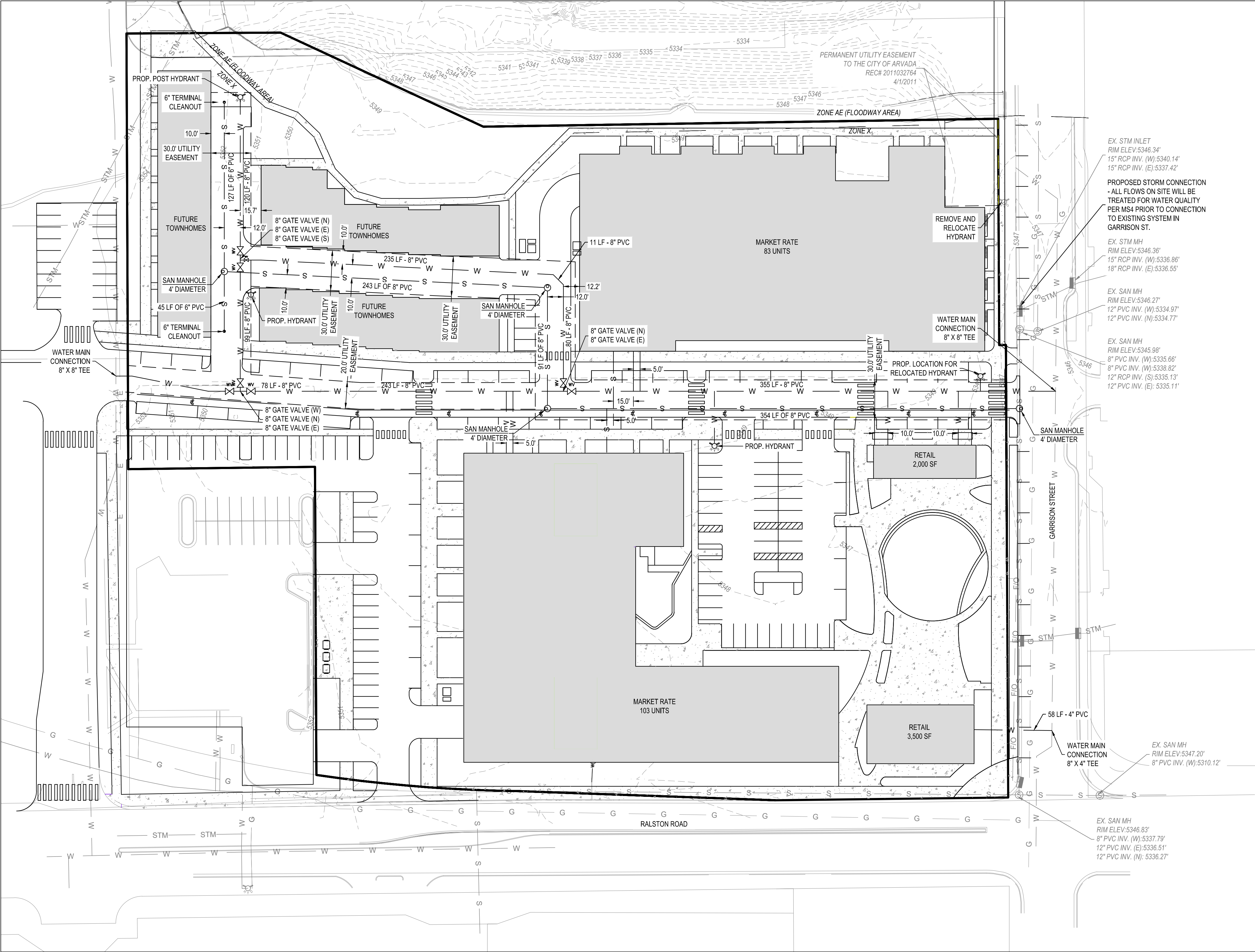
Market Rate Apartments									Retail	Townhomes	
ave. sf	Studio A	Studio B	1 Bed A	1 Bed B	1 Bed C	2 Bed A	2 Bed B	Units	GSF	GSF	
	600	625	715	775	900	1,175	1,200		1,600 SF + garage		
Level											
3	7	8	9	16	9	7	10	66	-	-	
2	7	8	9	16	9	7	10	66	-	-	
1	4	12	8	12	6	4	7	53	5,500	27	
B1 / Garden	-	-	-	-	-	-	-	-	-	-	
									Units	GSF	
Total Units	18	28	26	44	24	18	27	185	5,500	27	
Total Units by Type	46				94	45		27			
Required Parking											
Req. Parking Ratio	1.4	1.4	1.6	1.6	1.6	2.1	2.1		5.0/1000	2.0	
Sub totals	25.2	39.2	41.6	70.4	38.4	37.8	56.7	310	28	54**	
									Total Parking Required	392	
									Loading Spaces Required	2	
Provided Parking*									st/su	r	t
Structured								219	54		
Surface								107	28		
									Total Parking Provided	408	

See parking plan for locations. st=residential structure parking, su=residential surface parking. r=retail parking, t=townhouse parking. Food truck/service spaces not included.

* Parking totals do not include proposed street parking.
**Tandem spaces allowed for townhouse units

3/24/2021 3:45:11 PM\\Users\\ABaros\\Documents\\AURA Master Plan_2021 LIVE_ABaros@SARarch.com.rvt

RALSTON COMMONS
A DEVELOPMENT PLAN
AT Ralston Commons



EX. STM INLET
RIM ELEV: 5346.34'
15" RCP INV. (W): 5340.14'
15" RCP INV. (E): 5337.42'

PROPOSED STORM CONNECTION
- ALL FLOWS ON SITE WILL BE
TREATED FOR WATER QUALITY
PER MS4 PRIOR TO CONNECTION
TO EXISTING SYSTEM IN
GARRISON ST.

EX. STM MH
RIM ELEV: 5346.36'
15" RCP INV. (W): 5336.86'
18" RCP INV. (E): 5336.55'

EX. SAN MH
RIM ELEV: 5346.27'
12" PVC INV. (W): 5334.97'
12" PVC INV. (N): 5334.77'

EX. SAN MH
RIM ELEV: 5345.98'
8" PVC INV. (W): 5335.66'
8" PVC INV. (W): 5338.62'
12" RCP INV. (S): 5335.13'
12" PVC INV. (E): 5335.11'

EX. SAN MH
RIM ELEV: 5346.83'
8" PVC INV. (W): 5337.79'
12" PVC INV. (E): 5336.51'
12" PVC INV. (N): 5336.27'

EX. SAN MH
RIM ELEV: 5347.20'
8" PVC INV. (W): 5310.12'

LEGEND:

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EASEMENT
- EXISTING CONTOUR
- FIRE HYDRANT
- W WATER LINE
- WM WATER METER
- S SANITARY SEWER
- STM SANITARY SEWER MANHOLE
- STM STORM SEWER
- STM STORM SEWER MANHOLE
- SIGN

ALL PLANIMETRIC LINEWORK THAT IS FADED BACK SHOWN HEREIN INDICATES AN EXISTING FEATURE (IMPROVEMENT, TOPOGRAPHY, UTILITY, ETC.). ALL PLANIMETRIC TEXT THAT IS FADED BACK AND ITALICIZED SHOWN HEREIN INDICATES A CALLOUT TO AN EXISTING FEATURE.

0 20 40 80 120
(IN FEET)
1 inch = 40 ft.

ISSUED: JAN. 25, 2021
SHEET: 3 OF 8 | CIVIL PLAN

RALSTON COMMONS

PRE-APP PROJECT NUMBER: PA2020-0109

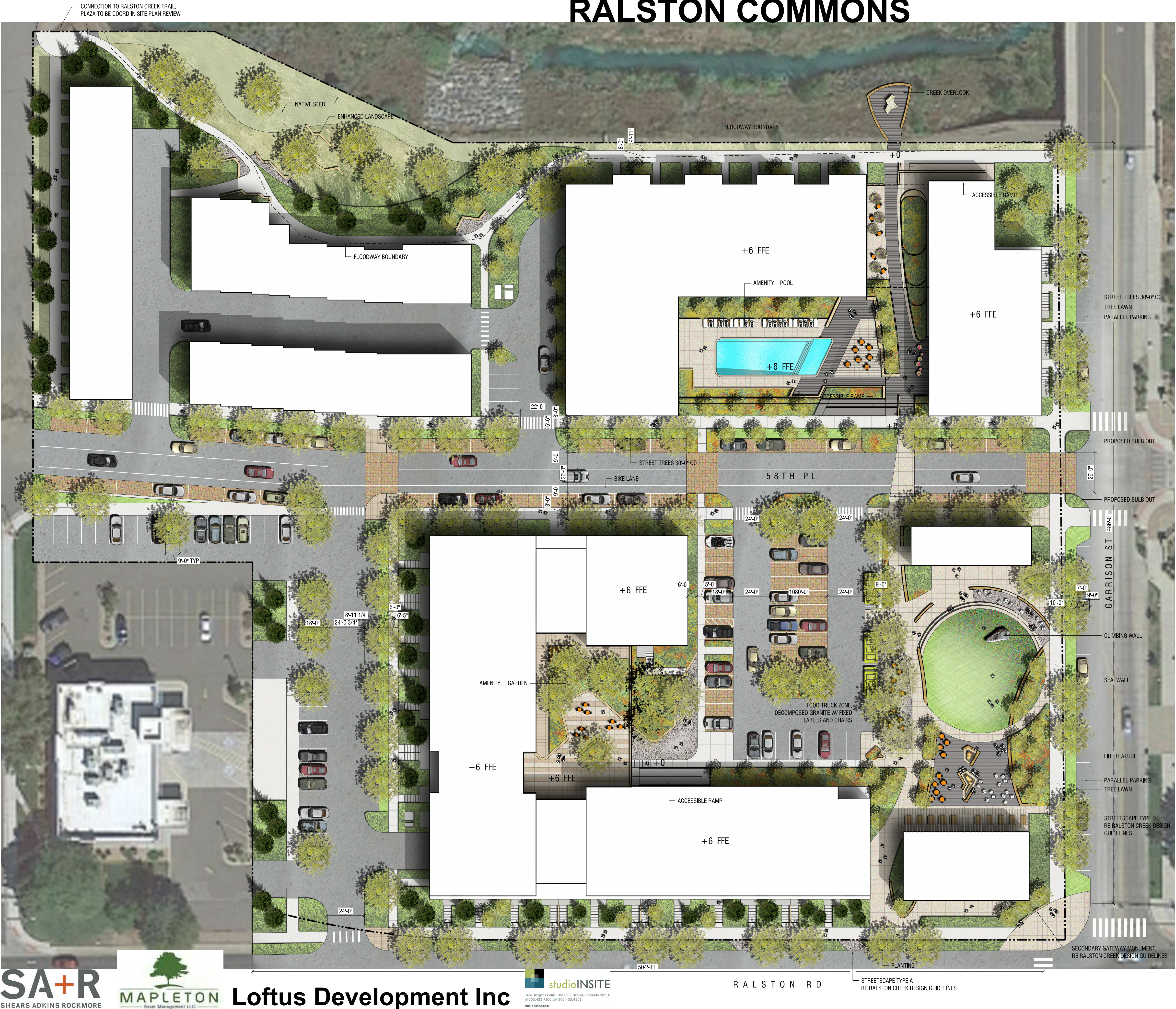
10/12/2020 1:18:38 C:\Users\ABaros\Documents\AURA Master Plan_2021_ABaros\ASARArch.com.rvt



Loftus Development Inc

PRE-APP PROJECT NUMBER: PA2020-0109

RALSTON COMMONS



CITY OF ARVADA LDC CODE REQUIREMENTS

- 4-6-4-3 SIZE AND QUALITY OF LANDSCAPE PLANTS
- LARGE TREES AND STREET TREES: 2" CAL
SMALL TREES: 1.5" CAL
SHRUB: 5 GAL CONT AND 2' HT
GROUND COVER: 1 GAL CONT
- 4-6-6-1 STREET TREES
- ALL DEVELOPMENT SHALL PROVIDE AT LEAST ONE STREET TREE FOR EACH 40 FEET OF STREET FRONTAGE UNLESS THE DIRECTOR DETERMINES THAT A DIFFERENT NUMBER OF TREES IS WARRANTED BECAUSE OF EXISTING CONDITIONS.
- 4-6-6-5 GENERAL LANDSCAPE AREAS
- PLANTING REQUIREMENTS. GENERAL LANDSCAPE AREAS SHALL BE PLANTED WITH AT LEAST:
- ONE LARGE TREE PER 2,000 SQUARE FEET OF PERMEABLE AREA;
 - ONE SMALL TREE OR ONE EVERGREEN PER 1,500 SQUARE FEET OF PERMEABLE AREA; AND
 - 75 PERCENT VEGETATIVE GROUND COVERAGE AT MATURITY, EXCLUDING TREE CANOPY.

LANDSCAPE REQUIREMENTS

	REQD	PROVIDED
TOTAL PERMEABLE AREA		73,700
(1) LARGE TREE PER 2000 SF OF PERMEABLE AREA	37	50
(1) SMALL TREE OR (1) EVERGREEN PER 1500 SF OF PERMEABLE AREA	49	58
	86	108

STREET TREE REQUIREMENTS

AREA DESCRIPTION	LENGTH		TREES REQD 1/40'	TREES PROVIDED	NOTES
GARRISON ST	460	EXCLUDING (1) 26' DRIVE CUTS	12	13	
RALSTON RD	481	EXCLUDING (1) 24' DRIVE CUTS	12	13	
58TH PLACE (NORTH)	639	EXCLUDING (1) 22' DRIVE CUTS	16	21	
58TH PLACE (SOUTH)	591	EXCLUDING (3) 24' DRIVE CUTS	15	12	REMAINING (3) TREES ARE PROVIDED ON NORTH SIDE OF 58TH PL
ACCESS RD	239	EXCLUDING (1) 24' DRIVE CUTS	6	7	
			61	66	

MATERIALS LEGEND

- ENHANCED PAVING (TO MATCH EXISTING)
- CONCRETE UNIT PAVERS
- COLORLED CIP CONC PAVEMENT
- PLANTING
- IRRIGATED TURF
- NATIVE SEED

0' 15' 30' 60' SCALE: 1"=30' - 0"

ISSUED JAN. 25, 2021
SHEET: 4 OF 8 | LANDSCAPE PLAN

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Loftus Development Inc

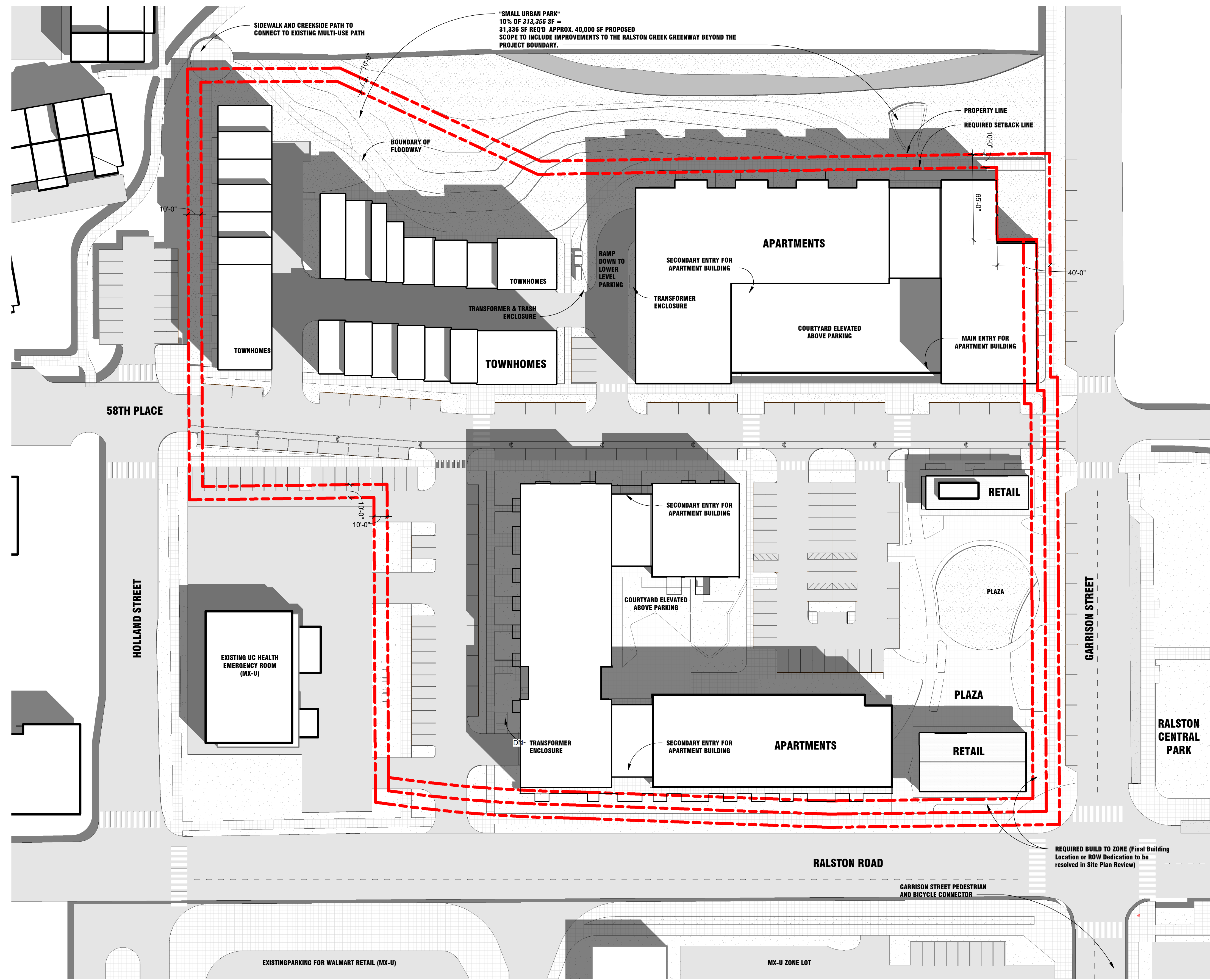


PRE-APP PROJECT NUMBER: PA2020-0109

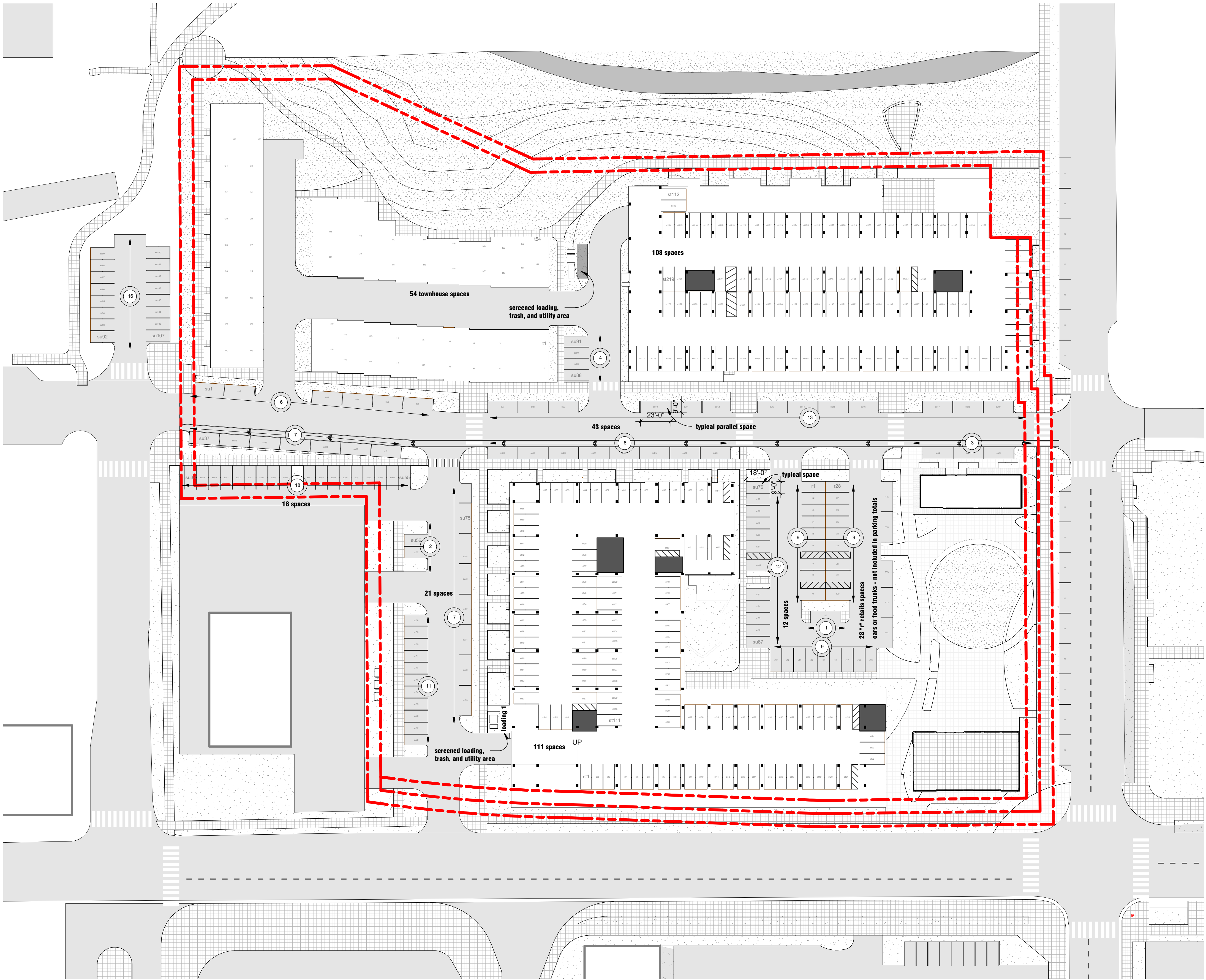
RALSTON COMMONS

PRE-APP PROJECT NUMBER: PA2020-0109

RALSTON COMMONS



RALSTON COMMONS



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Loftus Development Inc

PRE-APP PROJECT NUMBER: PA2020-0109

ISSUED: JAN 25, 2021
SHEET: 4 of 6 | CONCEPT PARKING PLAN

RALSTON COMMONS

PRE-APP PROJECT NUMBER: PA2020-0109

RALSTON COMMONS



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Loftus Development Inc

ISSUED JAN. 25, 2021

SHEET: 7 OF 8 | TYPICAL FLOOR PLAN

PRE-APP PROJECT NUMBER: PA2020-0109

RALSTON COMMONS

PRE-APP PROJECT NUMBER: PA2020-0109

RALSTON COMMONS



FACADE MATERIAL A:
CEMENTITIOUS SIDING (approx 1/3)
(representative image)



FACADE MATERIAL B:
BRICK MASONRY (approx 1/3)
(representative image)



FACADE MATERIAL C:
STUCCO (approx 1/3)
(representative image)



Representative Image: Masonry (portals and/or frames) and metal details will be used to unify the overall project.



Representative Image: Masonry and metal details will be used to unify the overall project.

The elevations for the buildings will be designed to follow a vertical pattern similar to a series of traditional, pedestrian scale rowhouses. This will be accomplished with a mixture of 3 techniques: Mixing materials, vertical expression, and a unifying language of brick and metal accents.

General Facade Materials:
Overall window wall ratio: 65% solid, 35% window

Solid Materials (excluding glazing):
35% Masonry (Full depth brick at 1/3 of area plus unifying elements)
27% Stucco (EIFS type system) 25%
27% Fiber Cement (Cementitious lap siding, field painted)
11% Metal Panel (Single skin, standing seam, factory painted aluminum at accents, trim and retail)



Representative image: Scale of openings and balconies



Representative image: vertical expression, grouping of openings, color



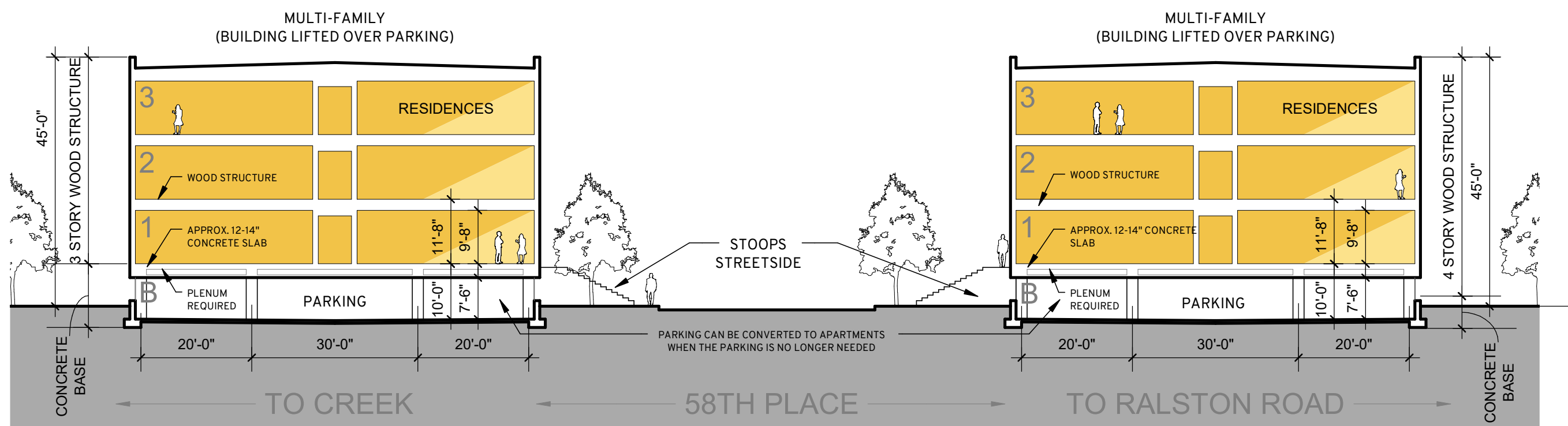
Representative image: masonry unifying building, individual entries, building up to the street.



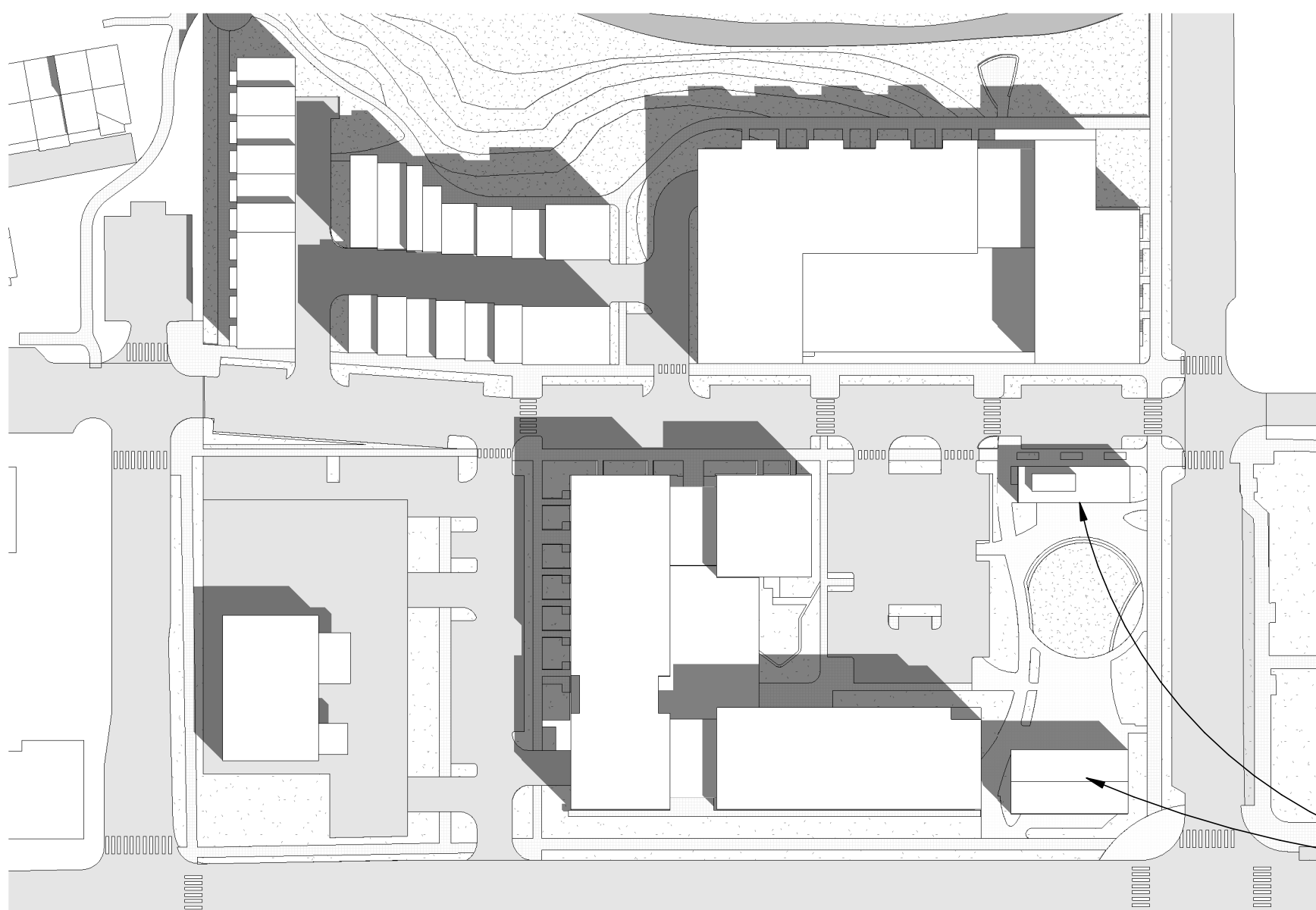
Representative image: vertical expression, grouping of openings, pops of color



Representative image: masonry unifying building, individual entries, building up to the street.



CONCEPT BUILDING SECTION



KEY PLAN

RETAIL CHARACTER:
BOLD COLORS, PAINTED CEMENTITIOUS
SIDING, LARGE OPENINGS. CHARACTERIZED
BY LARGE AMOUNTS OF TRANSPARENCY



Letter to Planning Commission

In relation to: Ralston Commons Conditional Use DA2020-0130

I live in one of the homes directly across the creek from the proposed development. When I saw the site plan, I was displeased with what I considered inadequate setback between the creek and the proposed development. The creek only runs along one side of the development, so why not enhance it and approach it more gradually with more green space, as was done in the Townhouse area. Adding more greenspace along the creek also has the effect of softening the abrupt transition from 3 story structures towering over 1 story ranch homes as well as making it more enjoyable for the residents of the new apartments. So, I think more consideration should be given to the impact, due to insufficient setback, on the existing neighborhood and the creek.

Since the city is considering Condition of Use so that this project can move forward, it would seem to me that you have it at your discretion to allow for a more appealing setback between Ralston Creek and the new structures being proposed and built. As part of your Public Hearing Staff Report for this meeting, page 7, section Setback, it says: setbacks will be reviewed as part of a Site Plan application, should the Conditional Use approval be granted.

Respectfully,

David Jensen

Resident of Arvada, Taxpayer, and Voter



Stephanie Wallace <swallace@arvada.org>

Fwd: Case Number DA2020-130-Can this be read into the record, please

2 messages

Josie Suk <jsuk@arvada.org>
 To: Stephanie Wallace <swallace@arvada.org>

Tue, Apr 6, 2021 at 4:06 PM

Hey,

Can you redact his email and phone and send it to Planning Commission?

----- Forwarded message -----

From: Shawn Griffith [REDACTED]
 Date: Tue, Apr 6, 2021, 3:29 PM
 Subject: Re: Case Number DA2020-130-Can this be read into the record, please
 To: Josie Suk <jsuk@arvada.org>

Josie,
 Thank you for the guidance to the proper documents. *I would like to go on record that I am strongly opposed* to the granting of the conditional use permit. I base my opposition on the sheer density of the project in relationship to my neighborhood. I specifically reviewed pages 17-23 of the Commission Packet 3/18/21, and was resigned to the fact that staff has recommended the approval. Staff has found, in their research/opinion ALL of the Criteria in 8-3-5-1 comply. Therefore, the public doesn't have a leg to stand on and approval is virtually guaranteed. My address is [5915 Dudley Ct, Arvada CO](#) which has a line of sight view to the proposed structure.

I would appreciate if this could be read into the record, if not, then at least you have an idea of my opinion.

Regards,
 Shawn Griffith
 [REDACTED]

From: Josie Suk <jsuk@arvada.org>
 Sent: Monday, April 5, 2021 2:03 PM
 To: Shawn Griffith <[REDACTED]>
 Subject: Re: Case Number DA2020-130

Hello,

Please see the available documents here: <https://www.arvadapermits.org/etrakit3/search/project.aspx?activityno=da2020-0130>

On Mon, Apr 5, 2021 at 12:54 PM Shawn Griffith <[REDACTED]> wrote:

Josie,
 Can you send me the link to the file and information on the Conditional Use Permit Application.

From: Josie Suk <jsuk@arvada.org>
 Sent: Wednesday, March 17, 2021 9:01 AM
 To: Shawn Griffith [REDACTED]
 Subject: Re: Case Number DA2020-130

Hi there,

Below is the information to get registered for the hearing.

If you intend on making public comments: During the meeting you will enter as an attendee and only be able to listen to the meeting, during the public comment portion of the hearing, I will call on you and unmute you and you will be able to make comments. Please be aware that the commission may vote to enact a 2-3 minute maximum per public comment, I won't know until the night of the meeting but we will announce it. Once you finish your comment you will be muted again and will not be able to make additional comments. If you would like to submit written comments, please send them to me by 5:00 p.m. on the day of the meeting and I will route them to the Commission. If recommended by the Commission, this case will also be heard by the City Council and you will be able to make public comments to the Council during that meeting. If you have any questions please feel free to contact me.

Hi there,

You are invited to a Zoom webinar.
 When: Apr 6, 2021 06:15 PM Mountain Time (US and Canada)
 Topic: April 6, 2021 Planning Commission Virtual Meeting

Register in advance for this webinar:
https://zoom.us/webinar/register/WN_r5mn69ZpTh26hnM2wX52pw

After registering, you will receive a confirmation email containing information about joining the webinar.

On Wed, Mar 17, 2021 at 7:56 AM Shawn Griffith <[REDACTED]> wrote:

Gentlemen,
 I received the notice of the conditional use permit application for the Mixed Use Urban Zone District hearing on April 6. I would like to attend the meeting virtually and would like to register my opposition. How best may this be obtained.

Shawn
 5915 Dudley Ct

Shawn Griffith

Carpe Diem, quam minimum credula postero.



Jacob Nitchals <jnitchals@arvada.org>

Strongly In Support of Ralston Commons Redevelopment

Sarah May <[REDACTED]>
To: jnitchals@arvada.org

Thu, Mar 18, 2021 at 8:55 PM

Hello Mr. Nitchals,

I am a local property owner in Arvada and just received the notice of public hearing for the Ralston Commons conditional use.

I wanted to state that I am strongly in support of the redevelopment, and I am excited to see new development coming into the area and new residents that will bring growth and additional business to Arvada.

Please record my comments for the public hearing.

You can reach me at the phone and email below if you have any questions.

Thank you,

Sarah May





CED Boards and Commission <cedboardsandcommission@arvada.org>

Public Comment: Planning Commission Meeting 4/6/2021 RE:

1 message

Brandon T. Figliolino <[REDACTED]>

Tue, Apr 6, 2021 at 9:22 AM

To: "cedboardsandcommission@arvada.org" <cedboardsandcommission@arvada.org>

Hello Planning Commissioners,

I wanted to express my support for the Ralston Commons Conditional Use application (DA2020-0130). I like that the project is incorporating various housing styles (apartments, townhomes) and unit sizes. The trail behind the far apartment lining the creek looks great and will provide good screening for the park and additional native habitat for wildlife and birds.

I also think putting the retail/restaurant space facing Garrison and Ralston Central Park will look nice and activate that space and the park. I do wish there were additional retail spaces, however, as it doesn't seem like 5,500 sq ft is a lot. It would have been nice to add additional commercial spaces inside the apartment buildings, especially on the frontage of Ralston Road, similar to the Shoppes at Ralston Creek. One plan for the site in a previous developer's application had planned a restaurant overlooking the Ralston Creek Trail. That too would have been an excellent concept to go along with this project's courtyard/plaza.

Despite the lack of commercial spaces, I think this is a good project and should be approved.

Thanks for letting me share my thoughts!

Sincerely,

Brandon Figliolino, MPA (*He, Him, His*)



City of Arvada
Community and Economic Development Department
PUBLIC HEARING STAFF REPORT

Ralston Commons
Conditional Use
DA2020-0130

NATURE OF REQUEST

Andre Baros, with Shears Adkins Rockmore Architects, on behalf of Loftus Development Inc., is requesting Conditional Use approval to allow for residential development within the MX-U-45 (Mixed Use-Urban with a 45-foot height limit) zoning district on the 7.2 acre parcel at the northwest corner of Ralston Road and Garrison Street.

The new community is proposed to include 185 multifamily units in two buildings; 27 townhome units in three buildings; and approximately 5,500 square feet of commercial space in two buildings arranged around a plaza that can accommodate food trucks and other pop-up commercial activities. The multifamily buildings are three stories above a garden level parking podium and the townhomes will not exceed three stories in height.

LOCATION AND HISTORY

The subject property consists of three parcels located at the northwest corner of Ralston Road and Garrison Street, between Ralston Road and Ralston Creek (see Vicinity Map on following page). The subject property does not include the freestanding emergency room at 9505 Ralston Road. The property was annexed into the City of Arvada in 1955 as part of the larger Ogilvie Peck Annexation.

The subject property was previously home to the Arvada Square inline retail center; a convenience store with gas and a motor vehicle service station; and a pad site that was most recently a Subway sandwich shop. All buildings have been scraped and the subject property is now vacant.

NEIGHBORHOOD MEETING

Division 8-2-2 of the Land Development Code requires that at least one neighborhood meeting be held for projects that require public hearings before the Planning Commission and City Council.

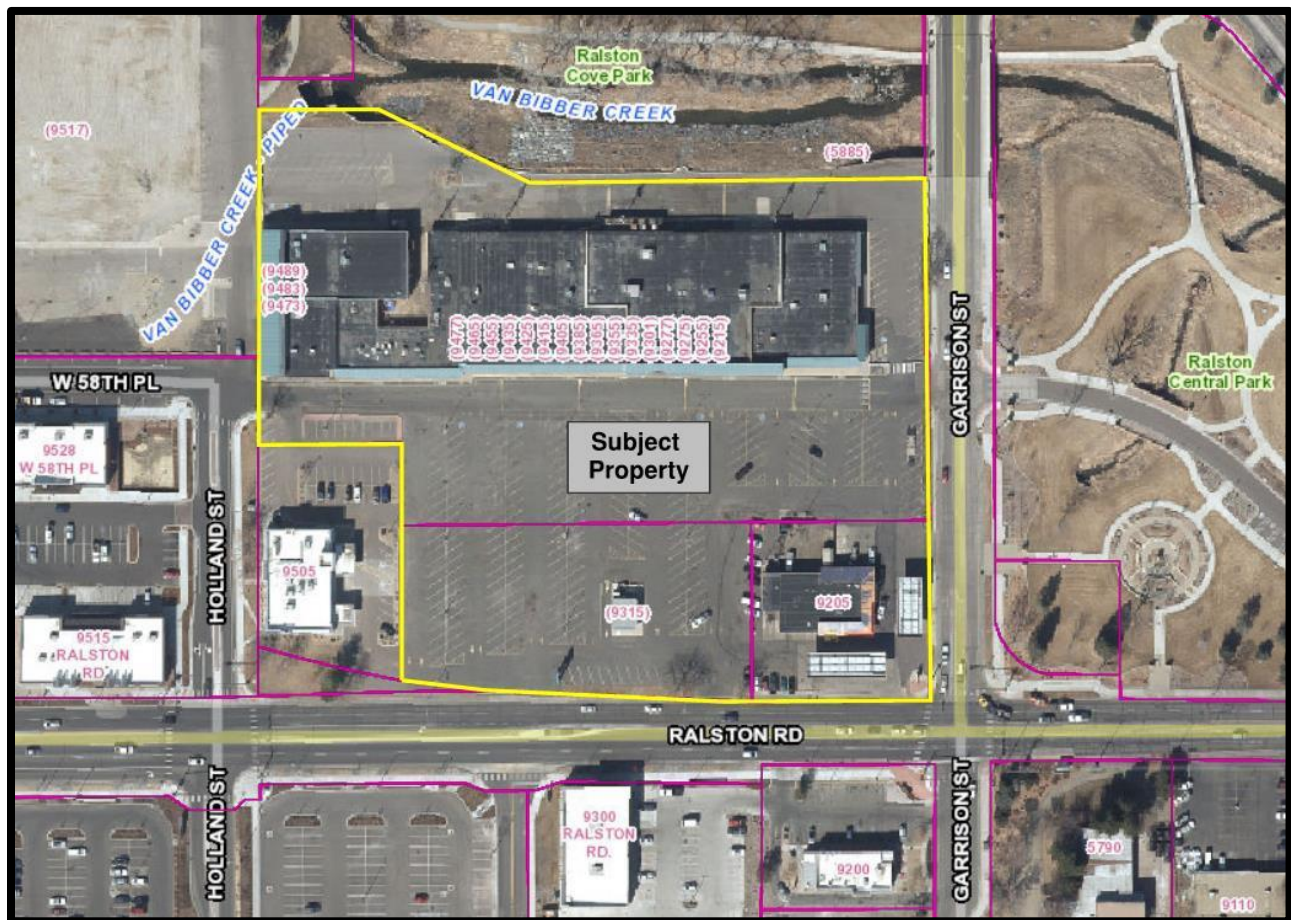
The required neighborhood meeting for this project took place on September 23, 2020. The applicant, staff, and approximately 40 members of the public were in attendance. In addition to the in-person meeting, the applicant filmed a presentation and made it available for five days

after the in-person meeting. Staff received two requests to this presentation before the neighborhood meeting and additional requests for the link at the neighborhood meeting.

Some of the issues discussed during the meeting included: traffic impacts on surrounding streets, whether any units would be affordable, housing options, building heights, the amount and type of retail, loss of the suburban character of the area, construction timeline, the poor existing condition of the site, proposed improvements to the banks of Ralston Creek, trail connections, and additional greenspace.

The applicant prepared a more comprehensive list of the topics discussed at the meeting, which is attached.

Vicinity Map



PUBLIC NOTIFICATION

Division 8-2-4 of the Land Development Code requires public notification for all public hearings as follows:

Written Notice: At least 15 days prior to all public hearings, written notice must be mailed to all property owners within 500 feet of the subject property and to all homeowners associations and neighborhood associations with a known interest in the subject property. In this case, the applicant has mailed notice to all property owners within 2,000 feet of the subject property. The applicant will provide an affidavit of mailing verifying this requirement has been met prior to the public hearing.

Posted Notice: At least 15 days prior to all public hearings, signs notifying the public of the hearing must be posted on the subject property. The applicant will provide a posting log verifying that this requirement has been met prior to the public hearing.

Published Notice: At least 15 days prior to all public hearings, notice of the hearing must be published in a newspaper of general circulation in the City. The required notice has been published.

SEVERED MINERAL RIGHTS

At least 30 days prior to the public hearing, written notice of the application must be mailed to any owner of mineral rights associated with the subject property. The applicant has provided the required Certification of Notice pursuant to Colorado Revised Statute 24-65.5-103.

DEVELOPMENT REVIEW TIMELINE

The application was accepted by the City for review on November 23, 2020. The standard review timeline aspires for three reviews within a 20 week timeframe to reach a Planning Commission public hearing. This project required two reviews and will be presented to Planning Commission within 19 weeks of acceptance of the application.

ALIGNMENT WITH CITY COUNCIL STRATEGIC PLAN

This project aligns with the Community and Economic Development strategic goals.

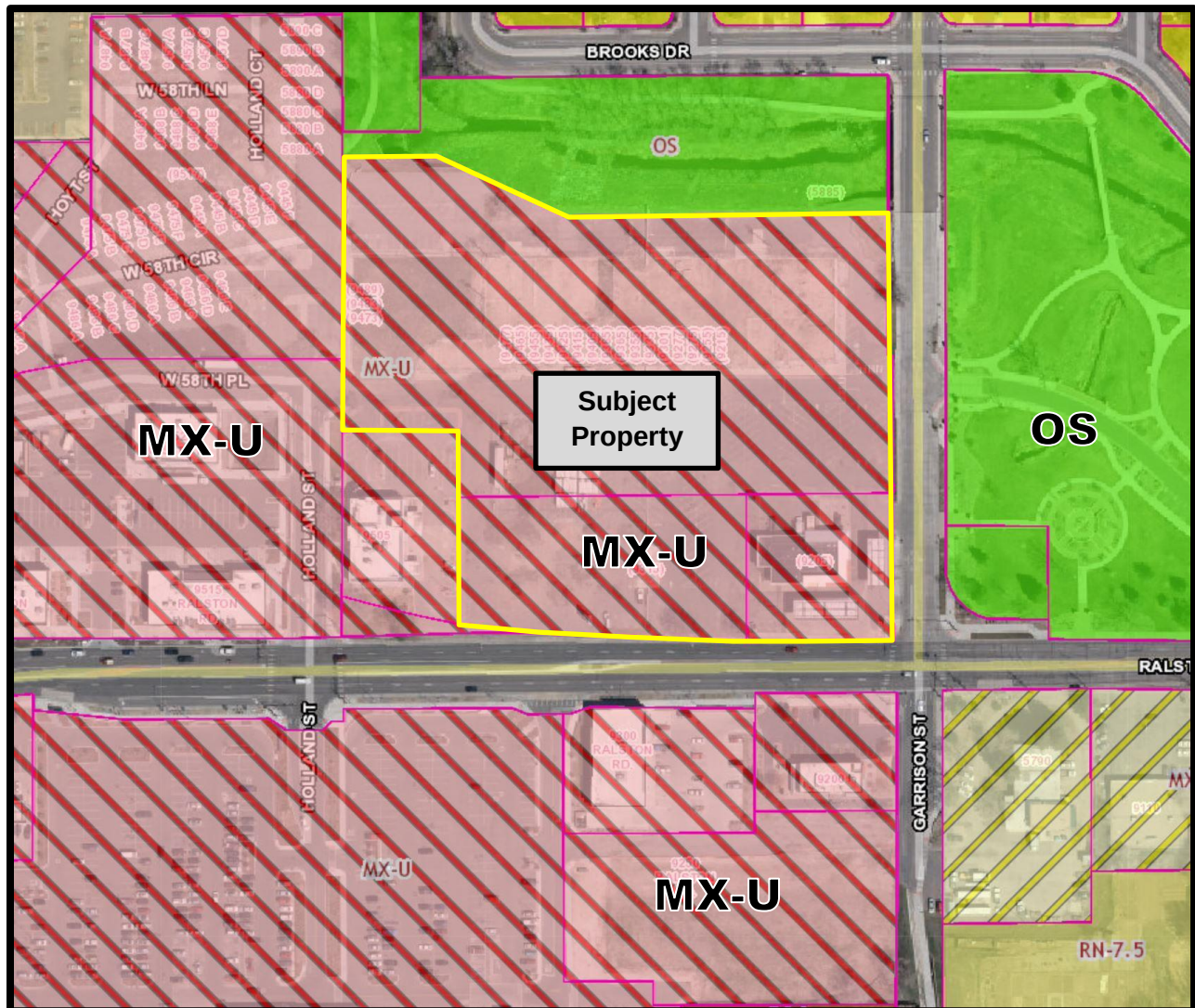
ZONING AND LAND USE

The subject property is currently zoned MX-U and is 7.2 acres in size (see Zoning Map on following page).

Surrounding properties are zoned and utilized as follows:

Direction	Zoning	Actual Use
North	Open Space (OS)	Ralston Creek and Ralston Creek Trail
South	MX-U	Wal-Mart and pad sites
East	OS	Ralston Central Park
West	MX-U	Freestanding emergency department, Shops at Ralston Creek, and future Ralston Creek Townhomes

Zoning Map



PROJECT ANALYSIS

Compliance with the Comprehensive Plan

The project site is within an area designated Mixed Use on the 2014 Comprehensive Plan Future Land Use map. The Comprehensive Plan indicates that a wide variety of land uses are appropriate in mixed use areas, including horizontally mixed use developments such as the one proposed. The proposed development is also consistent with the following Comprehensive Goals and Policies:

Goal L-2: Plan for a balanced mix of commercial and residential land uses in Arvada.

Policy L-2.1: Complete Community

The City will provide for a balanced mix of land uses by promoting redevelopment and continuing to reserve lands for future commercial and industrial development as well as a variety of housing choices.

Goal L-3: Encourage development of transit-supportive, higher-density, mixed-use, pedestrian-oriented areas.

Policy L-3.1: Designated Mixed-Use Areas

The plan designates mixed-use areas in Arvada to provide a mix of land uses, services, retail and commercial development, employment, and in some cases, a diversity of higher density housing in close proximity to transit, bike, and pedestrian connections.

Policy L-3.2: Criteria for New and Redeveloping Mixed-Use Areas

Mixed-use areas are envisioned as strategically located, high intensity, pedestrian-oriented activity areas providing a range of retail, business, civic, cultural, and residential opportunities for the surrounding trade area. Mixed-use areas should be located in urban centers or designated corridors and should create or demonstrate the following characteristics:

- Transit-supportive residential densities with a mix of housing types and affordability;
- Transit-supportive mix of retail and employment opportunities;
- Streets or other physical features that help define the center;
- Public plazas, gathering spaces or amenities designed as a focal point;
- Transit service
- Pedestrian oriented site design; and
- Interconnected network of multi-modal streets linking to surrounding areas.

Goal L-5: Designate and promote redevelopment and infill to generate economic revitalization, improve physical conditions, and provide and appropriate mix of quality housing choices.

Policy L-5.1: Targeted Redevelopment Areas

The City will continue to plan for and promote redevelopment in targeted redevelopment areas. Targeted redevelopment areas include Ralston Fields.

Goal ED-4: Redevelop and revitalize existing commercial and industrial areas.

Policy ED-4.1: Promote Redevelopment of Underutilized Commercial Areas

The City will promote through incentives and infrastructure investment, new development, and reinvestment in designated “redevelopment areas” to retain or attract businesses and repurpose areas for retail, office, and a diversity of housing types, as may be appropriate.

Goal CC-1: Plan Arvada as a City of different development character districts.

Policy CC-1.1: Variety of Development Types

The City will include a variety of development types including rural areas, suburban residential neighborhoods, historic districts, redevelopment areas, and mixed-use communities that contain services, employment, and higher density housing.

Goal T-2: Strengthen the linkage between land use and transportation in Arvada.

Policy T-2.2: Land Use Patterns to Support Transit

The City will plan future developments that support rail and bus transit along designated transit-supportive corridors. Development surrounding transit stations and corridors should have greater residential and employment density and a mix of uses.

Goal N-1: Plan for a range of neighborhoods and accessible housing of different tenure types to accommodate diverse incomes and all ages and abilities.

Policy N-1.2: Site Planning to Promote Variety

The City will encourage new neighborhoods that incorporate a mix of lot sizes, development densities, and housing types and styles.

The Conditional Use application complies with the above goals and policies. The subject property is located within a designated mixed-use area in Ralston Fields, a Targeted Redevelopment Area identified in Goal L-5, and contributes to a balanced mix of commercial and residential land uses along the Ralston Road corridor.

The projects mix of residential and commercial uses, along with its location on Ralston Road adjacent to the Shops at Ralston Creek, results in a horizontally mixed use, transit supportive (bus), and pedestrian oriented development, with both multifamily and townhome housing types. Along with pedestrian improvements to Ralston Road, the development creates two additional east/west connections: one, West 58 Place (a publicly accessible private street) completes the connection between Garrison Street and Independence Street that started with the Shops at Ralston Creek development; and two, the trail along the south side of Ralston Creek. This connectivity not only provides residents of the project with access to the area's multiple grocery stores, restaurants, and personal services, it also provides surrounding residents with better access to these amenities.

Compliance with Other Applicable Plans

Ralston Fields Urban Renewal Plan:

The subject property is located within the Triangle planning area of the plan. The Triangle is generally defined as the area along W. 58th Ave. between Kipling and Garrison Streets (although the exact boundary is more fluid). The area was formally a group of three shopping centers consisting of aging retail stock. The plan identifies the majority of the site as multi-family with the portion of the site adjacent to Ralston Road identified as retail. The plan states, "Mixed use residential and retail is proposed as a long-term use on the north side of 58th east of Kipling. This mix of uses would not be triggered until or unless the major retail uses now there decide to relocate." (pg. 9). The plan also envisions an east/west "Main Street" that provides light vehicle and good pedestrian connectivity between the development sites in the renewal area north of W. 58th Ave.

The Conditional Use application generally supports the desired goals and outcomes of the Renewal Plan by providing multifamily development on the north portion of the site, with retail along a portion of Ralston Road, and through the completion of the east/west connection between Garrison Street and Independence.

Setbacks

The MX-U zoning district requires that a portion of urban multifamily buildings be located within a 10 to 20-foot wide frontage zone adjacent to public streets and a portion of non-residential buildings are required to be located within 0 and 20 feet. The side and rear setback vary based on the use and range between 0 and 10 feet.

Although setbacks will be reviewed as part of a Site Plan application, should the Conditional Use approval be granted, the conceptual plan included as part of this application indicates that the building will comply with this frontage zone requirement, as well as the side and rear setbacks.

Building Height

The maximum building height allowed in this location within the MX-U zone district is 45 feet.

Although building height will be reviewed as part of a Site Plan application, should the Conditional Use approval be granted, the conceptual plan included as part of this application indicates a maximum building height of 45 feet for the three-story multifamily buildings constructed on a garden level parking podium. The townhomes will be a maximum of three stories and the commercial buildings are anticipated to be singles-story. Both of these building types will comply with the 45-foot maximum height.

Open Space

The MX-U zoning district requires that a minimum of 15 percent of the site be landscape surface area. Additionally, small urban park space is required in an amount equal to 10 percent of the site area. The site is currently nearly 100 percent impervious.

As mentioned above, the specific amount of landscape surface area will be reviewed as part of a Site Plan application. However, the conceptual plan included indicates that approximately 22 percent of the site will qualify as landscape surface area. The plaza between the commercial buildings and the trail connection along Ralston Creek will be used to satisfy the small urban park requirement.

Landscaping, Buffering and Fencing

Specific details of the landscape plan, including buffering materials and fencing will be reviewed as part of any future Site Plan application.

Building Design

While typical conceptual elevations have not been provided with this Conditional Use application, the conceptual plan includes a variety of representative images. The multifamily buildings will be designed in a vertical pattern so that visually the building looks like a row of townhomes rather than a typical multifamily building. The conceptual plan states that the overall window to wall ratio will be approximately 35 percent window, exceeding the 20 percent requirement in the LDC. The plan also states that approximately 35 percent of the building facades will be masonry, 27 percent will be stucco, 27 percent will be fiber cement, and 11 percent will be metal panels. These materials comply with the LDC.

Compliance with all other applicable architectural design standards will be reviewed with the Site Plan application.

Circulation and Connectivity

There are three points of vehicular access proposed. One point of access will be off Ralston Road; this will be restricted to a right in/right out movement. An additional point of access will be off Garrison Street and aligned with the access to Ralston Central Park. The third point of access will be at the intersection of Holland Street and West 58th Place, are private drives that provide access for the Shops at Ralston Creek.

The site was laid out around the extension of West 58th Place which provides additional connectivity between Independence Street and Garrison Street. In addition, a trail is proposed along the north side of the site, adjacent to Ralston Creek, which provides an additional point of access to the trail to be constructed with the Ralston Creek Townhomes development. This trail serves as link between the Van Bibber and Ralston Creek Trails.

A traffic study was required as part of the Conditional Use application. The study indicates that this project will generate an average of 2,396 weekday trips, with about 26 vehicles entering and 78 vehicles exiting during the morning peak hour. Approximately 106 vehicles would enter the site and 78 vehicles would exist during the afternoon peak hour. The study concluded the traffic impacts of the proposed project can be accommodated by the adjacent roadway network without major modifications.

Grading and Drainage

The existing drainage for the site is collected by inlets around the site and on Garrison Street and conveyed directly to Ralston Creek, with no detention or water quality. As mentioned above, this project significantly decreases the amount of imperviousness on site which reduces the historic runoff entering Ralston Creek; therefore, detention is not required. However, water quality will be required. This will be reviewed with the Site Plan application.

Floodplain

A portion of the northwest corner of the subject property is located within the floodplain; however, no buildings or other significant improvements are proposed within the floodplain. All work within the floodplain will be reviewed by the City Floodplain Manager in conjunction with the Mile High Flood District (formerly Urban Drainage & Flood Control) with the Site Plan Application.

Parking and Loading

Per Division 4-5-2 of the LDC, a multifamily project such as this is required to provide 1.4 parking spaces for each studio unit, 1.6 stalls for each one bedroom unit, and 2.1 spaces for each two bedroom unit, along with two additional loading spaces. The townhomes are required to have two spaces per unit and the commercial buildings are required to have five parking spaces per 1,000 square feet of floor area. Based on the Code, a total of 394 spaces are required. The conceptual plan includes 408 spaces. Final parking counts will be reviewed in more detail with a Site Plan application.

Utility Services

Water and sanitary sewer service are provided served by City of Arvada water. The Conditional Use application included a Preliminary Utility Report. Neither the Preliminary Utility Report nor City staff identified any major issues.

Police and Fire Protection

Police and fire protection is available for this project.

LAND DEVELOPMENT CODE APPROVAL CRITERIA

It is the responsibility of the applicant to justify the requested land use application. The Planning Commission should make a recommendation to the City Council based on its findings regarding the approval criteria shown in the table(s) below and upon testimony heard during the public hearing as it applied to the criteria.

Staff performed an analysis of the proposal, based on the approval criteria listed in Section 8 of the Land Development Code, and presents the following findings:

8-3-5-1 Conditional Use Permit Approval Criteria (5-18-20)	Finding	Rationale
1. The application complies with the applicable standards of this LDC, other adopted City ordinances, resolutions and regulations including but not limited to any use-specific standards for the proposed conditional use in Division 3-1-3, any approved Master Development Plan that includes the property, and any conditions specifically applied to development of the property by the Planning Commission or City Council in a prior decision affecting the property;	Complies	The proposed use complies with all of the requirements of the LDC. At this time, no Code modifications are proposed or required.
2. The application is consistent with the Arvada Comprehensive Plan;	Complies	The proposed use is consistent with numerous Comprehensive Plan goals.
3. The use is consistent with the purpose and intent of the zoning district in which it is located;	Complies	The proposed use is consistent with the purpose of the MX-U zone district, which allows for a variety of residential and nonresidential uses, in a mixed-use or single-use configuration. The project, as planned, will comply with all of the dimensional and development standards of the zoning district.

4. The size, scale, height, density, multi-modal traffic impacts, hours of operation and other similar characteristics of the proposed use are comparable with existing and planned uses in the surrounding area;	Complies	The size, scale, height, density, and traffic impacts are consistent with existing and planned uses in the surrounding area. The land on the south side of Ralston Road and the adjacent land to the west have Comprehensive Plan Future Land Use designations of Mixed-Use and are zoned MX-U. There is a large public park to the east and the Ralston Creek and Ralston Creek Trail provide a transition to the single-family residential neighborhood to the north. For these reasons, staff finds that the proposed conditional use is comparable with existing and planned uses in the surrounding area.
5. Facilities and services including sewer, water, storm water, gas, electricity, police and fire protection, and roads and transportation will, prior to or as part of the development, be available to serve the subject property while maintaining adequate levels of service for existing development; and	Complies	All facilities and services are available to this site. The proposed use will not have an adverse impact on facilities or services.
6. The application mitigates any adverse impacts on the surrounding area to the degree practicable.	Complies	The proposed development is similar to both the previous use of the subject property and adjacent properties. It is also similar to the existing and planned uses along Ralston Road. The Ralston Creek and Ralston Creek Trail buffer the single-family residential neighborhood to the north. For these reasons, staff finds that the proposed conditional use mitigates any adverse impacts on the surrounding area to the degree practicable.

STAFF RECOMMENDATION

Based upon project analysis and review of the Land Development Code approval criteria, staff recommends approval of the Conditional Use.

The Planning Commission may recommend denial of the request(s) if it cannot make affirmative findings of the approval criteria stated above.

Ralston Creek North
Notes for Neighborhood Meeting
9-23-20

Questions about -

How many units?
How tall are the buildings?
Where do the residents park?
Is there a retail component?
When will construction start and finish?
How much of the green space will remain and/or expand?
How long will it take
Will there be any affordable units
What will rents be / who would I talk to about living there
Will the retail be different than the Shops at Ralston Creek (sometimes because people liked them and sometimes because people didn't)
Why not include some affordable units in this development

Concerns about -

Folks seemed concerned about the number of people who would be living there and how that might increase traffic.
"Since Walmart was built it seems like there's more traffic in the immediate vicinity"
"Garrison is only bad in the morning"
Need for speed control on Garrison
Loss of suburban feel of neighborhood
Impression that planned development doesn't end up being as great as anticipated or promised
Design of stairs/stoops at unit entries doesn't make sense for elderly population
Effects of construction in the area and long construction periods
Raising property values/property taxes
Won't be done soon enough (housing)
Retail won't be affordable
Retail won't be the nice restaurant they're hoping for
Retail won't have the same local neighborhood flavor they miss
Some wanted to see more retail

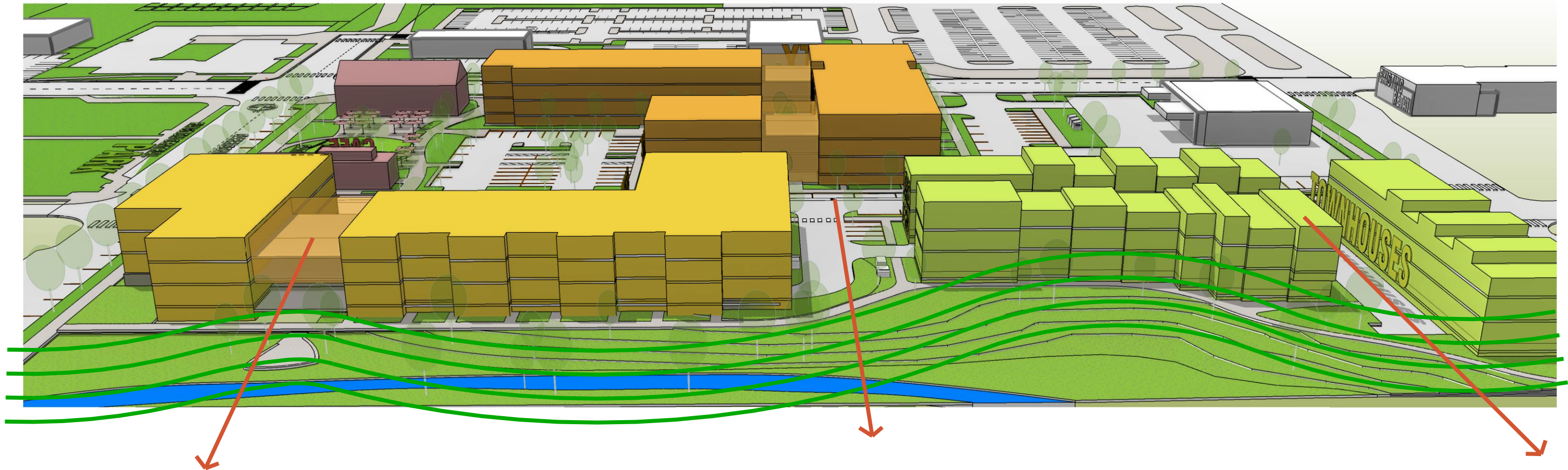
Interest and excitement about -

The character and quality of the buildings
Greenspace
Connections to the creek and trails
Small scale retail
Housing options
"Cleaning up"
"Anything is better than this parking lot"
Townhomes

Positive comments about fixing up the banks of Ralston Creek and putting in a pedestrian path
Most liked the restaurant park

Everyone seemed excited to have the area developed, they are tired of the vacant parcel and the homeless it attracts.

Most appreciated the height wasn't higher than 3 stories and liked the brownstone style construction



CUP Hearing (Conditional Use Permit) Residential in a Mixed Use District

Zoning MX-U

- Comprehensive Plan: Mixed Use
- Zoning: Mixed Use Urban
- Connected to adjacent mixed use and open space.

ARVADA CITY COUNCIL HEARING



LOCATION



SA+R
SHEARS ALEXANDER ROCKMORE ARCHITECTS

MAY 3, 2021 | 03



2015 - RFP results in Master Plan Agreement with Loftus Development

MASTER PLAN AREA

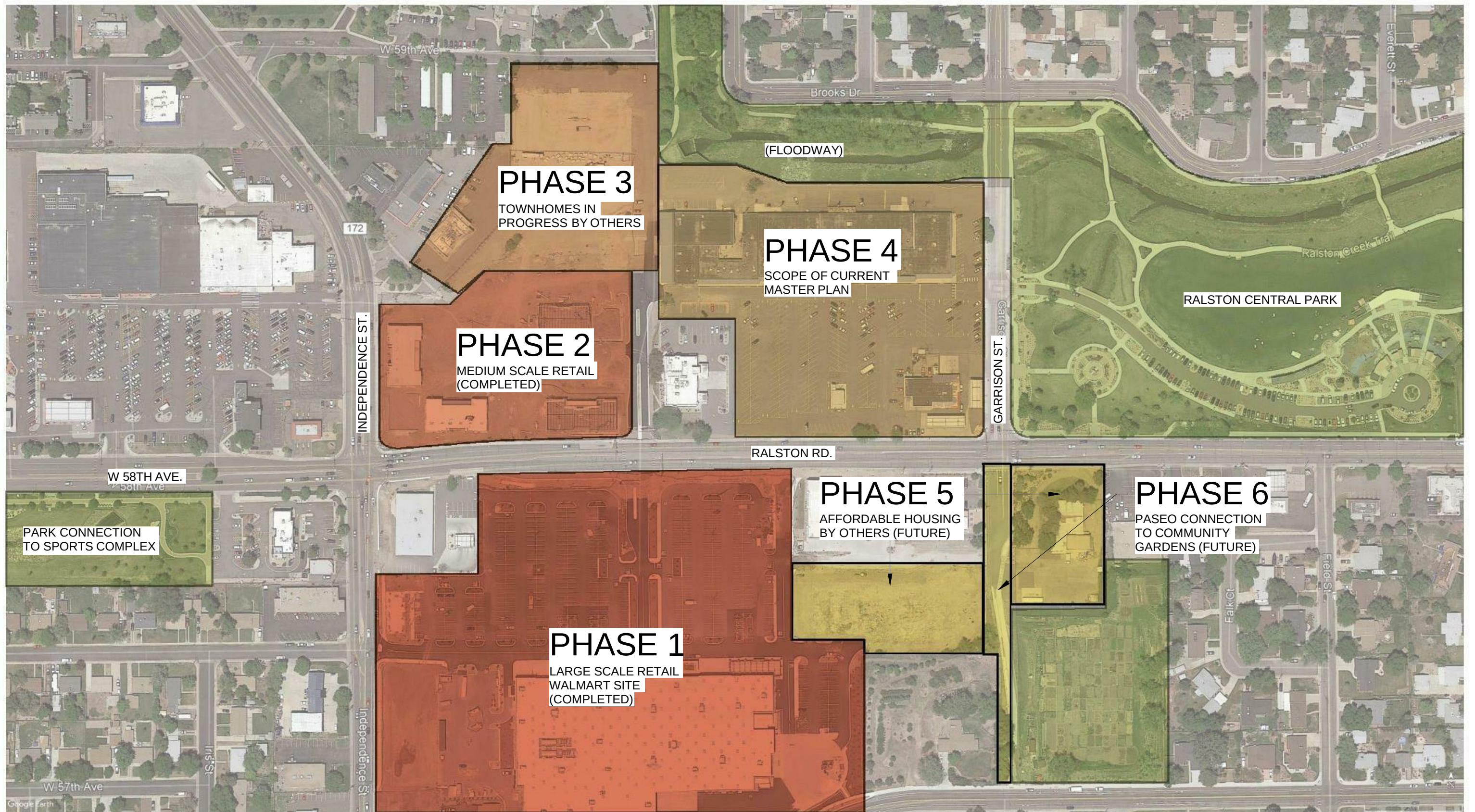


THE SHOPS AT RALSTON CREEK



- AURA
- Community
- Planning Department
- Loftus Development
- Mapleton Asset Management
- Hines Property Investments
- SAR+ (Architecture & Planning)
- Confluence (Landscape)
- Altitude Land (Civil Engineering)

TEAM



PHASING / PORTFOLIO



Neighborhood Questions

Neighborhood Concerns

Neighborhood Excitement

COMMUNITY MEETING

How many units?

How Tall?

Where do the residents park?

Is there a retail component?

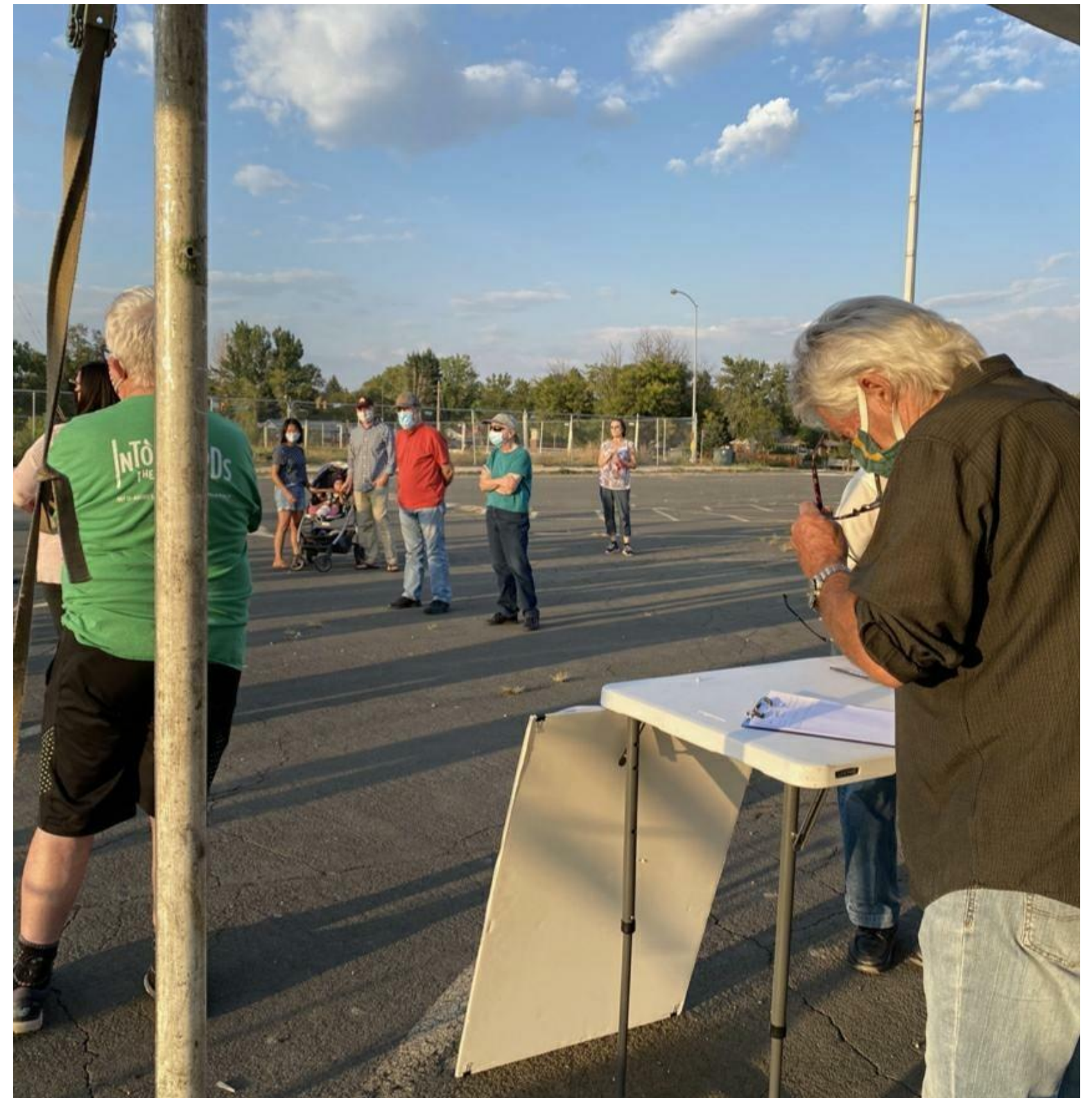
Will the retail be different than the Shops at Ralston Creek?

When will construction start and finish?

How much green space?

Will there be any affordable units?

Who would I talk to about living there?



NEIGHBORHOOD QUESTIONS

Loss of suburban feel of neighborhood

Doesn't make sense for elderly population

Duration of construction

Raising property values/property taxes

Won't be done soon enough (housing)

Retail won't be affordable

Retail will not be the nice restaurant they want

Retail will not have the right neighborhood flavor

Won't turn out as promised



NEIGHBORHOOD CONCERNS

The character and quality of the buildings

Greenspace

Connections to the creek and trails

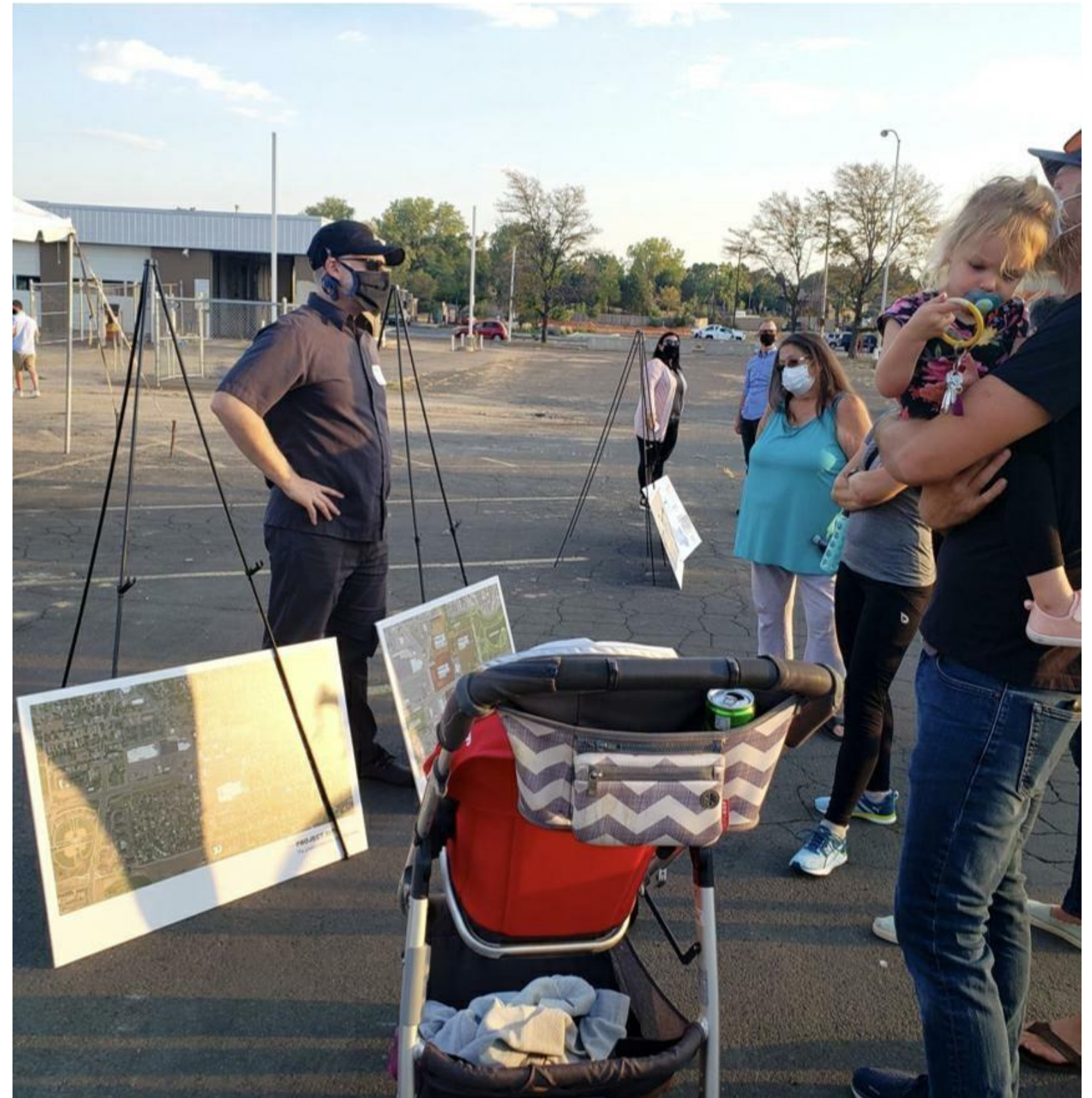
Small scale retail

“Anything is better than this parking lot”

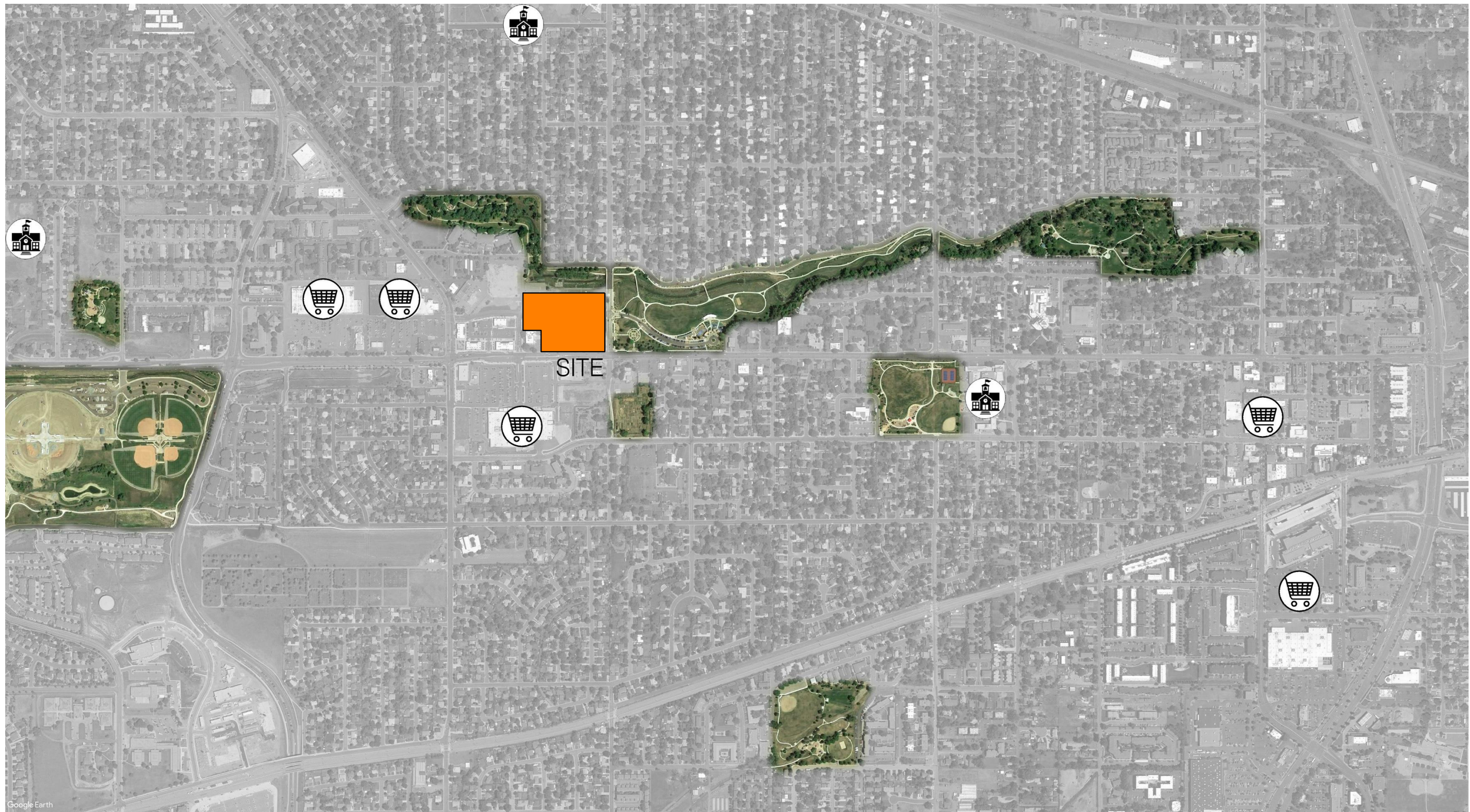
“Cleaning up”

Townhomes

Housing options



NEIGHBORHOOD EXCITEMENT



Google Earth



PARKS



SCHOOLS



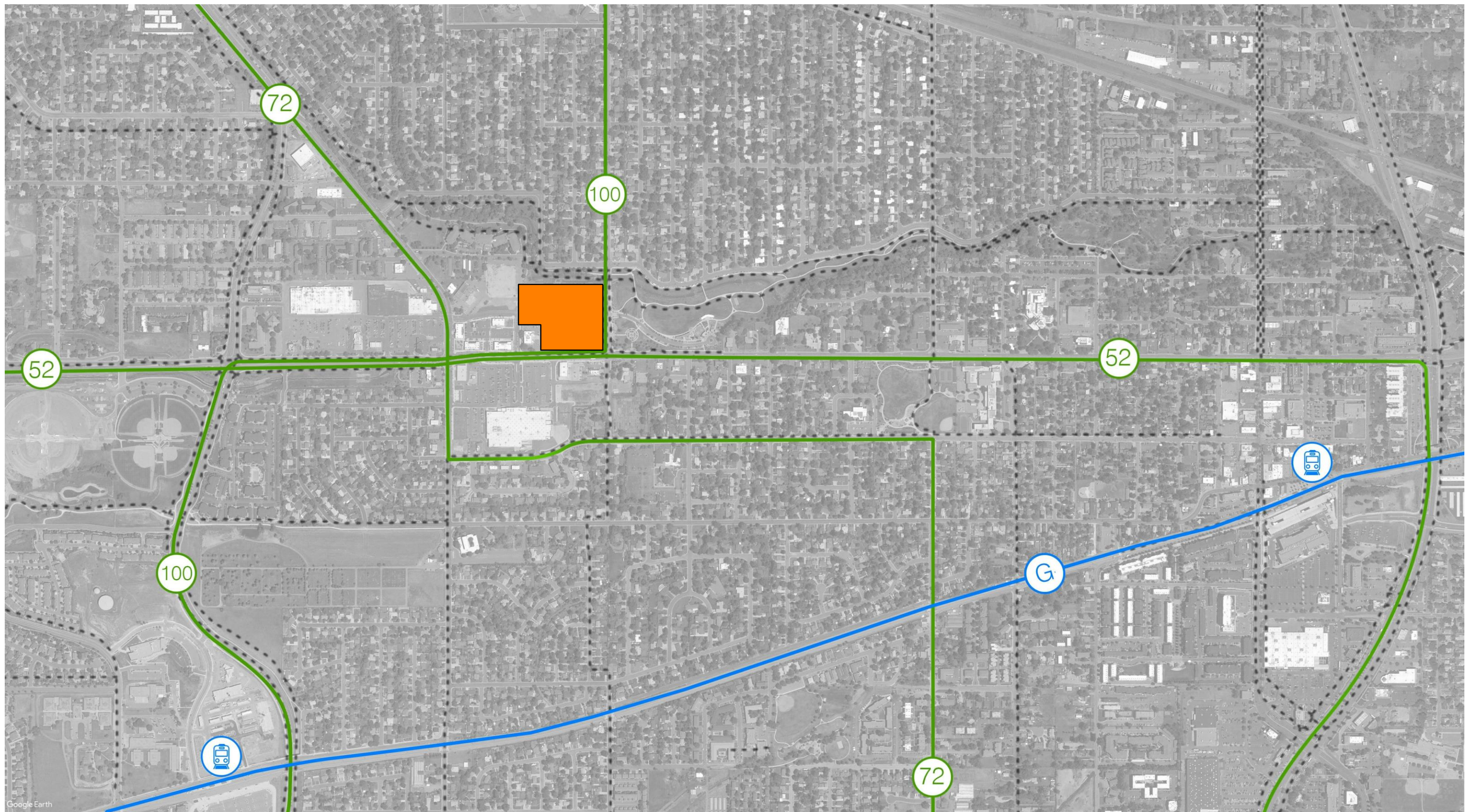
GROCERS

COMMUNITY CONNECTIONS



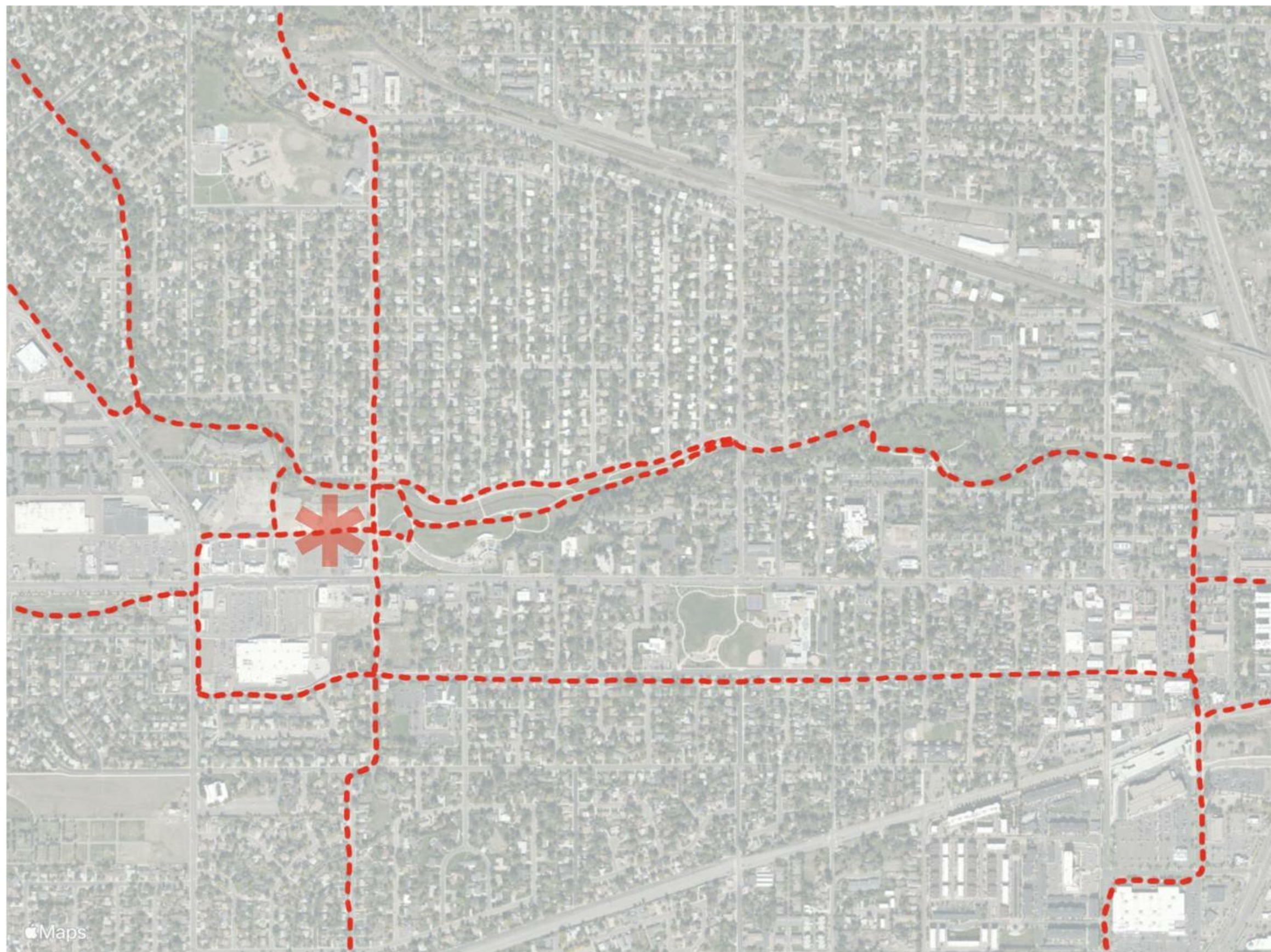
Loftus Development | Mapleton Asset Management | Hines Property Investments | AURA

MAY 3, 2021 | 12



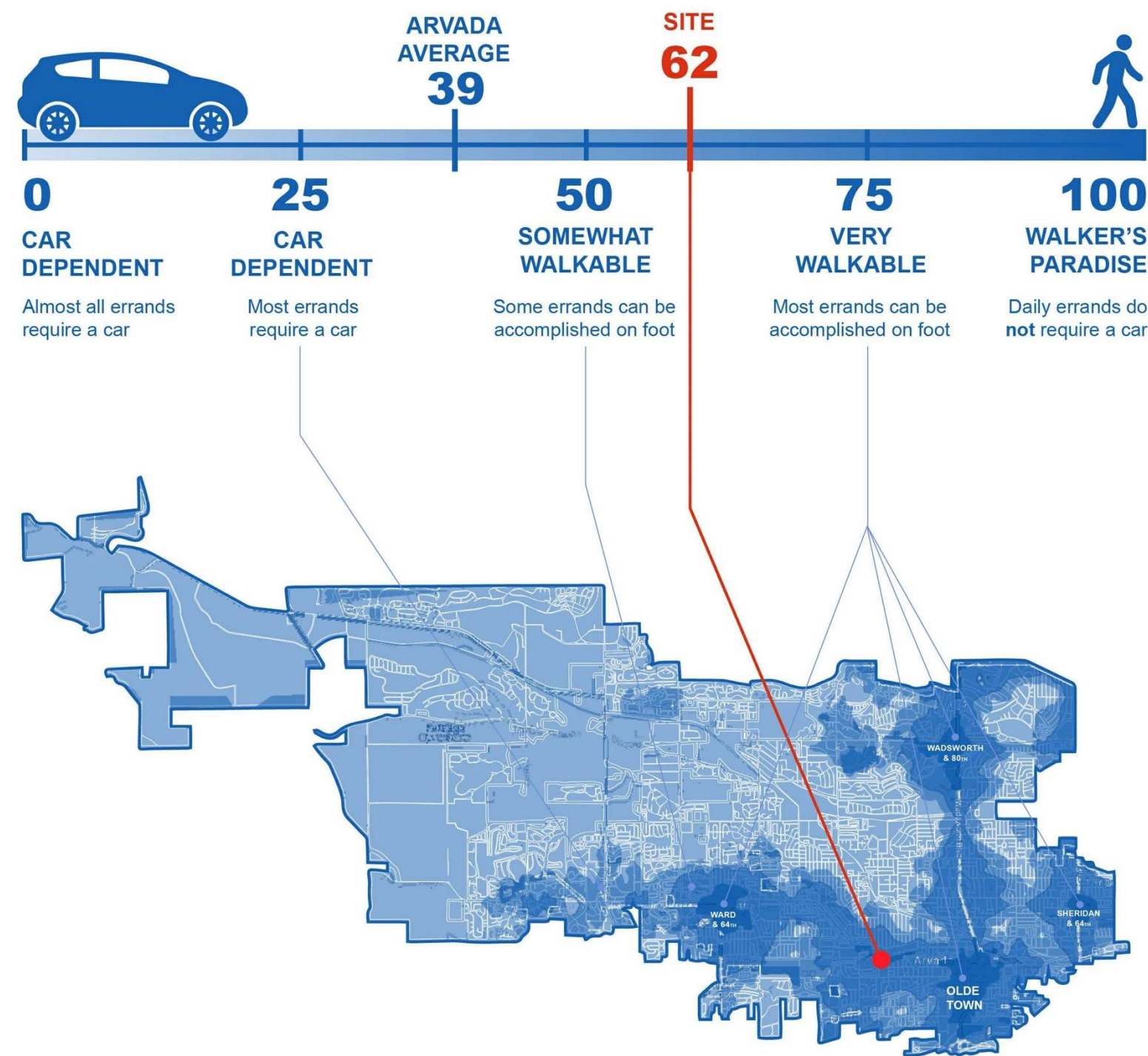
TRANSIT CONNECTIONS





BICYCLE CONNECTIONS

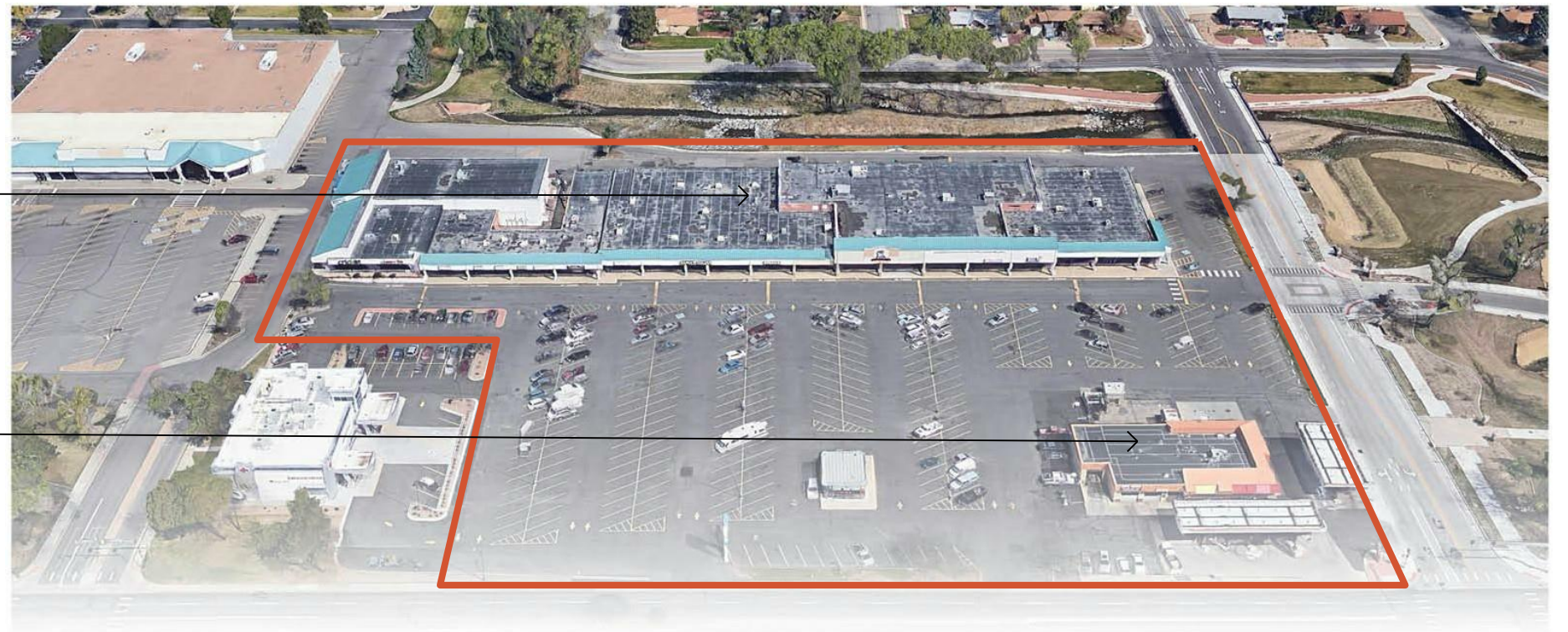
WALK SCORE



WALK SCORE

FORMER DRY CLEANER

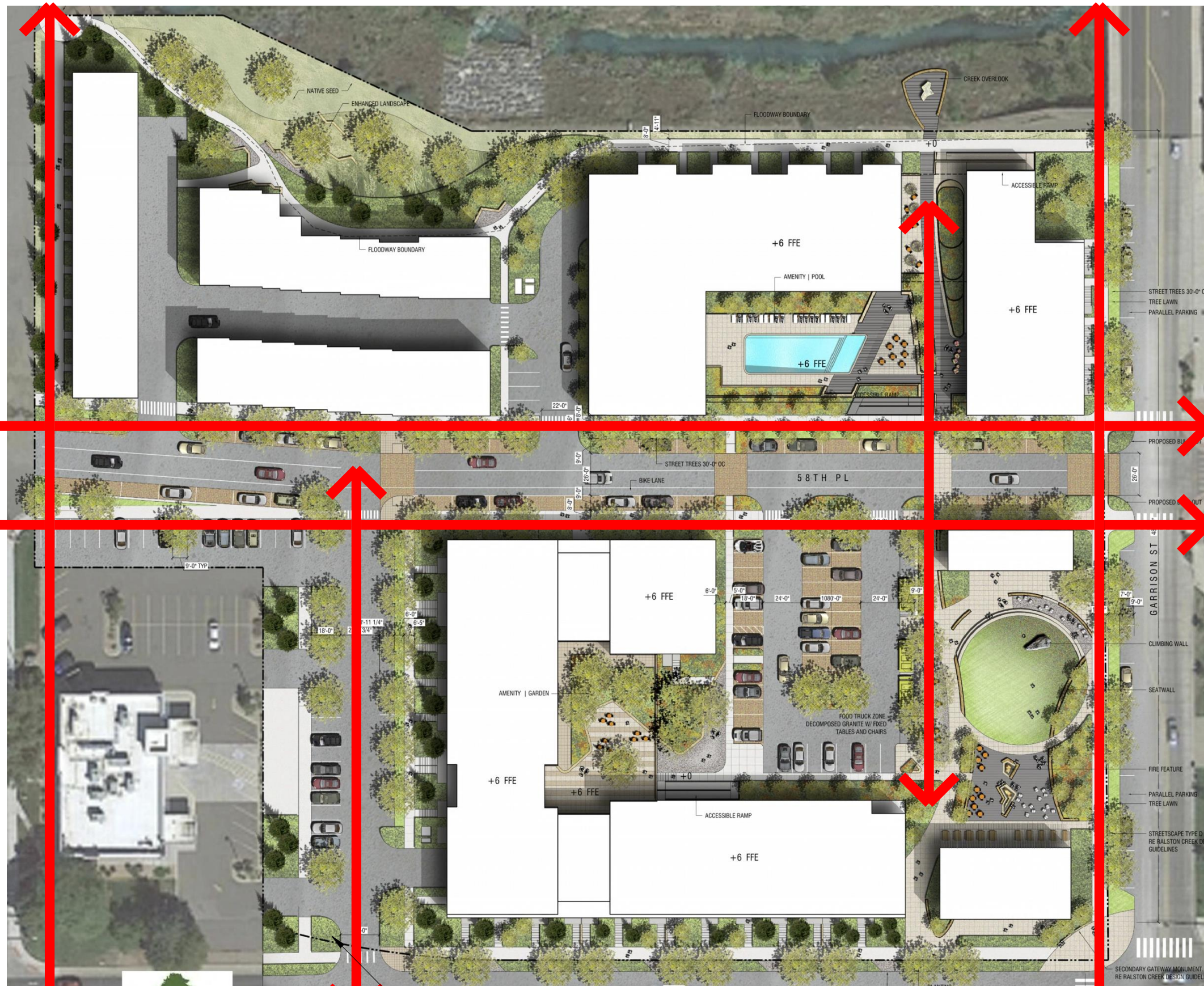
FORMER GAS STATION SITE



EXISTING CONDITIONS



SITE PLAN



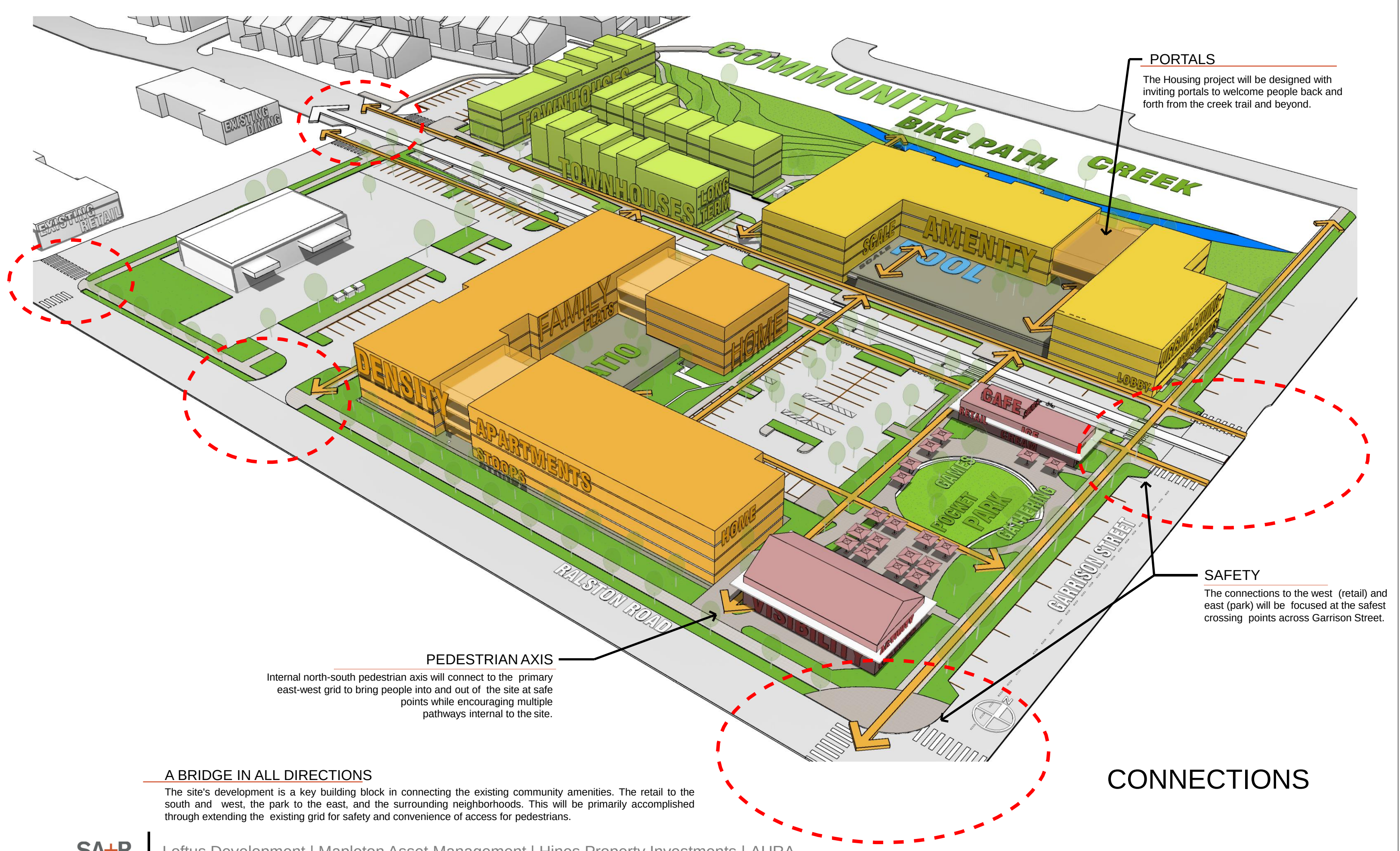
NEW STOP SIGN AT EXIT

TRAFFIC STUDY HIGHLIGHTS

Projected Levels of Service

1. All signalized intersections are expected to operate at an overall LOS "B" or better through 2045.
2. All movements at all unsignalized intersections are expected to operate at LOS "C" or better through 2045.
3. The impact of the Ralston Creek Phase IV development can be accommodated by the existing roadway network with implementation of a stop sign at the Ralston Rd. right in/right out.

CONNECTIONS PLAN



PORTALS

The Housing project will be designed with inviting portals to welcome people back and forth from the creek trail and beyond.

SAFETY

The connections to the west (retail) and east (park) will be focused at the safest crossing points across Garrison Street.

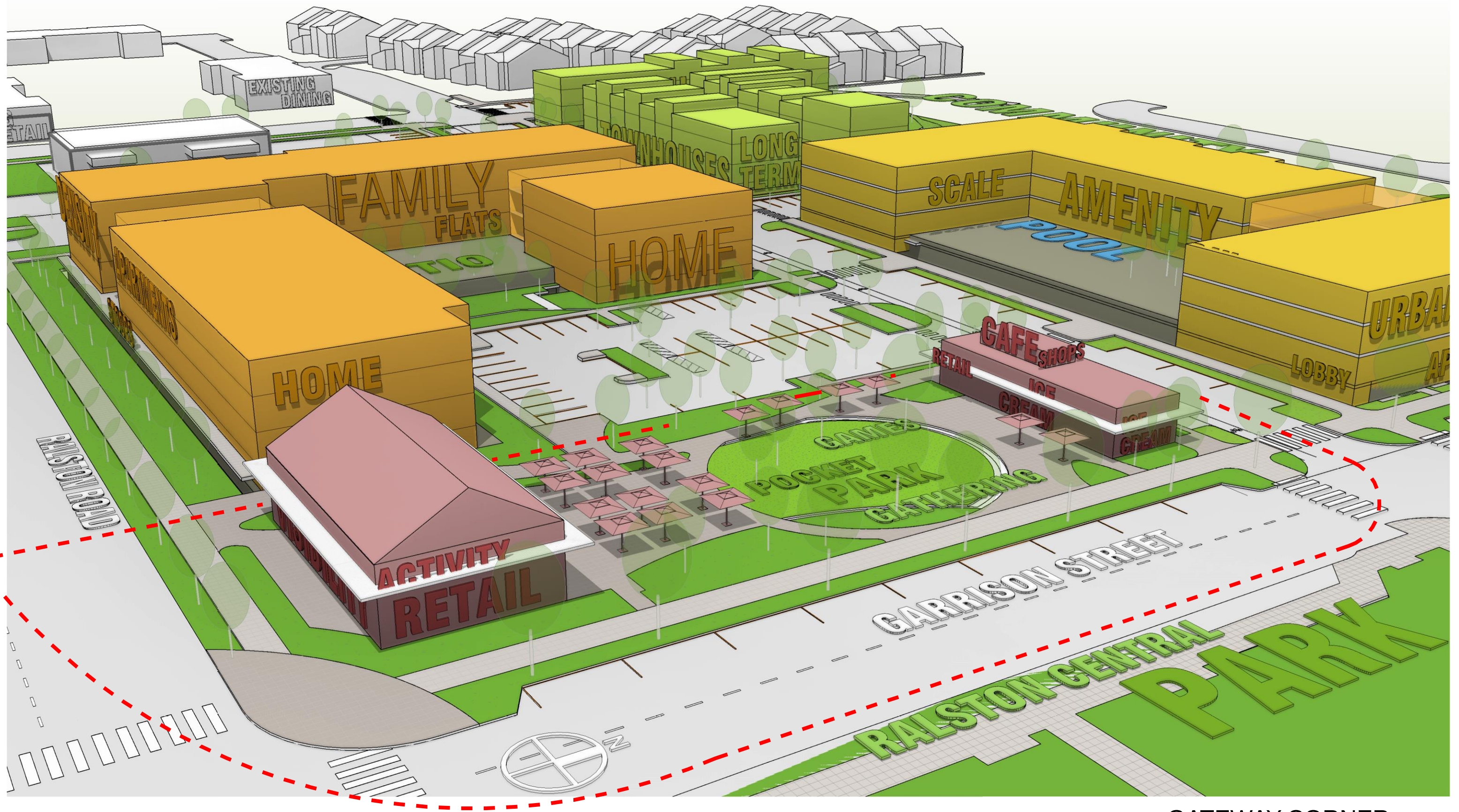
PEDESTRIAN AXIS

Internal north-south pedestrian axis will connect to the primary east-west grid to bring people into and out of the site at safe points while encouraging multiple pathways internal to the site.

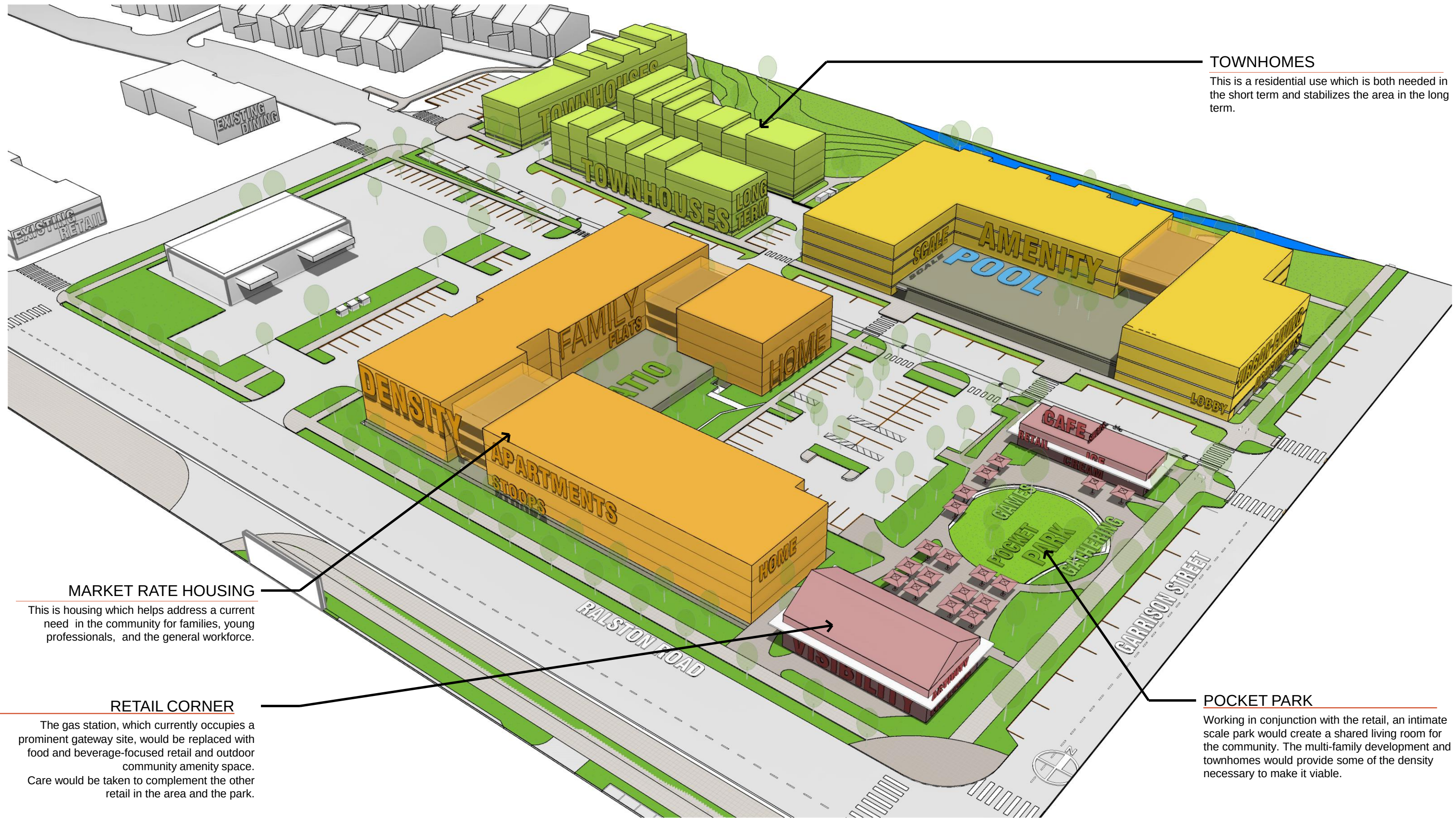
A BRIDGE IN ALL DIRECTIONS

The site's development is a key building block in connecting the existing community amenities. The retail to the south and west, the park to the east, and the surrounding neighborhoods. This will be primarily accomplished through extending the existing grid for safety and convenience of access for pedestrians.

CONNECTIONS



GATEWAY CORNER



TOWNHOMES
 This is a residential use which is both needed in the short term and stabilizes the area in the long term.

MARKET RATE HOUSING
 This is housing which helps address a current need in the community for families, young professionals, and the general workforce.

RETAIL CORNER
 The gas station, which currently occupies a prominent gateway site, would be replaced with food and beverage-focused retail and outdoor community amenity space. Care would be taken to complement the other retail in the area and the park.

BUILDING A COMMUNITY
 We have chosen the name building blocks because the role of this project is not to add simply one block to the neighborhood but a toolkit of parts to complement and build upon all of the adjacent uses as much as is practical. To add density, stability, and visibility to the community.

POCKET PARK
 Working in conjunction with the retail, an intimate scale park would create a shared living room for the community. The multi-family development and townhomes would provide some of the density necessary to make it viable.

BUILDING BLOCKS

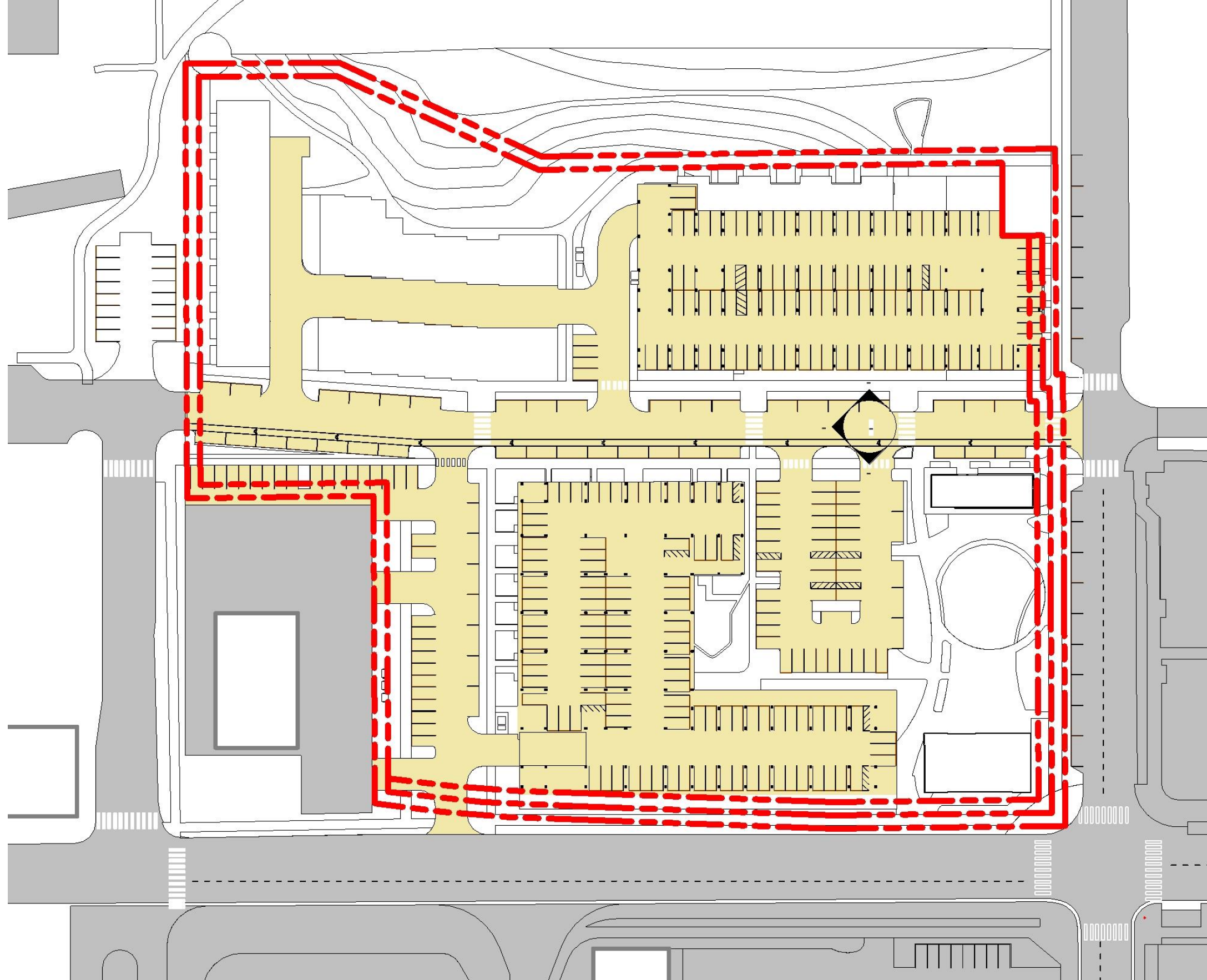
Market Rate Apartments									Retail	Townhomes
ave. sf	Studio A	Studio B	1 Bed A	1 Bed B	1 Bed C	2 Bed A	2 Bed B	Units	GSF	GSF
	600	625	715	775	900	1,175	1,200		1,600 SF + garage	
Level										
3	7	8	9	16	9	7	10	66	-	-
2	7	8	9	16	9	7	10	66	-	-
1	4	12	8	12	6	4	7	53	5,500	27
B1 / Garden	-	-	-	-	-	-	-	-		-
									Units	GSF
Total Units	18	28	26	44	24	18	27	185	5,500	27
Total Units by Type		46			94		45			27
Required Parking										
Req. Parking Ratio	1.4	1.4	1.6	1.6	1.6	2.1	2.1		5.0/1000	2.0
Sub totals	25.2	39.2	41.6	70.4	38.4	37.8	56.7	310	28	54**
									Total Parking Required	
									392	
									Loading Spaces Required	
									2	
Provided Parking*								st/su	r	t
Structured								219		54
Surface								107	28	
									Total Parking Provided	
									408	

See parking plan for locations. st=residential structure parking, su=residential surface parking. r=retail parking, t=townhouse parking. Food truck/service spaces not included.

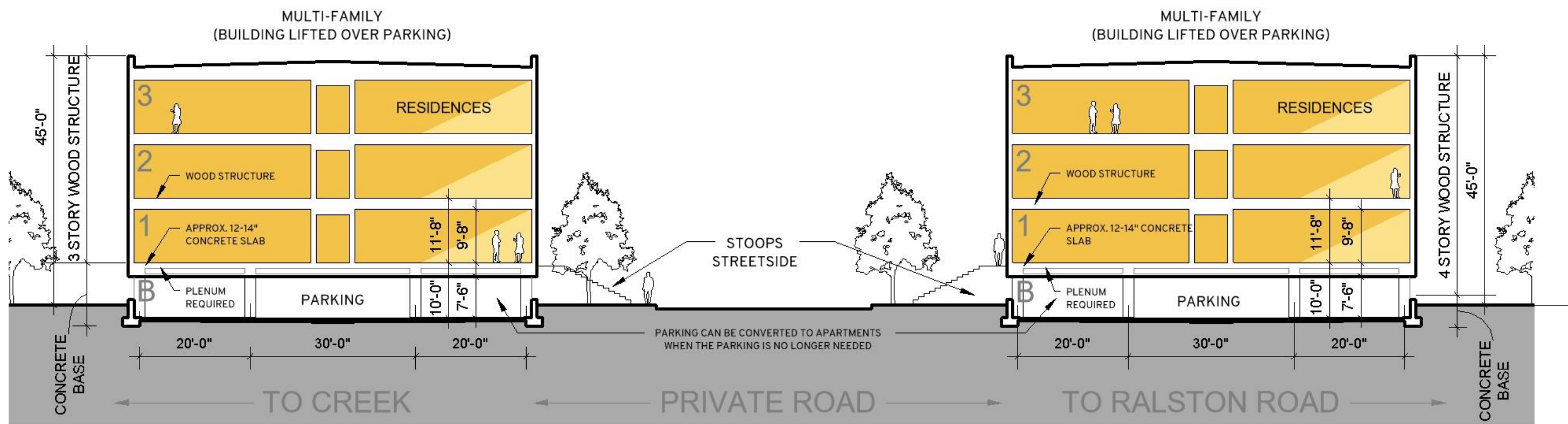
* Parking totals do not include proposed street parking.

**Tandem spaces allowed for townhouse units

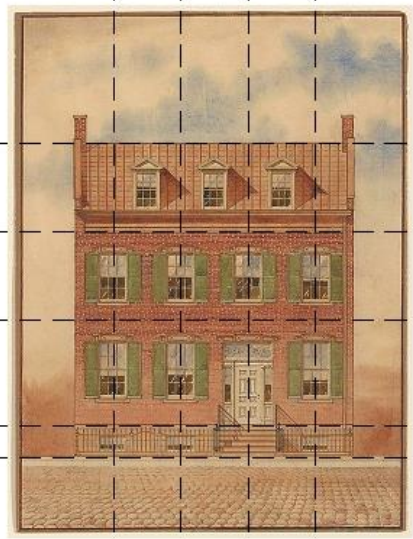
MATRIX



PARKING PLAN



CONCEPTUAL SECTION



PEDESTRIAN SCALE



PORTALS & GATEWAYS



TUCK UNDER PARKING



STOOPS



MODERN CONSTRUCTION



URBAN MIXOLOGY

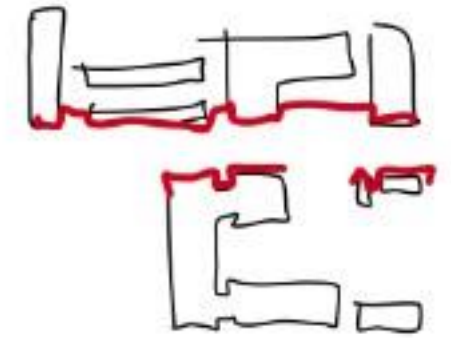


58TH PLACE AS MINI MAIN STREET



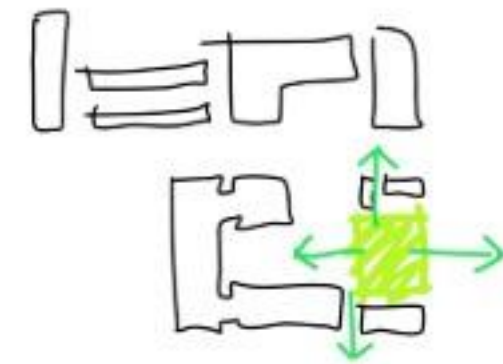
MAIN STREET CHARACTER

- Pedestrian Scale
- Tuck Under Parking
- Stoops
- Modern Construction
- Portals and Gateways





RETAIL CHARACTER



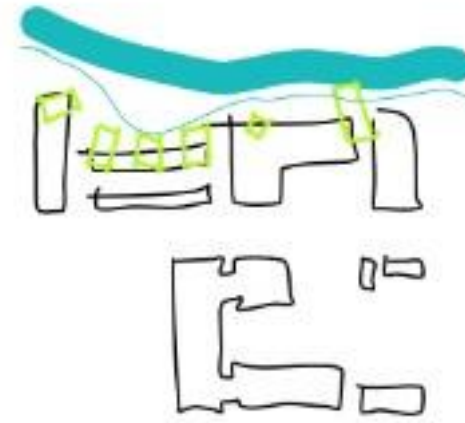
Step between Ralston Central Park to the east & Arvada Ralston Shops to the west
Intimate outdoor space promotes gathering

Part of a mix of open space types on-site





CREEK SIDE CHARACTER



Connectivity from natural spaces to public spaces

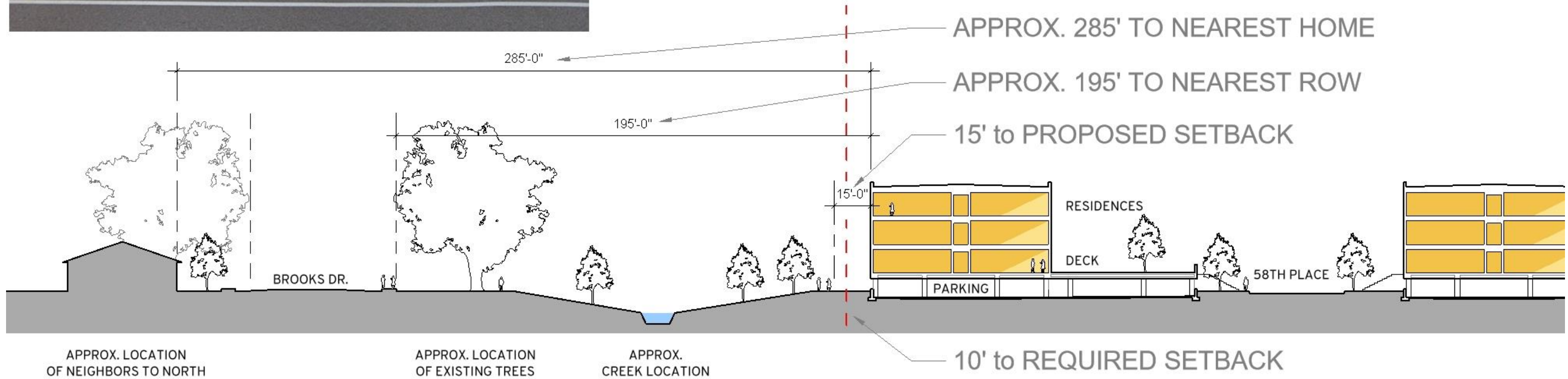
Massing is more open on creekside

Engage riparian environment

Portals for transparency

Promote Retail Visibility





SITE SECTION



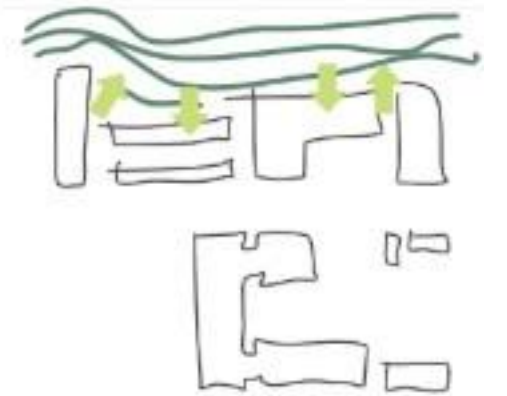
ENHANCED CREEK CHARACTER

Ensure Appropriate Riparian Engagement

Promote Connection to Trails and Recreation

Integrate Natural Landscape and Topography

Protect Passive Space as a relief from active retail node



BEFORE

0% Green Space
2 Trees
70,000 SF of vacant retail Gas station



AFTER

23% Green Space
108 Trees
212 homes
(185 rental and 27 for sale) 5,500 SF of unique retail



THANK YOU



REPORT FROM CITY COUNCIL

AGENDA ITEM
12.A.

DATE: May 3, 2021

SUBJECT: Council Committee Reports

Report in Brief

City Council members are appointed to various committees and boards as set out on the attached listing. As meetings are held, individual council members will report back to the full City Council any relevant discussions and issues that occurred.

Prepared by:
Chris Koch, CCO Admin

Reviewed by:

Approved by:

Enclosure, exhibits & attachments required to support the report

Council Member	Committee
Marc Williams	Arvada Urban Renewal Authority E-470 Authority (alternate) Jefferson Parkway Public Highway Authority Northwest Parkway Authority (Associate Member) (alternate) Urban Drainage and Flood Control District West Connect Coalition *Metro Mayors Caucus
Dot Miller	Adams County Economic Development Association Arvada Municipal Court/Judicial Committee CML Policy Committee Jefferson County Community Corrections Board (alternate) Smart City Advisory Committee
Bob Fifer	Apex Coordinating Committee Arvada Fire Protection District Coordinating Committee Arvada Transportation Committee Denver Regional Council of Governments Jefferson County R-1 Schools Coordinating Committee Jeffco Transportation Action & Advisory Group (JEFFTAAG) Smart City Advisory Committee
Nancy Ford	Arvada Center for the Arts and Humanities Arvada Sustainability Advisory Committee Arvada Visitors Center Committee (alternate) Rocky Flats Stewardship Council
David Jones	E-470 Authority (alternate) Jefferson County Community Corrections Board Jefferson County R-1 Schools Coordinating Committee Jefferson Economic Development Council (JEDC) Jefferson Parkway Public Highway Authority Northwest Parkway Authority (Associate Member) (alternate) West Connect Coalition (alternate)
John Marriott	Adams County Economic Development Association (alternate) Apex Coordinating Committee Arvada Audit Committee Arvada Economic Development Association Board Arvada Municipal Court/Judicial Committee CML Policy Committee Denver Regional Council of Governments (alternate) Jeffco Transportation Action & Advisory Group (JEFFTAAG) (alternate) Olde Town Business Improvement (BID) District Rocky Mountain Metropolitan Airport Community Noise Roundtable
Lauren Simpson	Arvada Audit Committee Arvada Fire Protection District Coordinating Committee Arvada Visitors Center Committee Smart City Advisory Committee

*Asterisked committees are not appointed by Council



REPORT TO CITY COUNCIL

AGENDA ITEM
13.A.

TO: THE HONORABLE CITY COUNCIL

DATE: May 3, 2021

SUBJECT: Review of Future Workshops and Presentations

Report in Brief

The City Manager's Office maintains a list of upcoming workshops and presentations to be scheduled for City Council meetings. During City Manager Reports, at the end of City Council business meetings, City Manager, Mark Deven, will review with City Council the tentative schedule and make any adjustments necessary.

Prepared by:
Chris Koch, CCO Admin

Reviewed by:

Approved by:

Rachel Morris, City Attorney	3/22/2021
Lorie Gillis, Deputy City Manager	4/20/2021
Mark Deven, City Manager	4/21/2021

Enclosure, exhibits & attachments required to support the report

2021 CITY COUNCIL WORKSHOPS, PRESENTATIONS AND RETREATS (TENTATIVE)

WORKSHOPS	Date	Lead
Charter Review Committee	April 26	CMO
Bond Project Update – 45 Minutes (keep the rest of the agenda light) The engineering team will provide the Council with an update as to the progress of the two bond projects: Ralston Road Phase 2 and West 72nd Ave/UPRR underpass. The team will present information to the Council regarding our current status, the projected schedule, and the status regarding the work with the Union Pacific. The team will also discuss public outreach and the communication plan. Next Steps: The engineering team will continue to move forward with both bond projects and address any council concerns.	April 26	PW
Tobacco and Vaping	April 26	CMO
Water Infrastructure Master Plan Update	May 10	
Waste Hauling Update	May 10	
Metro Districts – 45 minutes Metro districts and their use of financing to fund public infrastructure has been a hot button topic over the past several years. With the use of metro districts increasing in and around Arvada, it is important to insure that the City's foundational documents related to Metro Districts reflect both the current best practices related to the use of Metro Districts and that the Ordinance and model service plan reflects the City Council's vision for what the City's documents should contain before the City considers new metro districts in Arvada. During this workshop we will discuss an updated draft to the City's metro district ordinance and model service plan and seek feedback as to the documents proposed content. Next Steps: Based on City Council feedback, update the proposed metro district ordinance and model service plan and bring forward to City Council for a public hearing for adoption.	May 24	CED
	June 14	
	July 12	
	July 26	
	Aug 9	
	Aug 23	
	Sept 27	
	Oct 11	
Communications Update	Oct 25	CMO
	Nov 22	
	Dec 13	
Meyers Pool	TBD	CMO
City Marketing Plan	TBD	CMO
Traffic Violation Fee	TBD	PW
Financial Scenarios for Street Maintenance Deficit/Options for Increasing Maintenance Funds Engage City Council in a discussion around the current street maintenance needs and how the City might fund them. This will include revenue enhancements, future allocations and expenditure realignments.	TBD	PW/Fin/ CMO

Fiber Master Plan The Fiber Master Plan which is also called Arvada Fiber Optic Network (AFON), was first presented to City Council 4/10/2017. City Councils had set a strategic goal to build a fiber network to enable high speed/real-time connectivity to city facilities and assets in order to enhance city operations. This workshop is intended to brief City Council as to the progress of the AFON build out. Updates are intended to cover conduit installation progress, fiber installation progress, current collocate opportunities, IGA member updates, and connections to current assets (city buildings, traffic, signals, utilities, radio, etc.).	TBD	PW
Community Survey Update The purpose of this item is to continue a discussion with Council about the Community Survey results and what the City team is doing to apply what is learned. Discussion will include an update on action plans targeting key drivers of the City's 5-star rating as well as how Worksystems are targeting specific measures.	TBD	CMO
Problem Properties	TBD	P.D.
Water Storage – Plan B (include with master plan presentation)	TBD	Utilities
Activation of Historical Assets	TBD	VCN
N.W. Arvada	TBD	CED
Body Worn Cameras	TBD	PD
Customer Service Philosophy	TBD	CMO
Ask Arvada Update	TBD	CMO
Diversity and Equity Committee	TBD	CMO
Budget Presentation	TBD	Finance
10-year Model Presentation	TBD	Finance
COUNCIL JOINT MEETINGS/DINNERS:		
Denver Water Board Apex Board AURA Board Arvada Center Board–Per Coop Agreement - Annually after October 1 of each year Jefferson Parkway Meeting with Jeffco and Broomfield Council Annual Retreat		