

July 13, 1998  
7:00 PM

**Notice to Readers:** City Council meeting packets are prepared several days prior to the meetings. Timely action and short discussion on agenda items does not reflect lack of thought or analysis on the City Council's part as issues have been discussed by Council previously. Council may defer final action on an item to a future meeting. Members of the audience are invited to speak at the Council meeting. Citizen Communication (item 5) and Citizen Presentations (item 12) are reserved for comments on items not contained on the printed agenda.

1. **Pledge of Allegiance**
2. **Roll Call**
3. **Consideration of Minutes of Preceding Meetings**
4. **Presentations**
  - A. Shaw Heights Water District Presentation
5. **Citizen Communication (5 minutes or Less in Length)**
6. **Report of City Officials**
  - A. City Manager's Report
7. **City Council Comments**

The "**Consent Agenda**" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any citizen wishes to have an item discussed. Citizens then may request that the subject item be removed from the Consent Agenda for discussion separately.

8. **Consent Agenda**
  - A. 1998 Wastewater Collection System Improvements
  - B. CB No. 25 re Budget Appropriation Amendments (Merkel-Atchison)
9. **Appointments and Resignations**

None
10. **Public Hearings and Other New Business**
  - A. Public Hearing re 1999 City Budget
  - B. Resolution No. 39 re Senior Housing Guidelines
  - C. Councillor's Bill No. 26 re Growth Management Program Amendments
  - D. Councillor's Bill No. 27 re Definitions for Hotel & Motel
  - E. Upgrade of Court Records Management System
  - F. Resolution No. 40 re Organization Special Promotions
  - G. Reclaimed Plant and Pipeline Contract
11. **Old Business and Passage of Ordinances on Second Reading**
  - A. CB No. 24 re Development Fee Changes (Atchison-Smith)
12. **Citizen Presentations (5 Minutes + in Length) & Miscellaneous Business**
  - A. City Council
  - B. Request for Executive Session
    1. Economic Development Prospect Business Assistance Package
13. **Adjournment**

CITY OF WESTMINSTER, COLORADO  
MINUTES OF THE CITY COUNCIL MEETING  
HELD ON MONDAY, JULY 13, 1998 AT 7:00 P.M.

PLEDGE OF ALLEGIANCE:

Mayor Heil led Council, Staff and the audience in the Pledge of Allegiance.

ROLL CALL:

Present at roll call were Mayor Heil, Mayor Pro Tem Merkel and Councillors Atchison, Scott and Smith. Also present were William Christopher, City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent were Councillors Allen and Dixon.

CONSIDERATION OF MINUTES:

A motion was made by Atchison and seconded by Merkel to accept the minutes of the meeting of June 29, 1998 with no additions or corrections. The motion carried unanimously.

A motion was made by Atchison and seconded by Merkel to accept the minutes of the special meeting of July 6, 1998 with no additions or corrections. The motion carried unanimously.

PRESENTATIONS:

Lloyd O'Neil, President of the Shaw Heights Water District Board of Directors, presented a check to the City as part of the agreement for the City of Westminster to provide water service within the Shaw Heights Water District.

CITIZEN COMMUNICATION:

John Lyda presented the Mayor with the mask the Mayor had donated to the Hospice of Metro Denver fund raising event in Denver. Mr. Lyda and his wife were high bidders on the mask and donated the mask back to the City. Mayor Heil stated she had contacted the artist, Lillian B. Montoya and asked her to paint the mask, a view of Denver from City Hall, that was then donated to the Hospice.

REPORT OF CITY OFFICIALS:

City Manager Bill Christopher stated there would be a Special City Council meeting on Monday, July 20, 1998 regarding the Heritage Golf Course Bond issue.

CONSENT AGENDA:

The following items were considered as part of the consent agenda: **1998 Wastewater Collection System Improvements** - Award a contract to the low bidder, Tierdael Environmental Systems, LLC, in the amount of \$480,000 for the 1998 Wastewater Collection System Improvements; authorize the City Manager to execute a contract between the City and Tierdael Environmental Systems, LLC; authorize a budget of \$480,000 with a contingency budget of \$20,000 and charge the appropriate accounts to the 1998 Wastewater Division Operating Budget; **Councillor's Bill No. 25** re Budget Appropriations Amendments.

The Mayor asked if there was any member of Council or anyone from the audience who would like to have any of the consent agenda items removed for discussion purposes or separate vote. There was no request.

A motion was made by Atchison and seconded by Smith to adopt the Consent Agenda items as presented. The motion carried unanimously.

FIRST PUBLIC HEARING ON 1999 CITY BUDGET:

At 7:15 P.M. the meeting was opened to hold a public hearing to receive public input on the 1999 City Budget. City Manager Bill Christopher identified the Council's focus areas to be pursued in the 1999 Budget as: (a) Diversify and protect the City's revenue base; (b) protect home rule prerogatives; (c) maintain a focus on the delivery of quality municipal services in a maturing community; (d) expand and enhance awareness of cultural diversity in Westminster; (e) develop a strategy for local government structure to enhance local control, eliminate duplication of services, reduce costs and build community cohesion; (f) assume a leadership role in developing partnerships among northern communities on issues of common concern; and (g) explore, evaluate, and implement a new north metro area consortium to address regional issues.

Julie Butler, representing Childrens Hospital, requested the City consider a joint venture with Childrens Hospital/Church Ranch Business Center and the City to build a playground along Walnut Creek, and that Childrens Hospital would contribute costs towards innovative, cutting edge therapeutically interactive action items and soft surface play areas. She said the costs are estimated to be \$100,000 to \$200,000 and that there were opportunities to get some grant money. Childrens Hospital was committed to \$35,000 toward this project.

Denise Mund, representing Jefferson County Academy Elementary and Junior High School Charter schools, requested the City to participate in building a gymnasium for the schools at a total cost of \$600,000 to \$700,000 with a total cost to the City of \$300,000.

At 7:38 P.M. the first public hearing on the 1999 City Budget was declared closed.

RESOLUTION NO. 39 - SENIOR HOUSING GUIDELINES:

A motion was made by Merkel and seconded by Atchison to adopt Resolution No. 39 approving the new Senior Housing Design Guidelines. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 26 - GROWTH MANAGEMENT PROGRAM AMENDMENTS:

A motion was made by Merkel and seconded by Atchison to pass Councillor's Bill No. 26 on first reading revising Chapter 3 of Title XI of the Westminster Municipal Code pertaining to the City's Growth Management Program. Upon roll call vote, the motion carried unanimously.

COUNCILLOR'S BILL NO. 27 - DEFINITIONS FOR HOTELS AND MOTELS:

A motion was made by Atchison and seconded by Merkel to Table Councillor's Bill No. 27 adding definitions of Hotel/Motel, Full Service Hotel and Extended Stay Hotel to section 11-2-9 of the Westminster Municipal Code. The motion carried unanimously.

UPGRADE OF MUNICIPAL COURT RECORDS MANAGEMENT SYSTEM:

A motion was made by Smith and seconded by Scott that based on the finding that a negotiated agreement with Progressive Solutions, Inc. (PSI) will best serve the public interest, authorize the City Manager to enter into an agreement to provide for the purchase of computer software and support services necessary to upgrade the Court records management system, and charge the \$43,348 expenditure to the appropriate General Fund, Municipal Court Budget account. The motion carried unanimously.

RESOLUTION NO. 40 - ORGANIZATION SPECIAL PROMOTIONS:

A motion was made by Atchison and seconded by Scott to Table Resolution No. 40 until all members of Council were present, which formally states that the City will not participate in fundraisers or special promotions of agencies and organizations receiving funds via the Human Services Board process. The motion carried unanimously.

RECLAIMED WATER PROJECT CONSTRUCTION BID AWARDS:

A motion was made by Atchison and seconded by Scott to authorize the City Manager to execute a contract with CDM Engineers and Constructors, Inc., in the amount of \$9,977,592 for the construction of the Westminster Reclaimed Water Treatment Facility; execute a contract with Tierdael Construction in the amount of \$7,333,333 for the construction of the Reclaimed Water Distribution Pipeline; and approve a project construction contingency of 10% at \$1,700,000. The contract stipulates that these companies will cease construction if, and when, the appropriated funds are spent. The expense associated for the construction of this project should be charged to the Project Loan Fund Account and the Reclaimed Water Capital Improvement Project Account with the balance charged to the 1999 Capital Improvement Project account. Mr. Abbott, General Partner of Black and Veatch, was present to address Council. The motion carried unanimously.

ORDINANCE NO. 2598 - DEVELOPMENT FEE CHANGES:

A motion was made by Atchison and seconded by Smith to adopt Councillor's Bill No. 24 on seconded reading amending the Westminster Municipal Code establishing new or revised fees for Planning Engineering Division development review and adopting a revised schedule of building permit fees. Upon roll call vote, the motion carried unanimously.

MISCELLANEOUS BUSINESS:

Councillor Smith reported the City's raft team, consisting of Councillors Suzanne Smith and Herb Atchison, City Clerk Michele Kelley and Jerry Cinkosky, won first place at the annual Northglenn Mayor's Cup Raft Race held July 4. Councillor Scott commended the Fire Department's quick response to the fire that occurred south of Albertson's at 120th Avenue and Sheridan Boulevard. Mayor Pro Tem Merkel stated that the City will honor its volunteers at the annual Volunteer BBQ to be held July 16 at City Hall.

The Mayor stated there would be an Executive Session to discuss an Economic Development Prospect Business Assistance Package.

ADJOURNMENT:

The meeting was adjourned at 7:45 P.M.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**Date:** July 13, 1998  
**Subject:** Presentation of Check from Shaw Heights Water District  
**Prepared by:** Ellen Richardson, Utility Billing Manager

### **Introduction**

The Mayor is requested to accept, on behalf of the City Council, a check to the City of Westminster from the Shaw Heights Water District in the amount of \$1,087,325.

### **Summary**

The City of Westminster and the Shaw Heights Water District entered into an agreement in November 1997, which in part states that effective June 1, 1998, the City of Westminster will provide water service to all customers within the Water District. The agreement also states that the District would pay the City for incurring the costs of maintaining and replacing certain items within 30 days after the June 1 full service implementation date.

Lloyd O'Neil, President of Shaw Heights Water Board, will be on hand to present the check to the City and to provide a photo opportunity for this historical event.

### **Staff Recommendation**

Mayor Heil accept, on behalf of City Council, a check from Lloyd O'Neil, President of Shaw Heights Water District Board of Directors.

### **Background Information**

In 1968, the City of Westminster and the Shaw Heights Water District entered into a 30 year contract whereby the City would provide treated water to the Shaw Heights Water District. In November 1997, after five years of negotiations, the City of Westminster entered into a full service contract in perpetuity with the Shaw Heights Water District. Effective June 1, 1998, the City of Westminster took over the District's water operations, including customer service, meter reading, billing, collection, water line maintenance and future water line replacement. According to the terms of the agreement, payment of \$1,225,000, less a tap fee of \$137,675, to the City for costs incurred in implementing maintenance and replacement items would occur within 30 days after the June 1, 1998, start date.

This agreement represents a monumental, cooperative venture between a special district and the City of Westminster.

Respectfully submitted,

Matthew J. Lutkus  
Acting City Manager

**Date:** July 13, 1998  
**Subject:** 1998 Wastewater Collection System Improvements  
**Prepared by:** Jack Rudey, Utilities Field Operations Supervisor  
Dan Daly, Utilities Field Operations Inspector

**Introduction**

City Council action is requested to award the bid for the 1998 Wastewater Collection System Improvements to Tierdael Environmental Systems, LLC; authorize the City Manager to execute a contract between the City and Tierdael Environmental Systems, LLC; and authorize a budget of \$480,000 and \$20,000 for a contingency budget. Funds are available for these expenditures in the 1998 Wastewater Fund Operating Budget.

**Summary**

For the third year in a row, the City has outsourced its sewer rehabilitation project using trenchless technology methods. This has proven to be a more efficient and cost effective means of rehabilitation as compared to sewer line replacement. The 1998 Wastewater Collection System Improvements project was advertised two times during consecutive weeks in the Daily Journal, the premier construction newspaper in the Rocky Mountain Region. One addendum was issued to the bidding documents and a pre-bid meeting was held on June 10. Three bids were received and read publicly on June 17.

<u>BIDDER</u>	<u>LUMP SUM BID</u>
Tierdael Environmental Systems, LLC *	\$508,185.00
Insituform Plains, Inc.	\$518,358.50
Western Slope Utilities, Inc.	\$585,289.00
BUDGET	\$500,000.00
ENGINEER ESTIMATE	\$550,000.00

\*Scope work revised to \$500,000

Tierdael Environmental Systems, LLC, has been determined to be the successful contractor on the basis of their experience and bid as the lowest responsible responsive lump sum bid. The City's available budget for the wastewater collection system improvements contract is \$500,000.

**Staff Recommendation**

Award a contract to the low bidder Tierdael Environmental Systems, LLC, in the amount of \$480,000 for the 1998 Wastewater Collection System Improvements; authorize the City Manager to execute a contract between the City and Tierdael Environmental Systems, LLC; authorize a budget of \$480,000 with a contingency budget of \$20,000; and charge the appropriate project accounts to the 1998 Wastewater Division Operating Budget.

## **Background Information**

Over the past 24 months, the City has investigated new, innovative "trenchless technology" methods for a potential construction practice, rather than pipe replacement and excavation. At the end of 1996, the Utilities Division went to bid on its 1996 Wastewater Collection System Improvements project. The Utilities Division was pleased with the results of the project, therefore, the trenchless technology methods are recommended to continue and will be evaluated during the next year.

The City's 1998 Wastewater Collection System Improvements project consists of rehabilitating approximately 9,813 linear feet of sanitary sewer mains ranging in size from 8 to 10 inch; rehabilitating approximately 24 manholes with 3 approved methods; and repairing of 12 point-repairs.

During the evaluation phase of the project, City Staff determined that 3 methods of rehabilitation be approved for the trenchless technology process. The first method is Insituform Technologies, Inc., a cured-in-place-pipe that is inverted into the sewer main using heated water. This product is made up of felt and resin that forms a bond to the host pipe via boiling water. The second method is InlinerUSA, which is also a cured-in-place-pipe; this method pulls the liner creating a bond with the host pipe. The third method approved is a fold and form pipe using a PVC alloy material which is pulled through the liner. City Staff has witnessed each method of insertion and believe the methods meet the needs of the City.

An alternative to this project would be to replace the sewer main lines through pipe replacement and excavation. However, this alternative would be much more inconvenient to residents and traffic, due to heavy construction equipment, excavation and work area. Although the City has some excavation planned, it will be a minimal inconvenience to the residents.

Another alternative would be to not replace any existing sewer main lines, but this would cause possible sewer backups in City residents' homes and a continued high maintenance cost for these sewer lines.

Services for the project are expected to commence at the end of July, with completion slated for the end of October.

Respectfully submitted,

Matthew J. Lutkus  
Acting City Manager

**Date:** July 13, 1998

**Subject:** First Public Hearing on 1999 City Budget

**Prepared by:** Barbara Gadecki, Assistant to the City Manager

### **Introduction**

City Council is scheduled to hold a public hearing to receive public input on the 1999 City Budget at Monday night's City Council meeting.

### **Summary**

Development and review of the 1999 City Budget will continue through the summer and will culminate in the distribution of the 1999 Proposed Budget to City Council on September 4. The final public hearing is scheduled for September 14, prior to the City Council Budget Retreat, so that citizens will have one more opportunity to comment and provide feedback on the 1999 City Budget. In accordance with the City Charter, City Council must adopt the budget no later than the October 26 City Council meeting.

### **Staff Recommendation**

Hold a public hearing on the 1999 City Budget and receive citizen comments.

### **Background Information**

In April, City Council identified key focus areas to be pursued in 1999. The following is a list of these focus areas:

- > diversify and protect the City's revenue base;
- > protect home rule prerogatives;
- > maintain a focus on the delivery of quality municipal services in a maturing community;
- > expand and enhance awareness of cultural diversity in Westminster;
- > develop a strategy for local government structure to enhance local control, eliminate duplication of services, reduce costs and build community cohesion;
- > assume a leadership role in developing partnerships among northern communities on issues of common concern; and
- > explore, evaluate, and implement a new north metro area consortium to address regional issues.

The direction provided by City Council assists City Staff as they prepare and review the 1999 Proposed City Budget. Other considerations that go into developing a well-balanced budget are department priorities that strive to maintain existing service levels and citizen/neighborhood input.



The development of the 1999 City Budget will occur throughout the summer, and a Proposed Budget per City Charter requirements will be submitted by the City Manager to City Council on September 4 for their review. After reviewing the Proposed Budget for several weeks, City Council will hold their annual Budget Retreat on September 26 to more thoroughly review staffing levels, programs, services, and capital projects.

One last public hearing is scheduled to be held on September 14 to receive citizen input regarding the 1999 Proposed Budget. Adoption of the 1999 Budget is scheduled for October 26 per City Charter requirements.

Respectfully submitted,

Matthew J. Lutkus  
Acting City Manager

**Date:** July 13, 1998

**Subject:** Senior Housing Design Guidelines and Growth Management Program Amendment

**Prepared by:** Shannon Sweeney, Planner II

### **Introduction**

City Council action is requested to adopt the attached Resolution approving the new Senior Housing Design Guidelines and to pass the attached Councillor's Bill revising Chapter 3 of Title XI of the Westminster Municipal Code pertaining to the City's Growth Management Program.

### **Summary**

At the June 29, 1998 City Council Post meeting, City Council directed Staff to prepare a Resolution adopting the new Senior Housing Design Guidelines. Council also directed Staff to draft an Ordinance amending the City's Growth Management Program to allow independent living senior housing facilities to compete in the senior housing competition City Council authorized in December 1997. The Resolution, Councillor's Bill, and new Senior Housing Design Guidelines are attached for Council approval.

The Senior Housing Design Guidelines will serve as the basis for review of new senior housing projects in the City and will apply to the four types of senior housing facilities identified in the Senior Housing Market Study completed in 1997. This includes independent living, congregate care, assisted living, and skilled nursing facilities.

These guidelines will not apply to new single-family detached projects targeting the senior housing or "empty-nester" market. Those types of projects must compete in the new single-family detached residential competition. In addition, senior housing projects which meet the "Active Senior Housing" definition within the City's Growth Management Program are not required to compete for available service commitments.

Included in these new guidelines are design criteria and a point system to compare projects in the competition process. The point system is based not only on the cost to the developer to provide the item but is also based on the importance of that particular item to the City and to the future residents of the project. As with the other residential design guidelines for multi-family, single-family attached, and single-family detached projects, minimum design criteria are established and "incentive" criteria are also listed. Developers entering the competition must commit to providing all of the minimum criteria in order to enter the competition. The developers choose which "incentive" items are possible with their projects, and points are received for each of these items agreed to in advance.

In order to minimize the expense for applicants, the City does not require, or recommend, that engineering studies or plans be completed when applying for the competition. Staff does require that applicants submit a conceptual site plan but does not review these plans as part of the competition process. The Growth Management Program specifies that Staff may not review any proposed residential plans until service commitments have been awarded to the project.

The conceptual plan helps each applicant determine which incentive items are possible with their potential developments. Staff thoroughly reviews the competition scoresheets submitted by each applicant and the point totals for the projects. If an applicant receives a service commitment award for a project, all items agreed to on the scoresheets must be met whether or not those items were shown on the conceptual site plan submitted for the competition.

The current Growth Management Program specifies that a maximum of 25% of any new senior housing project may be independent living units. The specification was included when all senior housing service commitments were available on a first-come, first-served basis, and no service commitments were available for new multi-family projects during the City's multi-family moratorium. As discussed with Council, this language helped reduce the potential for developers to propose senior housing projects when the intent was to build a multi-family project. Now that both types of projects must compete for service commitments, this limitation is not as critical. The attached Councillor's Bill amending the Growth Management Program eliminates this restriction and will allow senior housing projects consisting of 100% independent living projects to compete.

Following City Council adoption of the new Senior Housing Design Guidelines and the Growth Management Program amendment, Staff plans to begin the new senior housing competition process. Notifications will be mailed to developers and builders, and applications will be accepted for a three-week period. Staff will then evaluate the projects submitted for the competition and review various options with City Council in a study session.

### **Staff Recommendation**

1. Adopt Resolution No. approving the new Senior Housing Design Guidelines
2. Pass Councillor's Bill No. on first reading revising Chapter 3 of Title XI of the Westminster Municipal Code pertaining to the City's Growth Management Program.

### **Background Information**

In December 1997, City Council allowed a moratorium on new senior housing projects to expire and adopted a Growth Management Program revision allowing Service Commitments for new senior housing projects to be awarded on a competitive basis. Previously, all senior housing projects (whether "active" or new) were awarded Service Commitments on a first-come, first-served basis from Category E.

Additionally, City Council reserved a total of 21 Service Commitments from the 1998 Category E Service Commitment allocation to be awarded on a competitive basis for one new senior housing project in 1998. Because each senior housing unit is calculated at .35 Service Commitments, the 21 Service Commitment allocation is equal to 60 new senior housing units. Council also directed City Staff to develop new senior housing design guidelines to use as a basis for the competition.

It is recommended that the new senior housing design guidelines apply to new senior housing projects regardless of type. Projects which have been actively building and meet the definition of "Active Senior Housing" within the Growth Management Program may continue to construct their projects without competing for Service Commitments. This is also the case with the other types of residential projects (Single-Family Detached, Single-Family Attached, and Multiple-Family), and "active" projects receive Service Commitments on a first-come, first-served basis from the applicable residential category.

City Council authorized two competitions for new residential projects in 1998, and the Single-Family Detached competition was held earlier this year.

Two projects were awarded Service Commitments through that competition, and both projects have been submitted for the City's development review process. Staff will begin the senior housing competition process following City Council adoption of the new design guidelines.

Respectfully submitted,

Matthew J. Lutkus  
Acting City Manager

Attachments

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1998

\_\_\_\_\_

DESIGN GUIDELINES FOR SENIOR HOUSING PROJECTS

WHEREAS, in Chapter 3 of Title XI of the Westminster Municipal Code (W.M.C.), the City of Westminster has adopted a Growth Management Program for the period 1990 through 2000; and

WHEREAS, W.M.C. 11-3-5 (H) establishes that Service Commitments for new senior housing projects shall be awarded on a competitive basis in accordance with criteria adopted by the City Council; and

WHEREAS, the City Council hereby determines that the attached Senior Housing Design Guidelines are in the best interests of the citizens in light of the City's desire of growth and the limited land available for future growth, and are necessary for the health, safety and welfare of the community.

NOW, THEREFORE, be it resolved that the Westminster City Council:

1. In accordance with Chapter 3 of Title XI of the Westminster Municipal Code, City Council hereby adopts the attached Senior Housing Design Guidelines which shall govern the award of Service Commitments within Category E projects as defined in W.M.C. Section 11-3-5.

2. The Senior Housing Design Guidelines shall apply to all future Preliminary Development Plans (PDP's) and Official Development Plans (ODP's) for new senior housing developments approved after July 13, 1998.

3. Any application for the approval of an amendment to an ODP to authorize new building elevations submitted after July 13, 1998 shall comply with Section III of the Senior Housing Design Guidelines.

4. Compliance with the Comprehensive Land Use Plan shall be required for new senior housing developments through the residential competition process.

Passed and adopted this 13th day of July, 1998

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. \_\_\_\_\_

SERIES OF 1998

INTRODUCED BY COUNCILLORS  
\_\_\_\_\_

A BILL

FOR AN ORDINANCE AMENDING CHAPTER 3 OF TITLE XI OF THE WESTMINSTER MUNICIPAL CODE CONCERNING THE CITY'S GROWTH MANAGEMENT PROGRAM FOR THE PERIOD JANUARY 1, 1990, THROUGH DECEMBER 31, 2000

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Section 11-3-4 (E)2c, Westminster Municipal Code, is hereby AMENDED as follows:

c. Independent senior living units may be included as ~~as part of~~ WITHIN a proposed senior housing development provided that ~~both of the following conditions apply:~~

- ~~1. The independent living units do not constitute more than 25% of the total number of senior housing units shown on the Official Development Plan; and~~
- ~~2. transportation and recreational, social, and cultural activities are provided for the residents of these units.~~

Section 2. Severability: If any section, paragraph, clause, word or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

Section 3. This ordinance shall take effect upon its passage after second reading.

Section 4. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 13th day of July, 1998.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this \_\_\_\_\_ day of July, 1998.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

CITY OF WESTMINSTER, COLORADO  
SENIOR HOUSING DESIGN GUIDELINES  
June 1998

**PURPOSE AND INTENT OF SENIOR HOUSING DESIGN GUIDELINES:** The following Design Guidelines have been prepared to provide minimum criteria for new senior housing developments in the City of Westminster. These minimum standards are intended to establish quality appearance, compatibility of character, variety of design, and enhanced community values. In addition to minimum criteria, optional (incentive) criteria are also listed which further enhance sound residential planning, architectural quality, and landscape design.

The minimum and optional criteria are the basis for awarding service commitments to developers in accordance with the City of Westminster Growth Management Program. The Program establishes various service commitment categories for all types of new development, and each year City Council allocates service commitments to the different categories. Category E is the designation for all existing and new senior housing projects. Within this category, City Council allocates a specific number of service commitments for new senior housing projects which must be awarded through a competitive system based on criteria adopted periodically through City Council resolution. These Design Guidelines are the basis for the competitions to be held periodically for new senior housing projects.

All minimum requirements in these Design Guidelines must be met in order to be eligible to compete for service commitments, and no points are given in the competition for these items. Competition applicants receive points by agreeing, in advance, to provide certain incentive items listed in the design guidelines. The applicant determines which incentive items will be offered as part of a proposed project, and the total of these items is the score designated to that project. Senior housing for low-income seniors will be reviewed on a case-by-case basis. The Growth Management Program does not permit City Staff to review and process development plans, plats, construction drawings, etc. unless City Council has awarded service commitments to the project through the competition process.

The 1997 Senior Housing Market Study for the City of Westminster identifies four types of senior housing facilities: Independent Living, Congregate Care, Assisted Living, and Skilled Nursing Facilities. Each of these types of development must be specifically designed for, and targeted to, seniors in order to be eligible to enter any competition for Category E Service Commitments. Proposed single-family detached housing developments targeting the senior housing or "empty-nester" markets must compete in the single-family detached competition and are not eligible in this category.

The Design Guidelines are divided into three categories: Site Design, Architectural Design, and Landscaping Design. The Site Design section addresses overall site planning considerations, vehicular and pedestrian circulation, setbacks, public and private open space, and other site amenities. The Architectural Design section addresses general design principles, exterior design, and exterior building materials and colors. The Landscaping Design section addresses general landscape design principles, landscape treatment of development edges and entrances, project landscaping, plant materials, and irrigation.

## I. SITE DESIGN

A. Senior housing sites should encourage resident interaction and participation with the surrounding community.

1. Land Use Compatibility and Proximity to Other Land Uses: Compatibility is achieved when adjacent land uses differing in function, scale, and intensity are mutually supporting and do not create adverse effects upon one another. In areas where incompatible uses abut, a variety of measures may be employed for mitigation including: the use of adequate setbacks, landscaping, barriers or transition zones, and building heights.

In senior housing projects, because residents' physical mobility is often limited, closer proximity to certain land uses (such as medical facilities, grocery stores, etc.) is desirable. Ideal senior housing sites are within walking distance of a grocery store, drugstore, public transit stop, medical facility, church, bank, restaurant, park, college or adult education facility, community center, post office, library, senior center, book store, movie theater, retail shops, etc.

Minimum:

a) Building setbacks shall be a minimum of 50 feet from the common property line when adjacent to a non-residential use.

b) Building setbacks shall be a minimum of 40 feet from the common property line when adjacent to a residential use. Setback shall be increased an additional 10 feet for each story above two-story structures.

2. Conformance with the Westminster Comprehensive Land Use Plan

Minimum: The proposed project shall conform with the Westminster Comprehensive Land Use Plan. This includes the appropriate land use designation for senior housing facilities which includes Single-Family Attached, Multi-Family, and Office/Residential land use designations. The net proposed density of the project shall not exceed the maximum density specified for the land use category designated on the Comprehensive Land Use Plan. For facilities (such as skilled nursing projects) with beds rather than dwelling units, use 2.5 beds equal one dwelling unit to calculate the density. (To calculate the net residential density for a project, deduct 20% from the total acreage. This percentage figure is based upon the requirements for collector and arterial street rights-of-way which tends to be 15 to 30 percent or more of a development).

3. View Preservation: The City has an abundance of panoramic views which should be preserved and enhanced. Site planning must consider the relationship of building to natural grades. Buildings should be sited to preserve views from arterial streets. Landscaping and building placement should be used to frame and enhance view corridors.

Minimum: View corridors as identified in the Westminster Comprehensive Land Use Plan shall be preserved as indicated in the Plan. The intent is to preserve the views that can be seen from public streets.

4. Drainageways: In most cases, drainageways should be left in as natural a state as possible without channelization or engineered structures unless required to prevent erosion or other special circumstances, or as required by other agencies. On a case-by-case basis, the City may require landscaping, and irrigation in these areas. In addition, the City may require a concrete path (eight-foot min. width) be constructed along significant drainageways adjacent to or within the site.



Minimum: Significant drainageways shall be incorporated in site development as aesthetic amenities, open space/trail corridors, and wildlife areas.

1. Access, Circulation, and Parking: Because many older adults enjoy walking, extensive pedestrian pathways are important to senior housing and care communities to help provide areas for passive recreation as well as provide connections to areas within the site and, for those who are physically able, beyond the site boundaries. Wider pathways are necessary to allow at least two people to pass with wheelchairs or walkers. Additionally, concrete walking surfaces should be treated to prevent glare. This can be accomplished by lightly texturing the surfaces to create definition and shadow (this also helps create a non-slip surface) and by using darker paving colors for the concrete surfaces.

a) Access Minimum: Access point(s) to the site from the adjacent street(s) shall provide safe, convenient access for both pedestrians and vehicles.

b) Right-of-Way Minimum: All streets shall be designed according to the City's specifications for street rights-of-way.

Incentive: Additional arterial or collector right-of-way (beyond amt. req.) will be provided for berming and additional landscape area: 100 points per additional three feet added to right-of-way section (500 max. points)

c) Pedestrian Paths Minimums:

(1) All internal site sidewalks shall be a minimum width of five feet.

(2) All internal site sidewalks shall be lightly textured (non-slip), concrete surfaces such as light-broom finished concrete.

(3) Concrete walks (8-foot min. width) shall be constructed along arterial streets within or abutting the project.

(4) Concrete walks (5-foot min. width on one side and 8-foot min. width on the other side) shall be constructed along collector streets within or abutting the project.

Incentives:

(5) All internal site sidewalks will be colored concrete to create non-glare surfaces: 100 points

(6) All internal site paths will be a minimum width of six feet: 150 points

(7) Six-foot wide sidewalks (min.) detached 5' from the curb will be provided and street trees (deciduous, shade trees with 40-foot max. spacing) will be planted in this area along a min. of 75% of the local or private street lengths on both sides of the streets: 500 points

d) Parking Minimums: For all senior housing projects:

(1) All regular parking spaces shall be a minimum 9' x 19'. No compact parking spaces are permitted.

(2) All handicapped parking spaces shall be a minimum 8' x 20' with an adjacent 5' x 20' access aisle.

(3) Handicapped parking spaces for senior housing projects shall be provided at a rate of one per 25 (or fraction thereof) regular parking spaces.

(4) At least one-third of the required parking shall be within carports or garages.

For independent living, congregate care, and assisted dwelling units:

(1) One parking space shall be provided for every one bedroom or efficiency unit.

(2) 1.5 parking spaces shall be provided for every two bedroom or larger unit.

(3) Guest parking shall be provided at one space per 5 units.

For assisted care or skilled nursing facilities with beds:

(4) For visitor parking, one parking space shall be provided per four patient beds.

(5) For physician parking, one parking space shall be provided per four patient beds.

(6) For employee parking, one parking space shall be provided per three patient beds.

e) Bus Benches and Shelters: Close proximity to public transit access is a vital amenity for senior housing projects whose residents and visitors often may not drive and may not own vehicles. Bus benches and shelters may be required for all existing and proposed bus stops adjacent to and within the site boundaries of all proposed senior housing developments. City Staff will review this on a case-by-case basis. Any required benches and shelters shall be installed by the developer/owner and maintained by the project owner. No advertising is permitted on any of these structures.

## 6. Site Amenities

a) Entrance Features Minimum: One monument sign shall be provided and constructed of permanent materials (masonry etched or metal letters/logo) located in a landscaped median or on either side of the entrance drive. The size of the sign shall not exceed the City of Westminster Municipal Code requirements (Title XI, Chapter 11).

Incentive: Entrance signage will be mounted on a masonry wall (four-foot min. height, six-foot max. height) for a minimum length of 20 feet): 75 points

b) Site Furniture Seating that provides safety and security to residents is encouraged. Seating which backs to building edges, walls, planters, landscaped areas, etc. helps give residents a sense of security and safety. Benches along pedestrian pathways within the site should be placed at 200-foot (max.) intervals. Outdoor seating designed with armrests and backrests is encouraged.

Minimums:

(1) A variety of outdoor seating areas shall be offered from solitary seating areas and more intimate spaces to larger, social areas.

(2) Outdoor seating and tables shall be included on all common, outdoor patio areas. Outdoor seating shall be of similar design, materials, and color to provide consistency throughout the project.

(3) Project shall provide convenient, comfortable seating areas along pedestrian pathways within the site.

(4) At least 50% of the outdoor seating areas will provide shaded and/or covered (by landscaping, trellises, canopies, etc.) seating for protection from the sun, heat, wind, etc. Protected seating is especially important near outdoor exercise areas as well as areas for observation and higher activity such as exterior mailbox areas, building entries, gardening areas, etc.

(5) Outdoor seating will be placed to maximize viewing of outdoor activity and pedestrian areas.

c) Lighting: Minimums: Site lighting shall be provided throughout the project and shall include lighting on buildings, garages, carports, drive aisles, parking lots, pathways, stairs, ramps, and landscaping to ensure visibility and safety

(1) for seniors within the project.

(2) Adequate street lighting shall be provided in all senior housing projects, and lighting along all public streets shall be in conformance with Public Service Company standards and installed at developer expense.

(3) Ground-level site lighting will be added along all pathways, stairs, and ramps to increase visibility at night.

Incentive: Decorative lighting with ornamental bases, armatures, fixtures, etc. relating to the architectural theme of the development will be installed along collector and/or local streets:

75 points

b) Recreation The City encourages private recreation facilities and activities for senior housing developments for their residents in proportion to the number of senior housing units served. Such recreational facilities and activities shall be included on private open space or within the senior housing facility.

While it may not be physically possible for many seniors to enjoy active recreational activities, many are able to enjoy more passive forms of recreation. A variety of recreational opportunities should be incorporated in all senior housing projects where some or all of the residents are physically able to benefit from the activities. For those residents who choose not to or are physically unable to participate, comfortable, convenient seating areas should be provided near areas of activity to allow others to observe those activities. Provisions for observational activities should be incorporated in or near outdoor, landscaped areas on the site and are ideal when placed where they can be viewed from both the indoor and outdoor seating areas. These include artwork (sculptures), water features, etc. as approved by the City.

Incentive: Passive recreational activities will be provided on site for the residents as part of the project: 50 points for each applicable item (250 max. points)

- (1) Indoor or outdoor pool area
- (2) Outdoor physical therapy area
- (3) Indoor solarium
- (4) Outdoor artwork (sculpture)
- (5) Outdoor water feature such as a small pond or fountain

7. Open Spaces / Park Land Public Land Dedication shall be made to the City in conjunction with senior housing (and all other residential) developments and is based on residential density of the proposed project. For facilities (such as skilled nursing projects) with beds rather than dwelling units, use 2.5 beds equal one dwelling unit to calculate the density. (See Westminster Municipal Code Section 13-4-3(E) for amount of land due). Acceptance of public lands shall be subject to review by the City. If the City determines a land dedication would not serve the public interest, the City may require payment in lieu of dedication. Developers are encouraged to dedicate public open space beyond the minimum acreage required in order to enhance the overall appearance of the community by providing open, green areas.

In addition to the minimum public land dedication required of residential development, private parks, open space, and recreational facilities are encouraged in senior housing projects. Private open space does not include right-of-way or other public areas. Private open space areas can provide focal points for the residents and desirable green space to accommodate local recreation needs and pedestrian circulation for the residents and the general public. Private open space can also be enjoyed by all City residents if such open space abuts or is visually related to the public right-of-way or public open space.

Minimums:

a) A minimum of 45% of the site shall be landscaped as private open space (excludes all right-of-way, drives, and walkways). Include landscaping within the parking lot areas in this percentage.

b) Private open space shall be formally landscaped unless abutting a natural greenbelt area (these areas will be reviewed by the City on a case-by-case basis, and formal landscaping and irrigation may be required). Maintenance of private open space areas shall be the responsibility of the project owner.

c) Environmentally-sensitive areas (such as wetlands) shall be maintained as private open space.

Incentives:

d) Public Land Dedication will exceed the minimum requirement for:

- (1) Non-floodplain land: 50 points per each percentage point over minimum required (500 max. points)
- (2) Floodplain land: 10 points per each percentage point over minimum required (100 max. points)

e) A minimum of 50% of the site will be designed as private open space: 100 points

f) Private open space will provide one or more focal point(s) with seating accessible by paved pathways from all areas of the project. Each focal point area must incorporate an item which encourages observational activity such as a water feature, artwork, etc.: 75 points

## 8. Setbacks

### Minimums:

- a) Building setbacks from rights-of-way
  - (1) Major highway (U.S. 36, I-25, and major arterial streets): 100' from right-of-way line
  - (2) Minor arterial streets: 1.5 times the building height or 50' from the right-of-way, whichever is greater
  - (3) Collector streets: 1.5 times the building height or 40', whichever is greater.
  - (4) Local streets: 1.5 times the building height or 30', whichever is greater.
- b) Distance between buildings:
  - (1) Side to side: 20'
  - (2) Corner to side or corner: 10'
  - (3) Side to front or rear: 25'
  - (4) Front to front or rear: 30'
- c) Building setbacks to interior property lines:
  - (1) Side or rear: 20'
  - (2) Adjacent to single-family detached: 1.5 times the building height or 40', whichever is greater.
- d) Building setbacks to parking lots and drives:
  - (1) 15' with minimum 8-foot wide sidewalk (to accommodate two-foot overhang for vehicles and five-foot clearance for sidewalks) when walks are adjacent to parking spaces.
- e) Distance between buildings and detached garages or carports (if applicable):
  - (1) Front or rear of garage to building: 30'
  - (2) Front or rear of garage to front or rear of garage: 30'
- f) Parking lot setbacks:
  - (1) From interior property lines: 15'
  - (2) From adjacent single-family detached residential: 25'
  - (3) From streets: 25' (should include tall berms and landscaping)

9. Fencing All fencing within a senior housing development shall be a uniform design for each type of fence provided. (See Westminster Municipal Code regarding privacy fencing and fencing abutting public or private open space). Although perimeter fencing is not always required, it is recognized that fencing is often proposed around the perimeter of senior housing projects many times for security reasons. Landscape materials and earth berming are the preferred methods of providing a buffer, but well-designed fences are acceptable (and many times required) in certain circumstances. One instance where solid perimeter fencing would be required is adjacent to arterial streets, U.S. 36, and I-25 for mitigation of environmental effects.

Minimums:

a) When used, perimeter fencing shall be constructed in accordance with City standards and shall include brick or stone columns (two-foot minimum width) spaced a maximum of 65' apart. In some cases, such as adjacent to parks or in special streetscape situations, the fence may be modified to include low profile, split rail, or wrought iron fencing. Chain link fencing is not permitted.

b) All horizontal supporting structures of all solid wood fencing shall be constructed toward the interior of the project or lot to reduce visibility of the support structures from streets and other public areas.

c) Landscaping and berming shall be used to provide screening and buffering in place of fencing (where not required).

d) Open fencing (such as split rail or wrought iron) shall be used in conjunction with landscaping in place of typical six-foot high fencing in areas where solid fencing is not required.

e) Off-sets in perimeter fencing for landscaping shall be provided every 200 feet or less.

10. Mitigation of Environmental Effects Screening and/or buffering will be required for all proposed residential developments along U.S. 36, I-25, and all arterial streets.

Minimum: Developer/owner-installed, opaque fencing, earth berming (4:1 max. slope), and landscaping shall be required to reduce adverse environmental effects on the residential development, and in certain circumstances, further mitigation measures may be required.

11. Neighborhood Notification The City of Westminster places high priority and importance on contact with adjacent property owners and existing neighborhoods that could be effected by a new development proposal. Project developers/owners are required to contact the surrounding neighborhoods regarding their proposed developments and are responsible for all public notifications, researching and providing property ownership information, and if applicable, organizing and conducting neighborhood meeting(s). (See Neighborhood Contact Requirements hand-out for more information). The extent of the neighborhood notification must be discussed and approved with City Staff.

## II. ARCHITECTURAL DESIGN

A. The architectural design of senior housing projects should create visual variety and, at the same time, promote an integrated character for the project. Senior housing projects should be designed with a residential, rather than institutional style.

B. Buildings should provide interest through the use of varying forms, architectural detail, and positioning on the site while still maintaining continuity as one project.

1. Exterior Design Elements

a) Building Design Minimums:

(1) Architectural detailing, horizontal off-sets, architectural window details and other features shall be provided on all sides of the building to avoid blank walls. All sides of all buildings shall be designed with quality materials (360 degree architecture).

(2) Vertical and horizontal elements shall be used in contrast to one another. Contrast and depth are preserved by offering exterior selections that emphasize a dominant building material but include contrasting complementary materials and colors.

(3) Buildings shall incorporate visually heavier and more massive elements at their bases, and lighter elements above these components. The second story, for example, does not appear heavier or demonstrate greater mass than that portion of the building supporting it.

(4) When included in the design, balconies shall be architecturally integrated into the design. No cantilevered balconies are permitted.

(5) For projects with multiple buildings, variety shall be used in site orientation and amongst buildings to avoid a "barracks" appearance.

(6) The architectural style of the building shall exhibit a residential rather than institutional character.

Incentive: Buildings will have a variety in horizontal off-sets (staggering or change in plane surface) of at least eight feet on both the front and rear of the buildings: 50 points

b) Building Height

Incentives:

(1) Building heights will not exceed one-story: 200 points

(2) Building heights will not exceed 35 feet: 75 points

(3) Building heights of two-story (or taller) buildings will be stepped down at the edges of the structure(s) to aid transition between buildings and reduce the mass of the buildings. Vertical planes greater than two stories on taller buildings will be avoided: 100 points

c) Building Entrance Minimum: A covered drop-off area shall be designed at the main entry area of each building.

d) Windows Each bedroom unit should provide at least one window for natural light, to view outdoor areas, and to help avoid an institutional appearance of the building.

e) Roof Design Minimum: A roof pitch of 5 in 12 or greater shall be provided on all buildings.

Incentive: Building roofs will be broken into smaller planes or roof elements. A minimum of two roof breaks (roofs that turn a corner or change elevation) will be provided on all buildings: 50 points

2. Patios / Balconies: Common patio areas with outdoor seating and tables should be provided for the residents. Ideal areas for these common patio areas are near the building entries and adjacent to interior dining rooms when applicable.

Incentive:

a) At least 80% of all bedroom units will have a private patio or balcony area (80 s.f. minimum area with five-foot min. depth): 150 points

3. Site Considerations Related to Architecture: When multiple buildings are proposed, developers are encouraged to vary the building orientations along the streets in order to provide a variety of views, provide opportunities for landscaping and open areas, and provide interest in the relationship of the buildings to one another. Although the buildings can be varied in their orientation, street scenes may be unified and articulated through the use of style, similar forms, roof systems, details, and architectural materials.

Minimums:

a) Garages, carports, attached parking structures, and accessory buildings shall all relate to the building architecture and demonstrate similar compatible forms, scale, materials, colors, and detail.

b) Detached garages which are located along the streets shall be grouped in small numbers, not lined up along the street "barracks style."

4. Exterior Building Materials and Colors Building materials for senior housing development should be of a high quality as approved by the City. Suggested exterior wall materials include natural wood, stucco, brick, and stone. In general, due to the imposing nature of many multi-dwelling unit buildings, the exterior materials should reflect subdued colors and muted tones. In general roof material colors should be darker and warm, earth-toned hues that accent and complement other building colors.

Minimum: Thirty percent (30%) or more of all non-window/door surfaces on all sides of all buildings shall be finished with masonry (brick or stone).

Incentives:

a) Fifty percent (50%) or more of all non-window/door surfaces on all sides of all buildings will be finished with masonry (brick or stone): 250 points

b) All sides of all buildings (excluding window and door surfaces) will be constructed with 100% masonry (brick or stone): 500 points

### III. LANDSCAPING DESIGN

A. Landscaped areas within senior housing developments are crucial to help counteract the potential dominance of the hardscape elements such as driveways, parking areas, buildings, concrete pathways, etc.



B. Landscaping can add to the overall visual appearance and function of the development by providing shade, complementing both passive and active recreation areas, providing visual interest and relief both apart from and next to the buildings, reducing the institutional feel of a senior housing project, and presenting an aesthetically pleasing streetscape. (See the City's Landscape Regulations for further information).

### 1. Private Landscaping

#### a) Common Areas

##### Minimums:

(1) A minimum of 45% of the overall site area shall be landscaped. This includes detention pond areas but excludes all hardscape areas.

(2) Within the required landscape area, one tree (2 1/2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.

(3) At least 20% of the required trees shall be a min. of 3" caliper deciduous and 8-foot min. evergreen height.

(4) All landscaping shall be installed, irrigated, and maintained by the project developer and/or owner.

(5) A wide variety of plant materials shall be used in landscaped areas to add interest.

##### Incentives:

(6) A minimum of one tree and three shrubs will be provided per 500 square feet of landscaped area: 100 points

(7) All trees will be a minimum of 3" caliper for deciduous trees and 8-foot min. height for all evergreen trees: 50 points

(8) Small, identical planters or window boxes which match the architectural style, materials, and color of the building will be provided on private patio or balcony areas: 50 points

b) Detention Pond Area Minimum: The developer/owner shall be responsible for landscaping the detention pond (sod only in the pond) and other common areas at a rate of one tree and three shrubs per 550 square feet of landscaped area. The property owner shall be responsible for the maintenance of these areas.

c) Landscaped Islands / Medians Landscaped islands and/or peripheral landscaping are encouraged along drive entries. Additionally, medians and landscaped islands are encouraged on local and collector streets.

Minimum: If provided, installation and maintenance of all medians/islands shall be the responsibility of the developer/property owner.

##### Incentives:

(1) A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the project entry area: 50 points

(2) Street medians/landscape islands (10-foot min. width, 25-foot min. length) will be provided at entranceways: 75 points

d) Parking Lots Minimums:

(1) Parking lots of 50 or more spaces shall be required to be landscaped.

(2) Landscaped islands in parking lots shall be no smaller than two standard parking spaces and shall alternate periodically with larger islands for variety and interest.

(3) Landscaped islands shall occur approximately every 30 spaces within parking lots.

(4) Continuous landscape strips (min. nine-foot width) separating every three rows of parking shall be required for parking lots with 300 or more parking spaces.

2. Right-of-Way Landscaping Developers are responsible for the installation of landscaping in the right-of-way areas of all streets within and abutting their developments, and the project owner is responsible for maintenance of the right-of-way landscaping along streets within and abutting senior housing projects.

Although fencing between the right-of-way and residential projects is often proposed to provide buffering and security, the use of landscape materials and earth berming either in lieu of, or in conjunction with, fencing is highly preferred and shall be required in many instances.

Minimums:

a) The maximum slope of berms shall not exceed 4:1.

b) Within the required right-of-way landscaped area, one tree (2 1/2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.

c) Automatic sprinkler systems shall be required within all right-of-way landscaped areas.

Incentive: A minimum of one tree and three shrubs per 500 square feet of landscaped area will be provided in the right-of-way areas:  
100 points

3. Plant Materials for Landscaped Areas Minimum: The selection of trees and shrubs shall be a mix of evergreen and deciduous types.

**Date:** July 13, 1998

**Subject:** Councillor's Bill No. Definitions for hotels and motels

**Prepared by:** David Falconieri, Planner III  
Dan Osborn, Planning Intern

**Introduction:**

City Council action is requested on the attached Councillor's Bill to add Hotel/Motel, Full Service Hotel and Extended Stay Hotel definitions to the Westminster Municipal Code section 11-2-9, subsection (B), (C) and (D).

**Summary:**

The City of Westminster Municipal Code does not define Hotel/Motel, Full Service Hotel, or Extended Stay Hotels. Recently the City of Westminster has seen an increase in interest from developers to build transient lodging accommodations. In light of this, Staff is proposing to establish definitions to address these establishments.

These definitions will be used as standards, defining maximum rental terms, amenities, and services that will need to be provided.

**Staff Recommendation**

Pass Councillor's Bill No. on first reading adding definitions of Hotel/Motel, Full Service Hotel and Extended Stay Hotel to section 11-2-9 of Westminster Municipal Code.

**Background Information**

There has recently been a significant interest for the development of transient lodging accommodations within the City of Westminster.

However, this type of use is not defined in the City Code and has caused a lack of certainty as to what type of facility would or could be constructed. Adoption of these definitions will enable staff to specifically state on the Preliminary and Official Development Plan the type of facility which may be built.

In order to encourage quality development, eliminate confusion, and provide for a consistent use of terminology, the proposed definitions will create guidelines in several areas:

1. Establishes a maximum rental term of fourteen (14) days for hotel/motel and 120 days for extended stay establishments.
2. Entrances will be required through a lobby or central hall to maintain architectural quality.

3. A minimum number of amenities will be required to assure higher quality.
4. Conversion to apartments or condominiums will be prohibited for any establishment of this type.
5. Pools will be required of all hotel/motel and full service hotel developments, with the exception of extended stay hotels.
6. Full service hotels will be defined as those providing the full range of amenities.

Respectfully submitted,

Matthew J. Lutkus  
Acting City Manager

Attachment

BY AUTHORITY

ORDINANCE NO.

COUNCILLOR'S BILL NO. \_\_\_\_\_

SERIES OF 1998

INTRODUCED BY COUNCILLORS  
\_\_\_\_\_

A BILL

FOR AN ORDINANCE ADDING DEFINITIONS FOR HOTEL/MOTEL, FULL SERVICE HOTEL AND EXTENDED STAY HOTEL TO THE WESTMINSTER MUNICIPAL CODE

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Title 11, Chapter 2, Section 9 of the Westminster Municipal Code is hereby amended by the following additions:

11-2-9:

- (B) HOTEL/MOTEL: ANY ESTABLISHMENT THAT PROVIDES TRANSIENT LODGING, FOR COMPENSATION, ON A SHORT TERM BASIS (14 DAYS OR LESS). INGRESS AND EGRESS SHALL BE THROUGH AN INSIDE LOBBY WITH AN OFFICE PROVIDING SUPERVISION BY A PERSON IN CHARGE AT ALL HOURS. IT SHALL PROVIDE NO FEWER THAN TWO (2) OF THE FOLLOWING AMENITIES (OR OTHER DEEMED SIMILAR AND APPROVED BY THE CITY); IN-HOUSE DINING, CONFERENCE ROOMS, RECREATIONAL FACILITIES, INCLUDING BUT NOT LIMITED TO WHIRLPOOLS, SAUNA AND STEAM ROOMS, WEIGHT AND CARDIOVASCULAR TRAINING ROOMS. A SWIMMING POOL OF SUFFICIENT SIZE TO MEET THE NEEDS OF GUESTS WILL BE REQUIRED FOR ALL HOTEL/MOTEL PROJECTS. THE ESTABLISHMENT SHALL PROVIDE DAILY HOUSEKEEPING, ROOM, MAID, LINEN, TELEPHONE AND OTHER SIMILAR SERVICES.
- (C) EXTENDED STAY HOTEL: ANY ESTABLISHMENT THAT PROVIDES TRANSIENT LODGING, FOR COMPENSATION, ON A TEMPORARY BASIS. INGRESS AND EGRESS SHALL BE THROUGH AN INSIDE LOBBY WITH AN OFFICE PROVIDING SUPERVISION BY A PERSON IN CHARGE AT ALL HOURS. IT SHALL PROVIDE NO FEWER THAN TWO (2) OF THE FOLLOWING AMENITIES: IN-HOUSE DINING, CONFERENCE ROOMS, RECREATION FACILITIES, INCLUDING BUT NOT LIMITED TO SWIMMING AND WHIRLPOOLS, SAUNA AND STEAM ROOMS, WEIGHT AND CARDIOVASCULAR TRAINING ROOMS. UNITS SHALL CONTAIN EXPANDED LIVING SPACE TO INCLUDE KITCHENETTE THAT PROVIDES A COOKING STOVE, DISHWASHER, REFRIGERATOR, AND MICROWAVE OVEN. (AMENITIES OR APPLIANCES OTHER THAN THOSE LISTED MAY BE SUBSTITUTED IF DEEMED SIMILAR AND APPROVED BY THE CITY.) THE ESTABLISHMENT SHALL PROVIDE PERIODIC HOUSEKEEPING ROOM, MAID, LINEN, TELEPHONE AND OTHER SIMILAR SERVICES. RENTAL TERMS SHALL NOT BE MADE FOR A PERIOD GREATER THAN THIRTY (30) CONSECUTIVE DAYS AND A GUEST MAY NOT RENT A UNIT OR UNITS FOR A PERIOD GREATER THAN 120 DAYS IN ONE (1) CALENDAR YEAR. UNITS SHALL AT ALL TIMES BE AVAILABLE FOR SINGLE NIGHT RENTALS. AN EXTENDED STAY HOTEL SHALL OPERATE ONLY AS A HOTEL AND IN NO EVENT SHALL IT BE CONVERTED TO A MULTIPLE UNIT DWELLING OR ANY OTHER FORM OF PERMANENT RESIDENCE.

(D) FULL SERVICE HOTEL: ANY ESTABLISHMENT THAT PROVIDES TRANSIENT LODGING, FOR COMPENSATION, ON A SHORT TERM BASIS (14 DAYS OR LESS). INGRESS AND EGRESS SHALL BE THROUGH AN INSIDE LOBBY WITH AN OFFICE PROVIDING SUPERVISION BY A PERSON IN CHARGE AT ALL HOURS. A FULL SERVICE HOTEL SHALL PROVIDE ALL OF THE FOLLOWING AMENITIES (OR OTHERS DEEMED SIMILAR AND APPROVED BY THE CITY); IN-HOUSE DINING, CONFERENCE ROOMS, RECREATION FACILITIES, INCLUDING BUT NOT LIMITED TO WHIRLPOOL, SAUNA AND STEAM ROOM, WEIGHT AND CARDIOVASCULAR TRAINING ROOMS. A SWIMMING POOL OF SUFFICIENT SIZE TO MEET THE NEEDS OF GUESTS WILL BE REQUIRED FOR FULL SERVICE HOTEL PROJECTS. THE ESTABLISHMENT SHALL PROVIDE DAILY HOUSEKEEPING, ROOM, MAID, LINEN, TELEPHONE AND OTHER SIMILAR SERVICES.

Section 2. Severability: If any section, paragraph, clause, word or any other part of this Ordinance shall for any reason be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

Section 3. This ordinance shall take effect upon its passage after second reading.

Section 4. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 13TH day of JULY, 1998.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this        day of JULY, 1998.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**Date:** July 13, 1998

**Subject:** Upgrade of Court Records Management System

**Prepared by:** Julia Hume, Court Administrator  
Matt Lutkus, Deputy City Manager for Administration

### **Introduction**

City Council is being requested to authorize the City Manager to execute an agreement with Progressive Solutions, Inc. to provide certain upgrades to the Municipal Court records management system.

### **Summary**

The proposed agreement with Progressive Solution, Inc. (PSI) will allow the Court to address a number of shortcomings with the current system, as well as to upgrade the Court's system so that it is compatible with the City's new office automation system, which will be implemented this fall. This agreement provides for the conversion to the updated Court software package, the first year's maintenance for this updated software, and the training for Court Staff on the new system. The cost of these services would be \$43,348. Funds to be used for the upgrades were included in the 1997 carryover authorization approved by City Council on June 29.

Data Processing and Court Staff have reviewed alternative records systems but determined that it is not practical from a financial or operational standpoint to replace the current system supported by PSI.

### **Staff Recommendation**

Based on the finding that a negotiated agreement with Progressive Solutions, Inc. (PSI) will best serve the public interest, authorize the City Manager to enter into an agreement to provide for the purchase of computer software and support services necessary to upgrade the Court records management system, and charge the \$43,348 expenditure to the appropriate General Fund, Municipal Court Budget account.

### **Background Information**

After lengthy negotiations, in September 1995, the installation of a Court records management system was removed from an agreement which the City had with OCS Technologies for a combined Police, Fire, and Court records management system. City Council subsequently approved a contract with Progressive Solutions, Inc. (PSI) to provide the Court records management system known as FACTS 4. Although the FACTS 4 system has addressed the overall record management needs of the Court, there have been a number of shortcomings, including problems with printing and the summary statistical reports. Court Staff have worked closely with PSI to resolve the issues and have been able to address printing problems and other issues with the current system at no additional cost to the City. However, the upgraded system, FACTS 5, is needed to address the issues that have yet to be resolved.

The agreement provides for the conversion from the FACTS 4 to FACTS 5 version at a cost of \$35,115 and \$8,233 for system maintenance by PSI. These costs include training for the Court Staff on the new FACTS 5 version and application modifications required to make the system compatible with the existing system. Additional changes which are not part of the agreement with PSI will provide additional hardware to operate the upgraded system and an upgrade to Word Perfect 7.0 word processing software.

Municipal Court and Data Processing Staff evaluated two other records management systems, Justice Systems, Inc. and the City of Aurora's records management system. Based on this analysis, it was determined that FACTS 5 would best meet the current and future needs of the Municipal Court.

In addition to providing the upgrades necessary to provide an effective records management system for Court administration, the FACTS 5 system will be compatible with the City's new office automation system scheduled to go online in the fall of this year. The current system would not be compatible with the new Citywide office automation system.

In anticipation of this expenditure, monies were carried over from the 1997 City budget as part of City Council's overall authorization of carryover balances in June.

Respectfully submitted,

Matthew J. Lutkus  
Acting City Manager



Date: July 13, 1998

Subject: Resolution No. re Fundraisers & Promotions of Organization Receiving Human Services Board Funding

Prepared By: Barbara Gadecki, Assistant to the City Manager

### **Introduction**

City Council action is requested to adopt the attached Resolution which formally states that the City will not participate in fundraisers or special promotions of agencies and organizations receiving funds via the Human Services Board process.

### **Summary**

The Human Services Board (HSB) reviews outside agencies' and organizations' requests annually for funding from the City. This board makes recommendations to the City Council based on the basic parameters to qualify for HSB funding. During the City Council Budget Retreat, the City Council reviews the HSB recommendations and makes any adjustments they deem appropriate.

Council discussed at the June 29 post Council meeting establishing a policy in regards to Human Services Board funded agencies and organizations. The number of HSB agencies and organizations requesting City participation in their annual fundraisers and special promotions is increasing. As such, Council concurred with Staff's recommendation to establish a policy in which the City will not participate in those agencies' and organizations' fundraisers and special promotions who currently receive funds via the Human Service Board budget process; the attached resolution will formally establish this policy.

### **Recommendation**

Adopt Resolution No. which formally states that the City will not participate in fundraisers or special promotions of agencies and organizations receiving funds via the Human Services Board process.

### **Background Information**

Each budget cycle, the Human Services Board reviews outside agencies' and organizations' requests for financial support from the City. For the 1998 budget process, 30 agencies and organizations requested funding through the Human Services Board process, 28 groups received funding for a total of (\$174,000 allocated in 1998).

A growing trend appears to be developing in which agencies and organizations request additional support via fundraisers and special promotions from the City during the year. In 1997, approximately \$3,000 was donated by the City to fundraisers and special promotions of agencies/organizations who had already received funding via the Human Services Board; requests are on the rise in 1998 as well.

As such fundraiser and special promotion requests increase, the impact upon the City's budget continues to grow. In addition, as some agencies and organizations ask for funding at multiple points throughout the year, it appears unfair to those other agencies and organizations who ask for funds only once a year.

Respectfully submitted,

Matthew J. Lutkus  
Acting City Manager

Attachment

RESOLUTION

RESOLUTION NO.

INTRODUCED BY COUNCILLORS

SERIES OF 1998

\_\_\_\_\_

A Resolution by the City Council of the City of Westminster establishing a policy that the City will not participate in fundraisers or special promotions of agencies and organizations receiving funds via the Human Services Board (HSB) process.

WHEREAS, the City Council and Human Services Board allocated \$174,000 in the 1998 Budget for those agencies and organizations which fit the parameters of HSB funding; and

WHEREAS, an increasing trend in mid-year requests from Human Services Board funded agencies and organizations for participation in fundraisers and special promotions appears to be developing.

NOW, THEREFORE, the City Council of the City of Westminster resolves that it will be the policy of the City of Westminster not to participate in any fundraisers or special promotions of agencies or organizations who receive funds from the City via the Human Services Board budget process.

Passed and adopted this 13th day of July, 1998.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**Date:** July 13, 1998  
**Subject:** Reclaimed Water Project Construction Bid Awards  
**Prepared by:** Diane Phillips, Capital Improvement Projects Coordinator  
Tom Settle, Water Quality Coordinator

### **Introduction**

City Council action is requested to authorize the City Manager to sign a contract with CDM Engineers & Constructors, Inc., in the amount of \$9,977,592 for the construction of the Reclaimed Water Project Treatment Facility and a second contract with Tierdael Construction Company in the amount of \$7,333,333 for the construction of the Reclaimed Water Project Distribution Pipeline.

### **Summary**

The Reclaimed Water Project is both innovative and the largest and most complex construction project ever undertaken by the Department of Public Works and Utilities. The project consists of two key elements: a 6.0 million gallon per day (MGD) treatment facility and approximately 65,000 feet of distribution piping and delivery connections. This first phase of the system will supply approximately 1600 acre feet of irrigation water, saving an equal amount of raw water supply for drinking water supply to the City.

Due to the size and complexity of the project, fourteen construction firms were pre-qualified for their ability to perform the work and invited to submit bids. Five of these firms submitted proposals on the pipeline portion and two submitted proposals for the treatment facility construction.

The following bids were received and opened on June 26:

#### PIPELINE:

Tierdael Construction Company	\$7,333,333
KR Swedfeger Construction, Inc.	\$7,657,322.90
ERS Constructors, Inc.	\$7,781,827
BT Construction, Inc.	\$8,096,655
Wycon Construction company	\$9,472,825

#### PLANT:

CDM Engineers & Constructors, Inc.	\$9,977,592
Ellsworth Peck Construction Company	<u>\$11,536,000</u>

Tierdael Construction Company has submitted the low bid for construction of the pipeline element at \$7,333,333. CDM Engineers & Constructors, Inc., has submitted the low bid for construction of the treatment facility at \$9,977,592.

The total cost for both elements of construction for the Reclaimed Project is \$17,310,925, which is \$1,490,075 under the Engineer's estimate for the total project.

The expense associated for the construction of this project should be charged to the Project Loan Fund Account of \$17 million of which City Council previously appropriated \$13.0 million for use on this project. The balance of the project expenditures will be charged to the 1999 Reclaimed Water Capital Improvement Project Account. The contracts will provide for work to cease if appropriated funds are exhausted. The contractor would then recommence work depending on the availability of further funding. The appropriated loan funds (\$13.0 million), however, will be more than adequate to cover all 1998 Project expenditures.

The project is scheduled to be operational in the spring of 2000.

### **Staff Recommendation**

Authorize the City Manager to execute a contract with CDM Engineers and Constructors, Inc., in the amount of \$9,977,592 for the construction of the Westminster Reclaimed Water Treatment Facility; execute a contract with Tierdael Construction in the amount of \$7,333,333 for the construction of the Reclaimed Water Distribution Pipeline; and approve a project construction contingency of 10% at \$1,700,000. The contract stipulates that these companies will cease construction if, and when, the appropriated funds are spent. The expense associated for the construction of this project should be charged to the Project Loan Fund Account and the Reclaimed Water Capital Improvement Project Account.

### **Background Information**

The Reclaimed Water Project is a large, complex, yet innovative water supply project. A pre-qualification process was utilized for screening of potential contractors for the two key elements of the project, pipeline construction, and treatment facility construction. An invitation to submit Statements of Qualification was advertised in "The Daily Journal" for interested contractors to demonstrate their experience, resources, and financial abilities to successfully complete the project. A total of 14 contractors were notified that they would be allowed to bid on the project, six for the facility and eight for the pipeline.

The bid documents were structured in such a manner as to allow certain qualified bidders to submit a combined bid for both elements of work or separate bids for the two key elements. This approach was used to allow the most flexibility and potential for reducing the overall cost of the project. No bids were received for performing the entire project under a single contract.

Due to concern for potentially exceeding the project budget, certain supplements were bid as alternates which could be phased in at a later date. Although the treatment facility bid does exceed the engineer's estimate, the lower cost of the pipeline element allows all alternates to be included and the complete system constructed.

Additional reclaimed sites have been identified for future connection to the reclaimed system. These include Standley Lake High School, Windsor Park, and the Ball Campus. Funding for these future connections will be phased over the next several years. The next phase of the Reclaimed Facility is expected to be 10 MGD, matching the ultimate flow of the Big Dry Creek Water Reclamation Facility (BDCWRF).

The Reclaimed Water Treatment Facility (RWTF) will be located adjacent to the BDCWRF and will be the only source of supply for the Reclaimed Water Distribution System. The Reclaimed Water Distribution System will consist of approximately 95,000 linear feet of pipeline when complete. The system will provide supply to all areas that are planned for irrigation with reclaimed water and to a reclaimed water standpipe at the Northridge Pump Station site south of City Hall. Construction of the project is expected to begin August 1, and it is projected that the start-up and testing of the entire reuse system will occur in the spring of 2000.

Respectfully submitted,

Matthew J. Lutkus  
Acting City Manager