

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
CITY OF LAKEWOOD, COLORADO
HYBRID MEETING
LAKEWOOD CIVIC CENTER
480 SOUTH ALLISON PARKWAY
APRIL 25, 2022
7:00 P.M.
COUNCIL CHAMBERS & ZOOM

To watch the Council meeting live, please use either one of the following links:

City of Lakewood Website: <https://www.Lakewood.org/CouncilVideos>

or

Lakewood Speaks: <https://lakewoodspeaks.org/>

To join the City Council Meeting for Public Comment:

By Computer: <https://lakewood.zoom.us/j/87017960123>

By iPad, iPhone, or Android device on the Zoom App, enter webinar ID: **870 1796 0123**

By Telephone: **720-707-2699**

Webinar ID: **870 1796 0123, #**

Participant ID: **#**

Press *9 to Request to Speak, you will be prompted when to speak.

Press *6 to Unmute

The City of Lakewood does not discriminate on the basis of race, age, national origin, color, creed, religion, sex, sexual orientation or disability in the provision of services. People with disabilities needing reasonable accommodation to attend or participate in a City service program, can call 303-987-7080 or TDD 303-987-7057. Please give notice as far in advance as possible so we can accommodate your request.

ITEM 1 – CALL TO ORDER

ITEM 2 – ROLL CALL

ITEM 3 – PLEDGE OF ALLEGIANCE

ITEM 4 – STATEMENT OF CONFLICT OF INTEREST

ITEM 5 – PROCLAMATION – SUPPORTING SAVE BEAR CREEK LAKE PARK

ITEM 6 – PRESENTATION – OVERNIGHT SAFE PARKING IN LAKEWOOD

ITEM 7 – PUBLIC COMMENT

Anyone who would like to address the Council on any matter other than an agenda item will be given the opportunity. Speakers should limit their comments to three minutes.

**CONSENT AGENDA
ORDINANCES ON FIRST READING**

(Ordinances are on first reading for notice and publication
only; public hearings are held on second reading)

ITEM 8 – APPROVING MINUTES OF CITY COUNCIL MEETINGS

Regular Meeting	February 28, 2022
Regular Meeting	March 28, 2022

ITEM 9 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS

Lakewood Advisory Commission Executive Committee Meeting	March 2, 2022
Lakewood Advisory Commission Full Commission Meeting	February 16, 2022

END OF CONSENT AGENDA

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

THERE ARE NO SECOND READING ORDINANCES.

ITEM 10 – GENERAL BUSINESS

DISCUSSION – SANCTUARY PARK ACCESS ROAD

ITEM 11 – EXECUTIVE REPORT

CITY MANAGER

ITEM 12 – MAYOR AND CITY COUNCIL REPORTS

- A. COUNCIL MEMBERS BY WARD
- B. MAYOR

ITEM 13 – ADJOURNMENT



PROCLAMATION

SUPPORTING SAVE BEAR CREEK LAKE PARK

WHEREAS, Since its inception in the early 1980s, Bear Creek Lake Park has been a treasured asset of the Lakewood community, providing protection from floods and over 2,500 acres of open space, riparian areas and lake shore for recreation; and

WHEREAS, Bear Creek Lake Park has been developed to now provide opportunities to hike, picnic, camp, fish, boat, windsurf, mountain or road bike, swim, play on the beach or shoot at an archery range; and

WHEREAS, in 2015, The Colorado Water Plan set a goal to increase statewide water storage by 400,000 AF, prompting the Colorado Water Conservation Board to consider a potential expansion of water storage at Bear Creek Lake from 2,000 AF to 22,000 AF; and

WHEREAS, given the topography of the park and relatively shallow basin, such an expansion of Bear Creek Lake would dramatically alter Bear Creek Lake Park by drowning a significant portion of the current recreational and riparian areas; and

WHEREAS, members of the community served by Bear Creek Lake Park have acted to form an advocacy group called *Save Bear Creek Lake Park* to seek smart and innovative alternatives to the proposed expansion of Bear Creek Lake.

NOW, THEREFORE, on behalf of the City Council and the people of the City of Lakewood, I, Adam Paul, Mayor of the City of Lakewood, Colorado, by virtue of the authority vested in me, do hereby proclaim as follows:

1. Strong support of the many individuals and groups who have joined together to form the alliance called "*Save Bear Creek Lake Park*," as evidenced by the unanimous vote of the City Council of the City of Lakewood, Colorado, on April 25, 2022; and
2. Strong support for the proposal that as part of the evaluation of the potential expansion of water storage at Bear Creek Lake, substantial weight be given to the alternatives identified by *Save Bear Creek Lake Park* that will provide the same level of water storage to the State but would have significantly reduced impacts on both the people who reside within the area served by Bear Creek Lake Park and those who come from beyond that area to use this beautiful park, as well as all of the animals and creatures that call this park home.

GIVEN under my hand and Seal of the City of Lakewood, this 25th day of April 2022.

Adam Paul, Mayor



STAFF MEMO

DATE OF COUNCIL MEETING: APRIL 25, 2022 / AGENDA ITEM NO. 6

To: Mayor and City Council
From: Alison McKenney Brown, City Attorney
Gus Schenck, Assistant City Attorney
Subject: **LEGAL ISSUES ASSOCIATED WITH OVERNIGHT PARKING**

SUMMARY STATEMENT: This presentation is limited to a review of the legal impediments associated with permitting private property owners to allow the unhoused to utilize private parking lots to sleep in private vehicles and use the private property owners' sanitation facilities. Staff is seeking direction from the City Council regarding adoption of a policy direction.

BACKGROUND INFORMATION: Subsection C of Lakewood Municipal Code ("L.M.C.") § 9.80.020 – prohibits "*motor vehicles that are not designed for occupancy to be used as dwellings.*" This provision also limits occupation of motor vehicles that *are* designed for occupancy (recreational vehicles) to be occupied within the City for more than two weeks.

A legislative priority identified by the City Council at their 2022 retreat is to address affordable housing and homelessness within the City, specifically referencing the Safe Parking Initiative. The Colorado Safe Parking Initiative (<https://www.colosafeparking.org/>) is a "citizen-led initiative to encourage safe, legal parking locations for individuals and families experiencing homelessness who are living in vehicles in Colorado's Front Range communities." A number of local municipalities, including Broomfield, Arvada, Golden, Denver and Aurora, have partnered with the Colorado Safe Parking Initiative to provide a version of the Safe Parking Initiative specific to, and appropriate for, that city. Prior to the City Council determining whether the Safe Parking Initiative should be adopted within the City of Lakewood they have asked for a review of the City's existing codes to determine what legal impediments exist to implementing the Safe Parking Initiative within Lakewood.

As Lakewood considers instituting either the Safe Parking Initiative (the "Initiative") as written, or a modified form of the Initiative, it is helpful to understand the core elements of this program. The Initiative uses parking lots to provide transitional shelter, with the anticipation that each unhoused participant would stay at a lot until permanent housing is found, which could be up to a year. To qualify for use of a Safe Parking lot, the Initiative first requires all applicants go through an intake process. The intake process includes a criminal background check to identify those individuals who may pose a health or safety risk to others. Further, the Initiative requires the lot operator complete a second interview with any potential participant to ensure the person will fit in with the overall community of the lot. The Initiative also requires that all lots have a sanitation facility in the form of a porta potty, and the lots must also have trash services. The Initiative requires each lot to be supervised by the property owner or lot operator. Under the Initiative, lots are for overnight parking only, and are in operation from

6 p.m. until 8 a.m. It should be noted, however, that there are lots operated as “24 hour” lots because the churches running those lots provide services during the daytime. The Initiative provides a case manager for each lot, and each lot has a no alcohol or drugs (including marijuana) policy.

Finally, the Initiative is open to partnering with the City to modify any of the established provisions of the program as applied to the City to better conform to the needs of the Lakewood community.

APPLICABLE LAW:

Nuisance Code. Because L.M.C. § 9.80.020(C) currently identifies living in one’s vehicle as a criminal nuisance, that law would need to be modified to allow for the Initiative to be established within Lakewood. The appropriate revision is dependent upon the policy direction determined by the City Council [see chart below].

Supplemental Zoning Standards, Temporary Use, Short-term. L.M.C. § 17.4.3(EE) allows the Planning Director to approve a short-term use, including short-term parking, subject to supplemental standards.

International Building Code. L.M.C. § 14.02.040(B)(1) amends the International Building Code to allow rooms and spaces within a place of religious worship to house the homeless overnight so long as they are housing fewer than 50 occupants for less than 16 continuous hours. This is a common amendment to address severe weather emergencies.

SAFE PARKING OPTIONS FOR CONSIDERATION:

OPTION 1	OPTION 2	OPTION 3	OPTION 4	OPTION 5
Take no action to amend the Code. The Code will continue to identify living in one’s vehicle as a nuisance and a violation of the Code.	Adopt a short-term moratorium regarding enforcement of the Nuisance Code while the City Council considers the various options.	Amend the Nuisance Code to remove all restrictions associated with living within one’s car within the City but take no action regarding establishment of safe and hygienic overnight parking areas.	Amend the “Temporary Use, Short-term” provisions of the Zoning Code to allow for short-term parking to address the issues of the unhoused irrespective of weather, and amend the Nuisance Code to allow for vehicles to be occupied as a dwelling unit for up to 120 days/year.	Adopt the Safe Parking Initiative as it is currently established. Amend the Nuisance Code to allow for long-term living within one’s vehicle within the City only in those lots approved through the Safe Parking Initiative Program.

Option 1: Make no changes to the City’s existing laws.

Option 2: Moratorium upon enforcement of Code. A short-term option would be to direct staff to bring forward a resolution establishing a temporary moratorium upon enforcement of L.M.C. §9.80.020(C) for no longer than six months while the City Council works to establish a local Safe Parking Initiative program. This is necessarily a short-term option as it carries with it a variety of negative repercussions, including: leaving those in need of safe parking unsure of where they stand legally, parking continues to be night-to-night and unsafe, private property owners who are not interested in the liability issues arising from individuals randomly choosing to sleep on their property overnight have fewer legal recourses to prevent such actions, and sanitation issues remain unaddressed.

Option 3: End all regulation of use of vehicles as dwellings. The City Council may request staff bring forth an ordinance to repeal L.M.C. § 9.80.020(C) in its entirety so as to allow living in vehicles to occur anywhere within the City, with no regulation.

Option 4: Expand the existing short-term parking regulations established for severe weather to allow for short-term vehicle camping. Currently, L.M.C. § 17.4.3(EE) allows the Planning Director to approve a short-term use, including short-term parking, subject to supplemental standards. It appears that this provision was written to correlate with severe weather, as the total number of days per year for which parking may be authorized is 120 days, a term adopted by the Severe Weather Network. Pursuant to this Code, the temporary use must be approved through the special use process as set forth within the zoning code. Additionally, the short-term temporary use is limited to uses provided for within the zone district where such short-term parking is located. Utilization of this temporary Code provision may be a good immediate option, however, to establish a short-term pilot program for the Safe Parking Initiative within the City, to provide a means for all interested parties to develop a better understanding of the issues surrounding adoption of this type of program.

Option 5: Adopt some form of the Colorado Safe Parking Initiative. To allow living in vehicles to occur only within established Safe Parking Initiative-approved lots, the City Council may request that staff bring forth an ordinance modifying the L.M.C. to continue to prohibit individuals from utilizing a vehicle as a dwelling in unprotected, unsafe areas, but specifically allowing individuals to use their vehicles for dwellings in any parking area established in accordance with the Safe Parking Initiative. The City could work through the Colorado Safe Parking Initiative to establish regulated and safe private parking areas for the long-term parking of vehicles used as dwellings.

OTHER SAFE PARKING CONSIDERATIONS:

Establishing a basic philosophy/policy surrounding safe parking within the City of Lakewood. If the City Council decides to direct staff to make changes to the City's law to allow for using a vehicle as transitional shelter, there are several further policy determinations that will need to be addressed.

- **Length of Stay.** The City Council must determine whether it desires to implement law and policy allowing for the operation of safe parking lots in line with or in partnership with the Safe Parking Initiative, i.e. turning parking lots into transitional shelter. Part of this policy determination involves the length of time that any individual vehicle may legally be used for car camping within the City. The Safe Parking Initiative states that the range of residency of each vehicle within the approved Safe Lots is from a couple of months up to one year, depending upon when the occupant of the vehicle could obtain permanent housing within a dwelling. Though neighboring properties may view these longer stays negatively, the Safe Lots Initiative recognizes a number of positives arising from allowing people to park their vehicles in the same Safe Lot for overnight stays for up to a year. For example, those who seek to stay at these locations know that, once accepted into a Safe Lot, they will be able to safely sleep through the night, which incentivizes participants to abide by Safe Lot rules. Additionally, having a consistent lot to stay in allows social service providers to consistently locate their unhoused clients, which can lead to positive results in an unhoused persons' life.
- **Nuisance Concerns.** Any parking program, whether utilizing the City's existing short-term program or the longer-term type of parking envisioned through the Safe Parking Initiative, would need to address, at a minimum, sanitary facilities, garbage disposal services, pet policies, noise, and storage areas for participants to store their personal items safely.

BUDGETARY IMPACTS: There will be costs to the City, but these costs will vary depending upon the policy direction selected by the City Council.

STAFF RECOMMENDATIONS:

ALTERNATIVES: Lakewood could investigate options for providing housing to the unhoused apart from living in vehicles.

PUBLIC OUTREACH: This document has been publicized in the standard manner.

NEXT STEPS: The City Council needs to provide direction to staff as to their preferred policy direction.

ATTACHMENTS: Safe Parking Initiative documents

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney



COLORADO SAFE PARKING INITIATIVE



Photo: DreamsforChange.org

No one should have to live in their vehicle, but for those who must, providing a safe, legal place to sleep provides stability on the path toward more permanent housing.

The Colorado Safe Parking Initiative

The Colorado Safe Parking Initiative is a citizen-led organization working to encourage safe, legal parking locations for individuals and families experiencing homelessness who are living in vehicles in Colorado communities. Working collaboratively with local communities, agencies, municipalities and organizations, the initiative is calling for a safe parking program to:

- Allow for people living in their vehicles to do so without criminal penalty
- Provide people who are experiencing vehicular homelessness to be safe and secure at night
- Help people to achieve their personal goals related to housing

The Safe Parking Model

Safe parking programs provide access to safe, legal overnight parking for individuals and families living in their vehicles, along with case management and outreach. Santa Barbara, California, launched the nation's first official safe parking program in 2004, and safe parking programs have since been established in other locations, including Breckenridge and Golden. In some locations, faith communities use their parking lots to provide safe parking overnight.

Safe parking is not intended to be a permanent solution, but instead helps people to stay safe while on the path to finding stable housing.

The safe parking model typically includes:

- Community collaboration and input
- An intake process with on-site housing navigation assistance
- Defined hours of operation at specific locations, such as existing parking lots
- Restroom facilities, security personnel and on-site outreach, such as food distribution
- Guest accountability
- A path to housing including financial and other types of support



COLORADO **SAFE PARKING INITIATIVE**

Safe parking programs are proven to provide:

- Increased safety and security for people and their property
- Increased access to services and employment and/or education opportunities
- Improved rest, which can lead to better outcomes in areas such as physical and mental health and employment
- More day-to-day stability

The Need for Safe Parking

According to the Metro Denver Homeless Initiative Point-in-Time Survey and various municipal and county-level counts, hundreds of individuals and families are estimated to be sheltering in vehicles in the seven-county Denver metro area, and there are nearly a thousand statewide. But because most surveys of people experiencing homelessness exclude or undercount people living in their vehicles, the actual number of individuals experiencing vehicular homelessness may be even higher.

Sheltering in vehicles is often a first stop for individuals who lose permanent housing. Without intervention and support, many fall deeper into homelessness and may eventually end up on the streets.

The reasons that people experiencing homelessness reside in their cars rather than in shelters are many and may include:

- Long waiting lists for transitional and/or affordable housing
- Lack of available shelter space (particularly for couples, families with children, LGBTQ individuals and people with pets)
- Available shelter space may be inaccessible to people with disabilities or inappropriate for some individuals (e.g., some people with PTSD)
- Shelter hours are incompatible with work schedules or are too far from work locations
- Desire for stability, autonomy and privacy

Get Involved

The Colorado Safe Parking Initiative is growing its network of stakeholders and community collaborators. Contact ColoSafeParking@gmail.com for more information or to get involved.



COLORADO **SAFE PARKING INITIATIVE**

Benefits of Safe Parking

Providing a safe, legal place to sleep provides stability on the path toward more permanent housing. Colorado Safe Parking Initiative is a citizen-led initiative to establish safe, legal parking locations for individuals and families experiencing homelessness who are living in vehicles in Colorado communities.

Programs improve outcomes for people experiencing homelessness:

- Increases safety, security and day-to-day stability
- Increases access to and utilization of services among an underserved population
- Increases employment and/or education opportunities
- Fosters a community of support among safe parking guests
- Provides improved rest, which can lead to better outcomes in areas such as physical and mental health and employment
- Prevents people from falling further into homelessness
- Provides a path to housing via housing navigation and coordinated entry

Services delivered via safe parking can include a wide range:

- Employment coaching and training
- Housing navigation and resource connection
- Clean drinking water, restrooms, showers and laundry
- Power and computer access
- Security and storage
- Mobile health and mental health care
- Pet care

Providing safe parking also benefits the community:

- Judicious use of taxpayer dollars
- Less disturbance of residents by unauthorized parking and vehicle loitering
- Reduced crime against people experiencing vehicular homelessness; safe parking guests also serve as protective members of the community
- Fewer issues with litter and human waste
- Reduction in road congestion from long-term vehicle parking
- Reduced systems costs associated with homelessness (e.g. police, health, waste)
- More public health, employment, and other intervention opportunities
- More comprehensive data on an underserved and undercounted population
- Funding opportunities via Emergency Solutions Grant or Community Development Block Grant funds

Overnight Safe Parking in Lakewood

GUS SCHENCK

ASSISTANT CITY
ATTORNEY

SAFE PARKING: A CONTIUUM OF OPTIONS

OPTION 1	OPTION 2	OPTION 3	OPTION 4	OPTION 5
DO NOTHING.	MORATORIUM ON ENFORCING LAW.	REPEAL L.M.C. § 9.80.020(C).	EXPAND EXISTING LAWS TO ALLOW FOR SHORT-TERM VEHICLE CAMPING.	ADOPT A PLAN FOR LONG-TERM VEHICLE CAMPING.

ADDRESSING THE EXISTING RESTRICTIONS WITHIN THE CITY'S NUISANCE CODE

OPTION 1	OPTION 2	OPTION 3
<p>Take no action to amend the Code. The Code will continue to identify living in one's vehicle as a nuisance and a violation of the Code.</p>	<p>Adopt a short-term moratorium regarding enforcement of the Nuisance Code while the City Council considers the various options.</p>	<p>Amend the Nuisance Code to remove all restrictions associated with living within one's car within the City but take no action regarding establishment of safe and hygienic overnight parking areas.</p>
<ul style="list-style-type: none"> ❖ There would continue to be no "safe parking" in Lakewood. 	<ul style="list-style-type: none"> ❖ Humanitarian shortcomings. ❖ Would not be considered "best practices" for working with the unhoused. 	<ul style="list-style-type: none"> ❖ Potential for health and safety issues. ❖ Limited effectiveness for finding long-term housing.

OPTION 4: MODIFY EXISTING ZONING CODE TO EXPAND EXISTING SHORT-TERM OPTION

L.M.C. § 17.4.3(EE) allows the Planning Director to approve a short-term use, including short-term parking, subject to supplemental standards.

- ❑ Would limit overnight parking to no more than 120 days per year. (The days need not be consecutive.)
- ❑ Appears to correlate to Severe Weather Network, which seeks to provide safe places for unhoused to stay during extreme weather events.
- ❑ Could encourage individuals to travel among several established Safe Lots, which would reduce ability of social services to locate them to provide resources necessary to address homelessness.

OPTION 5: ESTABLISH NEW LAW TO LEGALIZE LONG-TERM PARKING

Colorado Safe Parking Initiative (Initiative): “citizen-led initiative to encourage safe, legal parking locations (Safe Lots) for individuals and families experiencing homelessness who are living in vehicles in Colorado’s Front Range communities.” The Initiative:

- ❑ May be adopted as presented by the Initiative or modified to meet the community’s specific needs.
- ❑ Privately owned and supervised parking lots provide overnight parking for up to a year for unhoused individuals who have a vehicle until permanent housing is found. All applicants go through a two-stage intake process to identify individuals who may pose health or safety risks to others.
- ❑ Requires all lots to have sanitation facilities, including restroom facilities and trash services.

QUESTIONS or COMMENTS?



**MINUTES
REGULAR MEETING OF CITY COUNCIL
CITY OF LAKEWOOD
7:00 PM
FEBRUARY 28, 2022**

Minutes are action minutes only with links on each item for easy reference to the meeting video.

ITEM 1 - CALL TO ORDER

[View video recording here](#)

Mayor Paul called the HYBRID MEETING to order at 7:00 p.m.

ITEM 2 - ROLL CALL

[View video recording here](#)

Those present were:

- Mayor Adam Paul, Presiding
- Charley Able
- Barb Franks
- Mary Janssen
- Sophia Mayott-Guerrero
- Richard Olver
- Jeslin Shahrezaei
- Anita Springsteen
- Wendi Strom
- Sharon Vincent

Absent: Rebekah Stewart

Others in attendance:

- Kathy Hodgson, City Manager
- Ben Goldstein, Deputy City Manager
- Alison McKenney Brown, City Attorney
- Bernadette Salazar, Deputy City Clerk

Full and timely notice of this City Council meeting had been given, and a quorum was present.

ITEM 3 - PLEDGE OF ALLEGIANCE

[View video recording here](#)

The Pledge of Allegiance was recited, and there was a moment for silent reflection.

ITEM 4 - STATEMENT OF CONFLICT OF INTEREST

[View video recording here](#)

ITEM 5 – PUBLIC COMMENT

[View video recording here](#)

Public Comment received via telephone/in person:

Lenore Herskovitz – She talked about the Council Annual Planning Session that she attended and voiced her concerns.

Desiree Gonzalez – She talked about ketamine and asked for a moment of silence for the remaining two minutes for Elijah McClain.

Public Comment received via Lakewood Speaks: 2

John Claus, February 28, 2022, 10:47 AM

Will the City Attorney's code of ethics for City Council include language around financial and legal consequences regarding nepotism? It seems worth addressing since Councilor Able helped appoint his girlfriend and twice failed City Councilor candidate, Commissioner Cathy Kentner, to the Lakewood Planning Commission.

Joshua Comden, February 21, 2022, 2:22 AM

Would your home have been built? We can't see into the future, but we have data from the past. Suppose that in 1969 when Lakewood was incorporated, the founding council had the forethought to institute the Strategic Growth Initiative (SGI) to put a 1% cap on the number of homes built each year. What would Lakewood look like today? From 1970 until 2019, there were 44,922 homes built. However, if the SGI was in place, only 16,632 homes could have been built. That means that if your home was built after 1969, it would have only had a 37% chance of being built with the SGI in place. I am currently renting in an apartment complex in Ward 1 with 103 units that was built in 1984. I highly doubt that my home would have been built. Also, 75% percent of our current housing stock was built by 1989, whereas 92% of households have moved into their current home after 1989 and knew the situation they were moving into. So, the notion that people moved to Lakewood to be with nature and then Denver unexpectedly grew up around them could only potentially be true for at most 8% of the households currently living here. Data from: US Census Bureau, American Community Survey, 2019.

<https://data.census.gov/cedsci/table?t=Homeownership%20Rate&g=1600000US0843000&tid=ACSDP1Y2019.DP04>

Brent Berninger, Manager of Recreation and Golf, gave a PowerPoint Presentation on the Head Start Program.

[View video recording here](#)

**CONSENT AGENDA
ORDINANCES ON FIRST READING**

[View video recording here](#)

Deputy City Clerk Bernadette Salazar read the Consent Agenda into the record. The Consent Agenda consists of Items 6 through 16, inclusive.

(Ordinances are on first reading for notice and publication only; public hearings are held on second reading)

ITEM 6 – RESOLUTION 2022-14 – APPOINTING A MEMBER TO THE BUDGET AND AUDIT BOARD

ITEM 7 – RESOLUTION 2022-15 – APPOINTING MEMBERS TO THE DESIGN REVIEW COMMISSION

ITEM 8 – RESOLUTION 2022-16 – APPOINTING A MEMBER TO THE HISTORIC PRESERVATION COMMISSION

ITEM 9 – RESOLUTION 2022-17 – APPOINTING AND REAPPOINTING MEMBERS TO THE LAKEWOOD ADVISORY COMMISSION

ITEM 10 – RESOLUTION 2022-18 – APPOINTING A MEMBER TO THE NOXIOUS WEED LOCAL ADVISORY BOARD

ITEM 11 – RESOLUTION 2022-19 – APPOINTING MEMBERS TO THE VICTIM ASSISTANCE COMPENSATION BOARD

ITEM 12 – RESOLUTION 2022-20 – APPOINTING AND REAPPOINTING MEMBERS TO THE LAKEWOOD JUDICIAL REVIEW COMMISSION

ITEM 13 – RESOLUTION 2022-21 – DESIGNATING THE JUDICIAL REVIEW COMMISSION AS THE AD HOC JUDICIAL NOMINATING COMMITTEE

ITEM 14 – RESOLUTION 2022-22 – ENDORSING THE 2022-2023 HEAD START GRANT APPLICATION FOR THE PURPOSE OF SUBMITTING A REQUEST TO THE FEDERAL GOVERNMENT FOR GRANT FUNDS AVAILABLE TO PROVIDE HEAD START AND EARLY HEAD START PROGRAMS

ITEM 15 – ORDINANCE O-2022-2 – AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE 2022 ANNUAL BUDGET IN THE AMOUNT OF \$199,992 AND AUTHORIZING THE EXPENDITURE OF GRANT FUNDS FROM DIVISION OF

CRIMINAL JUSTICE FOR THE PAYMENT OF TREATMENT AND INTERVENTION SERVICES ASSOCIATED WITH THE IMPLEMENTATION OF THE MUNICIPAL OPPORTUNITY TO SECURE AND SUSTAIN TREATMENT (MOSST) PROGRAM

ITEM 16 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS

Lakewood Advisory Commission
Full Commission Meeting

November 17, 2021

END OF CONSENT AGENDA

Public Comment received via telephone/in person: None.

Public Comment received via Lakewood Speaks: None.

Council member Franks, Chair of the Screening Committee, gave an overview of the Screening Committee

Motion:

Mayor Pro Tem Vincent made a motion to accept the minutes of the Boards and Commissions; order all Ordinances introduced on first reading to be published in the Denver Post with public hearing set for the date included in the Ordinance; and for the adoption of Resolutions, all of which are included in the consent agenda items introduced into the record by the City Clerk. The motion was seconded.

Vote on Consent Agenda:

AYE: Paul, Able, Franks, Janssen, Mayott-Guerrero, Vincent, Olver, Shahrezaei, Springsteen, Strom

NAY: None.

ABSENT: Stewart

Result:

Approved 10 - 0, the motion passed

END OF CONSENT AGENDA

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 17 – ORDINANCE O-2022-1 – ESTABLISHING TITLE 5, CHAPTER 39, OF THE MUNICIPAL CODE OF THE CITY OF LAKEWOOD, COLORADO, IN CONNECTION WITH THE ESTABLISHMENT OF ENTERTAINMENT DISTRICTS, COMMON CONSUMPTION AREAS, AND ASSOCIATED PROMOTIONAL ASSOCIATIONS

[View video recording here](#)

Council members asked questions and stated their comments and concerns.

Travis Parker, Planning Director, answered Council's questions and gave a brief overview.

Public Comment received via telephone/in person: None.

Public Comment received via Lakewood Speaks: None.

Motion:

Mayor Pro Tem Vincent made a motion to adopt Ordinance O-2022-1. The motion was seconded.

Vote on Motion:

AYE: Paul, Able, Franks, Janssen, Mayott-Guerrero, Vincent, Shahrezaei, Springsteen, Strom

NAY: Olver

ABSENT: Stewart

Result:

Approved 9 - 1, the motion passed

ITEM 18 – GENERAL BUSINESS

[View video recording here](#)

Councilor Able asked why the agenda item for greenhouse gas emissions was taken off the April 4th meeting agenda.

Kathy Hodgson, City Manager, stated it was taken off because more information was needed.

Mayor Paul stated there would be a vote to go into Executive Session on April 4th to discuss Colorado Christian University and Rooney Valley.

ITEM 19 – EXECUTIVE REPORT

[View video recording here](#)

Ms. Hodgson gave her executive report.

ITEM 16 – MAYOR AND CITY COUNCIL REPORTS

[View video recording here](#)

Mayor Paul and City Council members reported on news from their Wards and any other City business with which they were involved.

ITEM 17 – ADJOURNMENT

[View video recording here](#)

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 8:25 p.m.

Respectfully submitted,

Bernadette Y. Salazar, Deputy City Clerk



**MINUTES
REGULAR MEETING OF CITY COUNCIL
CITY OF LAKEWOOD
7:00 PM
MARCH 28, 2022**

Minutes are action minutes only with links on each item for easy reference to the meeting video.

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Those present were:

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- Charley Able
- Barb Franks (Virtual)
- Mary Janssen
- Sophia Mayott-Guerrero
- Richard Olver
- Jeslin Shahrezaei
- Anita Springsteen
- Rebekah Stewart
- Wendi Strom
- Sharon Vincent

Absent: None

Others in attendance:

- Kathy Hodgson, City Manager
- Ben Goldstein, Deputy City Manager
- Alison McKenney Brown, City Attorney
- Bernadette Salazar, Deputy City Clerk

Full and timely notice of this City Council meeting had been given, and a quorum was present.

ITEM 3 - PLEDGE OF ALLEGIANCE

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The Pledge of Allegiance was recited, and there was a moment for silent reflection.

ITEM 4 - STATEMENT OF CONFLICT OF INTEREST

[View video recording here](#)

ITEM 5 – PUBLIC COMMENT

[View video recording here](#)

Public Comment received via telephone/in person:

Katie Gill – Representing Save Bear Creek Lake Park – pooled her time with three other citizens. She gave a PowerPoint Presentation on Bear Creek Lake Park.

Liam Hopkins – Junior at Green Mountain High School – spoke about Bear Creek Lake Park and the wildlife.

Dawn Walters – spoke on behalf of Save Bear Creek Lake Park and a program called Little Bellas that uses the park for mountain biking.

Lynn Gies – spoke about Bear Creek Lake Park and asked Council and the Mayor for their support.

Ben Hensley – Ward 2 – stated he was the Pastor at Lakewood United Methodist Church. He talked about homelessness in Lakewood and the Safe Parking Initiative.

Reverend Becky Hensley – Ward 2 – spoke about the Safe Parking Initiative.

Lyle Gallivin – Ward 1 – spoke about the Safe Parking Initiative.

Lori Schneider – Ward 4 – spoke about the Safe Parking Initiative.

Jaime Fletcher – stated he was a new member of the Lakewood Advisory Committee (LRA), and thanked Council for appointing him.

Joni Smith – spoke about the Safe Parking Initiative.

Bryann Lynch – Unincorporated Jefferson County – spoke about Bear Creek Lake Park and supported the Save Bear Creek Lake Park group. She also supported the Safe Parking Initiative.

Desiree Gonzalez – speaking on behalf of the kids that have killed themselves because of a pedophile ring at Bear Creek Lake Park.

Lynn Ann Huizingh – Executive Director for Severe Weather Shelter Network – spoke about the Safe Parking Initiative.

Adrienne Hanagan – agreed with United Methodist Church and believed they should be

able to choose what to do with their parking lot. She supported the Safe Parking Initiative.

Brenda Bronson – Ward 4 – spoke about the Safe Parking Initiative. She sent Council an email earlier and gave them a handout.

Maddie Nichols – Member of the Two Creeks Neighborhood Board – spoke about the Safe Parking Initiative.

Noah Sandoval – spoke about Save Bear Creek Lake Park and the consequences of flooding the park.

Kim Cooley – Representing Bonvue Water and Sanitation District – asked Council to help appoint a temporary board to allow them to hold an election to select a proper board and make their meetings official.

On Phone:

Joshua Comden – Ward 1 – spoke about affordable housing.

Miranda Thompson – supported the Safe Parking Initiative.

Public Comment received via Lakewood Speaks:

Terence Walsh, March 28, 2022, 11:39 AM

I'd like to express my concern that a treasure in Lakewood is at risk of being severely impacted: Bear Creek Lake Park. I appreciate and acknowledge the water situation in Colorado, both now and in the future. However, the gain in water storage is minimal compared to the impact to the park, the wildlife it supports and the enjoyment provided by the community. I strongly encourage preserving Bear Creek Lake Park as-is and finding water storage solutions less impactful to our community.

Cathy Kentner, March 28, 2022, 11:39 AM

I would like to correct some of the false information posted by Mr. Claus. First, there was no need for Councilor Able to recuse himself from voting on my appointment to the planning commission because, under the law, no conflict of interest exists. Next, neither the Strategic Growth Initiative nor Lakewood Neighborhood Partnerships (LNP) are “dark money” groups. In fact, Councilor Able resigned from LNP prior to taking his oath of office, long before the growth initiative. Thank you to Councilor Able for addressing these relentless false attacks which are professional and personal and which do nothing to further the public discourse.

Katie Gill, March 28, 2022, 10:09 AM

Save Bear Creek Lake Park is asking Council to advocate for alternatives and compromise in the Bear Creek Lake Reallocation Feasibility Study. Over 500 acres of the most cherished and ecologically sensitive regions of the Park are at risk of being inundated in the potential expansion of the Reservoir. This includes over a mile of the Bear Creek Corridor and most of the wooded, riparian areas in the Park. The Army Corps of Engineers is seeking input into the Study and scoping alternatives which could allow for increased water storage while preserving this priceless community resource. The primary municipal partners seeking storage in Bear Creek Lake at this time are the Cities of Brighton, Berthoud and Dacono. The attached letter addresses Lakewood's potential role in the Study and describes how this project fits into Colorado's water storage goals. Respectfully, Katie Gill Chair Save Bear Creek Lake Park
Attachments

Katharine J. Gill, March 28, 2022, 9:27 AM

Save Bear Creek Lake Park respectfully asks the City Council to advocate for alternatives and compromise in discussions around expanding the Bear Creek Reservoir. Originally built for flood control, a Feasibility Study by the Corps of Engineers is investigating whether a significant portion of the Reservoir's capacity may be reallocated for water storage. Over 500 acres of the Bear Creek Lake Park is at risk of being inundated. This includes over 12 miles of trails and most of the forested areas within the Park, including the Bear and Turkey Creek Corridors. The primary municipal partners in the project at this time are the Cities of Brighton, Berthoud and Dacono. The attached letter addresses the City's role in the Study and how this project fits into Colorado's water storage goals. Alternatives under consideration by the Corps of Engineers can provide additional water storage AND preserve the most cherished and ecologically valuable regions of the BCLP. Please support those alternatives. Respectfully, Katie Gill Chair Save Bear Creek Lake Park
Attachments

Erlinda Kramer, March 28, 2022, 8:23 AM

I would like to express my concern about the lack of safety when crossing streets at designated crosswalks, in the Belmar shopping area. There have been a number of times when cars have not given me right away, as I am crossing the street. They have zoom passed me. Presently, I am using a walker, by the way.

Erlinda Kramer, March 28, 2022, 8:17 AM

Description: I would like to express my concern about the lack of safety when crossing streets at designated crosswalks, in the Belmar shopping area. There have been a number of times when cars have not given me right away, as I am crossing the street. They have zoom passed me. Presently, I am using a walker, by the way.

John Claus, March 27, 2022, 2:37 PM

Earlier this month I received a cease and desist letter from a law firm representing Councilor Charley Able (see attachment). I've repeatedly asked Councilor Able for accountability and transparency around several issues, namely around the following: 1. Who exactly made a half-naked cameo on Charley's camera during the July 6th, 2020 City Council meeting (see hour 4, minute 34):

<https://www.youtube.com/watch?v=f8psLgjVb5c&t=16628s> 2. Why didn't Councilor Charley Able recuse himself from the committee which appointed Cathy Kentner to the Lakewood Planning Commission? 3. Which specific roles did he play in the drafting of the Strategic Growth Initiative and Lakewood Neighborhood Partnerships, a dark money group? After conferring with a number of attorneys, I've learned that Charley's letter "utilizes standard claims that tend to be used to silence people from criticizing public officials". It seems Councilor Able feigns admiration for the 1st Amendment, yet when faced with public criticism he errs on the side of litigious actions rather than honesty and integrity. Charley's actions and responses to valid, public criticism seem egregious and cowardly for any public official.

March 27, 2022, 2:37 PM

Attachments

CONSENT AGENDA ORDINANCES ON FIRST READING

[View video recording here](#)

Deputy City Clerk Bernadette Salazar read the Consent Agenda into the record. The Consent Agenda consists of Items 6 through 11, inclusive.

(Ordinances are on first reading for notice and publication
only; public hearings are held on second reading)

ITEM 6 – RESOLUTION 2022-23 – REAPPOINTING LAURA KROEGER TO THE METRO WATER RECOVERY BOARD OF DIRECTORS

ITEM 7 – RESOLUTION 2022-24 – UPDATING THE CITY OF LAKEWOOD THREE-MILE PLAN FOR ANNEXATIONS – COUNCIL MEMBER JANSSEN MOVED ITEM 7 TO GENERAL BUSINESS

ITEM 8 – ORDINANCE O-2022-3 – ENDORSING THE PROJECTS AND PROJECT FUNDING LEVELS IN THE CITY OF LAKEWOOD 2022 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

ITEM 9 – ORDINANCE O-2022-4 – AUTHORIZING UNBUDGETED EXPENDITURE OF GRANT FUNDS IN EXCESS OF \$50,000 FROM COLORADO DEPARTMENT OF LOCAL AFFAIRS AFFORDABLE HOUSING PLANNING GRANT PROGRAM FOR STRATEGIC HOUSING STRATEGY AND ACTION PLAN

ITEM 10 – APPROVING MINUTES OF CITY COUNCIL MEETINGS

Regular Meeting

February 14, 2022

ITEM 11 – ACCEPTING MINUTES OF THE BOARDS AND COMMISSIONS

Lakewood Advisory Commission

Executive Committee Meeting

February 8, 2022

Lakewood Advisory Commission

Full Commission Meeting

January 19, 2022

END OF CONSENT AGENDA

Public Comment received via telephone/in person: None.

Public Comment received via Lakewood Speaks: None.

Motion:

Mayor Pro Tem Vincent made a motion to approve Council Minutes; accept the minutes of the Boards and Commissions; order all Ordinances introduced on first reading to be published in the Denver Post with public hearing set for the date included in the Ordinance; and for the adoption of Resolutions minus Item 7 – Resolution 2022-24, all of which are included in the consent agenda items introduced into the record by the City Clerk. The motion was seconded.

Vote on Consent Agenda:

AYE: Paul, Able, Franks, Janssen, Mayott-Guerrero, Vincent, Olver, Shahrezaei, Springsteen, Stewart, Strom

NAY: None.

ABSENT:

Result:

Approved 11 - 0, the motion passed

END OF CONSENT AGENDA

RESOLUTIONS

ITEM 12 – RESOLUTION 2022-25 – EXPANDING THE NUMBER OF SEATS ON AND CREATING A NEW LAKEWOOD REINVESTMENT AUTHORITY BOARD OF COMMISSIONERS FOR THE LAKEWOOD REINVESTMENT AUTHORITY IN COMPLIANCE WITH THE COLORADO URBAN REDEVELOPMENT FAIRNESS ACT

[View video recording here](#)

Council members asked questions and stated their comments and concerns.

Robert Smith, Economic Development Director, answered Council's questions and gave a PowerPoint Presentation on the LRA Board Expansion.

Public Comment received via telephone/in person: None.

Public Comment received via Lakewood Speaks: None.

Motion:

Mayor Pro Tem Vincent made a motion to adopt Resolution 2022-25. The motion was seconded.

Council member Janssen made a motion to postpone for two weeks. It was seconded.

Vote on Motion to postpone:

AYE: Able, Janssen, Olver, Springsteen, Strom

NAY: Paul, Franks, Mayott-Guerrero, Vincent, Shahrezaei, and Stewart

ABSENT:

Result:

Approved 5 - 6, the motion failed

Vote on Motion:

AYE: Paul, Able, Franks, Mayott-Guerrero, Vincent, Shahrezaei, Stewart, Strom

NAY: None.

ABSENT: Janssen, Olver, and Springsteen

Result:

Approved 8 - 3, the motion passed

ITEM 13 – RESOLUTION 2022- 26 – RECREATING A CITY COUNCIL AD HOC ADVISORY COMMITTEE TO REVIEW AND RECOMMEND AMENDMENTS TO THE PROVISIONS OF THE LAKEWOOD MUNICIPAL CODE REGARDING CAMPAIGN FINANCE

[View video recording here](#)

Council members asked questions and stated their comments and concerns.

Public Comment received via telephone/in person: None.

Public Comment received via Lakewood Speaks:

Joshua Comden, March 28, 2022, 9:58 AM

I support this.

Motion:

Mayor Pro Tem Vincent made a motion to adopt Resolution 2022-26. The motion was seconded.

Vote on Motion:

AYE: Paul, Able, Franks, Janssen, Mayott-Guerrero, Vincent, Olver, Shahrezaei, Springsteen, Stewart, Strom

NAY: None.

ABSENT:

Result:

Approved 11 - 0, the motion passed

ITEM 14 – RESOLUTION 2022-27 – RECREATING A CITY COUNCIL ADVISORY AD HOC COMMITTEE REGARDING THE DEVELOPMENT DIALOGUE

[View video recording here](#)

Council members asked questions and stated their comments and concerns.

Travis Parker, Planning Director – gave an overview on the Development Dialogue and that it was created to discuss issues of land use, land development, zoning.

Public Comment received via telephone/in person: None.

Public Comment received via Lakewood Speaks:

Joshua Comden, March 28, 2022, 10:03 AM

I really hope that this committee will work on alleviating the unaffordability of housing in Lakewood and not turn this nice city into a gated community.

Motion:

Mayor Pro Tem Vincent made a motion to adopt Resolution 2022-27. The motion was seconded.

Vote on Motion:

AYE: Able, Olver

NAY: Paul, Franks, Janssen, Mayott-Guerrero, Vincent, Shahrezaei, Springsteen, Stewart, Strom

ABSENT:

Result:

Approved 2 - 9, the motion failed

ORDINANCES ON SECOND READING AND PUBLIC HEARINGS

ITEM 15 – ORDINANCE O-2022-2 – AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE 2022 ANNUAL BUDGET IN THE AMOUNT OF \$199,992 AND AUTHORIZING THE EXPENDITURE OF GRANT FUNDS FROM DIVISION OF CRIMINAL JUSTICE FOR THE PAYMENT OF TREATMENT AND INTERVENTION SERVICES ASSOCIATED WITH THE IMPLEMENTATION OF THE MUNICIPAL OPPORTUNITY TO SECURE AND SUSTAIN TREATMENT (MOSST) PROGRAM
[View video recording here](#)

Public Comment received via telephone/in person: None.

Public Comment received via Lakewood Speaks: None.

Motion:

Mayor Pro Tem Vincent made a motion to adopt Ordinance O-2022-2. The motion was seconded.

Council members asked questions and stated their comments and concerns.

Vote on Motion:

AYE: Paul, Able, Franks, Janssen, Mayott-Guerrero, Vincent, Olver, Shahrezaei, Springsteen, Stewart, Strom

NAY: None.

ABSENT:

Result:

Approved 11 - 0, the motion passed

ITEM 16 – GENERAL BUSINESS

[View video recording here](#)

Council member Janssen moved Item 7 from Consent Agenda for discussion

ITEM 7 – RESOLUTION 2022-24 – UPDATING THE CITY OF LAKEWOOD THREE-MILE PLAN FOR ANNEXATIONS

Matt Post, Planner, gave a PowerPoint Presentation on the 2022 Three-Mile Plan.

Motion:

Mayor Pro Tem Vincent made a motion to adopt Resolution 2022-24. The motion was seconded.

Vote on Motion:

AYE: Paul, Able, Franks, Janssen, Mayott-Guerrero, Vincent, Olver, Shahrezaei, Stewart, Strom

NAY: Springsteen.
ABSENT:

Result:

Approved 10 - 1, the motion passed

ITEM 17 – EXECUTIVE REPORT

[View video recording here](#)

Kathy Hodgson, City Manager, gave her executive report.

ITEM 18 – MAYOR AND CITY COUNCIL REPORTS

[View video recording here](#)

Mayor Paul and City Council members reported on news from their Wards and any other City business with which they were involved.

ITEM 19 – ADJOURNMENT

[View video recording here](#)

There being no further business to come before City Council, Mayor Paul adjourned the meeting at 9:33 p.m.

Respectfully submitted,

Bernadette Y. Salazar, Deputy City Clerk



Lakewood
Advisory Commission

FULL COMMISSION MEETING
FEBRUARY 16, 2022, 7:00 p.m.
Virtual Meeting

MINUTES

1. CALL TO ORDER

Interim Chair Karen Gordey called the virtual meeting to order at 7:03 p.m.

2. ROLL CALL

Commissioners Present: Roger Freeman, Andrea Gelfuso-Goetz, Karen Gordey, Roberto Gurza, Kip Kolkmeier, Kate McBride, Karen Morgan, Joshua Oliver, Marsha Osborn, Dave Rein, Fernando Rocha, Josh Stamps, and Carina Weadock.

Commissioners Absent: Bernhard Barthel, Heidi Barthel, Jim Engdahl, Emily Gambone, and Naeema Oyedele

A total of 13 members were present and 5 members were absent. A quorum was present.

Staff Present: Rosa Tate, B & C Coordinator

Guest: Lauren Stanek, City Attorney

3. PUBLIC COMMENT

Comments received via telephone:
None

Comments received via Lakewood Speaks:
None

4. APPROVAL OF MINUTES

A motion was made by Commissioner Gurza to approve the January 19, 2022, Full Commission Minutes. The motion was seconded.

Vote: All Ayes, No Nays. The motion passed.

5. OLD BUSINESS

None

6. NEW BUSINESS

- Interim Chair Karen Gordey introduced Michele Millard, Interim City Clerk, who was not present at the meeting, to the full commission.
- Interim Chair Gordey stated that Peggy Ralph will no longer be with the LAC for personal reasons. We will be taking donations for her and her family. City Clerk's office will facilitate the collection and distribution.
- Interim Chair Gordey stated with the Chair position being vacant, we will hold a special election. We need to establish and vote on a nominating committee.
- Commissioner Kolkmeier wanted clarification as to if we could elect a chair today with there being a quorum present. Rosa, Boards and Commissions Coordinator stated that a nominating committee must be established to conduct any nominations and voting. Commissioner Gurza asked what made Commissioner Kolkmeier think that a nominating committee was not needed and why Rosa believes that it is required. Rosa stated that it is stated in the LAC Officer's election procedures, which she will send to all members. Commissioner Osborn asked if this information is in the bylaws. Rosa stated that the bylaws have not been finalized and adopted yet.
- Commissioner Gelfuso-Goetz suggests the LAC send a card to Bruce Roome.
- Commissioner Osborn made a motion for the nomination committee Chair Kip Kolkmeier and Vice Chair Andrea Gelfuso-Goetz. The motion was seconded. All Ayes No Nays. Motion passed.
- Interim Chair Gordey stated that there are several vacancies on the LAC so until we get more members and chairs of all the sub committees, we would like to combine Diversity and Civic Awareness in with Neighborhoods. Interim Chair Gordey asked if this would be acceptable with the City Clerk's office. Commissioner Gurza said that it had been talked about members participating on multiple committees to achieve the purpose of fully staffing the committees. Commissioner Oliver stated that he is considering being Chair of Diversity.
- Interim Chair Gordey spoke about the Ambassador program, members of the LAC attend various meetings of certain boards and compile minutes to go to council for information purposes. Commissioner Gordey screen shared the list of LAC Ambassador program information. (Discussion was held) Currently the LAC has three openings that need to be filled. Commissioner Stamps will attend the Jeffco Public Schools - Board of Education meetings. Commissioner Gurza questioned as to why only these five different agencies. Commissioner Rein is curious to know if city staff attends any of these meetings. Lauren Stanek, Assistant City Attorney will research and get back to us about which meetings are attended by city staff.

- Interim Chair Gordey suggested a mentor program for new LAC members to make sure we get them up to speed on processes to get projects and grassroots projects. Lauren Stanek stated to just be careful if more than two members are discussing committee business, then it is viewed as a meeting and needs to be posted to the public.
- Interim Chair Gordey discussed the LAC Policies and Procedures need to go before legal for review if all members agree to move forward on getting this approved. Lauren Stanek confirmed that we can vote tonight to send to legal. Commissioner Gelfuso-Goetz made the motion to forward the LAC Policies and Procedures to legal for review with the only revision correcting the page numbering. The motion was seconded. All Ayes No Nays. The motion was passed.
- Interim Chair Gordey stated that next topic is new ideas and projects. Are there any ideas from any commissioners? Commissioner Stamps asked about the Municipal Broadband project, what ever happened with it? Commissioner Rein explained where that project ended which was it was given to the city for their next steps. Commissioner Gurza stated that Neighborhoods talked about creating a focus for all the committees elaborating on the membership base. Each committee chair as their focus could be actively recruiting members. Commissioner Gelfuso-Goetz spoke on the recycling project that LAC did in the parks. Commissioner McBride spoke about trying to reach people through social media, stating to residents instead of complaining, here is a link to do something about whatever the issue is. Interim Chair Gordey spoke about possibly implementing a neighborhood watch program in Lakewood again. There have been a rash of car thefts in her area and neighborhood watch could help minimize problems like this. Commissioner Stamps mentioned the possibility of a mandate work from home. Less time commuting.
- Lauren Stanek, Assistant City Attorney confirmed that if there is not a quorum no discussions can take place.

7. OFFICER'S REPORTS

- Interim Chair Karen Gordey – Spoke about revitalizing a possible neighborhood watch program due to the influx of car thefts and other crimes that could possibly be prevented. Discussion between commissioners on this subject and “Ring” security.
- Secretary McBride – Update on Neighborhoods committee.

8. REPORTS

- Sustainability – Commissioner Gelfuso-Goetz gave update on sustainability projects
- Neighborhoods – Neighborhoods elected Commissioner Kip Kolkmeier chair for 2022
- Civic Awareness – Canceled – Quorum not met.
- Diversity – Canceled – Quorum not met.
- Ambassador's Reports - Update in March

9. ADJOURN

There being that members have been excused from the meeting and there is no longer a quorum, no further business can come before the Full Commission, Interim Chair Karen Gordey adjourned the meeting at 8:23 p.m.

Kathryn McBride

Kate McBride, Secretary



Lakewood

Advisory Commission

EXECUTIVE COMMITTEE SPECIAL MEETING

LAKWOOD ADVISORY COMMISSION

MARCH 2, 2022 @ 6:30 PM

MINUTES

Call to Order

Interim Chair Karen Gordey called the virtual meeting to order at 6:30 p.m.

Roll Call

Commissioners Present: Gelfuso-Goetz, Gordey, Kolkmeier and McBride

Commissioners Absent: None

Staff Present: Michele Millard, Interim City Clerk and Rosa Tate, B&C Coordinator

A total of 4 commissioners were present. A quorum was present.

3. Public Comment

Comments received via telephone:

None

Comments received via Lakewood Speaks:

None

4. Approval of Minutes

Voting

Commissioner Gelfuso-Goetz moved to approve the February 8, 2022, Executive Committee Meeting Minutes. The motion was seconded.

AYES: Commissioners: Gelfuso-Goetz, Gordey, Kolkmeier and McBride

NAYS: None

Result

Approved 4 - 0, the motion passed.

5. Old Business

5a. Policies and Procedures Manual

Commissioner Gordey stated the bylaws have been submitted to the City Attorney's office for review and approval. Estimate a two-week turnaround. The Policies and Procedures Ad Hoc Committee will not meet until further notice pending the outcome from the City Attorney's office.

5b. New Commissioner

James Fletcher was appointed on February 28. Boards and Commissions Coordinator Rosa Tate will send him all necessary information to attend the next Full Committee meeting. Three more applications for LAC have been submitted.

6. New Business

6a. Update for Nominating Committee

Commissioner Gordey stated that Commissioner Kolkmeier has an update on the nomination committee. Commissioner Kolkmeier stated that everyone was contacted, and we have heard back from all eligible members. Pleased to say that Commissioner Kate McBride has agreed to run as Chair and Commissioner Dave Rein has agreed to take the Secretary open slot. The resolution will be read into record and then nominations can be made for the open positions and the Full Commission meeting. Interim City Clerk, Michele Millard stated that normally this is done in person and ballots are cast. If there is only one nominee, then you can vote as a group to allow the Secretary to fill out the lone ballot to have it on the record.

6b. Training for the LAC

Commissioner Gordey stated to have training for new commissioners and also refresher training for existing members. Commissioner Gordey asked if emails between commissioners violates the open meetings law. Interim City Clerk, Michele Millard stated that we can have the City Attorney, Lauren Stanek address this at the next meeting.

6c. Meetings in Person or Zoom

Interim City Clerk, Michele Millard asked has there been any discussion about resuming in person meetings. Commissioner Gordey stated that the last time we voted, the majority wanted to stay with zoom. Michele Millard will check with council about possibly having hybrid meetings.

6d. Grassroot Projects

Commissioner Gordey asked if there were any ideas for grassroot proposals. Commissioner Gelfuso-Geotz stated that she has always been interested in how Lakewood is dealing with wildlife issues in the parks area and would like to hear from the parks department on how they plan to address it. Interim City Clerk, Michele Millard stated that she would reach out to the Community Resources Director. Commissioner Gelfuso-Goetz also asked for an update on the Anti-Idling proposal and where it is with council. Michele Millard will check on this.

Commissioner Kolkmeier stated that Jefferson County used to have mediation services which were available to the people to take court cases and employer disputes to. It is a huge proponent of finding ways to reduce conflict in the neighborhoods. Commissioner Gelfuso-Goetz asked could we have a proposal that says how to give someone the plans for how to build a little library or how to get it started.

Commissioner Gelfuso-Goetz asked if there was a problem that she declined to be a part of the Community Grant Program. Boards and Commissions Coordinator Rosa Tate stated that she submitted the names of the Executive Committee, and they were put on this board without notification and that it was not an issue to decline. She asked Commissioner Kolkmeier if he would like to be a part of this program. Commissioner McBride explained what this program is for and the commitment expectations. With that said, Commissioner Kolkmeier agreed to participate on the Community Grant Program.

7. City Clerk's Report

No report.

8. Adjourn

There being no further business to come before the Executive Committee, Interim Chair Karen Gordey adjourned the meeting at 7:09 p.m.

Respectfully submitted,

Kathryn McBride

Kate McBride, Secretary

STAFF MEMO

DATE OF COUNCIL MEETING: APRIL 25, 2022 / AGENDA ITEM NO. 10

To: Mayor and City Council

From: Kit Newland, Director of Community Resources, 303-987-7822

SANCTUARY PARK DRIVE: This discussion item will provide an opportunity for staff to hear City Council feedback in regard to action steps that could be taken to resolve the conflict of Sanctuary Park drive lane being used for St. Jude Parish access.

SUMMARY STATEMENT: On April 6, 2022, Community Resources staff presented Mayor & Council with a white paper report and other resources regarding the use of the Sanctuary Park drive lane for St. Jude parishioners access. Multiple options and the pros and cons of each were also presented as a part of the report. It will be helpful for staff to hear input from Council members about the options that were presented in the white paper report.

BACKGROUND INFORMATION: In 1977, the City, in collaboration with Jefferson County, purchased 8.8 acres directly to the east of the St. Jude Parish. That land is now Sanctuary Park. The acquisition of Sanctuary Park was part of a larger effort by County residents to support, through a new half-cent sales tax, an increase in amount of park acreage across the County. Included in the 8.8 acres was the northern-most piece which was the old Garrison Road. Some portion of St. Jude parishioners had become accustomed to accessing the Church through that road. In 1996, the city began to receive neighborhood complaints about illegal and mischievous activities occurring along the road and those complaints have continued. When the Jeffco School District began their construction of the new Kendrick Lakes Elementary School, those disturbance issues were once again brought to city staff's attention with requests for the permanent closure of the road. When staff pursued this issue further, it became clear that the road sits on park property which is a misuse of land that was purchased intentionally for park uses.

BUDGETARY IMPACTS: The financial impacts will depend upon the final decision.

STAFF RECOMMENDATIONS: An opportunity to listen to Council's thoughtful input will be helpful to staff in making a final decision.

ALTERNATIVES: Five alternatives are presented within the white paper report.

PUBLIC OUTREACH: Outreach has been through a variety of means since December 2020. This detail is included within the Questions and Answers report.

NEXT STEPS: Staff will review City Council feedback and deliberate further before making a final decision. Impacted parties will be notified once a final decision has been made.

ATTACHMENTS: White Paper Report on Sanctuary Park Drive Lane, Sanctuary Park Drive Lane Questions and Answers, Map 1, Map 2, and nine other attachments.

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Alison McKenney Brown, City Attorney



WHITE PAPER REPORT ON SANCTUARY PARK DRIVE LANE

INTRODUCTION

This report on the Sanctuary Park drive lane will outline how the land for Sanctuary Park was acquired, how the issues involving the drive lane have developed over time, what the potential impacts of this issue could be for the city's other parklands, what the options are for resolving the issue and what the staff's recommendation is for resolving the issue.

Following this report are answers to questions City Council outlined during the February 14 Regular City Council Meeting. The appendix to the report contains several attachments referenced in this report and the answers to Council questions that assist in understanding the information on this topic.

HISTORY OF SANCTUARY PARK AND ADJACENT PROPERTIES

During the late 1960s and through the 1970s, Lakewood was undergoing significant development, and the area involving the current Sanctuary Park was no exception. The Milholm brothers, Robert R. and Leonard L., purchased the land that is currently Sanctuary Park in 1963. In 1967, the Catholic Archdiocese purchased the largest portion of its property for St. Jude Catholic Church. In 1970, the R-1 School District began construction of the original Kendrick Lakes Elementary School to serve the homes that had been built or were under construction at the time. In 1971, construction of St. Jude Catholic Church began, and the church opened its doors in December 1972.

Until 1974, Garrison Street in this area snaked its way from Wisconsin Avenue on the north, around the Deisher-Rollins Reservoir to connect with Iowa Avenue on the south (See Map 1). Research by city staff indicates that the city's plans for construction of the current alignment of Garrison Street and West Florida Avenue were approved in July 1973, and construction for this project occurred in 1974.

Despite the construction of the new roadways, the alignment of Old Garrison on the north side of Deisher-Rollins Reservoir remained in place. This is shown in black on Map 2 in the appendix. This section is known as the drive lane that is the focus of this report.

Following construction of the new roadways, in 1974 the Archdiocese purchased a different part of the old Garrison, which is the portion that runs across the western edge of Sanctuary Park, outlined in red on Map 2 in the appendix.

Purchase of the park

In 1972 when Jefferson County voters approved a new half-cent sales tax to pay for open space, Lakewood used its portion of the open space funding to begin acquiring land across the city for parks to serve Lakewood residents. The purchase of the land for Sanctuary Park was part of that acquisition process.

The city entered negotiations with the Milholm brothers to purchase about 8.8 acres for a park. The city and the brothers were unable to reach an agreement on an appropriate price, and the city, in collaboration with Jefferson County, took the Milholm brothers to court, and the land was acquired through eminent domain. A 1977 court order deeding the land to the city is a Rule and Order (Attachment 1).



HISTORY OF DRIVE LANE ISSUE

For nearly 50 years, parishioners for St. Jude Catholic Church used the drive line on the north side of Sanctuary Park to access the church's parking lot, mostly during Sunday services.

In 1996, the city began to receive neighborhood complaints about traffic, dumping and illegal after-hours activity including the use of fireworks and playing loud music occurring along the drive lane. Those complaints were via phone calls and numerous in-person visits with staff. Concerns relayed to city staff about traffic and mischievous behavior along the north side of Sanctuary Park continued regularly through 2019, and the neighbors also frequently asked the city to close the drive lane during these years.

In response to complaints about the condition of the drive lane and the speed of the traffic on it, the Public Works Department repaved the drive lane in 2008 and added a speed bump.

In 2019, the plans to build a new Kendrick Lakes Elementary School heightened the neighborhood's concerns about the traffic and illicit activities occurring along the drive lane. Also in 2019, Jeffco Public Schools requested the use of the drive lane as a route for construction vehicles to access the school site. Construction began in December 2019, and during the months of construction, large vehicles were on the drive lane on a regular basis. Understanding the neighbor's concerns about traffic on the drive lane, the city asked the school district to contact the neighbors to address the construction traffic. This triggered renewed requests from the neighbors for the city to close the road. In keeping with the city's goal to provide connectivity whenever and wherever possible, staff suggested that a bike/pedestrian path would create easy access for students and others from the northern and eastern neighborhoods, to the church and the school. The school district, however, made a determination not to allow the bike/pedestrian path for school security reasons.

Since the opening of St. Jude Church, parishioners have also used the school's driveway from Hoyt Street to access the church's parking lot (See Map 2). During construction of the new elementary school in 2019, the district also made the decision to close the access from its Hoyt Street driveway to the church property. Additionally, the school district supported the closure of the Sanctuary Park drive lane for school security purposes.

The construction of the new elementary school prompted the city to begin conversations via email with St. Jude, the school district and the neighbors about the drive lane. These correspondences are included in Attachments 2 and 3 in the appendix.

Community Resources staff also began to assess how to resolve the ongoing issues surrounding the drive lane. The work included surveying the neighbors, conducting several traffic counts, studying historical documents, having the city's Development Review Team evaluate the situation and opening discussions with St. Jude, the neighbors and the school district. Please refer to the answer to Question 2 that follows this report for the timeline of all this work.

The Community Resources staff reached the decision to close the road based on the following factors:

- The continuing criminal infractions and mischievous behaviors, which have been increasing across the city's park system.



- The continuing concerns expressed by the neighbors and repeated requests that the drive lane be closed.
- The school district’s elimination of access from the school’s Hoyt Street driveway to the church’s parking lot, as well as the district declining to allow a pathway from school property to the park based on school security reasons.
- The school district’s support of the closure of the drive lane for school security reasons.
- The lack of use by West Metro Fire of the drive lane for emergency access because it is not designated as a public right of way.
- The issue of private encroachment into publicly held park property. This issue is further addressed later in the report.

On February 4, 2022, the Community Resources Department sent a letter to the Denver Archdiocese and St. Jude notifying them of the upcoming closure (Attachment 4). The closure would result in the removal of the asphalt and installation of a gate on the drive lane at Garrison Street, which park staff could use to access the park for maintenance. Based on the letter from St. Jude, dated September 29, 2021, Community Resources reiterated the commitment to build a fence between Sanctuary Park and the church property and to install parking for the park (Attachment 7).

POTENTIAL RAMIFICATION OF DRIVE LANE ISSUES ON OTHER PARKLANDS

Private encroachment into park property across the city has become an ever-increasing issue for the Community Resources Department. In the case of Sanctuary Park, the encroachment is unusual and more challenging because the drive lane provides access to a private entity, the church, and does so across publicly owned parkland.

Several recent examples of other park encroachments include the following:

- Bear Creek Greenbelt Trail project. During the due diligence phase of the Bear Creek Greenbelt Trail project, 2018 to 2021, staff identified multiple properties that have encroached onto the city’s Greenbelt property in areas where the new trail alignment will be built. These owners will be notified, and staff will work with them to make the appropriate adjustments.
- Peak View Park development. In much the same way, as staff began the process for the development of Peak View Park, it was discovered that several residential property owners, living directly south of the park, had built amenities such as gardens and horseshoe pits within the park property. Surveys have identified the exact park boundaries. Staff will be working with residents to make the appropriate corrections to remove park encroachments.
- William Frederick Hayden Park. Staff have completed surveys of properties adjacent to William Frederick Hayden Park along with other open space areas for the purpose of creating much wider mowed swaths for fire breaks. Encroachment into parkland exists in many of these areas and will be discussed with homeowners throughout the fire mitigation process.

These examples are only a few of many that exist across Lakewood’s park system. Staff has identified encroachments in multiple parks across the city.

Below is Lakewood’s City Charter language regarding the sale, lease, and disposal of city property.

14.3 SALE, LEASE AND DISPOSAL OF CITY PROPERTY. (a) The City Council may, on such terms and conditions as the City Council deems appropriate and by ordinance, without the prior approval



of the registered electors of the City, except as hereafter provided, lease, sell, or otherwise dispose of public buildings, real property, or water rights held or used for any municipal purpose. (b) Except for those parts of utilities or systems no longer useful to the operation of a utility or system, there shall be no lease or sale of water works; gasworks; geothermal systems; solar systems; electric distribution systems or other public utilities; or any real property used or held for open space or park purposes without the question of such lease or sale, and the terms and consideration therefor being submitted to a vote of the registered electors of the City at a special or regular municipal election and a favorable vote by a majority of those registered electors voting thereon. (c) Nothing in subsection (b) above shall prohibit the City from granting utility easements across, under, or over any City property held for open space or parks purposes.

Historically, this provision of the City Charter has been interpreted to prohibit giving away interest in any parkland to private entities.

OPTIONS FOR RESOLUTION OF THE DRIVE-LANE ISSUE

1. Do not change the status quo.
 - a. Pros – Individuals who have used this drive lane will be able to continue to do so.
 - b. Cons –
 - i. This encroachment will be treated differently than other encroachments on city parkland, as other encroachments are being corrected.
 - ii. The needs and desires of the neighbors who live in properties directly abutting this small neighborhood park, and who use this park for park purposes, will be disregarded.
 - iii. The social order offenses and minor criminal acts that occur on the drive lane, or are allowed because of the open use of the drive, will continue.

2. Formalize the road/make it the main park entrance.
 - a. Pro –
 - i. Improves the park amenities and encourages more use of the park.
 - ii. Addresses the liability concerns associated with individuals being allowed to believe this drive lane is an entrance or exit for either the church or the school. As it currently exists, the drive lane is not wide enough to allow for a significant number of cars moving in one direction while fire or other emergency vehicles move in the opposite direction.
 - iii. Parishioners continue to have access to this drive lane.
 - b. Cons –
 - i. This option disregards the desires of the individuals who live in the neighborhood surrounding the park.

3. Grant an emergency vehicle access easement for West Metro Fire.
 - a. Pros –
 - i. West Metro gets a key to access the road as needed, and if it is ever needed for emergency purposes the emergency vehicles would not be denied access due to the presence of private vehicles.
 - ii. The desires of the neighboring property owners and the school district will be respected as the regular activity on the road will be eliminated.



- b. Cons –
 - i. Parishioners would lose their ability to use the drive lane as an additional regular entrance and exit to St. Jude Church.
 - ii. Grants a private entity a legal right to control the public’s parkland. As noted previously, the City Charter prohibits the “lease or sale” of any real property used or held for open space or park purposes.

- 4. Install a gate system to which St. Jude would have a key to allow the church to take responsibility for opening and closing the gate as needed for services.
 - a. Pros – Greatly reduced activity on the drive, especially at night, which would address the safety concerns of the school and the neighborhood.
 - b. Cons – This grants a private entity a legal right to control the public’s parkland. As noted previously, the City’s Charter prohibits the “lease or sale” of any real property used or held for open space or park purposes.

- 5. Dispose of the drive lane portion of the park via City Council approval to put this question on the ballot for Lakewood voters to decide.
 - a. Pros –
 - i. Offers Lakewood voters the opportunity to weigh in on the use of this specific park property.
 - ii. Offers St. Jude’s parishioners the possibility of continued use of this portion of parkland for church access.
 - b. Cons –
 - i. If this election were held during an off-year there would be a significant and unanticipated cost to the city to run the election.

STAFF RECOMMENDATION

Despite the difficulty of making a decision that affects St. Jude parishioners, staff recommends that the best decision for the city and the larger citizenry of Lakewood is to close the road and make it part of the park’s landscape. Parkland encroachment is an issue that Community Resources will be addressing with many Lakewood residents over the course of the next five to 10 years, and it is important that a consistent approach be taken to address this issue. If City Council would like to consider implementing a parkland encroachment policy at some point in the future, staff will make some examples available for consideration.



Sanctuary Park Drive Lane Questions and Answers

- 1) Consult with Jeffco Public Schools about the lock on the Hoyt Street access and reflect that in consultation in the report.**

Attachment 2 shows an email chain dated January 8, 2021, with Jeffco Schools Executive Director of Facilities & Construction Management.

“We have provided a rolled curb and gated access for the fire department between our south lot/access and the church property. Ed (construction project manager) told me the church has been advised of the change, prompted largely by the school and wanting a secure site.”

- 2) Provide a timeline of the history that shows how this issue has progressed over the years, when meetings occurred, what the nature of the complaints have been and when they occurred, whether this has been related to security and homeless issues, and when residents were informed.**

TIMELINE

- 1969 – Florida Avenue west of old Garrison was acquired.
- 1969 – The owners of the reservoir (Milholm, Allied Developers, and the South Jefferson County Metropolitan Recreation & Park District) dedicated right of way for Garrison Street in its current alignment north to south.
- 1973-1974 – The city built Garrison and Florida in their current alignments. This occurred just before the subdivision north of the park was constructed, which occurred in 1976-1977.
- 1977 – The city, in collaboration with Jefferson County, used eminent domain to acquire the property for Sanctuary Park and funded the purchase from the city’s attributable share of funds from the Jefferson County Open Space Sales Tax. The property included a portion of what was the old Garrison roadway (See Attachment 1).
- 1996-2018 – Neighborhood complaints to staff began about traffic, dumping and illegal after-hours activity occurring along the old Garrison roadway north of Sanctuary Park. Park staff managed the illegal dumping with trash removal, and neighbors made calls to the Police Department.
- 2008 – The old Garrison roadway was repaved, and a speed bump installed by the Public Works Department in response to complaints about the condition of the road and the speed of the traffic on the road.
- December 2019 – Construction of a new Kendrick Lake Elementary School began. The school district asked the city for access on the drive lane for construction vehicles. City staff asked the district to contact the neighbors about this issue and to mitigate their concerns. This triggered a renewed request to close the road. The city asked for a bike/pedestrian connection between the new school and park in exchange for allowing the construction traffic.
- January 7, 2020 – The city confirmed via email that the school district was in favor of closing the drive lane because the district intended to fence off its property for school security purposes upon completion of the new school. The school confirmed that



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emergency-gate access is available from the school's Hoyt Street driveway to the church (See Attachment 2).

- January 22, 2020 – The school district's construction company and the district met with neighbors (See Attachment 5).
- December 16, 2020 – The city sent a letter to determine the concerns of the neighborhood. A public notice was sent to 218 properties within a 500-foot radius of the park property asking residents to provide feedback to contact the city at either CRinfo@Lakewood.org or 303-987-8700 (See attachment 6).
- December 21, 2020 -- Staff also corresponded with St. Jude Catholic Church after providing the notice to church and set up a meeting to discuss the issue (See Attachment 3). In tandem with the neighborhood mailing, staff began completing due diligence to make an informed decision on how to proceed with the drive lane.
- January 7, 2021 – Staff presented the Sanctuary Park issue and the resulting conversations to the city's Development Assistance Team (DAT). City transportation, planning and engineering staff and West Metro Fire Rescue found there was no legal or regulatory barrier to closing the road (DAT Notes).
- February 8, 2021 – Zoom meeting with St. Jude. The church was very concerned, as the school district was removing the church's existing access to Hoyt Street via the school driveway that the church had been able to use in the past. At the time, city staff encouraged further conversations between the district and the church, but staff is unaware if any discussion occurred.
- April 2021 – Review of a traffic count completed in March 2021 indicated very low traffic volumes.
- August 2021 – A second traffic count performed during this month showed similar results. Approximately 25-30% of the users of the church parking lot used the drive lane to enter and leave the lot. Peak volumes occurred on Sundays, with 277 vehicles (both directions) per day. The peak hour was 10 a.m., with 81 vehicles per hour.
- September 24, 2021 – Mayor Paul, Council member Bieda, St. Jude Church representatives met with city staff. An open discussion occurred, and options including fencing the property line and giving the church gated access to the drive lane was also discussed. The church requested to send a response to these options at a later date.
- September 29, 2021 – The city received a letter from St. Jude declining the option to have gated access due to staffing limitations and liability concerns, and it asked for the fence along the property line to be constructed (See Attachment 6).
- February 4, 2022 – The city sent a letter and site plan to the Denver Archdiocese and St. Jude Church regarding the closure and commitment to build a fence and install parking spaces for the park on city property. Access to the church would remain through the park trails network for pedestrians (See Attachment 4).
- February 21, 2022 – A Notice of Closure for construction is sent to the same neighborhood mailing list of 218 properties that received the earlier notice asking for neighborhood concerns (See Attachment 8).
- February 22, 2022 – Neighbors provided emails of feedback about the Sanctuary Park conversation that were sent to staff on February 11 and asked that they be included in the white paper that Council requested.

3) Outline the flow of communication with the church and residents including providing copies of all letters sent to the church and residents such as one referenced that told residents in



Lakewood

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December 2020 that the city was considering closing the park. Also include information about whether the church was told it would be responsible for providing access control of the road if it wished to continue to use the road.

Please refer to the timeline above in Question 2 and the History of the Drive Lane Issue section in the white paper report. The access gate conversation specifically occurred during a September 24 meeting.

- 4) Provide information on when the city knew it was a road, when the road was paved, why a speed bump was put in place, whether there are signs indicating the use for the access road, whether the road provides parking or access to Sanctuary Park and whether park users have parked in St. Jude's lot.**

Please refer to the timeline above, which shows that in 2008 the Public Works Department repaved the drive lane and installed a speed bump because the department was receiving complaints about the condition of the roadway and the speed of traffic on the drive lane. There is a stop sign and a speed bump sign in both directions on the drive lane. Park users have utilized the drive lane for parking to access the park in the past as well as the parking lot across Garrison and the St. Jude lot. While park usage has not been documented, staff observation during the due diligence phase for determining how to handle the drive lane issues showed that during weekdays there is minimal use of the park and that most users walk into the park.

- 5) Outline the legal options for addressing the situation such as designating it as an emergency route or only for Sanctuary Park parking.**

The City Charter allows the granting of utility easements across park property, but it is silent on other types of easements. The city cannot, however, grant an access easement to the church across the park without Lakewood voters approving that through a ballot question. Under the City Charter, this access to the church did not legally exist before the city purchased the property for the park. Because this is deeded park property, the drive lane can be used for park maintenance and parking for the park, both of which fall under park purposes.

- 6) Address the implications for preservation and use of the city's other open space if this land isn't properly preserved and provide information on whether this would set a precedent for giving up parks and open space land for other uses.**

The city does not provide private access easements across park property, and the city would not want to set that kind of precedent. For example, in the court case of Terhorst vs. City of Lakewood from 1996 to 2005, Mr. Terhorst requested an easement across parkland for a private driveway and sewer connection at the southwest corner of Garrison Street and Florida Avenue. The city could not grant this access across the park property.

Additionally, since the city will be addressing park encroachments in other areas throughout the park system in the coming months and years, it is important that this situation does not set a precedent for other cases of park encroachment.



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Community Resources

- 7) Discuss the impact on safety and provide what West Metro Fire Rescue's recommendation/advice has been or whether the agency provided a report on the safety of having only one access point for St. Jude Church.**

Community Resources took this case to the city's Development Assistance Team (DAT) on January 7, 2021. This committee includes staff representatives from West Metro Fire, the city's Transportation Engineering Division, the Public Works Engineering Division, the Planning Department, and the Parks Division. The consensus of the group was that a secondary access from the church parking lot was not required, given the existing two driveways from Florida Avenue to the church lot providing ingress and egress.



Civil Action No. 49877, Division 1

THE CITY OF LAKEWOOD, a Municipal Corporation; and the BOARD OF COUNTY COMMISSIONERS, County of Jefferson, State of Colorado,

Petitioners,

vs.

LEONARD L. MILHOLM and ROBERT R. MILHOLM; and DONALD E. COUCH, Treasurer of the County of Jefferson, State of Colorado,

Respondents.

RULE AND ORDER

THIS MATTER came on regularly for hearing this day upon the ascertainment and assessment of the Board of Commissioners returned hereon on the 29th day of June, 1977, which Board of Commissioners was duly empaneled to determine the compensation to be allowed the Respondents interested in the property which is the subject of this action; and it appearing unto the Court from the records and files herein that all persons interested as owners or otherwise, as appearing of record, have been joined herein as parties-respondents;

THE COURT FINDS: that the Court has full and complete jurisdiction of the subject matter of this action and the parties thereto; that service has been made upon all interested parties as required by law; and that the Board of Commissioners, after hearing the proofs and allegations of the parties, and after viewing the premises, did find and determine in accordance with the laws of the State of Colorado in such cases made and provided;

1) that the accurate description of the property being acquired by the Petitioners herein is:

That part of the Northwest Quarter of Section 22, Township 4 South, Range 69 West of the 6th P.M., County of Jefferson, State of Colorado, as of record in Book 120 at Page 573, and in Book 1610 at Page 539, of the Jefferson County Records and described as follows:

EXCEPT that part of said Section 22 of record in Book 2101 at Page 176, and in Book 2671 at Page 530 in the Jefferson County Records.

Said parcel contains 8.823 acres, more or less.

2) that the value of the property actually taken by the Petitioners is Forty-Seven Thousand One Hundred Thirty-Eight Dollars (\$47,138.00).

3) that there is no damage to the remainder of the Respondents' property.

The Court further finds that the Petitioners have heretofore deposited with the Clerk of the Court the sum of Thirty-Five Thousand Two Hundred and Ninety-Two Dollars (\$35,292.00) pursuant to the Order Of Possession dated the 2nd day of December, 1976, by the Court and have subsequently deposited the sum of Eleven Thousand Eight Hundred and Forty Six Dollars (\$11,846.00) representing the deficiency between said deposits for immediate possession in the amount of the award; the Petitioners have further deposited the sum of Seven Hundred and Thirteen Dollars and Forty-Five Cents (\$713.45), said sum representing ~~the interest on the award through June 29, 1977.~~

*100% Award
Sum of \$11,846.00
plus \$713.45
= \$12,559.45
Deduct Court
Costs*

IT IS ORDERED, ADJUDGED AND DECREED THAT:

A parcel of land located in the Northwest Quarter of Section 22, Township 4 South, Range 69 West of the 6th P.M., County of Jefferson, State of Colorado, as of record in Book 120 at Page 573, and in Book 1610 at Page 539, of the Jefferson County Records and described as follows:

Commencing at the center of said Section 22 and running North along the North and South centerline of said Section 726 feet; thence South 89° 20' 00" West 524 feet; thence South 14° 00' 00" West 737 feet; thence East along the East and West centerline of said Section 690 feet, more or less to the place of beginning.

EXCEPT that part of said Section 22 of record in Book 2101 at Page 176, and in Book 2671 at Page 530 in the Jefferson County Records.

Said parcel contains 8.823 acres, more or less.

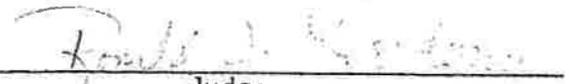
has been duly and lawfully taken by the Petitioners pursuant to the statutes and the constitution of the State of Colorado; that the

FURTHER ORDERED that a certified copy of this Rule and Order be recorded and indexed in the Office of the Clerk and Recorder of Jefferson County in like manner and like effect as if it were a deed of conveyance from the owners and parties interested to the Petitioner herein, and it is

FURTHER ORDERED that the Court retain jurisdiction over this matter to hear and determine the Respondents' claim for expert witness fees and other costs, if the parties should be unable to agree.

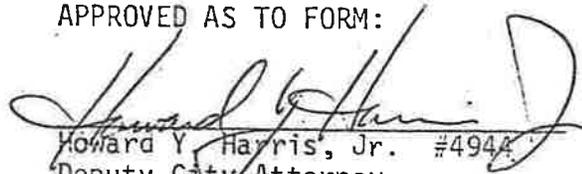
Dated this 311 day of August, 1977.

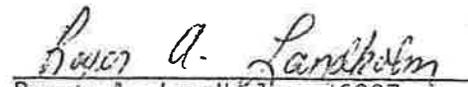
BY THE COURT:



Judge

APPROVED AS TO FORM:


Howard Y. Harris, Jr. #4944
Deputy City Attorney
City of Lakewood
44 Union Boulevard
Lakewood, Colorado 80228
Telephone: 234-8675



Roger A. Landholm #6097
Attorney for Respondents
Leonard L. Milholm and
Robert R. Milholm
1900 First Natl. Bank Bldg.
Denver, Colorado 80293
Telephone: 629-1900

From: [Reed Tim](#)
To: [Amber Thill](#)
Cc: [Huszcza Edward](#)
Subject: RE: Access road north of Sanctuary Park
Date: Friday, January 8, 2021 10:13:05 AM

EXTERNAL – USE CAUTION

Amber,

We have provided a rolled curb and a gated access for the fire department between our south lot/access and the church property. Ed told me the church has been advised of the change, prompted largely by the school and security wanting to secure the site.

Tim Reed
Executive Director Facilities & Construction Management
tim.reed@jeffco.k12.co.us
303-982-2376 (Direct)
303-982-2400 (FAX)
303-887-5587 (Cell)

Robin Acree
Executive Administrative Assistant
303-982-2597 (Direct)

From: Amber Thill <ambthi@lakewood.org>
Sent: Friday, January 8, 2021 9:49 AM
To: Reed Tim <Tim.Reed@jeffco.k12.co.us>
Subject: [EXTERNAL] FW: Access road north of Sanctuary Park

Tim,

Is this correct, that there is a curb and the church could not use the school's access?

Have a nice weekend,

Amber Thill, AICP

PUBLIC ENGAGEMENT & OPERATIONS MANAGER
COMMUNITY RESOURCES DEPARTMENT

303.987.7872
480 S. ALLISON PARKWAY
LAKEWOOD, COLORADO 80226
Lakewood.org/CommunityResources



From: Nikkole Cubbage <ncubbage@saintjudelakewood.org>

Sent: Friday, January 8, 2021 9:47 AM

To: Amber Thill <ambthi@lakewood.org>

Cc: Clayton DeYapp <cdeyapp@saintjudelakewood.org>; Mike Wisneski <Mike.Wisneski@archden.org>

Subject: RE: Access road north of Sanctuary Park

EXTERNAL – USE CAUTION

Hello Amber!

We can meet any time next week except Monday. I did bring this up at our staff meeting and closing this access off would make it very difficult for all our parishioners to leave if we only have one exit. Especially if we have an emergency.

The school has closed the access through their parking lot. So we are not able to leave through their drop off area on Hoyt Street. So this would not be a secondary access for us. They have put a curb in and you cannot drive over it and there is a locked gate.

Please let me know what day works for you.

Nikkole Cubbage

Business Manager/Parish Accountant

St. Jude Catholic Church

ncubbage@saintjudelakewood.org

303-988-6435 x13

CAUTION: This email originated outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: ambthi@lakewood.org

From: [Amber Thill](#)
To: [Nikkole Cabbage](#)
Cc: [Clayton DeYapp](#); [Mike Wisneski](#)
Subject: RE: Access road north of Sanctuary Park
Date: Wednesday, January 20, 2021 10:44:54 AM

Good morning, Nikkole and team,
Apologies for the delay, I was able to confirm the access closure to the school. Sorry to hear this. We continue to await comments on any potential closure from our traffic and public works team. I'd like to get a meeting on the calendar to hear the Church's feedback in the next few weeks.

Would your team have availability on Monday, Feb 8, at 10am via Zoom?

Kind regards,

Amber Thill, AICP

PUBLIC ENGAGEMENT & OPERATIONS MANAGER
COMMUNITY RESOURCES DEPARTMENT

303.987.7872
480 S. ALLISON PARKWAY
LAKEWOOD, COLORADO 80226
Lakewood.org/CommunityResources



From: Nikkole Cabbage <ncabbage@saintjudelakewood.org>
Sent: Friday, January 8, 2021 9:47 AM
To: Amber Thill <ambthi@lakewood.org>
Cc: Clayton DeYapp <cdeyapp@saintjudelakewood.org>; Mike Wisneski <Mike.Wisneski@archden.org>
Subject: RE: Access road north of Sanctuary Park

EXTERNAL – USE CAUTION

Hello Amber!

We can meet any time next week except Monday. I did bring this up at our staff meeting and closing this access off would make it very difficult for all our parishioners to leave if we only have one exit. Especially if we have an emergency.

The school has closed the access through their parking lot. So we are not able to leave through their drop off area on Hoyt Street. So this would not be a secondary access for us. They have put a curb in and you cannot drive over it and there is a locked gate.

Please let me know what day works for you.

Nikkole Cubbage

Business Manager/Parish Accountant

St. Jude Catholic Church

ncubbage@saintjudelakewood.org

303-988-6435 x13

From: Amber Thill <ambthi@lakewood.org>

Sent: Friday, January 8, 2021 8:44 AM

To: Nikkole Cubbage <ncubbage@saintjudelakewood.org>

Subject: RE: Access road north of Sanctuary Park

Hi Nikkole,

Circling back to our conversation prior to Christmas, is there a good time in the next week or two that we might have a brief meeting with Church representatives? As you might guess, the neighborhood has thus shown support for the closure. We are completing internal review including analyzing traffic flow, incident data, etc. There do not appear to be any agreements in place designating this former street as access to the church.

I had the opportunity to meet with the School District yesterday and they were also in support of the closure assuming pedestrian access remains, which it would with a concrete walkway that connects to both the Church and School. They also mentioned your secondary access would be along their drop off area via Hoyt Street. Do you agree that is a logical secondary entrance? Your question regarding parking is a good one that I've asked our traffic team to also review. We should have more detail on that in the coming days.

Let me know what might work for your team.

Have a great weekend,

Amber Thill, AICP

PUBLIC ENGAGEMENT & OPERATIONS MANAGER
COMMUNITY RESOURCES DEPARTMENT

303 987 7872

480 S. ALLISON PARKWAY

LAKEWOOD, COLORADO 80226

Lakewood.org/CommunityResources



Lakewood

Community Resources

From: Nikkole Cubbage <ncubbage@saintjudelakewood.org>

Sent: Monday, December 21, 2020 5:45 PM

To: Amber Thill <ambthi@lakewood.org>

Subject: RE: Access road north of Sanctuary Park

EXTERNAL – USE CAUTION

Hello! I received your email and will talk with Fr. Bob and the Staff about this after Christmas. Our office is closed for the rest of this week and I believe our next staff meeting is January 5th.

I do see a problem closing off this road myself since the school just closed the other access into our parking lot. If you were to close this access off, we would only have one entrance into our Church and I find that to be unsafe. Also others that use the park would use our parking lot to access the park. Are you planning on putting parking on Florida Avenue for people that use Sanctuary Park?

I feel once the school is done with their construction, they will no longer be using this access. Their school construction has put much wear and tear on our parking lot with all their heavy equipment. They have been coming through our parking lot mostly and I see others doing the same if you close this access.

The other option is to make it a one way street. That might help! As far as drag racing, I have not seen any. There is a speed bump and I don't think that would be easy. If anything, people do race in our parking lot. Especial when there is snow.

Thank you for contacting us. Again I will talk with the staff and get back to you. Have a Merry Christmas!

Nikkole Cubbage

Business Manager/Parish Accountant
St. Jude Catholic Church
ncubbage@saintjudelakewood.org
303-988-6435 x13

From: Mail <mail@saintjudelakewood.org>

Sent: Monday, December 21, 2020 1:10 PM

To: Nikkole Cubbage <ncubbage@saintjudelakewood.org>; Deacon Mike Bunch <mbunch@saintjudelakewood.org>

Cc: Msgr Bob Kinkel <bkinkel@saintjudelakewood.org>

Subject: FW: Access road north of Sanctuary Park

From: Amber Thill <ambthi@lakewood.org>

Sent: Monday, December 21, 2020 1:06 PM

To: Mail <mail@saintjudelakewood.org>

Subject: Access road north of Sanctuary Park

Hello,

I'm reaching out regarding a neighborhood letter the City of Lakewood is sending this week to the Sanctuary Park neighborhood.

The City of Lakewood is reaching out for feedback on the potential closure of the former old Garrison Street, in the north part of Sanctuary Park, located at 1401 S. Garrison St. This road is currently being utilized as an access road for park maintenance and an informal, secondary access for the Kendrick Lake Elementary School and I believe, St. Jude Church?

For many years there have been concerns expressed to the city around drag racing and other inappropriate use of this former city street. After careful consideration, the Lakewood Community Resources Department plans to make a decision to close access to this road indefinitely, utilizing the space for additional parkland and maintaining the park from W. Florida Avenue.

I'd love to be put in touch with someone who can represent the church through this conversation. Also, please feel free to provide your comments regarding this potential closure, by March 1, 2021. The City will provide a second notice when it is determined the permanent closure will take place.

Please reach out to me at 303 987 7872 or alternatively ambwes@lakewood.org for more information. I look forward to hearing from you.

Kind regards,

Amber Thill, AICP

PUBLIC ENGAGEMENT & OPERATIONS MANAGER
COMMUNITY RESOURCES DEPARTMENT

303 987 7872
480 S. ALLISON PARKWAY
LAKEWOOD, COLORADO 80226
Lakewood.org/CommunityResources



Lakewood
Community Resources



**Department of Community Resources
Administrative Offices**

480 South Allison Parkway
Lakewood, Colorado 80226-3127
303.987.7800 Voice
303.987-7821 Fax

February 4, 2022

St. Jude Catholic Church
9405 W. Florida Ave.
Lakewood, CO 80232

Dear Pastor Robert J. Kinkel and Ms. Cabbage,

The City of Lakewood is working through the logistics of the maintenance road closure on the north side of Sanctuary Park and anticipates the closure construction will begin the week of February 21 with completion targeted for the end of the month.

Upon closure, the maintenance road asphalt will be removed with temporary signage and barricades in place during the removal. A gate will be installed near the S. Garrison Street entrance that is accessible for park maintenance services only. We will also add a limited amount of parking, three (3) spaces, east of the new gate for park use.

Considering St. Jude Church's concerns in our meeting in September 2021, and following confirmation via a letter from Pastor Robert J. Kinkel- dated September 29, the city will install, at our expense, a six (6) foot, vinyl-coated chain link fence on the west side of the park on the property line. A survey of the site is complete to determine the location of the fence installation. Pedestrian access to the church will remain using the trail network through the park and via the sidewalk north of Florida Avenue. See the 2022 Access Modifications plan attached for details.

Please contact me at ambthi@lakewood.org if you have questions or would like to discuss in more detail. We appreciate your support.

Kind regards,

Amber Thill
Public Engagement & Operations Manager
City of Lakewood
Community Resources

Cc: Mr. **Mike Wisneski, AIA**
Director of Design & Construction
Archdiocese of Denver, [1300 S. Steele Street | Denver, CO 80210](#)

PROJECT: **Kendrick Lakes Elementary School**

Date: **Wednesday January 22, 2020**

ATTENDEES:

Marcus Arnold	Roche Constructors, Inc.	marnold@rocheconstructors.com
Sean Sanchez	Roche Constructors, Inc.	ssanchez@rocheconstructors.com
Bill Meihaus	Roche Constructors, Inc.	wmeihaus@rocheconstructors.com
Edward Huszcza	Jeffco	edward.huszcza@jeffco.k12.co.us
Sarah Roberts	Jeffco	sarah.roberts@jeffco.k12.co.us
McKenzie Hengel	Larson-Incitti Architects	mckenzie@li-architects.com
Nora Brooks	Larson-Incitti Architects	nora@li-architects.com
Patricia & George Johnson		gpjohnson1365@gmail.com
Beth Kitts		elikitts@comcast.net
Dave Komaru		

A courtesy meeting was held at the jobsite construction office to discuss neighborhood concerns with upcoming construction activities. The following is a summary of those discussions:

- Access Road Discussion:
 - Road is designated as a park road (not a public road)
 - Homeowners have made previous attempts to get road closed or permanently removed by the City of Lakewood, without success;
 - Increased vehicle and pedestrian traffic was noted from neighbors' observations;
 - Vehicle traffic:
 - Neighbors questioned the traffic plan. A one-way routing was requested with traffic entering from S. Garrison and existing onto W. Florida Avenue;
 - Coordination and acceptance by St. Jude Catholic Church would be required;
 - Roche will pursue written traffic plan;
 - Pedestrian Traffic:
 - School representatives have distributed a memo notifying parents and children that the access road should not be used;
 - Air Quality:
 - Discussed exhaust fumes and dust as being problematic for particular homeowner(s) due to pre-existing health issues;
 - Signage:
 - In addition to traffic signage, neighbors requested signage notifying drivers to "Be alert of trees" (or similar);
- Miscellaneous:
 - Discussed prefabricated wall system in lieu of planned trees and fencing currently shown on plans. Neighbors agreed this would need to be discussed further with other impacted homeowners prior to any further pursuit of this request;
 - Roche noted it will utilize drones occasionally to document the jobsite progress only;
- General:
 - Neighbors should contact Bill Meihaus of immediate concerns should they arise;

ROCHE CONSTRUCTORS, INC.



Sean Sanchez, Project Mgr.



Lakewood
Community Resources

**Department of Community Resources
Administrative Offices**

480 South Allison Parkway
Lakewood, Colorado 80226-3127
303.987.7800 Voice
303.987-7821 Fax

December 16, 2020

Dear Neighbor,

The City of Lakewood is reaching out for feedback on the potential closure of the former old Garrison Street, in the north part of Sanctuary Park, located at 1401 S. Garrison St. This road is currently being utilized as an access road for park maintenance and an informal, secondary access for the Kendrick Lake Elementary School and St. Jude's Catholic Church.

For many years there have been concerns expressed to the city around drag racing and other inappropriate use of this former city street. After careful consideration, the Lakewood Community Resources Department plans to make a decision to close access to this road indefinitely, utilizing the space for additional parkland and maintaining the park from W. Florida Avenue.

The City is in communication with Kendrick Lake Elementary and the St. Jude's Catholic Church to better understand any impacts to traffic circulation as a result of this closure. Please provide your comments regarding this potential closure, by March 1, 2021. The City will provide a second notice when it is determined the permanent closure will take place.

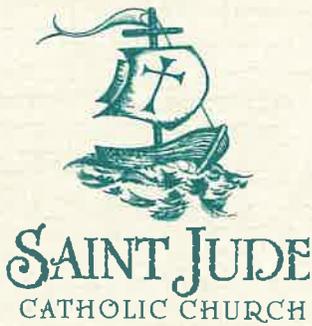
Your questions and concerns are important to us. Please reach out to me at 303 987 7872 or alternatively ambwes@lakewood.org for more information.

Kind regards,

Amber Wesner
Public Engagement & Operations Manager
City of Lakewood Community Resources



****Alternative formats of this document are available upon request****



9405 W. FLORIDA AVENUE LAKEWOOD, COLORADO 80232-5111
TELEPHONE: 303-988-6435 FAX: 303-988-6438 WEB: www.saintjudelakewood.org

September 29, 2021

City of Lakewood
Department of Community Resources
480 S. Allison Parkway
Lakewood, CO 80226

Dear City of Lakewood:

Thank you for meeting with us and the Archdiocese of Denver regarding the existing driveway access from Garrison to St. Jude Catholic Parish.

Naturally, we are disappointed that after more than 50 years, the city is deciding now to abandon the driveway access to the parish from Garrison. We recognize and respect the right of the city to do whatever it lawfully needs to protect its property, especially with the intention of minimizing illegal activity in the area. We realize that the city receives complaints about activity associated with the park and appreciate the city working with us to find a mutually agreeable solution to address the city's complaints.

After prayerful consideration, our preferred solution is to leave the driveway as is so that we can continue to have access to the church from Garrison. We do not want any gates on the driveway because of the risks and liabilities that resents. If our preferred solution will not work, then we request that the driveway just be closed.

We then ask that the city install a 6' chain link fence along the west property line of the park to fully isolate the park from the parish property.

Again, thank you for your attention and for working with us. We look forward to hearing from you about your final determination.

Sincerely yours,

Msgr. Robert J. Kinkel
Pastor

"Persevere in God's Love"
— St. Jude



Lakewood
Community Resources

ATTACHMENT #8

PUBLIC NOTICE



Sanctuary Park access drive will close to the public the week of February 21, 2022
For more information Lakewood.org/SanctuaryParkDrive.



Lakewood
Community Resources

PUBLIC NOTICE



Sanctuary Park access drive will close to the public the week of February 21, 2022
For more information Lakewood.org/SanctuaryParkDrive.



Lakewood

Community Resources

480 S. Allison Parkway
Lakewood, CO 80226-3127
303-987-7800 | Lakewood.org

Thank you for your input regarding the closure of the drive on the north side of Sanctuary Park. After collecting feedback from the neighborhood and stakeholders, the City made the decision to close the drive to the public. Learn more at Lakewood.org/SanctuaryParkDrive.



Lakewood

Community Resources

480 S. Allison Parkway
Lakewood, CO 80226-3127
303-987-7800 | Lakewood.org

Thank you for your input regarding the closure of the drive on the north side of Sanctuary Park. After collecting feedback from the neighborhood and stakeholders, the City made the decision to close the drive to the public. Learn more at Lakewood.org/SanctuaryParkDrive.



From:
To: Amber Thill
Subject: Closing of Sanctuary Park Road
Date: Tuesday, December 29, 2020 10:49:22 AM

EXTERNAL – USE CAUTION

Dear Amber,

We were surprised and happy to have received your letter regarding feedback on the closing of the park road. We have been advocating for this for many years, as we have witnessed first hand what goes on along this road.

We have lived in the last house going west, up along the school property, since 1978. Over the years we have witnessed or found evidence of "rendezvous", both in the park and on the road behind our house. People see the park and think it would be an excellent place for the squirrels, rabbits, raccoons, etc. in their yards and are CONSTANTLY dumping them, even when we have caught them (usually the same ones), over and over again and asked politely to please stop dumping.

Then there are the trash dumpers, yard debris dumpers, including grass, limbs, leaves, etc. We have also reported dumped furniture!

Another problem we have dealt with are the cars dropping off the kids for school. As this should not be a problem any more with the construction of the new school, I will not go into detail. If the school has issues with the closing, I can't understand why, as the only access to the new school will be off of Hoyt Street. Therefore, they should not have any input. It is also my understanding, St. Jude church no longer wanted to allow the cars to utilize their parking lot and that is another reason for the Hoyt St. only access.

This park is heavily used by walkers, joggers, dog walkers, people walking to St. Jude's, and animals, all put at risk by speeding traffic. Another safety issue I would like to bring up, is that it is very difficult to see traffic coming from the north, going south, on Garrison Street. Again, this will no longer affect the school, however, it still affects St. Jude's.

We're not sure what plans you have if this road is closed, but would like to suggest that you do leave the road as a fire barrier between the park and homes on the north side of the park. We haven't had any fires lately, however, we have had fires in the past and with the extremely dry weather, this is an increasingly real possibility and concern. For weeks before and after July 4th the fireworks were out of hand and there were a lot of fireworks set off across the road in Green Gables Park. Since Sanctuary Park is a "natural" park, the grass/weeds are very vulnerable to flying sparks and airborne fireworks.

Thank you for the opportunity to express our opinion. It is greatly appreciated. We look forward to your decision in the future, and if you have any further concerns and/or questions, please feel free to contact us.

From: _____
To: Amber Thill
Subject: Closure of former old Garrison St. - Sanctuary Park
Date: Wednesday, December 30, 2020 12:13:05 PM

EXTERNAL – USE CAUTION

Hi Amber,

Yippee Skippee! With all the 2020 bad news and difficult chain of events, this letter was a real treat! So, thank you for that!

I can't begin to express how thrilled I am about the closure of the access road on the north side of Sanctuary Park. This road backs up to my property of the past 30 years, and I have expressed many concerns over those years. None of my concerns could be eradicated or minimized due to the fact that the road has remained 'public'. Of most concern has been the safety of pedestrians due to the high speed of traffic, as well as the road allowing an exit and escape route when pursued by police for criminal acts. (Drag racing, fireworks, kids driving high-speed 'donuts' in the church parking lot, consumption of alcohol/drugs).

I do have some questions, though. What will this closure 'look' like? Will it just be barricaded at both entrances? Will the fire department have access to this closed road to protect the park and homes, in the event of a fire? As a homeowner backing the park, I have many large vintage trees that I keep professionally maintained on an annual basis. Those service and tree companies have used the service road for access to my backyard. I also have a double-gate on the fence line that I use occasionally for yard maintenance, boat storage, etc. How will this closure affect that access?

Again, I am 100% 'IN' for the closure of this road and I feel, once closed, we will all be safer, and will be able to enjoy the park, and all its critters, as it was intended.

Thank you! I look forward to hearing from you.

Beth Kitts

1001

Lakewood, CO 80232
303-763-5853

From: Amber Thill
To: Amber Thill
Subject: former old Garrison St
Date: Thursday, December 31, 2020 10:25:20 AM

EXTERNAL – USE CAUTION

Ms. Wesner,

We got the letter from Lakewood outlining the impact to our neighborhood. I wanted to applaud the city for thinking progressively about changes to our layout.

We have been in our house about 5 years here on Wisconsin Ave and I know of no drag racing incidents AND there are 2 speed bumps on that 1/2 block "road", so that must be info from a different generation. Currently, there is considerable confusion from after school and after church traffic ONTO Garrison because of the set up.

I would be thrilled to have more space added to Sanctuary Park. It is always great to remove asphalt from the Earth's surface. It is always important to ask of our homes and community, "How well are we using this space?"

Cordially,

80232

From: ~~Amber Thill~~
To: [Amber Thill](#)
Subject: Closure of former Old Garrison St.
Date: Friday, January 1, 2021 12:18:37 PM

EXTERNAL – USE CAUTION

Thanks for the opportunity to voice an opinion on the proposed closure. I walk there frequently, the only time I've seen the street being used by cars is when St. Jude church parishioners leave after mass on Sundays (which hasn't happened during the Covid lock down). I'm all for the closure to utilize the land for additional parkland. BUT, if this would cost the City a lot of money, I'm for leaving it just as it is. During these tough times when budgets are stretched, I don't believe the City should spend the money.

~~Amber Thill~~
~~Amber Thill~~
Lakewood, CO 80232

From:
To: [Amber Thill](#)
Cc: [SS](#)
Subject: Old Garrison Street
Date: Saturday, January 2, 2021 10:19:01 AM

EXTERNAL – USE CAUTION

Hi Amber;

I have a few questions regarding the closure of old Garrison Street. This does not directly impact me or my family from any locale, but likely does from a fiscal point.

Frankly the "drag racing" mention is preposterous and this seems to be a special interest project being passed onto taxpayers. These special interests should pay for this, especially since they relied on special tax treatment and taxpayer monies to build their structures and surrounding areas. Saint Jude still enjoys special zoning and easements courtesy of the laws still enforced as does Kendrick Lakes Elementary which our children all attended.

Why has this seemingly small project been prioritized? How does this benefit the surrounding community (I can see now where the "drag racing" mention comes in handy)? There is more "drag racing" on main Garrison Street yet my requests for greater consideration over the years have gone ignored and/or excused because of cost! If "drag racing" is a problem the focus should be on main Garrison Street where you can reduce the speed limit to 30mph and supply greater enforcement. If you're seeking reasons to enforce the "inappropriate use" mention you should focus on Addenbrook Park parking lots where drug and prostitution are witnessed continuously, not to mention the growth of homeless and transients using our streets and parks for camps and panhandling.

Since Saint Jude and Kendrick Lakes Elementary are exempt organizations;

- who is paying for this project?
- If my comments are accurate from what ledger is the expense being debited?
- Was this a 2020 or 2021 budgeted item?
- Are there leftover funds from the school project?
- If so this should be allocated elsewhere

As you can see I feel funds can be used for much better purposes than provide a benefit to exempt organizations who likely did not contribute to the community tax funds. If the funds are being used from a roads and thruway line item then I can come up with hundreds of better uses for roads etc that are actually used by the taxpaying public.

Please feel free to reach out to me anytime,

Sincerely,

A very faint, illegible signature or stamp, possibly containing a name and a date, located in the lower-left quadrant of the page.

From: [REDACTED]
To: [REDACTED]
Subject: Closure of old Garrison Street
Date: Thursday, January 7, 2021 6:09:37 PM

EXTERNAL – USE CAUTION

Hello Ms. Wesner,

I received your letter regarding the City of Lakewood wanting to close old Garrison Street located at 1401 S. Garrison Street. I have lived in the neighborhood across the street for almost 12 years and I have never heard or seen drag racing or other inappropriate use of this former city street. Besides, the street does have two speed bumps!

The street should not be closed for the following reasons:

1. It provides a short cut for people who live in the neighborhood to get to St. Jude Catholic Church.
2. It provides two entry points for St. Jude Catholic Church instead of just one.
3. It provides access to Kendrick Lake Elementary School.
4. It has been there for many years, so why the need to change it now?
5. Additional parkland is not needed as both Sanctuary Park and Green Gables park are across the street from each other.

Thank you,

[REDACTED]

From: [Ross Williams](#)
To: [Nora Brooks](#)
Cc: [Amber Thill](#)
Subject: RE: Kendrick Lakes and Sanctuary Park
Date: Wednesday, January 20, 2021 10:04:48 AM
Attachments: [image001.png](#)

The comments you provided (on 1/11/21) do not correspond to the approved plans regarding the pathway to Sanctuary Park and the commitment the District made when requesting to use the park "road" for construction access.

Access to Maryland does not show on the approved plans either. Not sure how you would provide access with the grades in that area. This access would not be a good idea, in my opinion, as it would encourage parents to drop off in on a dead end residential street.

We are still studying the options and concerns of the neighbors to make a determination regarding the "road" on Sanctuary Park and may need to meet with you and/or the District regarding the access points.

Ross Williams

FACILITIES PLANNER
PLANNING AND CONSTRUCTION



Lakewood
Community Resources

From: Nora Brooks [mailto:Nora@li-architects.com]
Sent: Wednesday, January 20, 2021 8:32 AM
To: Ross Williams <RosWil@lakewood.org>
Subject: Kendrick Lakes and Sanctuary Park

EXTERNAL – USE CAUTION

Ross,

I wanted to follow up and see if you need anything else from the district regarding closing the service road?

Thanks, Nora

Get [Outlook for iOS](#)

From: Jason
To: Amber Thill
Date: Wednesday, July 7, 2021 3:09:13 PM

EXTERNAL – USE CAUTION

Hi Amber!

One last shot to close the Sanctuary Park Road before you make your decision! I understand the church's reluctance to close this access, however, let's be realistic for a moment. How many hours access does the church need?

Daily Mass - 8 a.m. (30 min.)
Saturday - Confession 3:30 to 4:30
 - Mass 5 p.m. (1 hour at the most)
Sunday Mass - 7 - 9 - 11

During the week (Daily Mass 8 a.m.) the cars each morning is minimal and can easily be accessed from Florida with no problem. As for the rest of the time, you can see we are looking at approximately 6 hours a week for a total of 6 or 7 hours maximum per week. This is out of 168 hours a week!

You know Amber, when you break it down, this is not a whole lot of time. We have watched how the school has handled one entrance off of Hoyt, and I must say, it has been very smooth and they are not parking, but they are stopping, dropping kids off, getting young ones out of their seats, and yet traffic still flowed quite nicely and smoothly. It only takes about 15 minutes at the most to drop off and pick up. The church people do not all come out at once, but staggered, which means traffic flow is not all at once, and actually, I don't think the volume is any greater than the schools. Also, throughout our lives, aren't we all always adapting to change (whether we like it or not)? It is actually a perfect time to close the road while possible fewer people are attending at this time, and as you know, we do all adjust if we have too.

Anyway, thanks for listening and taking us into consideration. If you do not close the "park" road, I would still hope that some concessions can be made for those who live along the park and those who utilize it. It is a special place for many people who enjoy it all day long, not just a few hours a week. We have already listed many reasons for the closing, so I won't repeat those, but ask that you keep all issues in mind while making this decision.

Sincerely,

p.s. - The 4th of July was a nightmare and the church parking lot was used as the launching pad. It would have been nice if the church had thought about the neighbors and had someone to monitor the activity, as this happens every year and the chance of setting the park on fire is a real concern. Yes, we did call the police and report it.

From: [\[REDACTED\]](#)
To: [Amber Thill](mailto:Amber.Thill)
Subject: RE: Closure of former old Garrison St. - Sanctuary Park
Date: Monday, August 23, 2021 12:16:44 PM

EXTERNAL – USE CAUTION

Good Morning, Amber

I'm sure you're not surprised that I am contacting you again - I thought we would have received good news by now.

I can't begin to tell you how deflated I felt when noticing that another counter has been placed on the park road. Will you continue to put counters down until you get the numbers you're looking for? Just what are you looking for? Has any counter ever been placed on the Florida entrance/exit? I understand it's a private access, but how the heck can any decision be made based solely on park road access?

Quite honestly, I can't make sense of the traffic patterns. I witness cars entering the park road making a U turn in the church lot and exiting. I also witness cars coming in on park road and exiting on Florida – not even stopping or entering the church. What's with that? Does your counter have times of occurrences? That would be valuable data, or does it just count? I ask because I hear cars coming and going during the night hours (midnight-5 am) – feeling pretty confident the church is closed during that time...

Of note: Friday afternoon at 4:00, I witnessed a car coming in from Garrison - roll down his window and heave a heavy bag out his window. It hit with a thud, so I have no idea what the contents were. There was a woman walking her retriever and could have been easily been hit or injured. Just what will it take? With the outrageous spike in crime in Lakewood, and now a huge rise in catalytic converters being stolen, why would Lakewood leave this road open for an easy get-away access. I just don't understand why this is such a hard decision. It would provide a safer, and more enjoyable environment for all of us.

As always, I appreciate you passing on my concerns.

TK

On 08/10/2021 9:53 AM Amber Thill <ambthi@lakewood.org> wrote:

[REDACTED]

We sure appreciate your patience. You will receive a notice in the mail in the next week or two announcing the closure and providing additional information.

Thanks for reaching out and your input!

Amber Thill, AICP

PUBLIC ENGAGEMENT & OPERATIONS MANAGER

COMMUNITY RESOURCES DEPARTMENT

From:
To: [Amber Thill](mailto:Amber.Thill)
Subject: Re: Former Garrison St Closure
Date: Thursday, January 21, 2021 1:54:54 PM

EXTERNAL – USE CAUTION

Thank you for your response. Given that the funds to close the street do not come from the General Fund, I am comfortable.

From: Amber Thill <ambthi@lakewood.org>
Sent: Thursday, January 21, 2021 9:55 AM
To: M Drummond <drummark49@hotmail.com>
Subject: FW: Former Garrison St Closure

Good morning, Mr. Drummond,
Please see my response to your questions below. Updates regarding any further decisions will be provided with a mailed notice. At this time we are still in the investigative phase and have a meeting scheduled with St. Jude Church next month.

Thank you for taking the time to comment, we appreciate it,

Amber Thill, AICP

PUBLIC ENGAGEMENT & OPERATIONS MANAGER
COMMUNITY RESOURCES DEPARTMENT

303 987 7872
480 S ALLISON PARKWAY
LAKEWOOD, COLORADO 80226
Lakewood.org/CommunityResources



Lakewood
Community Resources

From: M Drummond <drummark49@hotmail.com>
Sent: Thursday, January 7, 2021 1:43 PM
To: Amber Thill <ambthi@lakewood.org>
Subject: Former Garrison St Closure

EXTERNAL – USE CAUTION

Amber,

I received your letter related to the above subject. I have questions and observations:

1. How much will it cost to execute this closure? I do not currently have a cost estimate as

it is reliant on several factors including feedback from our Public Works internal review. I can tell you that if the decision is made to close this former road, the closure and new concrete path will be funded from the City Open Space Fund, which is intended for park development and improvements, not the City's General Fund, which is funded by tax payer dollars/sales tax.

2. I live on the park across the street from Sanctuary Park. My deck faces the park and the road in question.
 - a. The concerns about drag racing have to be related to Florida Avenue west bound. It isn't actually drag racing. People with powerful cars turn onto Florida accelerate like drag racing. Thank you, we have heard of other concerns regarding activity on the access way in the park from your neighbors. I agree it does not sound as if drag racing is occurring on this access path.
 - b. Former Garrison Street is less than 500 long which is too short for racing.
 - c. My wife and I sit on our deck facing Garrison Street each evening throughout the warmer months and there has never been drag racing on Former Garrison Street in the 20 years that I have lived in this house.
3. What are the inappropriate activities that you allude to? The conversation around the road closure began with complaints from the neighborhood through the last decade. Since sending the notification letter, I've heard of issues with noise, illegal dumping, gatherings in the middle of the night, etc.
4. The Former Garrison Street is also access to St Jude's Church and Kendrick Lake Elementary. Why take it away? This is an extremely low maintenance road that serves the public interest. The access way is the former right of way and is not considered a city street and is nearing the end of it's life cycle. If it were to be removed, it would be replaced with a concrete walking path. We have had close communications with the School District who intend to fence off any access to the school from the park. They are in support of the closure. The church would like to keep the access, we have a meeting scheduled with them to hear their concerns in early February.

Though I am lacking enough information to be certain, this closure will be nothing but a waste of tax payer dollars.

I look forward to learning more about the expense of this project.

MEMORANDUM

To: Lakewood City Council
From: Elizabeth Kitts, George and Patricia Johnson
Date: February 22, 2022
Subject: Closure of Sanctuary Park Road

WHO initiated the road closure project?

FACT:

- The City of Lakewood initiated the road closure. A letter was sent 2/2020 asking for input from neighbors.
- We gave our input through the platform provided. We continued to correspond in an effort to follow the progress of the decision-making process.

MISCONCEPTION:

- Two complaining neighbors initiated the closure.
- The complaints were directed at St. Jude.

We have viewed the City Council meeting recording of 2/14/2022 in its entirety, and to say the least, we disagreed with the majority of the comments that were made regarding the closing of Sanctuary Park road, and were disappointed at the misrepresentation of facts. To nitpick these items now would be fruitless because, after hearing Mayor Paul's closing statement (see below), all are moot points.

[Mayor Paul's closing statement - 3:37:14 on recording caption]

"This isn't a Council decision. I think that is what's been blurred. I'm not sure why ...so Council, through the Charter, has vested, and it was brought through tonight that the **Parks Director has the ability to make this decision. That decision has been made** based upon the factual nature of everything that has been brought forth, which started with the complaints. So, I think there is certainly, if council wants to take a time out and learn more- that's fine. However, **legally, through our municipal code, this decision does not come to Council."**

This proposed closure has been an ongoing project starting with the City of Lakewood's letter dated 12/22/20, allowing time to research the legal and municipal code, which, as the Mayor stated, "is like peeling an onion – more and more is learned as the layers come off."

The safety concerns voiced from the surrounding community have been a blessing in disguise. Had the research and investigation not taken place, Sanctuary Park, as well as other parks and open spaces, could be in jeopardy if we remain out of compliance and Jeffco exercises their legal rights. For this reason, to do nothing, or to kick the can further down the road, is not an option.

On another note, but of great concern, is the fact that our identity was not held in confidence. On several accounts, the "two-complaining neighbors" phrase was used at the City Council meeting. Our names did not have to be mentioned – it's without question which two were being referred to. While we have been the spokespersons, to include the concerns of surrounding neighbors, we did so trusting that our identify would be kept in confidence, but the way this was handled has only targeted us. We did not realize that we were putting ourselves at risk by responding to the City's request, but the damage has been done. We sincerely hope it is understood that the concerns presented over the years were not directed at St Jude's church, but at the inappropriate events that have taken place, 24/7, that have put us all at risk.

If it is found, after the investigation, that the park road can be used for purposes other than for open space and parkland uses, it is still the City's responsibility to review the previous concerns regarding safety and other issues that have been brought before the Lakewood Community Resources Department. At that point in time, we would like to have the opportunity to share a different perspective from what was presented at the City Council meeting. Don't you find it odd that the City of Lakewood's official public notice was postmarked on 2/11; three days prior the City Council meeting? We had no idea that this item was on the docket for this meeting, or any other previously held meetings for that matter.

In closing, the final decision will not waiver our love and passion for Sanctuary Park and all Lakewood's parklands. We will continue to do our part to keep the neighborhood and park safe to be enjoyed by all.

Thank you for your attention in this matter.