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# Council Newsletter

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## CITY MANAGER'S NOTES February 19, 2015

### Upcoming Council Meetings

City Council will meet **Monday, February 23, 2015**. The Study Session will begin at 6:00 p.m. in the Community Room. Sandwiches will be available at 5:30 p.m.

City Council will meet **Wednesday, February 25, 2015**. The Study Session with the Sheridan City Council, Englewood and Sheridan Planning and Zoning will begin at 6:00 p.m. in the Community Room. Sandwiches will be available at 5:30 p.m.

The next meeting will be **Monday, March 2, 2015**. The Study Session will begin at 6:00 p.m. in the Community Room. The Regular meeting will begin at 7:30 p.m.

### Informative Memoranda

The following are memoranda in response to City Council's requests, as well as other informational items.

1. Denver Business Journal articles – Feature articles regarding cultural arts districts
2. The Villager article – “24 Hour Fitness acquires Bally’s in Colorado”
3. The Villager article – “Englewood Fire Department decision postponed”
4. Denver Post article – “Englewood agrees to go with Denver for fire protection”
5. Calendar of Events
6. Tentative Study Session Topics
7. Minutes from the Alliance for Commerce in Englewood meeting on January 8, 2015
8. Minutes from the Planning and Zoning Commission meeting on January 21, 2015
9. Minutes from the Planning and Zoning Commission meeting on February 3, 2015



### News from the Parks and Recreation Department

#### **Seven Trees will be Removed from Centennial Park**

Xcel Energy is moving forward with the removal of seven trees that are in the right-of-way to the power lines at Centennial Park. Originally they wanted to remove 21 trees, but Xcel and the Parks Division were able to come to an agreement on seven. The work should be completed by the end of March.

#### **Malley Senior Recreation Center Closed March 2-8 for Annual Maintenance**

The Malley Senior Recreation Center will be closed Monday, March 2 through Sunday, March 8, 2015 for annual maintenance. There will be no drop-in activities, classes or VOA lunch. All SilverSneakers® members are encouraged to use the Englewood Recreation Center. During this time we will clean the carpets, refinish hardwood floors in the gym and ballroom, service all furniture, paint walls in the locker rooms, deep clean light fixtures and sanitize all equipment.

COVER STORY

BY L. WAYNE HICKS

303-803-9221 @whick@denbiz

**Y**ou can spark an argument by trying to define what constitutes art. Is it the Mona Lisa? Or is it the ceramic figure that kind of looks like a turtle that your kid made in art class?

But there's one fact about art that brooks no argument - its importance to Colorado's economy.

Buoyed by efforts in the state Legislature, communities are taking note of the artists toiling across Colorado, counting their numbers and economic output and doing what they can to ensure their work doesn't go unnoticed.

Members of the Colorado Legislature voted to embrace the arts at the local level in 2011, passing legislation that established creative districts, and returned in subsequent sessions to provide financing and loan programs.

Art as an economic-development tool? Vincent van Gogh, who only sold two paintings during his short, 19th century career, would have been flummoxed at the idea.

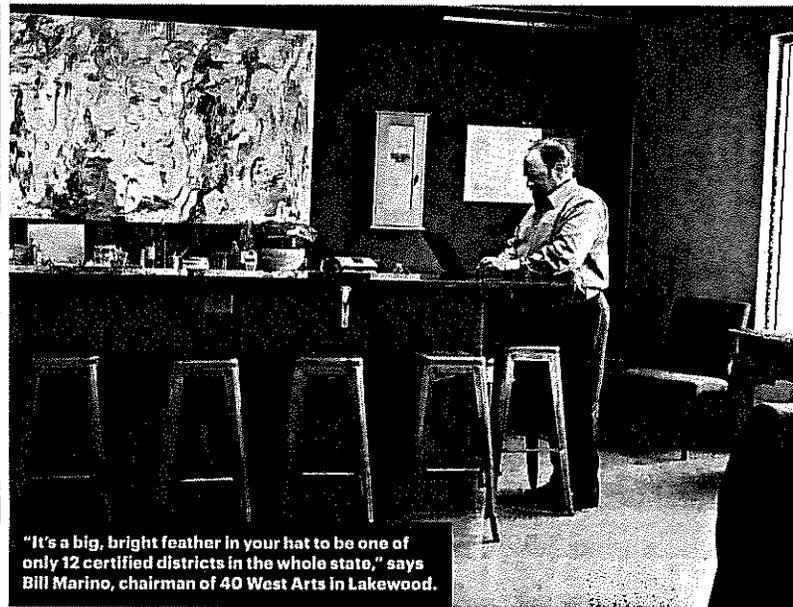
Arts and culture pumped \$1.85 billion into metro Denver's economy in 2013, according to the most recent estimate by the Colorado Business Committee for the Arts of the economic impact of the institutions funded by the Scientific and Cultural Facilities District (SCFD).

The SCFD distributes tax-generated dollars to museums and arts venues throughout the region, but those funds amount to a sliver of the total spending on arts and culture in the state. While the SCFD provides funds to groups within a creative district, the agency doesn't directly support the districts themselves.

So far, the state has certified a dozen districts, which are intended to attract people to communities with a high concentration of arts- and creative-related businesses, such as painters, architects, theaters and sculptors. The idea behind the legislation was to "create a hub of economic activity" and to revitalize neighborhoods.

"It's more than just artists," said Tim Schultz, CEO of Denver's Boettcher Foundation. "It's architects to furniture makers, chefs to musicians." He pointed to statistics that identify Colorado's creative class as the fifth-largest industry sector in the state.

The designation as a creative district comes with financial assistance, from both the state and the Boettcher Foundation - which has committed \$475,000 to the districts so far - and help



"It's a big, bright feather in your hat to be one of only 12 certified districts in the whole state," says Bill Marino, chairman of 40 West Arts in Lakewood.

with marketing and business issues. The state also puts up signs to identify an area, which further draws attention.

Becoming a certified creative district "has been a game-changer in some of these communities," said Margaret Hunt, who oversees the program as director of Colorado Creative Industries, which is within the state Office of Economic Development and International Trade. "It's given them hope. It's given them an economic development strategy that's supported by the community, and it's given them jobs."

That's certainly the case in Pueblo, which had a mile-long, three-block-wide stretch of its downtown certified as a creative district in 2013. The Southern Colorado town of about 108,000 lost its major industry when a steel mill closed in the early 1980s.

"Pueblo is still transforming itself from this manufacturing economy," said Susan Fries, executive director of both the Pueblo Arts Alliance and the town's creative district. "The creative economy is much more diverse and robust and offers a lot more opportunities for folks."

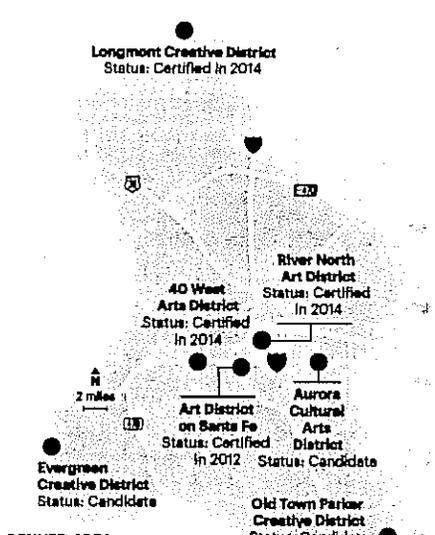
**Metro Denver a focus**

Of Colorado's certified districts, a third are in the Denver area, including the long-established Denver's Art District on Santa Fe and the newer 40 West Arts District in Lakewood.

"It's a big bright feather in your hat to be one of only 12 certified districts in the whole state," said Bill Marino, chairman of 40 West Arts, which covers a stretch of West Colfax Avenue and draws its name from the street's designation as U.S. 40. "It comes with a full spectrum of support and opportunities to work with the state. The state casts a much larger shadow than a revitalized corridor."

The home of 40 West Arts, a one-story building at 1560 Teller St., is in a neighborhood dominated by a Walmart store, pawn shops and, a half-mile away, the Kitschy Casa Bonita restaurant. 40 West Arts was formed in 2011.

"When we landed on the option of an arts district for this corridor, we wondered: Would it take long? What would success look like?"



**DENVER-AREA CREATIVE DISTRICTS**

Colorado has two classifications of creative districts: Candidates and certified. Candidate districts are communities that have been accepted into a two-year program to prepare themselves for certification. Certified districts have completed the candidacy period, met the requirements of the program and are given a five-year certification.

Source: Colorado Creative Industries

Marino said. "If we could get 40 artists, that would be awesome. Now we have 140 artists."

He said other creative-related businesses have moved into the district, including five restaurants that opened in the past year.

"We're helping create an experience here on the west side for residents, an arts and culture experience," Marino said.

"The majority of our arts districts ... have

CONTINUED ON PAGE 6

**MORE ONLINE**

This report continues at [DenverBusinessJournal.com](http://DenverBusinessJournal.com)

**ONLINE NOW**

**Story:** Artists in danger of losing their studios find ways to band together. Visit [bit.ly/1bht9z](http://bit.ly/1bht9z)

**Video:** Kathleen Lavine interviews Bill Marino, chairman of the new 40 West Arts district in Lakewood. Visit [bit.ly/1bht9z](http://bit.ly/1bht9z)

**COMING MONDAY, FEB. 9**

**Story:** Boulder, Aurora and Broomfield are among the communities working on new arts and cultural plans. Visit [bit.ly/1bht9z](http://bit.ly/1bht9z)

**COMING TUESDAY, FEB. 10**

**Story:** Plans are in the works to transform a 13.4-acre site in Louisville into a haven for creative types. Visit [bit.ly/1bht9z](http://bit.ly/1bht9z)

## COVER STORY



PHOTOS: KATHLEEN LAVINE, BUSINESS JOURNAL

CONTINUED FROM PAGE 5

come up organically," said Deborah Jordy, executive director of the Colorado Business Committee for the Arts. "They haven't been established by a city or a county or a state, but by a core group of individuals."

Art District on Santa Fe was formed in 2003 by a group of artists displaced after the arrival of the Colorado Rockies and construction of Coors Field made that part of Lower Downtown Denver too expensive.

"Santa Fe Drive was a rough-and-tumble area for quite a while," said Jack Pappalardo, the longtime president of Art District on Santa Fe. "Once some of the gallery owners started coming down here ... they had to figure out a way to get attention."

The gallery owners pioneered the First Friday art walk as a way to bring people to the district. Twenty people showed up for the debut event in 2003, recalled Pappalardo, whose wife, Georgia Amar, has a fine-art gallery at 828 Santa Fe Dr. Now 10,000 people attend the First Friday events when the weather is nice, and 5,000 brave the elements even during the winter, he said.

Art District on Santa Fe was certified as a creative district in 2012, and last year property owners in the area voted to create a business improvement district.

"It's going to help," said Pappalardo, a commercial real estate attorney. "It shows that we have a unified voice down here and a shared vision."

The vision for the Santa Fe arts district calls for widening sidewalks, which is probably two to three years away and would require cooperation and financial help from the city, he said.

Walt Weinberg, a sculptor whose studio, Sunrise Artworks, is in Aurora, left Santa Fe Drive behind, before the area became a haven for artists.

"I was there in 1971," he said. "We tried to get people down there to rent studio space and no one wanted to move there because it had a bad reputation. I left in 1998 and then everyone started coming down there."

Weinberg left Santa Fe Drive because the owner of the building he was in sold it. He

wound up a property owner himself, buying the building at 1556 Florence St. in Aurora.

"There's no money in art," he said. "Ever. There won't be. Usually you have to have some help, some benefactors to keep your organization and your art going. That's a difficult nut to crack. Now the studio space in Denver has gotten very expensive."

Weinberg's building has a dozen studios that he rents out to other artists, "which is what helps me stay alive."

**Space can be expensive**

The lack of affordable studio space is something that every arts district — certified as a creative district or not — has to deal with.

"As an artist, the concern becomes the same concern that it always is," said Allie McCain, who closed her gallery, called ArtHaus, in the River North Art District, in December. "Artists take an area, breathe life into it and the next thing you know, everybody else wants to come down and experience it."

McCain and her business partner and fellow artist Michael Gadlin leased space for ArtHaus at 3343 Larimer St. for four years, but increasing rents forced them out.

"He only doubled what we were paying," Gadlin said. "And I say 'only' because just in a block or two-block vicinity, it's tripling and quadrupling of what we used to pay."

McCain found new studio space nearby, while Gadlin moved farther away, to the Globeville neighborhood.

The owner of the 3343 Larimer St. building, Matthew Palmer, is an artist himself. He has a master's degree in fine arts and ceramics, and taught for several years at Front Range Community College.

Palmer owns other commercial properties, including the nearby Dry Ice Factory building, 3300 Walnut St., which he purchased in 2007 and fashioned into a haven for artists and other creative types. When the economy soured, Palmer said, he gave up his art studio and turned to commercial property development.

"We don't rent market rate, so it's always full," Palmer said. He charges \$1.70 a square foot but said supply and demand dictates he could charge \$3 a square foot.

"The business runs in the red," Palmer said. "We're just trying to keep it from running further into the red, and trying to inch our way into the black."

With a dozen certified creative districts in the state so far, Colorado Creative Industries has accepted another eight as candidates. Those candidate districts are working toward certification in a process that takes two years.

Evergreen, an unincorporated area in Jefferson County, is among the candidates. Joan Mickelson, an artist who serves as secretary of the Evergreen Downtown Business Association, is working with a consultant provided by the state to develop strategic, marketing and funding plans. Evergreen's district encompasses the community's downtown.

"Evergreen is an unincorporated township, so there is no city government," Mickelson said. "There is nobody promoting downtown. So we're pretty much left to do that ourselves. ... We are very delighted to have this idea of a designation because we are trying to promote the idea that we have some really cool art here. We have really cool artists and craftsmen." ❧



Matthew Palmer owns commercial properties in the River North Arts District, including the Dry Ice Factory building at 3300 Walnut St.

COVER STORY

# KEY INGREDIENT FOR CREATING AN ARTS DISTRICT: TIME

The process to become a creative district is an involved one, and can take years.

Communities apply to Colorado Creative Industries, part of the state's economic development office. It considers many factors, including the concentration of creative businesses before deciding whether to invite a community to apply.

Those districts that are certified must come up with a way to become self-sustaining, such as through the creation of a business improvement district.

"One of the things that we've identified as being critical to success is having some paid staff, part-time or full-time," said Margaret Hunt, director of Colorado Creative Industries. "It can be someone in the city government. It can be a local nonprofit. It doesn't matter what the structure or form is, but as long as there is some dedicated paid staff who is managing the program, that seems to be a really pivotal part of ensuring success."

Hilarie Portell, executive director of The Fax Partnership, which is working to revitalize a three-mile stretch of East Colfax Avenue, testified on behalf of the creative district legislation that passed in 2011.

"You have to have the right ingredients for a creative district to really take hold," she said. "It's not just about having a few galleries. It's really about the place itself and whether it lends itself to creative enterprise."

Communities are invited to apply for the program every two years. Successful applicants will be considered candidates, with the ability to apply for certification at the end of two years.

The state takes a three-part approach to determining if an applicant will be accepted. Does the area have a concentration of creative businesses? And is there support for the concept by public officials and the community?

The third part: Does the area have what Hunt calls "an authentic and unique story"?

"The best way I can say this is if we visit galleries and the majority of work in the galleries is made in China, they don't have an authentic and unique story. I'm exaggerating a little bit."

Colorado Creative Industries had letters of interest from 22 communities for fiscal year 2015, which began July 1, 2014. The state invited 14 to submit full applications, and half of those were selected to join as candidates and will spend two years working to become certified as creative districts.

**THE AARON HERBER SHOW**  
**COLORADO BUSINESS NEWS**  
 PART 2 OF 2

CRISANTA DURAN  
 DOMINICK MORENO  
 BRIAN DELGROSSO  
 LIBBY SZABO

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## IMPACT OF THE ARTS IN METRO DENVER

Based on a 2013 economic activity study by the Colorado Business Committee for the Arts using data from Scientific and Cultural Facilities District (SCFD) recipients.

TOTAL ATTENDANCE AT ARTS-RELATED EVENTS, 2013

**14.2 million**

Reduced-price: 4.25 million

Paid: 4.75 million

Free: 5.2 million



ARTS ORGANIZATIONS TOTAL PAYROLL

**\$150.7 million**

ECONOMIC IMPACT

**\$520.8 million**

ECONOMIC ACTIVITY

**\$1.85 billion**

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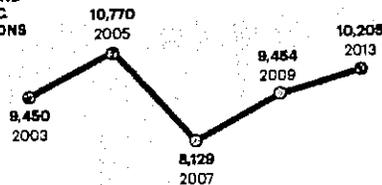
DEVELOPER BY GOLDHILL HOLDINGS

ARCHITECT JOHN PORTMAN & ASSOCIATES

CREATED BY Robert Whittlesey | Jonathan Jones

**Colliers** 303.745.5800

TOTAL ARTS, CULTURAL AND SCIENTIFIC ORGANIZATIONS JOBS





The popular Bally's Total Fitness at Englewood's City Center has just been purchased by 24 Hour Fitness.

Photo by Tom Barry

# 24 Hour Fitness acquires Bally's in Colorado

*Acquisition includes Englewood facility*

**By TOM BARRY**

The popular 24 Hour Fitness clubs scattered throughout metro Denver just got bigger. The California-based corporation recently purchased all seven of Bally's Total Fitness clubs in Colorado, including one in Englewood.

The acquisition benefits 24 Hour Fitness members and Bally's members alike, as the number of clubs available to them has increased substantially as a result, though Bally's members may have to shell out additional funds to use the former competitor's facilities, depending on their current membership status.

"We are delighted to add these

new clubs to our growing operation," said CEO Mark Smith. "This transaction gives us a running start as we grow our business and introduce innovations that focus on the health and wellness of our members. I can't wait to meet our new team members and begin transforming these new facilities into state-of-the-art 24 Hour Fitness clubs."

24 Hour Fitness has purchased more than 30 clubs in New York, New Jersey and California. The 24 Hour group can now boast around four million members and more than 400 clubs in 18 states, with about 10,000 employees.

A press release from 24 Hour Fitness says, "This new acquisition comes alongside a large investment in refurbishment and new equipment across the 24 Hour Fitness portfolio of gyms,

as its new leadership focuses on creating a great fitness experience for all members."

In recent years, some Bally's locations in the south metro area had noticeably fallen into disrepair. The company had a tough time competing with 24 Hour clubs that were newer or had undergone major renovations. Bally's also lacked the number of locations in comparison and had limited hours of operations. The once highly popular Bally's often lacked the latest in cardio equipment, in comparison to its new owner.

The low-key acquisition occurred in mid-December and came to fruition last month in Denver.

Former Bally's members are encouraged to call 800-224-0240 or visit [www.24hourfitness.com](http://www.24hourfitness.com).



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*The Villager  
2.12.15*

# Englewood Fire Department decision postponed

*Firefighters union preparing counter proposal*

By **PETER JONES**

The Englewood City Council has delayed putting out a fire.

The controversial issue of what to do with the city's beleaguered fire department will wait for another day. After a lengthy presentation and discussion this week, officials postponed their planned decision as to whether the city should disband the department and contract with the City and County of Denver instead.

Options will be discussed again on Feb. 17, when the council hopes to finally provide direction to City Manager Eric Keck, who has proposed the change, calling Englewood's current fire-protection system unsustainable.

Depending on the council's decision, Keck would then formalize the official resolution and bring it back to the council for formal approval.

Last month, Keck cited what he called the unmaintainable costs of operating a stand-alone fire department and said a cost-saving contract with Denver could be handled without a tax increase.

During the last three weeks, City Council has received input from residents and businesses, many of whom have encouraged officials to keep the in-house department, even if it meant a tax increase. Many suburban cities contract with other municipalities for fire service or join independent fire-protection districts.

The Englewood firefighters union and fire department administration have asked for additional time to present a cost-saving proposal that would purportedly allow the department to remain a stand-alone operation. That proposal will be heard Feb. 17 at 6 p.m.



RTD District D Director Jeff Walker speaks last week at a Feb. 10 meeting of the Greater Englewood Chamber of Commerce. Photo by Peter Jones

## RTD director optimistic for RidgeGate light rail

*District D's Walker*

was hard-pressed to cite arguable justification for adding a second 35 minutes. Try doing that at rush hour, right?"

*The Villager  
2.12.2015*

## Englewood agrees to go with Denver for fire protection

Updated: 02/18/2015 06:40:15 AM MST

DenverPost.com

ENGLEWOOD — Firefighters in this suburb made a final plea for keeping their century-old department a standalone city function, but it was too little too late.

The City Council agreed Tuesday evening to move forward on crafting a contract for fire and emergency services with the Denver Fire Department. A formal vote on the issue, which the city has wrestled with for two years, will be taken in the coming weeks.

Six of seven council members said that despite the powerful emotional pull of keeping intact a fire department that has been in operation since 1908, it didn't make sense financially to try to keep it going at this point.

"It's a sad day," Councilman Steven Yates said.

But Yates said the city already is dealing with a sizable deficit and needs to do the fiscally responsible thing.

City Manager Eric Keck told the council that in the past week he heard last-minute appeals from members of the Englewood Fire Department, who suggested they could increase revenues by charging more for ambulance service and cut costs by restructuring schedules.

But after running all of the numbers, Keck said, it wasn't enough to make the department sustainable in the long term.

"We're out of time and out of money to save the department," he said. "It's a very difficult thing to say."

A recent city analysis concluded that maintaining a stand-alone Englewood force would cost an additional \$18 million in the first year above the department's \$9 million annual budget. That's because of a long list of aging vehicles that would have to be replaced, including a 95-foot ladder truck, two pumper trucks and two ambulances.

The Denver Fire Department, by contrast, would charge about \$8.8 million in the first year. It would subcontract with Denver Health for paramedic service. After the first year, Denver's contract to provide services would be \$6.2 million annually.

Councilman Rick Gillit was the sole member on council to recommend putting before voters a bond issue in November that could fund the necessary improvements to salvage the city's fire department.

Other council members, including Mayor Randy Penn, questioned whether residents would pass a tax increase.

If the Englewood City Council ultimately votes to join forces with Denver, the city would follow in the footsteps of Sheridan and Glendale.

Both cities outsourced their firefighting operations to Denver in the past decade.

*John Aguilar: 303-954-1695*

*or [twitter.com/abuvthefold](https://twitter.com/abuvthefold)*

**CITY OF ENGLEWOOD  
2015 CALENDAR OF EVENTS**



Mon., Feb. 23	6:00 p.m.	Study Session, Community Room
Wed., Feb. 25	6:00 p.m.	Special Study Session, Community Room
Mon., March 2	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., March 3	7:00 p.m.	Planning & Zoning Commission, City Council Conference Room/Council Chambers
Wed., Mar. 4	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., March 9	<b>Cancelled</b>	Study Session, Community Room
Tues. March 10	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., March 11	6:30 p.m.	Englewood Urban Renewal Authority, City Council Conference Room
	<b>Cancelled.</b>	Board of Adjustment and Appeals, Council Chambers
Thurs., March 12	11:30 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	5:30 p.m.	Parks and Recreation Commission, Malley Senior Recreation Center
	6:30 p.m.	Transportation Advisory Board City Council Conference Room
Mon., March 16	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., March 17	7:00 p.m.	Planning & Zoning Commission, City Council Conference Room/Council Chambers

Wed., Mar. 18	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., March 23	6:00 p.m.	Study Session, Community Room
Mon., March 30	<b>Cancelled</b>	Study Session, Community Room
Wed., April 1	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., April 6	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., April 7	7:00 p.m.	Planning & Zoning Commission, City Council Conference Room/Council Chambers
Wed., April 8	6:30 p.m.	Englewood Urban Renewal Authority, City Council Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Thurs., April 9	11:30 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	5:30 p.m.	Parks and Recreation Commission, Broken Tee Golf Course
Mon., April 13	6:00 p.m.	Study Session, Community Room
Tues. April 14	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., April 15	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., April 20	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., April 21	7:00 p.m.	Planning & Zoning Commission, City Council Conference Room/Council Chambers
Mon., April 27	6:00 p.m.	Study Session, Community Room
Mon., May 4	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers

**TENTATIVE**  
**STUDY SESSIONS TOPICS  
FOR ENGLEWOOD CITY COUNCIL**



February 25	Special Study Session Joint Meeting with Sheridan City Council – Walk and Wheel Update
March 2	Study Session & Regular Meeting Long Term Capital Improvement Discussion
March 9	Study Session – Cancelled NLC Conference
March 16	Study Session & Regular Meeting Cultural Arts Commission – Annual Report FunFest Discussion Volunteers of America Update MetaGolf Contract Financial Report
March 23	Study Session
March 30	No meeting scheduled – 5th Monday
April 6	Study Session & Regular Meeting
April 13	Study Session
April 20	Study Session & Regular Meeting Financial Report
April 27	Study Session
May 4	Study Session & Regular Meeting Board and Commission Members Reappointment Discussion
May 11	Study Session
May 18	Study Session & Regular Meeting Financial Report
May 25	Memorial Day Holiday – No meeting scheduled
June 1	Study Session & Regular Meeting

June 8	Study Session Board and Commission Interviews
June 15	Study Session & Regular Meeting (CML Conf. 6/16-19/15 – Breckenridge) Financial Report
June 22	Board and Commission Appreciation Night
June 29	No meeting scheduled – 5th Monday
July 6	Study Session & Regular Meeting

## FUTURE STUDY SESSION TOPICS

- City Financial Policies
- City Infrastructure Discussion
- Arapahoe County Commissioners
- RTD Representatives
- McLellan Reservoir – Executive Session
- River Run Easement
- Citizen Engagement
  - Social Media Policy
  - NextDoor Update
- Tale of Two Cities presentation: What Can or Should Our City Look Like in the Future?
- Hotel/Motel Regulations
- Public Smoking Ban
- Affordable Housing Studies
- Bike Paths
- Construction Defects Ordinance
- Cultural District – pending URA report
- Medical Marijuana Distancing/Polling/Standards of Review
- Citizen of the Year Selection Process

**ALLIANCE FOR COMMERCE IN ENGLEWOOD COMMITTEE**  
**City Council Conference Room**  
January 8, 2015



**I. CALL TO ORDER**

The regular meeting of the Alliance for Commerce in Englewood Committee (ACE) was called to order at 11:53 a.m. in the City Council Conference Room of the Englewood Civic Center, Chair Whyte presiding.

Present: Whyte, Knoth, Vigliano, Michels

Absent: Farris (Excused), Weinberger (Unexcused), Miller (Unexcused)

Also present: None

Staff present: Alan White, Community Development Director  
Darren Hollingsworth, Economic Development Manager



**II. APPROVAL OF MINUTES**  
December 11, 2014

Chair Whyte stated that the Minutes of December 11, 2014, were to be considered for approval. It was determined there was a quorum. Chair Whyte asked if there were any changes or adjustments to the Minutes. There were none.

Michels moved;

Knoth seconded: THE MINUTES OF DECEMBER 11, 2014, BE APPROVED AS WRITTEN.

The motion carried unanimously.



**II. ACE BUSINESS**

Chair Whyte commented that there has been no response from City Council regarding previous discussions and subsequent motions by the Committee.

He supplied the Committee with copies of the memo from City Manager Eric Keck regarding the newly developed Mission, Vision and Values statement for the City.

Mr. Knoth expressed an interest in creating an action plan as a priority. Mr. Michels commented that ACE's mission statement should closely align with the City's.

Chair Whyte outlined options for an action plan and ideas to present to Council. A survey would be helpful to identify the issues facing current businesses. A comprehensive marketing plan would facilitate attracting new businesses to the City.

A specific action plan could be developed based on Council's priorities. Attraction and retention are the two major issues.

Retention:

- 1) Survey to determine needs of businesses
- 2) Refining City services to make doing business with the City easier
- 3) Platform for communication to businesses

Attraction:

- 1) Marketing and branding plan to promote image
- 2) Incentives such as fee waivers, Catalyst Program
- 3) Proactively pursue businesses

Mr. Hollingsworth spoke regarding the Economic Development Plan in relation to the Comprehensive Plan. The current Economic Development Plan is outdated and will need to be revised based on the new Comprehensive Plan.

Chair Whyte asked the members of the Committee to think of the objectives of retention and attraction and bring ideas for each to the next ACE meeting.

▶  
**III. PUBLIC COMMENT**

There were no members of the public present at the meeting.

**IV. COMMENTS**

**CHAMBER OF COMMERCE**

There were no representatives from the Chamber present at the meeting.

▶  
**STAFF COMMENTS**

Director White informed the Committee of the next steps with the development of the Comprehensive Plan. There will be a joint work session of City Council and the Planning and Zoning Commission January 26<sup>th</sup> at 6 p.m. and the next public meeting will be February 11<sup>th</sup> at 6 p.m. The topics will include defining economic vitality as stated in the mission statement by identifying elements of the commercial environment that are important to the community.

**CITY COUNCIL COMMENTS**

No representative from City Council was present at the meeting.

**ACE COMMENTS**

Chair Whyte encouraged the members to bring specific ideas to the next meeting to further the discussion of the Committee's direction.

V. UPCOMING ACE BUSINESS

- a. The next meeting is scheduled for February 12, 2015.

No further business was brought forth for consideration. The meeting was adjourned at 12:38 p.m.

/s/ Julie Bailey, Recording Secretary

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**  
Community Development Conference Room  
January 21, 2015

I.  CALL TO ORDER

The regular meeting of the City Planning and Zoning Commission was called to order at 7:15 p.m. in the Community Development Conference Room of the Englewood Civic Center, Chair Fish presiding.

Present: Bleile, Brick, Fish, Freemire, Kinton, Knoth, Roth, Townley, Madrid

Absent: King (Excused)

Staff: Alan White, Director, Community Development  
Chris Neubecker, Senior Planner  
Nancy Reid, Assistant City Attorney

Also Present: Brian Ewert, Superintendent, Englewood Schools

II.  APPROVAL OF MINUTES  
December 2, 2014

Knoth moved:

Roth seconded: TO APPROVE THE DECEMBER 2, 2014, MINUTES

Chair Fish asked if there were any modifications or corrections. There were none.

AYES: Brick, Kinton, Knoth, Roth, Townley, Chair Fish

NAYS: None

ABSTAIN: Bleile, Freemire

ABSENT: King

Motion carried.

III.  Discussion with Brian Ewert, Superintendent of Englewood Public Schools

Brian Ewert, Superintendent of the Englewood Public School District, reviewed the status of the school district. Mr. Ewert stated that at this time, enrollment is approximately 2,900 students, 600 of which do not live in Englewood but come from outside of Englewood. Englewood Schools are considered a district of choice with an open enrollment policy. About 700 students live below the poverty line which presents multiple challenges to the

district. Nine percent of the enrolled students are legally homeless in that they do not have a permanent address. Fifteen percent are English Language Learners and the turnover rate in the district is approximately 20% district wide. Expenditures per pupil is about \$7,000 per student. Colorado ranks at 45<sup>th</sup> to 48<sup>th</sup> in the nation for “per pupil” funding which is below the national average of \$10,500. Private schools in Colorado spend approximately \$15,000-\$20,000 per student.



There is one Early Childhood Center at Maddox Elementary, four elementary schools and two middle schools, one of which is Englewood Leadership Academy that is a small school with approximately 80 students. There are two high schools, Englewood High School and Colorado’s Finest High School of Choice. The newly completed Englewood Campus houses three schools. There will be an open house for the community on February 7<sup>th</sup> at 10:00 a.m. and Mr. Ewert encouraged everyone to attend.



The construction of the new campus was completed with a \$50 million dollar tax increase and a grant of \$8 million from the Colorado Department of Education. In 2010, the district was in the lowest 10% of Colorado Schools but has experienced growth over the past 5 years.

Mr. Ewert explained the metrics by which school districts are ranked: by student growth and by achievement. Efforts are ongoing to improve growth which will improve achievement. Almost all students gain more than one year of knowledge during the school year. The district is in the top 25% in the state for student growth.



Mr. Bleile asked for Mr. Ewert’s opinion on how the district has improved over the last 5 years since he was hired as superintendent. He remarked that he feels the district as a whole has made progress in many areas but still faces many challenges.

Discussion continued regarding the impact of quality schools on the City and how the neighborhoods are changing and evolving with new development. The enrollment is stable after years of declining enrollment. The specialty programs being offered by the high school includes cosmetology and culinary programs and 3 STEM (Science, Technology, Engineering, Math) schools.



Mr. Brick inquired about the opportunities for students to participate in workforce training activities. Mr. Ewert outlined the structure of the district administration. The school district and the City could potentially work together with the workforce program.

The school board is considering a bond to finance the replacement of the elementary schools. Currently there are four elementary schools but Mr. Ewert believes that the district would be more efficient with three medium sized elementary schools. Charles Hay, Maddox and Clayton are located on large lots that could accommodate the medium sized schools.

Mr. Ewert spoke to the changing demographics of the area. He feels that the biggest hurdle to success now is the impact of poverty on students and consequently the resources available through the school district.



Mr. Brick asked about the impact of illegal immigration on student achievement and whether or not the City can help correct the associated issues. Mr. Ewert responded that the problem is complex:

- Parents are fearful of association with government entities such as schools, libraries and recreation centers.
- Student achievement and growth is directly related to parental involvement and it is difficult to engage the parents who are here illegally.
- Any child who comes to Englewood schools is welcome and will receive support for learning.



Mr. Brick asked about the structure of the school administration, Mr. Ewert made several changes when he took the Superintendent position that have resulted in a smaller staff for administration.

Mr. Madrid asked about the anticipated impact of the new apartment developments in Englewood. Mr. Ewert commented that it is an unknown, but if families are moving to the area for the community and renting an apartment it may be a transition to home ownership in Englewood.

Ms. Townley asked what types of agreements are in place between the school district and the City. Currently the City uses the gym space at the schools for recreation programs for no charge. The City performs some maintenance at the schools. In the future, the City may take on more of the physical maintenance of the district's buildings.

Mr. Freemire asked Mr. Ewert what he thinks the City can do to assist the district in improving their "brand". He replied that continuing to build the relationship between the school district and the City is important. The improvement of the schools will impact the overall perception of the City and efforts for economic development.

Mr. Ewert reviewed the policy regarding Use Tax charged to the school due to the Home Rule Charter. Agreements were made that resulted in much of the Use Tax being applied to the improvement projects.



Mr. Neubecker asked if there is anything that Planning and Zoning Commission can do to help the schools. Mr. Ewert did not have any specific ideas but stated that understanding the need for quality facilities and support from the City and citizens is crucial to building the image of the community at large.

The Commissioners thanked Mr. Ewert for his time and the information he presented.



### III. STUDY SESSION Accessory Dwelling Units 2014-01

Mr. Neubecker reviewed the definition of ADUs (Accessory Dwelling Units) as they exist in other communities. Common themes among some of the communities that allow ADUs:

- 1) The owner of the property must live in one of the units on the property, enforced by covenant attached to the property
- 2) Required minimum lot sizes
- 3) Minimum and/or maximum size of the ADU as it relates to the lot size or the primary unit
- 4) Parking requirement for the ADU of at least one space
- 5) Occupancy limits
- 6) Design and material requirements; Englewood does not currently have any design or material requirements for accessory buildings at this time.

Specific concerns of the Commission could be written into the ordinance. Mr. Neubecker asked the Commissioners to discuss what aspects of ADUs are important to them.

Ms. Townley – Limit on the number of ADUs on a property.

Mr. Bleile – The Commissioners have already approved a PUD that contains ADUs. The next step is how to allow ADUs for the rest of the City. His preference is to have ADUs defined as a separate structure, not to include basement apartments or a room in the primary residence.

Mr. Neubecker stated that an ADU would have its own kitchen, bathroom and exterior entrance and could operate independently of the main structure. He reviewed the definition of a household in the UDC (Unified Development Code.) Mr. Madrid asked if separate utilities would be required; Ms. Reid stated that current regulations require separate utilities (water and sewer.) Mr. Neubecker will follow up with the Utilities Department to ascertain how the utilities would be handled for ADUs.

Mr. Knoth added that he did not want to see lots subdivided to accommodate an ADU. Mr. Roth commented that it would be preferable to have a requirement that the owner live on the premises.

Chair Fish brought up the topic of short term rentals and cited the example of what is happening in New York City with Airbnb. He would not want to see properties purchased for short term rentals. Mr. Brick stated that he is opposed to ADUs in R-1-A zone districts. Mr. Knoth believes that R-1-A would be the most likely to accommodate ADUs given the larger lot sizes. Mr. Roth expressed concern about parking. Ms. Townley suggested that features of the property could be evaluated such as alley access and driveways.

Discussion as to whether or not to continue pursuing ADUs; the consensus of the Commission is to continue. Mr. Bleile recommended selecting the various data points provided by Staff for individual discussion. Ms. Townley recommended gathering more information regarding demand and what is successful. Mr. Kinton agreed that it is

necessary to find out what the consequences have been in areas where they are permitted.

▶  
Mr. Neubecker stated that he does not believe the area would be inundated with ADUs and that the actual number would be relatively small. Mr. Kinton remarked that more and more people want to have family live close. Mr. Madrid asked if, in the pursuit of higher density, would the preferred alternative be more apartment buildings or homes with ADUs. Discussion continued regarding the various aspects to consider for allowing ADUs.

Mr. Freemire asked if the Commission receives direction from City Council regarding community issues and priorities. Director White responded that it would be a good idea to get City Council's opinion on ADUs. The priorities taking precedence are the Fire Department issue and the Comprehensive Plan update. Mr. Bleile responded by saying that in his tenure on the Commission, City Council has allowed the Commission to be the "thought leaders" in terms of addressing planning and zoning issues. City Council has expressed that the housing stock and "aging in place" are important issues.

Mr. Knoth asked if the Commissioners are in agreement that they should pursue the topic. After polling the Commissioners it was agreed that they want to explore the possibility of allowing ADUs.

Chair Fish and Director White discussed the upcoming joint study session with City Council and the Planning and Zoning Commission. It will be an opportunity to provide input and gather information about the direction that City Council wants to take.

▶  
Mr. Knoth asked about the direction of the conversation. It was agreed that staff would bring information regarding the elements of ADUs to the Commission for discussion. Mr. Neubecker will break down the elements outlined in his chart that was supplied to the Commissioners and present information at future meetings. The Commissioners agreed that should another matter requiring immediate attention arise, the discussion around ADUs could be set aside.

▶  
IV. PUBLIC FORUM

No members of the public were present.

▶  
V. ATTORNEY'S CHOICE

Ms. Reid commented on the Use Tax issue surrounding the school construction. The contractor was responsible for paying Use Tax which was passed on to the cost of the school construction. The City does not waive fees for construction projects.

Ms. Reid informed the Commission that she intends to retire at the end of February 2015.

▶  
VI. STAFF'S CHOICE

Director White reminded the Commissioners of the joint study session with City Council on Monday, January 26<sup>th</sup> at 6:00 p.m. Information regarding the meeting will be e-mailed to the Commissioners.

City Council passed on second reading the Amendments to the PUD Regulations and MU-R-3-B and MU-R-3-C cleanup items and the public hearing on Bulk Plane Amendments took place January 20<sup>th</sup>. Second reading on the Bulk Plane Amendments will be February 2<sup>nd</sup>.

▶  
VII. COMMISSIONER'S CHOICE

Mr. Bleile acknowledged that the meeting is Mr. Roth's last with the Planning and Zoning Commission and expressed his appreciation for his knowledge of Englewood and his work with the Commission.

Mr. Roth spoke about his history with the Planning and Zoning Commission and other City boards on which he has served. He believes that the Commission is the forward-thinking arm of the City.

Mr. Brick expressed that he has a great appreciation for Mr. Roth's depth of knowledge concerning the City's history.

Mr. Freemire wished Mr. Roth well in his future endeavors. Ms. Townley stated her appreciation for Mr. Roth's insights into projects and plans.

Mr. Kinton said that he has found Mr. Roth's perspectives interesting and informative and that it will be difficult to replace that knowledge. He commented that Ms. Reid will be missed.

Mr. Knoth thanked Mr. Roth for his service. He commented on Mr. Freemire's earlier comment regarding the ADU discussion but feels that the Commission is headed in the right direction. He thanked staff for their work.

Mr. Madrid thanked Mr. Roth for his service. Chair Fish recalled that he and Mr. Roth have been working together on boards since the 1980s. He encouraged Mr. Roth to come to future meetings to provide input.

The meeting adjourned at 9:00 p.m.

/s/ Julie Bailey, Recording Secretary

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
City Council Conference Room  
February 3, 2015

▶  
I. CALL TO ORDER

The regular meeting of the City Planning and Zoning Commission was called to order at 7:00 p.m. in the City Council Conference Room of the Englewood Civic Center, Vice Chair King presiding.

Present: Bleile, Brick, King, Kinton, Knoth, Madrid, Townley

Absent: Fish (Excused), Pittinos (Excused), Freemire (Excused)

Staff: Alan White, Director, Community Development  
Chris Neubecker, Senior Planner  
Dan Brotzman, City Attorney  
Dugan Comer, Assistant City Attorney  
Nancy Reid, Assistant City Attorney

▶  
II. APPROVAL OF MINUTES  
January 21, 2015

Knoth moved:

Bleile seconded: TO APPROVE THE JANUARY 21, 2015, MINUTES

Vice Chair King asked if there were any modifications or corrections. Mr. Brick requested that Mr. Ewert's comments regarding illegal immigration be added to the minutes. Mr. Bleile asked that verbiage be changed on page 4 regarding Planning and Zoning Commission and City Council, which allows the Commission to be the thought leaders on planning issues.

Motion to table the approval of the January 21, 2015, minutes pending correction.

Brick moved;

Bleile seconded: To table approval of the January 21, 2015, minutes. The minutes will be corrected and presented for approval at the February 18, 2015, meeting.

Approved unanimously by voice vote.

▶  
III. Study Session 2014-01 Accessory Dwelling Units

Chris Neubecker, Senior Planner, presented a PowerPoint presentation with illustrations of various types of Accessory Dwelling Units. ADUs (Accessory Dwelling Units) vary widely from basement apartments to separate structures from the principal dwelling.

#### Definition of ADU:

- “Dwelling Unit” with space for living, cooking , sleeping and bathing
- Independent from the main residence
- Secondary in size (smaller)
- Separate entrance



#### Benefits of allowing ADUs:

- Additional housing options
- Living space for elderly relatives & adult children
- May increase property values
- Rental income
- Additional vibrancy to support local businesses
- “Eyes on the Street” can help to reduce crime along alley

#### Concerns regarding allowing ADUs:

- Rental units may be perceived negatively
- More density may not be supported
- Some homes may be built larger if they include an ADU in the primary structure
- More units may increase traffic
- Impacts on parking
- Offsite owners may not maintain property; difficult to regulate

The 2003 Englewood Comprehensive plans cites accessory living units as a desirable housing option and encourages housing that serves different life stages. Investments that improve the housing mix, including smaller units, are also encouraged.



#### Changing demographics of Englewood:

- Denver: 6<sup>th</sup> fastest growing metro area
- By 2040, 3 million new people expected in Colorado (1 million will settle in Denver/Boulder area)
- Millennials (Age 25 – 34) make up 19% of Englewood population
- Baby Boomers make up 13% of population
- Millennials comprise 36% of workforce; projected to increase to 50% by 2020.
- “Aging in Place” (or near the kids)
- Mix of housing options are necessary to capture growing markets
- Student loan debt / sharing economy – delaying first time home purchase



Mr. Neubecker reviewed options for regulation of ADUs. Considerations would be given to requiring a property owner to inhabit one of the units, attaching a covenant to the property to prevent both units being rentals and how to manage existing ADUs.



Discussion began with defining an ADU and the zone districts that would be appropriate. Determining size restrictions, parking requirements and design standards will be

necessary. Onsite parking would be preferable but how much parking and where it would be located would need to be addressed. Mr. Neubecker reviewed the various residential zone districts and corresponding lot sizes to demonstrate where ADUs would fit based on current zoning regulations.



Mr. Neubecker polled the Commissioners to determine what kind of information they would like to have to continue discussion on the topic of ADUs.

It is the consensus of the Commission that lots will not be subdivided to accommodate ADUs.

Ms. Townley stated that having an owner on-site is most important if there are two separate buildings as well as parking accommodations.

Mr. Knoth expressed concern about parking and the existing non-conforming ADUs in the City.



Mr. Bleile questioned the definition of ADUs and commented on how it represents a wide variety of interpretations.



Ms. Reid outlined the current definition of duplexes and ADUs as it relates to water and sewer tap issues. Duplexes are separate properties, however ADUs would share the utilities with the primary structure.



Mr. King pointed out that with the current height restrictions, an ADU on the second level of a detached garage would not be feasible. Currently, the UDC defines an ADU as a dwelling unit with cooking facilities that is a separate living facility. Depending on the residential zone district, ADUs may be considered duplexes.

Ms. Reid expanded on the definition of a household as it relates to multiple units on a property. It was agreed that it is very difficult to regulate household composition.

Discussion regarding how to determine the allowable size of an ADU:

- Basement apartments – restricted by the size of the primary residence
- Allowable size based on the percentage of lot coverage
- Size restriction relative to the primary structure



Mr. Kinton remarked that while he is in favor of less regulation for ADUs, he feels that the community may not support the change without sufficient regulation. Standards would need to be in place for the idea to be acceptable to citizens. Parking would be difficult to regulate because residents may have multiple vehicles. Existing non-conforming ADUs need to be addressed by establishing a minimum standard for the unit.

Mr. Madrid asked if there is a way to determine if an existing ADU was legally built. Mr. Neubecker responded that if it is possible to verify a building permit, the structure would

be considered legal non-conforming. Director White added that in the past, use variances were issued and required registration of the unit. It would be very difficult to require existing ADUs to be brought into current building code conformance.



Mr. King explained the code regarding egress from basement apartments. Many basement apartments are not up to current code standards.



Mr. Bleile asked if the Commissioners are prepared to discuss specific data points. The Commissioners requested that the chart presented at the previous discussion be brought back along with additional information regarding the code in other jurisdictions, the effect on taxable value of properties with an ADU and how they are defined in other areas.



#### IV. Public Comment

No members of the public were present at the meeting.



#### V. Attorney's Choice

Ms. Reid introduced Dan Brotzman, City Attorney, and Dugan Comer, Assistant City Attorney. Mr. Comer will be supporting the Commission going forward. Mr. Brotzman spoke to how the definition of a family and a household affect the zoning code and the associated issues of regulation. He stated the City Council has expressed a desire to have the code simplified to make it user friendly for citizens.

Ms. Reid announced that this is her final Planning and Zoning Commission meeting as she will be retiring at the end of February. She thanked the Commissioners for their service.



#### V. Staff's Choice

Director White reminded the Commissioners of the upcoming Englewood Forward Comprehensive Plan public meeting on Wednesday, February 11<sup>th</sup> beginning at 6:00 p.m.

Mr. Neubecker announced that Mr. Madrid is now a voting member of the Commission. The new alternate, Mr. Pittinos, will attend the meeting on February 18<sup>th</sup>. He was formerly a member of the Board of Adjustments.



#### VI. Commissioner's Choice

Mr. Brick expressed his appreciation for Ms. Reid's guidance and tutelage during his tenure on the Commission.

Mr. Bleile thanked Ms. Reid for her service to the Commission and congratulated her on her retirement.

Mr. Madrid thanked Ms. Reid for her guidance.

Mr. Knoth congratulated Ms. Reid. He requested that City Manager Keck visit the Commission in the near future.

Ms. Townley thanked Ms. Reid and expressed that she is sorry to see her go and wished her well.

Mr. Kinton agreed with Mr. Knoth that City Manager Keck should attend a meeting. He wished her well in her retirement. He said that he found the joint meeting with City Council beneficial.

Mr. King congratulated Ms. Reid and wished her well in her retirement.

The meeting adjourned at 8:40 p.m.

/s/ Julie Bailey , Recording Secretary