

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.
5. Consideration of Minutes of Previous Session.
 - a. Minutes from the Regular City Council Meeting of Dec. 7, 2015.
6. Recognition of Scheduled Public Comment. The deadline to sign up to speak for Scheduled Public Comment is Wednesday, prior to the meeting, through the City Manager's Office. Only those who meet the deadline can speak in this section. (This is an opportunity for the public to address City Council. There is an expectation that the presentation will be conducted in a respectful manner. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.)
 - a. Doug Cohn, Englewood resident, will address Council regarding historic preservation.
7. Recognition of Unscheduled Public Comment. Speakers must sign up for Unscheduled Public Comment at the beginning of the meeting. (This is an opportunity for the public to address City Council. There is an expectation that the presentation will be conducted in a respectful manner. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to three minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.)

Council Response to Public Comment.
8. Communications, Proclamations, and Appointments.
 - a. Keep Englewood Beautiful Holiday Lighting Awards
9. Consent Agenda Items
 - a. Approval of Ordinances on First Reading.

- i. Council Bill 63 - The Finance and Administrative Services Department recommends Council approve a bill for an ordinance changing the Police and Fire Supplemental Disability Board membership from two active firefighters to none. Changing the Board's composition also necessitates the need to reduce the number of members that constitutes a quorum from five to four. **Staff: Director of Finance & Administrative Services Shelley Becker**
 - b. Approval of Ordinances on Second Reading.
 - i. Council Bill 62 - Authorize the Englewood Police Department to accept grant funding from the Colorado Department of Transportation 405C Traffic Records Program for an E-ticketing system. **Staff: Deputy Police Chief Jeff Sanchez**
 - ii. Council Bill 60 - Approve an IGA for NetDMR between the L/E WWTP and Colorado Department of Public Health and Environment, Water Quality Control Division for the Clean Water Act National Pollutant Discharge Elimination System permit-required electronic reporting of the Discharge Monitoring Reports. **Staff: WWTP Manager Dennis Stowe**
 - iii. Council Bill 61 - Approve a bill for an ordinance approving Valley Sanitation District Supplement #24. **Staff: Director of Utilities Tom Brennan**
 - c. Resolutions and Motions.
- 10. Public Hearing Items.
- 11. Ordinances, Resolutions and Motions.
 - a. Approval of Ordinances on First Reading.
 - i. Council Bill 64 - Community Development staff recommends Council approve a bill for an ordinance approving the Planned Unit Development for the Sand Creek Site (the Foundry) and set a public hearing for January 4, 2016. **Staff: Planner II Audra Kirk**
 - b. Approval of Ordinances on Second Reading.
 - c. Resolutions and Motions.
 - i. The Finance and Administrative Services Department recommends Council approve a resolution updating the title of the ICMA-Retirement Corporation Plan Coordinator for Plans 107460, 108369, 108370, 108371, 108372 and 300034 to reflect the title change from Director of Financial Services to Director of Finance and Administrative Services. **Staff: Director of Finance & Administrative Services Shelley Becker**
 - ii. The Englewood Police Department recommends Council approve a resolution approving the Arapahoe County Mitigation Plan. **Staff: Police Cmdr. Tim Englert**
- 12. General Discussion.
 - a. Mayor's Choice.

b. Council Members' Choice.

13. City Manager's Report.

14. City Attorney's Report.

15. Adjournment.

**ENGLEWOOD CITY COUNCIL
ENGLEWOOD, ARAPAHOE COUNTY, COLORADO**

**Regular Session
December 7, 2015**

A permanent set of these minutes and the audio are maintained in the City Clerk's Office.
Minutes and streaming audios are also available on the web at:
<http://www.englewoodgov.org/inside-city-hall/city-council/agendas-and-minutes>

1. Call to Order

The regular meeting of the Englewood City Council was called to order by Mayor Jefferson at 7:40 p.m.

2. Invocation

The invocation was given by Council Member Russell.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Council Member Russell.

4. Roll Call

Present: Council Members Jefferson, Barrentine, Gillit, Martinez, Russell, Yates
Absent: Council Member Olson

A quorum was present.

Also present: City Manager Keck
Acting City Attorney Comer
Deputy City Manager Flaherty
Assistant City Manager Robinson
City Clerk Ellis
Deputy City Clerk Carlile
Manager Stowe, Littleton/Englewood Wastewater Treatment Plant
Director Brennan, Utilities
Communications Coordinator Hoffhines, City Manager's Office
Police Commander Englert
Right of Way Services Manager Nimmo, Public Works
Fleet Manager White, Public Works
Manager Vega, Human Resources
Technical Support Specialist I Munnell, Information Technology

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 16, 2015.**

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

6. Recognition of Scheduled Public Comment

(a) City Council recognized the student artists whose artwork is included in the 2016 Englewood Calendar. Communications Coordinator Hoffhines, Mayor Jefferson, and Council Member Martinez introduced and presented each child with a framed and matted copy of their artwork and 2 tickets to an upcoming Englewood Arts Concert. Mayor Jefferson also acknowledged Englewood School Board Members: Tena Prange, President, Kevin Ebert, Jason Sakry, Sharon Scheminske, Dagan Thomas, Superintendent of Englewood Schools, Dr. Wendy Rubin, the Englewood's Art Teachers: Mary Lynn Baird, art teacher at Clayton Elementary, Kate Dulaney, art teacher at Charles Hay World School (former art teacher at Cherrelyn and Bishop), Erick Swanson, art teacher at Englewood Middle School, Ryan Talbot, art teacher at All Souls School, Emily Winthrop, art teacher at Englewood High School, Kim Young, art teacher at Colorado's Finest High School of Choice and Englewood School Administrators: Mandy Braun, Principal at Englewood Middle School, Jon Fore, Principal at Englewood High School, Linda Lewis, Principal at Bishop Elementary School, Eva Pasiewicz, Principal at Cherrelyn Elementary School, Dr. Bobbie Skaggs, Principal at Colorado's Finest High School of Choice, Nicole Westfall, Principal at Clayton Elementary School.

The student artists are:

- Isaiah (Jett) Coleman, 11th Grader at Colorado's Finest High School of Choice
- Avery Garcia, 2nd Grader at Cherrelyn Elementary
- Jake Swenson, 12th Grader at Colorado's Finest High School of Choice
- Alexis Garb, 3rd Grader at Clayton Elementary
- Brianna Cervantes, 9th Grader at Englewood High School
- Eden Thomas, 1st Grader at Cherrelyn Elementary
- Emelia Mullenberg, 9th Grader Colorado's Finest High School of Choice
- Brook Sullivan, 6th Grader at Clayton Elementary
- Gabriella Fatovic, Kindergartner at All Souls School
- Miranda Coleman, 9th Grader at Englewood High School
- Estie Vercande, 1st Grader at Cherrelyn Elementary
- Jes Connell, 9th Grader at Colorado's Finest High School of Choice
- Dustin Peterson, 10th Grader at Englewood High School

(b) Veronica and Oscar Reyes, from Color Esperanza, shared with Council how Color Esperanza helped them through a very difficult situation.

(c) George, from Color Esperanza, addressed Council regarding their vision and outreach in Englewood.

(d) Doug Cohn, an Englewood resident, addressed Council regarding historic preservation.

(e) Elaine Hults, an Englewood resident, encouraged Council to support historic preservation. She also addressed Council's decorum.

7. Recognition of Unscheduled Public Comment

There were no unscheduled visitors.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

(a) A proclamation declaring December 15, 2015, Bill of Rights Day was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO APPROVE A PROCLAMATION DECLARING DECEMBER 15, 2015, BILL OF RIGHTS DAY.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit

Nays: None
Absent: Council Member Olson

Motion carried.

9. **Consent Agenda**

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i) and (ii).

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 60, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) "NetDMR SUBSCRIBER AGREEMENT" BETWEEN THE COLORADO CDPHE WQCD (REGULATORY AUTHORITY) AND THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT.

(ii) COUNCIL BILL NO. 62, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE APPROVING AN APPLICATION AND AUTHORIZING THE ACCEPTANCE OF THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) TRAFFIC RECORDS UNIT FY16 FUNDING APPLICATION - 405C, BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO DEPARTMENT OF TRANSPORTATION.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 11 (b).)

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 11 (c).)

10. **Public Hearing Items**

No public hearing was scheduled before Council.

11. **Ordinances, Resolutions and Motions**

(a) Approval of Ordinances on First Reading

(i) Director Brennan presented a recommendation from the Utilities Department to approve a bill for an ordinance approving Valley Sanitation District Supplement #24.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 61.

COUNCIL BILL NO. 61, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE APPROVING SUPPLEMENT NO. 24 TO THE VALLEY SANITATION DISTRICT CONNECTOR'S AGREEMENT WITH THE CITY OF ENGLEWOOD TO INCLUDE ADDITIONAL LAND WITHIN THE DISTRICT BOUNDARIES.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(ii) City Manager Keck presented a recommendation from the City Manager's Office to table Council Bill 58 - a bill for an ordinance amending Title 6, Chapter 1, Section 8, of the Englewood Municipal Code 2000 adopting smoking prohibitions, state standards, further defining public buildings and unifying the definition of tobacco throughout the code.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO TABLE COUNCIL BILL 58.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(b) Approval of Ordinances on Second Reading

(i) Council Bill 59 - Approving a six-month extension on the marijuana social club moratorium was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER MARTINEZ SECONDED, TO APPROVE AGENDA ITEM 11 (b) (i) - ORDINANCE NO. 54, SERIES OF 2015.

ORDINANCE NO. 54, SERIES OF 2015 (COUNCIL BILL NO. 59, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE EXTENDING THE EMERGENCY MORATORIUM ON THE ESTABLISHMENT OF NEW MARIJUANA CONSUMPTION ESTABLISHMENTS FOR AN ADDITIONAL SIX MONTH PERIOD.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(c) Resolutions and Motions

(i) Manager Nimmo and Manager White presented a recommendation from the Public Works Department to approve, by motion, the purchase of a 2016 Freightliner M2 106 dump truck with an attached PB loader from Transwest Truck Trailer RV for \$183,521.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER RUSSELL SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - THE PURCHASE OF A 2016 FREIGHTLINER M2 106 DUMP TRUCK WITH AN ATTACHED PB LOADER FROM TRANSWEST TRUCK TRAILER RV FOR \$183,521.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit

Nays: None
Absent: Council Member Olson

Motion carried.

(ii) Manager White presented a recommendation from the Fleet/ServiCenter to approve, by motion, the purchase of a Volvo IFB-15-015 four wheel drive loader from Power Equipment Company in the amount of \$116,816.00.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) - THE PURCHASE OF A VOLVO IFB-15-015 FOUR WHEEL DRIVE LOADER FROM POWER EQUIPMENT COMPANY IN THE AMOUNT OF \$116,816.00.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(iii) Director Brennan presented a recommendation from the Utilities Department to approve, by motion, the Advanced Utility Systems annual maintenance billing in the amount of \$61,496.86.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) - THE ADVANCED UTILITY SYSTEMS ANNUAL MAINTENANCE BILLING IN THE AMOUNT OF \$61,496.86

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(iv) Director Brennan presented a recommendation from the Utilities Department recommends Council approve, by motion, the Denver Water Board invoice for the Meadow Creek Dam Outlet Works Replacement Project in the amount of \$329,878.14.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iv) - THE DENVER WATER BOARD INVOICE FOR THE MEADOW CREEK DAM OUTLET WORKS REPLACEMENT PROJECT IN THE AMOUNT OF \$329,878.14.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(v) Director Brennan presented a recommendation from the Utilities Department to approve, by resolution, the Assignment of License Agreement from Wildacres, LLC for crossing the City Ditch to 2 T Acres LLC.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (v) - RESOLUTION NO. 101, SERIES OF 2015.

RESOLUTION NO. 101, SERIES OF 2015

A RESOLUTION FOR THE APPROVAL TO AUTHORIZE THE "CONSENT TO ASSIGNMENT" OF THE 2003 CITY DITCH LICENSE AGREEMENT FROM WILDACRES, LLC. TO 2T ACRES. LLC.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(vi) Interim Director Flaherty presented a recommendation from the Community Development Department to approve, by resolution, the Finding of Fact in the matter of appeal of case #2015-09, 4635 S. Pearl St., Urban Lot Development.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER MARTINEZ SECONDED, TO APPROVE AGENDA ITEM 11 (c) (vi) - RESOLUTION NO. 102, SERIES OF 2015.

RESOLUTION NO. 102, SERIES OF 2015

A RESOLUTION APPROVING FINDING OF FACT AND CONCLUSIONS IN THE MATTER OF THE APPEAL OF CASE NO. 2015-09 PERTAINING TO 4635 SOUTH PEARL STREET, URBAN LOT DEVELOPMENT.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

12. General Discussion

(a) Mayor's Choice

(b) Council Members' Choice

(i) A motion authorizing the recruitment of a new City Attorney through the use of an executive search firm RFP was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER RUSSELL SECONDED, TO AUTHORIZE THE RECRUITMENT OF A NEW CITY ATTORNEY THROUGH THE USE OF AN EXECUTIVE SEARCH FIRM RFP.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(ii) An Executive Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (2) (f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO MOVE INTO EXECUTIVE SESSION FOR DISCUSSION OF A PERSONNEL MATTER UNDER C.R.S. SECTION 24-6-402(2)(F) AND NOT INVOLVING: ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION; ANY MEMBER OF THIS BODY OR ANY ELECTED OFFICIAL; THE APPOINTMENT OF ANY PERSON TO FILL AN OFFICE OF THIS BODY OR OF AN ELECTED OFFICIAL;

OR PERSONNEL POLICIES THAT DO NOT REQUIRE THE DISCUSSION OF MATTERS PERSONAL TO PARTICULAR EMPLOYEES WAS CONSIDERED.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

Council moved into Executive Session at 9:09 p.m. [Clerks note: Acting City Attorney Comer joined Council in Executive Session.]

The meeting reconvened at 9:37 p.m. with all Council Members present.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO CLOSE EXECUTIVE SESSION FOR DISCUSSION OF A PERSONNEL MATTER UNDER C.R.S. SECTION 24-6-402(2)(F) AND NOT INVOLVING: ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION; ANY MEMBER OF THIS BODY OR ANY ELECTED OFFICIAL; THE APPOINTMENT OF ANY PERSON TO FILL AN OFFICE OF THIS BODY OR OF AN ELECTED OFFICIAL; OR PERSONNEL POLICIES THAT DO NOT REQUIRE THE DISCUSSION OF MATTERS PERSONAL TO PARTICULAR EMPLOYEES WAS CONSIDERED.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(iii) Approval of a resolution establishing the salary for the Acting City Attorney was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO APPROVE RESOLUTION NO. 103, SERIES OF 2015, SETTING THE ACTING CITY ATTORNEY SALARY AT \$117,281 UNTIL A PERMANENT CITY ATTORNEY IS HIRED AT WHICH TIME THE ACTING CITY ATTORNEY WILL GO BACK TO HIS PRESENT SALARY.

RESOLUTION NO. 103, SERIES OF 2015

A RESOLUTION ESTABLISHING THE SALARY FOR THE ACTING CITY ATTORNEY OF THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

13. City Manager's Report

(a) City Manager Keck discussed the CML Workshop: Effective Governance for Elected Officials to be held on Friday, January 29th from 8:30 a.m. to 4:00 p.m. in Denver.

14. City Attorney's Report

(a) Acting City Attorney Comer requested Council move into Executive Session for a conference with special counsel for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4) (b).

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO MOVE INTO EXECUTIVE SESSION FOR A CONFERENCE WITH SPECIAL COUNSEL FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER C.R.S. SECTION 24-6-402 (4) (b).

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

Council moved into Executive Session at 9:42 p.m. [Clerks note: Assistant City Manager Robinson, Acting City Attorney Comer, Human Resources Manager Vega, and Attorney Martin Semple joined Council in Executive Session.]

The meeting reconvened at 10:24 p.m. with all Council Members present.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO CLOSE EXECUTIVE SESSION FOR A CONFERENCE WITH SPECIAL COUNSEL FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER C.R.S. SECTION 24-6-402 (4) (b).

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Martinez, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

The Service Line Warranty Agreement was discussed.

COUNCIL MEMBER RUSSELL MOVED, AND COUNCIL MEMBER BARRENTINE SECONDED, TO TERMINATE THE MARKETING AGREEMENT BETWEEN THE CITY OF ENGLEWOOD AND SERVICE LINE WARRANTIES OF AMERICA AND TO TERMINATE THE USE OF THE CITY LOGO.

Vote results:

Ayes: Council Members Russell, Barrentine, Jefferson, Yates, Gillit
Nays: Council Member Martinez
Absent: Council Member Olson

Motion carried.

15. Adjournment

MAYOR JEFFERSON MOVED TO ADJOURN. The meeting adjourned at 10:49 p.m.

/s/ Loucrishia A. Ellis
City Clerk

COUNCIL COMMUNICATION

Meeting Date: December 21, 2015	Agenda Item: 9ai	Subject: Change the Police and Fire Supplemental Disability Board Composition
Initiated By: Department of Finance and Administrative Services		Staff Source: Shelley Becker, Director of Finance and Administrative Services

PREVIOUS COUNCIL ACTION

City Council approved the elimination of an active fire department, however, this matter has not been discussed.

RECOMMENDED ACTION

The Police and Fire Supplemental Disability Board membership includes two active firefighters. The City no longer has active firefighters to be elected to serve on this Board. The change is necessary in Sections 3 -5-2(l) and 3-6-1-2 (l). Changing the Board's composition also necessitates the need to reduce the number of members that constitutes a quorum from five to four.

The title of Financial Services Director needs to be updated as it was changed to Finance and Administrative Services Director.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Police and Fire Supplemental Disability Board conducts all business related to the Police and Fire Supplemental Disability benefit provided to police officers and firefighters that may be eligible for the benefit.

FINANCIAL IMPACT

This action will not have an impact on the City's financial condition

LIST OF ATTACHMENTS

Proposed bill or ordinance

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2015

COUNCIL BILL NO. 63
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE AMENDING TITLE 3, CHAPTERS 5 AND 6, OF THE ENGLEWOOD MUNICIPAL CODE 2000.

WHEREAS, Ordinance No. 30, Series of 2015 was approved on May 18, 2015, which authorized an intergovernmental agreement with the City and County of Denver to provide the City of Englewood with fire and ambulance protection; and

WHEREAS, the City of Englewood Police and Fire Supplemental Disability Board membership needs to be changed because they currently have two (2) active firefighters who were elected members from the firefighter ranks chosen by a majority of the Fire Department; and

WHEREAS, a reduction in the membership necessary for a quorum of the Englewood Police and Fire Supplemental Disability Board is necessary in order for the Board to have a quorum for conducting Board business; and

WHEREAS, the title of Financial Service Director was changed to Director of Finance and Administrative Services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 3, Chapter 5, Section 2, Subsection I, of the Englewood Municipal Code 2000, entitled *Police Officers' Pension Fund*, to read as follows:

EDITORS NOTE: Sections 3-5-2 A through H, and J and K, contain no changes and are therefore not included here.

3-5 POLICE OFFICERS' PENSION FUND*

3-5-2: Supplemental Disability Benefits.

- I. A Police and Fire Supplemental Disability Board shall be created and composed of ~~two~~ ~~elected members from the firefighter ranks chosen by a majority of the Fire Department for a three (3) year term;~~ two elected members from the police ranks chosen by a majority of the Police Department for a three (3) year term; one citizen board member from the Police Pension Board; one citizen board member from the Firefighters Pension Board; the

~~Financial Director of Finance and Administrative Services Director~~ of the City of Englewood, and the Mayor of the City of Englewood. ~~Five~~ Four members shall constitute a quorum for conducting any Board business. The Police and Fire Supplemental Disability Board is granted the authority to issue regulations not inconsistent with the terms of this section, designed to carry out the purpose of this Section, and to hold hearings, take evidence, receive information, and to make final and binding decisions, awards and resolutions respecting the eligibility of applicants for initial and continued payment of Supplemental benefits.

Section 2. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 3, Chapter 6, Section 1, Subsection 2(I), of the Englewood Municipal Code 2000, entitled *Firefighters' Pension Fund and Permanent Disability Benefits*, to read as follows:

EDITORS NOTE: Sections 3-6-1-2 A through H, and J and K, contain no changes and are therefore not included here.

3-6 FIREFIGHTERS' PENSION FUND AND PERMANENT DISABILITY BENEFITS*

3-6-1-2: Supplemental Disability Benefits.

- I. A Police and Fire Supplemental Disability Board shall be created and composed of ~~two elected members from the firefighter ranks chosen by a majority of the Fire Department for a three (3) year term;~~ two elected members from the police ranks chosen by a majority of the Police Department for a three (3) year term; one citizen board member from the Police Pension Board; one citizen board member from the Firefighters Pension Board; the ~~Financial Director of Finance and Administrative Services Director~~ of the City of Englewood, and the Mayor of the City of Englewood. ~~Five~~ Four members shall constitute a quorum for conducting any board business. The Police and Fire Supplemental Disability Board is granted the authority to issue regulations not inconsistent with the terms of this Section, designed to carry out the purpose of this Section, and to hold hearings, take evidence, receive information, and to make final and binding decisions, awards and resolutions respecting the eligibility of applicants for initial and continued payment of Supplemental benefits.

Section 3. Safety Clauses. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

Section 5. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 7. Penalty. The Penalty Provision of Section 1-4-1 EMC shall apply to each and every violation of this Ordinance.

Introduced, read in full, and passed on first reading on the 21st day of December, 2015.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 24th day of December, 2015.

Published as a Bill for an Ordinance on the City's official website beginning on the 23rd day of December, 2015 for thirty (30) days.

Joe Jefferson, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 21st day of December, 2015.

Loucrishia A. Ellis

COUNCIL COMMUNICATION

Meeting Date: December 21, 2015	Agenda Item: 9bi	Subject: Colorado Dept. of Transportation E-Citation Grant- 2 nd Reading
Initiated By: Police Department	Staff Source: Deputy Chief Jeff Sanchez	

PREVIOUS COUNCIL ACTION

N/A

RECOMMENDED ACTION

The Police Department is recommending that City Council adopt a Bill for an Ordinance, on second reading, authorizing the Englewood Police Department to accept grant funding from the Colorado Department of Transportation (CDOT) 405C Traffic Records Program for an E-Ticketing system.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Police Department submitted an application to the Colorado Department of Transportation (CDOT) 405C Traffic Records Program to purchase an E-Ticketing system that would be used by Patrol, Traffic and Parking Control. We were recently notified that we were selected to receive grant funding.

An electronic ticketing system will help improve the completeness, accuracy, and uniformity of citations written by our officers; eliminate the need for manual entry into our Records Management System (RMS); and will eliminate the need for citations to be hand-delivered to the courts.

FINANCIAL IMPACT

The total amount of the grant is \$94,356.25. CDOT will pay 80% of the costs = \$75,485.00. (We will initially be responsible for paying the vendor and will then request reimbursement from CDOT.)

The Police Dept. is required to provide a 20% match which equals \$18,871.25. Our match will consist of personnel salaries during the implementation of the system, to include training, testing and initial use.

LIST OF ATTACHMENTS

Bill for an Ordinance

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2015

COUNCIL BILL NO. 62
INTRODUCED BY COUNCIL
MEMBER GILLIT

AN ORDINANCE APPROVING AN APPLICATION AND AUTHORIZING THE ACCEPTANCE OF THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) TRAFFIC RECORDS UNIT FY16 FUNDING APPLICATION – 405C, BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO DEPARTMENT OF TRANSPORTATION.

WHEREAS, an electronic ticketing system will help improve the completeness, accuracy, and uniformity of citations written by our officers; eliminate the need for manual entry into their Records Management System (RMS) and eliminate the need for citations to be hand-delivered to the courts; and

WHEREAS, the Englewood Police Department submitted an application to the Colorado Department of Transportation (CDOT) 405C Traffic Records Program to purchase an E-Ticketing system that would be used by Patrol, Traffic and Parking Control and have been notified that they were selected to receive grant funding; and

WHEREAS, the passage of this Ordinance will approve the application and authorize the acceptance of the CDOT Traffic Records Unit FY16 Grant Funding; and

WHEREAS, the total amount of the Grant is \$94,356.25 – CDOT will pay 80% = \$75,485.00, the City will provide 20% match = \$18,871.25, the match will consist of personnel salaries during the implementation of the system, to include training, testing and initial use.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes application for the Colorado Department of Transportation (CDOT) FY16 Funding Application – 405C Traffic Records Program Grant for an E-Ticketing system for funds up to \$75,485.00, attached hereto as Exhibit A.

Section 2. The City Council of the City of Englewood, Colorado hereby authorizes the acceptance of the Colorado Department of Transportation (CDOT) 405C Traffic Records Program Grant for an E-Ticketing system Purchase Order, attached hereto as Exhibit B.

Section 3. The Mayor is hereby authorized to sign the acceptance of the Colorado Department of Transportation (CDOT) 405C Traffic Records Program Grant for an E-Ticketing system for and on behalf of the City of Englewood, Colorado.

Introduced, read in full, and passed on first reading on the 7th day of December, 2015.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 10th day of December, 2015.

Published as a Bill for an Ordinance on the City's official website beginning on the 9th day of December, 2015 for thirty (30) days.

Read by title and passed on final reading on the 21st day of December, 2015.

Published by title in the City's official newspaper as Ordinance No. ____, Series of 2015, on the 24th day of December, 2015.

Published by title on the City's official website beginning on the 23rd day of December, 2015 for thirty (30) days.

Joe Jefferson, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by title as Ordinance No. ____, Series of 2015.

Loucrishia A. Ellis



**COLORADO DEPARTMENT OF TRANSPORTATION (CDOT)
Traffic Records Unit
FY16 Funding Application – 405 C**

Application Due Date:
February 15, 2015

Application Submittal:
Submit application electronically, in Word format, via e-mail to
George.Atencio@State.CO.US; David.Bourget@State.CO.US; Alisa.Babler@State.CO.US

AND mail or deliver two signed hardcopies to the address listed below. The hardcopy applications **MUST** contain a signature, the electronic version does not require a signature.

Colorado Department of Transportation; Attn: Alisa Babler
HQ Safety and Traffic Engineering Branch; Traffic Records Unit
4201 East Arkansas Avenue, 3rd Floor
Denver Colorado 80222
303-757-9967

Please send all questions by email to the
addresses noted above.



PART 1
Introduction

Project title: Electronic Ticketing Program

Check the performance measure area(s) that is addressed by this project:

- Crash
- Citation/Adjudication
- Emergency Medical Services
- Vehicle
- Driver
- Roadway

Check the emphasis area(s) that best describes the focus of this project:
 (Separate applications need to be submitted for more than one project)

- | | |
|--|--|
| <input checked="" type="checkbox"/> Timeliness | <input checked="" type="checkbox"/> Uniformity |
| <input checked="" type="checkbox"/> Accuracy | <input type="checkbox"/> Accessibility |
| <input checked="" type="checkbox"/> Completeness | <input type="checkbox"/> Integration |

Applicant Agency/Organization: Englewood Police Department

Applicant Project Director: Jeffery L. Sanchez Deputy Police Chief
Name Title

3615 S. Elati St. Englewood, CO 80110 jsanchez@englewoodgov.org 303.762.2494

Address City/Zip email telephone



PART 2

Description of Activity and Budget

In this section, describe the following six topics in narrative form. The narrative for all topics may not exceed six single-sided pages – the page limit does not include the budget pages or budget narrative. Use at least a 12-point font. Hand-written applications will not be accepted.

1) Problem Identification - *Describe the problem to be addressed, supported by current and relevant local data. Define your target population and describe how they are impacted by this problem. Use data specific to the local area and the target population the project intends to serve. Please refer to <http://www.coloradodot.info/business/grants/safetygrants> - for data sources and more information. Data points that serve as a baseline measure to evaluate your project impact on the target population and local area must be included.*

Currently, our officers use handwritten citations when making traffic stops. These citations are then reviewed by a supervisor before they are hand-delivered to our Records Unit. Records personnel then enter citation data into our Records Management System (RMS) before they are then hand-delivered to either Municipal Court or the Arapahoe County Court for disposition.

For years, we have struggled with citations that are often illegible and are missing critical information. This makes it difficult for our Records staff to accurately enter citation data into RMS. Currently, each citation has to be entered into RMS which takes upwards of two minutes per citation. In 2014, we wrote 10,530 citations.

The problem is further compounded when the Courts cannot make proper charging decisions and/or dispositions due to citations that are difficult to read and/or have missing information. There is no doubt that tickets are routinely dismissed due to these errors since it is not practical for the Courts to contact officers for further clarification.

Whenever we issue a citation, it should be complete and legible so that citizens understand why they were stopped, why they are being cited, and what actions they need to take to resolve the matter.

We also need to have accurate information so that we can do proper data analysis in order to determine high-accident locations and problem areas. We then have our officers focus on these problem areas.

Currently, we hand deliver citations to both Municipal and County Courts. Municipal citations are forwarded to the court usually within 24 to 48 hours (Monday thru Friday); County citations are hand-delivered on a weekly basis by our Detectives when they go to Court on another matter.



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2) Project Goal(s), Objectives and Activities –

Goals – A broad statement about what the program expects to achieve. The goal is the description of the final anticipated outcome or result.

Objectives – Objectives are clear, realistic, specific and measurable. Objectives tell how a goal will be met.

Activities – Activities comprise the plan of operation for the project. In a detailed and concise way, the activities describe how each objective will be achieved.

Goals – The goal is to increase the percentage of citations utilizing standardized data entry and to have no missing critical data elements.

Objectives – The objective is to purchase an electronic ticketing system which will help improve the completeness, accuracy, and uniformity of citations written by our officers; eliminate the need for manual entry into RMS; and eliminate the need for citations to be hand-delivered to the courts.

Activities – If awarded, the Police Department will purchase ten handheld units that will be utilized by our Traffic Unit, Patrol Officers and our Parking Control Officer.

These units will be set up so that the officers will be required to complete all citations using standardized terminology (i.e. location, type of violation, etc.). All required fields will need to be completed before the citation can be issued.

The citation data will be uploaded into RMS before being electronically transferred to either the Municipal or County Court.

Non-identifying citation data will be made available to CDOT when requested.

If awarded, it will take approximately one month for City Council approval. Implementation will then take upwards of four months since three vendors are involved in this project.

3) Project Evaluation - Describe the evaluation strategy that will be used to show project effectiveness and document successful activities. An evaluation plan should be designed so that an independent observer can confirm or measure whether or not the objectives have been met and progress was made toward the goal(s) by changing numbers, knowledge, attitudes, or behaviors. Performance measures (PM) should follow the format described in "Model PM for state traffic records systems" (specifically, page 11).

The number of electronically issued citations having no missing critical data elements will be compared with the total number of electronic citations for 3 months after the project is fully operational. This percentage will be compared to the same ratio for manually written citations for a three month period before the project started.

During that same three month period, we will average and compare the number of days required for the transfer of data from the Police Department to the courts using the



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electronic citation system with the number of days required for the transfer of manual citation information to the courts.

4) Agency Qualifications - *Describe the applicant agency's resources and skills to adequately manage the project. Briefly describe qualifications of staff or plans to train the staff who will work on the proposed project, including fiscal staff.*

The Police Department uses a team approach in how grants are administered and implemented. Deputy Chief Jeff Sanchez has administered a variety of state and federal grants; Commander Tim Englert oversees all technology projects in the Police Department; Elsa Walker is our Records Unit Supervisor; Glenda Bird is an I.T. Technical Support Specialist assigned to the Police Department; and Kathy Cassai is an Accountant with the city who is assigned to handle all Police Department grants.

5) Community Collaboration and Support - *All projects should demonstrate that partnerships exist or are being developed. Identify partnerships and planning groups that were included in the planning and implementation of this project. Those partnerships may include, but are not limited to, law enforcement, traffic engineering, health departments, social services agencies, schools, private businesses, churches, foundations and other community-based coalitions and organizations.*

The planning group for this project consists of representatives from the Police Department, Municipal Court and Information Technology to include the Deputy Police Chief, Support Services Commander, Traffic Unit Officers, Parking Control Officer, Records Unit Supervisor, Community Relations Specialist, Municipal Court Administrator and an Information Technology Specialist.

The outflow of this project will be the issuance of citations that are error-free and accurate thereby reducing citizen frustration and confusion; will eliminate the time needed to enter citations into RMS; will reduce the time needed for citation data to be transferred to each respective court; and will provide accurate data analysis in order to more effectively address high-accident and problem locations in the City of Englewood.

6) Long-Term Sustainability and Total Project Funding - *Describe the plan for reducing reliance on federal funding in the future. Describe the long-term plan for the programmatic development and ongoing financial support of the project. Is this project being funded using funds other than those provided from this grant? If yes, list the type and approximate amount of other funding that will be used to support this project. Has this project previously been funded by CDOT? If yes, list the years funded, approximate dollar amounts and progress to date in addressing the identified problem.*

The Englewood Police Department will maintain this project by appropriating the necessary funds to pay the yearly maintenance and support costs, as well as replacing equipment on an as-needed basis.

7) Budget Narrative - *Provide a justification and explanation of the budget items listed on the Detailed Budget Table. All budget figures should be justified and explained. Failure to justify and explain/show calculations could result in denial of funding.*



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PERSONAL SERVICES: Explain how the salary and fringe benefit and overtime rates for each position were determined. **NOTE: Contract employees or independent contractors should be shown under Contractual Services, not Personal Services.**

Officer salaries will be computed at the level of a Police Officer I – \$37.20/hour / \$77,381.74/annually (2015).

OPERATING EXPENSES: Explain how the costs were determined and justify the need for the various line items. Items with a unit cost less than \$5,000 are considered operating expenses and should be listed in this category. Items/equipment costing \$5,000 or more should be listed under Capital Equipment (see below). All purchases should be made through competitive bid, state or local award, or established purchasing procedures.

Below is an itemized list of Operating Expenses:

- Motorola handheld units – 10 units x \$1,450 = \$14,500
- Motorola warranty – 10 x \$250 = \$2,500
- Motorola mag stripe reader – 9 x \$125 = \$ 1,125
- Motorola 4-slot Ethernet cradle kit – 3 x \$425 = \$1,275
- Motorola battery – 10 x \$59 = \$590
- Motorola battery charger kit – 3 x \$180 = \$540
- Zebra printer (ZQ520) – 9 x \$660 = \$5,940
- Zebra receipt paper – 2 x \$95 = \$190
- Zebra printer (ZQ510) – 1 x \$525 = \$525
- Zebra receipt paper – 1 x \$75 = \$75
- Zebra accessory adaptor -10 x \$60 = \$600

Total Operating Expenses = \$27,860

CONTRACTUAL SERVICES: Explain why proposed consultant services cannot or should not be provided by project staff. Explain how the hourly rate or flat rate was determined. For each consulting organization, indicate the number of people to be assigned to the project, number of hours per person per day to be spent on the project, and a breakdown of the contract price by major cost item. Professional services should be procured competitively.

The vendor selected must perform the installation of this system.

Prior to submitting the short form request, the Police Department requested quotes from Brazos, who is a leader in the electronic ticketing industry, LogiSYS, who is our RMS vendor, and CSDC, who provides Judicial Enforcement Management System (JEMS) services for our Municipal Court.

Below is an itemized list of Contractual Services:



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Brazos:

- Licenses 10 x \$750 = \$7,500
- Setup and Configuration = \$9,000
- Standard Training Package = \$3,500
- Parking Task = \$1,500

LogiSYS (Interface):

- Interface to Brazos E-Citation = \$12,500
- Services = \$4,125

CSDC (Interface):

- Ticket Upload Interface = \$9,500

Total Contractual Services = \$47,625

TRAVEL: Explain the relationship of each cost item to the project, (e.g., if in-state training or conference travel expenses are requested, explain the topic of the conference and its relationship to the project). Do not include out-of-state travel costs – these costs must be requested and approved through a separate process that will be detailed if funds are awarded. Mileage should be listed as an Operating Expense.

None.

CAPITAL EQUIPMENT: Equipment is defined as an item that has a unit cost of \$5,000 or more and a useful life of one year or more. Explain why the proposed equipment is essential to conducting the project and is not currently available for use within your agency or organization. If the proposed equipment is to be shared with entities outside this project, the cost should be pro-rated based upon the percentage of use of the equipment by this project. All equipment must be purchased through competitive bid state or local award, or established purchasing procedures.

None.

MATCH: Match must equal 25% of federal funds requested or 20% the total project cost and can be reflected in a lump sum in one line item, or across multiple items or budget categories. The contributions can be in-kind services or direct cash support. Other sources of federal revenue may not be used as an agency match for highway safety projects.

The match will consist of personnel salaries during the implementation of the system, to include training, testing and initial use to determine functionality.

The total cost of the project is \$94,356.25.

Our match is \$18,871.25 which will be in the form of Officer salaries.



DETAILED BUDGET

PERSONAL SERVICES

Name of Position	Annual Full-time Salary	Annual Fringe Benefit Cost	Total Annual Salary	% of time to this project	Total (\$)	CDOT Share (\$)	Local Match (\$)
Police Officer I	77381.74		77381.74		18871.25		18871.25
SUBTOTAL							18871.25

(2) OVERTIME

Name	Overtime Rate (\$)	No. of Hours	Total Cost (\$)	CDOT Share (\$)	Local Match (\$)
SUBTOTAL					
TOTAL PERSONAL SERVICES			\$	\$	18871.25
				%	25%

OPERATING EXPENSES

Description	Number of Units	Cost per Unit (\$)	Total Cost (\$)	CDOT Share (\$)	Local Match (\$)
*See Narrative – table has insufficient room to include all items			Total Cost	CDOT Share	Local Match
TOTAL OPERATING EXPENSES			\$27860	\$27860	\$
				100%	%



CONTRACTUAL SERVICES

Contractor	Dates of Contract	Hourly Rate (\$)	Total Cost (\$)	CDOT Share (\$)	Local Match (\$)
Brazos			21500	21500	
LogiSYS			16625	16625	
CSDC			9500	9500	
			Total Cost	CDOT Share	Local Match
TOTAL CONTRACTUAL SERVICES			\$47625	\$47625	\$
				100%	%

TRAVEL

Description	In State (\$)	Total Cost (\$)	CDOT Share (\$)	Local Match (\$)
		Total Cost	CDOT Share	Local Match
TOTAL TRAVEL		\$	\$	\$
			%	%

CAPITAL EQUIPMENT

Description	No. of Units	Cost per Unit (\$)	Total Cost (\$)	CDOT Share (\$)	Local Match (\$)
			Total Cost	CDOT Share	Local Match
TOTAL CAPITAL EQUIPMENT			\$	\$	\$
				%	%



Budget Summary

	CDOT Share	Match
1. Total Personal Services:	\$ _____	\$18871.25 _____
2. Total Operating Expenses/Incentives:	\$27860 _____	\$ _____
3. Total Contractual Services:	\$47625 _____	\$ _____
4. Total Travel:	\$ _____	\$ _____
5. Total Capital Equipment:	\$ _____	\$ _____
6. Total lines 1-5 (Amount Requested from CDOT):	\$75485 _____	
7. Total lines 1-5 (Amount provided by applicant):		\$ 18871.25 _____
Total Project Cost (Add lines 6 & 7):		\$94356.25 _____



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PART 3

Certifications and Assurances

It is hereby understood that this Application and the attachments hereto, when approved and signed by all concerned parties, as indicated shall constitute an agreement by and between the applicant organization to perform in accordance with the terms of this Application and attachments, taken as a whole. This agreement is based on CDOT procedures and Federal guidelines found in 49 CFR, Part 18 and 2 CFR, Part 225, in order to standardize and simplify federal grants. The signature below of an authorized representative of the applicant agency certifies and ensures that all the following conditions will be met.

- 1) **Reports** – The Contractor shall submit quarterly reports, a final report at the end of the project, and special reports, if any, as outlined in the Project Agreement. Please read Part 4, Reporting Requirements, following this section.
- 2) **Copyrights, Publications, and Patents** – Where activities supported by this project produce original copyright material, the Contractor may copyright such, but CDOT reserves nonexclusive and irrevocable license to reproduce, publish, and use such materials and to authorize others to do so. The Contractor may publish, at its own expense, the results of project activities without prior review by CDOT, provided that any publications (written, visual or sound) contain acknowledgment of the support provided by the National Highway Traffic Safety Administration (NHTSA) and CDOT. Any discovery or invention derived from work performed under this project shall be referred to CDOT, who will determine through NHTSA whether patent protections will be sought, how any rights will be administered, and other action required to protect the public interest.
- 3) **Termination** – This project agreement may be terminated or fund payments discontinued or reduced by CDOT at any time upon written notice to the Contractor due to non-availability of funds, failure of the Contractor to accomplish any of the terms herein, or from any change in the scope or timing of the project.
- 4) **Fiscal Records** – Contractor will maintain complete and detailed accounting records of all costs incurred on this project, including documentation of all purchases of supplies, equipment, and services; travel expenses; payrolls; and time records of any person employed part-time on this project. Federal, state or CDOT auditors shall have access to any records of the Contractor. These records shall be retained for three years after the final audit is completed or longer, if necessary, until all questions are resolved.
- 5) **Funding** – The Contractor will utilize funds provided to supplement and not to supplant state and local funds otherwise available for these purposes. Funds are to be expended only for purposes and activities approved in the project agreement. Reimbursement will be made periodically by CDOT based on approved requests for reimbursement. If matching funds are required, the Contractor will expend them from nonfederal sources, which must be spent no later than 30 days following the completion of the project.
- 6) **Cost Principles and Grant Management** – The eligibility of costs incurred and the management of this project shall be determined in accordance with 2 CFR, Part 225 and 49 CFR, Part 18 for state and local agencies, 2 CFR, Part 220 and 2 CFR, Part 215 for educational institutions, and 2 CFR, Part 230 for nonprofit entities.
- 7) **Obligation Funds** – Federal funds may not be obligated prior to the effective date or subsequent to the termination date of the project period. Requests for reimbursement outstanding at the termination date of the project must be made within 30 days or those funds may not be paid.



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- 8) **Changes** – The Contractor must obtain prior written approval from CDOT for major project changes, including: changes of substance in project objectives, evaluation, activities, the project manager, key personnel, project budget or transfer of funds from one category in the budget to another. The period of performance of the project, however, cannot be changed.
- 9) **Program Income** – CDOT safety programs encourage Contractors to earn income to help defray program costs, but there are federal regulations that must be followed. Program income is defined as gross income received by the State and/or Contractor directly generated by a grant supported activity, or earned only as a result of the grant agreement during the grant period. Income earned by the Contractor with respect to the conduct of the project (sale of publications, registration fees, service charges, donations for child safety seats, etc.) must be accounted and income applied to project purposes, used to reduce project costs, or be used to meet cost agency matching requirements. The Contractor is responsible for reporting all program income according to federal and state requirements.
- 10) **Purchases** – Purchase of equipment or services must comply with state or local regulations. After the end of the project period, equipment should continue to be utilized for traffic safety purposes and cannot be disposed of without written approval of CDOT. The Contractor shall make and maintain an inventory of equipment to include descriptions, serial numbers, locations, costs or other identifying information, and submit a copy to CDOT.
- 11) **Third Party Participants** – No contracts or agreements may be entered into by the Contractor related to this project which are not incorporated into the project agreement and approved in advance by CDOT. The Contractor will retain ultimate control and responsibility for the project. CDOT shall be provided with a copy of all contracts and agreements entered into by Contractors. Any contract or agreement must allow for the greatest competition practicable and evidence of such competition or justification for a negotiated contract or agreement shall be provided to CDOT.
- 12) **Participation by Disadvantaged Business Enterprises** – The contractor agrees to take all necessary and reasonable steps in accordance with Title 49, CFR, Subtitle A, Part 26 to ensure that minority business enterprises have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any subcontracts financed in whole or in part with federal funds.
- 13) **Non Discrimination** – In the performance of this agreement the Contractor, by its signature below, certifies and assures that it shall comply with all Federal statutes and implementing regulations relating to nondiscrimination. (These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794) and the Americans with Disabilities Act of 1990 (42 USC § 12101, et seq.; PL 101-336), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970(P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse of alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;



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- (l) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; The Civil Rights Restoration Act of 1987, which provides that any portion of a state or local entity receiving federal funds will obligate all programs or activities of that entity to comply with these civil rights laws; and, (k) the requirements of any other nondiscrimination statute(s) which may apply to the application. The Contractor shall not discriminate on the basis of race, color, national origin, sex, religion, age, creed, Vietnam Era and Disabled Veterans status or sensory, mental or physical handicap in the provision of any terms and conditions of employment or the provision of service or benefits otherwise afforded and will take the affirmative action necessary to accomplish the objects of the above referenced laws.
- 14) **Political Activities** – In accordance with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) no funds, materials, equipment, or services provided in this project agreement shall be used for any partisan political activity or to further the election or defeat of any candidate for public office or to pay any person to influence or attempt to influence an officer or employee of congress, or an employee of a member of congress, an officer or employee of congress in connection with the awarding of any federal loan or the entering in of any cooperative agreements.
 - 15) **Single Audit** – All non-Federal entities that expend \$500,000 or more of Federal awards in a year are required to obtain an annual audit in accordance with the Single Audit Act Amendments of 1996, OMB Circular A-133, the OMB Circular Compliance Supplement and Government Auditing Standards. A single audit is intended to provide a cost-effective audit for non-Federal entities in that one audit is conducted in lieu of multiple audits of individual programs. Nonfederal entities include States, Local Governments, and Non-Profit Organizations. The term non-profit organization includes non-profit institutions of higher education and hospitals.
 - 16) **Safety Belt Policy** – No funds, materials, property, or services will be provided to any political subdivision that does not have a current and actively enforced policy requiring the use of seat belts.
 - 17) **Drug Free Workplace** – In accordance with the Anti-Drug Act of 1988 (41 USC 702-707) and Drug-Free Workplace (42 USC 12644), CDOT has the responsibility to ensure that unlawful manufacture, distribution, dispensing, possession or use of a controlled substance by any employees, grantees, and/or sub-grantee of the Contractor and/or any such activity is prohibited in the Contractor's workplace.
 - 18) **Colorado Standard Field Sobriety Testing** – All law enforcement officers who are performing impaired driving enforcement activities with funding from CDOT must be in compliance with the current Colorado Standards for Field Sobriety Testing Standards.
 - 19) **Debarment and Suspension** - The applicant certifies, by signature below, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
 - 20) **Restriction on State Lobbying** - None of the funds under this program shall be used for any activity specifically designed to urge or influence a state or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect e.g., "grassroots" lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with state or local legislative officials, in accordance with customary state practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.
 - 21) **Certification Regarding Federal Lobbying** - The undersigned certifies, to the best of his or her knowledge and belief, that:



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1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code.

Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

22) Federal Funding Accountability and Transparency Act – The State is required to report for each sub-grant awarded as shown below. Contractor agrees to provide the information below upon request for reporting purposes.

- Name of the entity receiving the award;
- Amount of the award;
- Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source;
- Location of the entity receiving the award and the primary location of performance under the award, including the city, State, congressional district, and country; , and an award title descriptive of the purpose of each funding action;
- A unique identifier (DUNS);
- The names and total compensation of the five most highly compensated officers of the entity if— of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity;

(i) the entity in the preceding fiscal year received—

- (I) 80 percent or more of its annual gross revenues in Federal awards; and
- (II) \$25,000,000 or more in annual gross revenues from Federal awards; and
- (ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986;



PART 4

Reporting Requirements

Reporting Frequency: The Office of Transportation Safety requires four types of reports in conjunction with highway safety projects:

1. Quarterly reports during the life of a project;
2. A final report at the conclusion of a project. This is to include training and consultant reports, if applicable;
3. Special reports as required; and
4. Annual Report Template (to be provided by CDOT)

These reports keep CDOT informed of a project's progress, explain any difficulties encountered, provide a background of information that can be passed on to others, suggest ways in which CDOT can assist with the project and aid in distribution of state funds.

Quarterly Reports: These are to be submitted quarterly and are due within twenty (20) calendar days after the end of the reporting calendar quarter as follows:

First Quarter:	1 October – 31 December	Report due January 20
Second Quarter:	1 January – 31 March	Report due April 20
Third Quarter:	1 April – 30 June	Report due July 20
Fourth Quarter:	1 July – 30 September	Report due October 20

If there is no activity during the reporting period, submit a report indicating so. Any original or innovative ideas or methods employed in your project should be incorporated into your reports.

Fourth and Final Report: Final report to be submitted within 45 days of contract completion, which is no later than November 15.

Final reports are to be detailed and must describe whether the project objectives were accomplished, if technical and fiscal problems were encountered, and what improvements in traffic safety have resulted or probably will result. Included in final reports will be copies of publications, training reports and any statistical data generated in project execution. These final reports should discuss the following:

1. Accomplishments compared to the original project objectives;
2. Were all activities of the project completed as scheduled? Include dates and milestones when studies were completed; equipment acquired, installed and operated;
3. Any unanticipated proceedings that affected the project;
4. Funding and costs for completion of the project in relationship to original estimates; and
5. Third party performance if applicable. A copy of any consultant reports should be included with the final report.



COLORADO

Department of Transportation

Transportation Systems
Management & Operations

Special Reporting: Special reporting procedures may be required, including performance measures. If so, reporting frequency will be detailed in the project agreement.

Annual Report Template: An Annual Report template will be provided to the contractor in late October. The contractor is responsible for providing the requested information and submitting back to CDOT. The templates are then used to form the basis of the Office of Transportation Safety and Traffic Engineering Branch's Annual Report.

PART 5 Reimbursement Requirements

CDOT funds grants on a "cost reimbursement" basis only. CDOT will not make payments in advance or in anticipation of goods or services.

Claims for reimbursement will be submitted to the OTS on a monthly basis if there are any costs incurred.

Final claims for reimbursement must be received by CDOT no later than November 15 (for costs incurred through the final contract month of September).

Claims for reimbursement received after the above cutoff date will not be reimbursed.

Unallowable Project Costs: All projects must follow appropriate state and federal funding regulations. Examples of unallowable project costs include, but are not limited to, the following:

- Projects not dealing with traffic records improvements;
- Routine roadway construction or maintenance;
- Office furniture and fixtures and
- Funds that supplant existing budgets*

* Federal regulations prohibit supplanting of funds. Examples of supplanting include: replacing routine and/or existing State or local expenditures with the use of Federal grant funds and/or using Federal grant funds for cost of activities that constitute general expenses required to carry out the overall responsibilities of state, local or federally recognized Indian tribal government.



PART 6
Signature Requirements

I declare under penalty of perjury in the second degree, and any of the applicable state or federal laws, that the statements made and contained under the title Certification and Assurances above are true and complete to the best of my knowledge.

I have read and understand the above Reporting and Reimbursement requirements and will comply with these requirements made and contained herein on pages 10 and 11 to the best of my knowledge.

Applicant agency/organization Authorizing Official (person with contracting authority):

Jeffery L. Sanchez Deputy Police Chief

Name Title

_____ jsanchez@englewoodgov.org 303.762.2494
Address (if different than above) email telephone

9/28/15

Signature of Authorized Official **Date**

The agency personnel contact information below must be completed

1. CONTRACT/PROJECT DIRECTOR	3. PROJECT COORDINATOR
Name: Jeffery L. Sanchez	Name: Jeffery L. Sanchez
Address: 3615 S. Elati St. Englewood, CO 80110	Address: 3615 S. Elati St. Englewood, CO 80110
Telephone: 303.762.2494	Telephone: 303.762.2494
e-mail: jsanchez@englewoodgov.org	e-mail: jsanchez@englewoodgov.org
2. ACCOUNTING RECORDS/CLAIMS	4. MAIL PROJECT PAYMENTS TO:
Name: Kathy Cassai	Name: Kathy Cassai
Address: 1000 Englewood Parkway Englewood, CO 80110	Address: 1000 Englewood Parkway Englewood, CO 80110
Telephone: 303.762.2411	Telephone: 303.762.2411
e-mail: kcassai@englewoodgov.org	e-mail: kcassai@englewoodgov.org

Colorado Dept of Transportation
4201 E. Arkansas Ave.
Denver, Co 80222

DATE: 11/17/2015



Purchase Order
State of Colorado

Buyer: Steve Waldmann
Phone Number
Agency Contact: Alisa Babler
Phone Number:

IMPORTANT
The PO# and Line#
must appear on all
invoices, packing
slips, cartons and
correspondence

PO# 411007655 Page# 1 of 1
Award#:
BID#:

Vendor Master#: 2000021
Phone:
Vendor Contact:

Invoice

TO: COLO DEPT OF TRANSPORTATION
4201 E ARKANSAS AVE ROOM 330
Denver CO 80222

Payment will be made by this agency

V
E
N
D
O
R
CITY OF ENGLEWOOD
1000 ENGLEWOOD PARKWAY
ENGLEWOOD CO 80110

Ship

TO: Colorado Dept of Transportation
4201 E. Arkansas Ave
Denver CO 80222

INSTRUCTIONS TO VENDOR

Delivery/Installation Date: 09/30/2016

1. If for any reason, delivery of this order is delayed beyond the delivery/Installation date shown, please notify the agency contact named at the top left (Right of cancellation is reserved in instances in which timely delivery is not made).
2. All chemicals, equipment and materials must conform to the standards required by OSHA.
3. NOTE: Additional terms and conditions on reverse side or at address shown in Special Instructions.

SPECIAL INSTRUCTIONS

LINE	PRODUCT NUMBER PRODUCT CATEGORY DESCRIPTION	UOM PLANT	QUANTITY	UNIT COST	TOTAL ITEM COST
00001	92500 Englewood PD E-Citation 4111	AU 7001	75,485	1.00	75,485.00

I agree to comply with the statements made and contained under the title Certification and Assurances in the Office of Transportation Safety and Traffic Engineering approved application. I have read and understand the Reporting and Reimbursement requirements and will comply with these requirements made and contained on pages 10 and 11, of said application, to the best of my knowledge.

DOCUMENT TOTAL: 75,485.00

THIS PO IS ISSUED IN ACCORDANCE WITH STATE AND FEDERAL REGULATIONS
<https://www.codot.gov/business/procurement-and-contract-services/purchase-order-terms-and-conditions/purchase-order-terms-and-conditions/view>
DP-01 (R-02/06)

FOR THE STATE OF COLORADO

Authorized Signature _____ Date _____

Signature not required if PO transmitted electronically.

EX-101-B-11-B

COUNCIL COMMUNICATION

Meeting Date: Monday, December 21, 2015	Agenda Item: 9bii	Subject: NetDMR Subscriber Agreement- 2 nd Reading
Initiated By: Littleton/Englewood Wastewater Treatment Plant (L/E WWTP)	Staff Source: Dennis W. Stowe, Littleton/Englewood Wastewater Treatment Plant Manager Mary Gardner, Environmental Compliance Division Manager	

PREVIOUS COUNCIL ACTION

No previous council action taken.

RECOMMENDED ACTION

The Littleton/Englewood Wastewater Treatment Plant staff recommends Council approve a bill for an ordinance, on second reading, approving the Intergovernmental Agreement for NetDMR between the Littleton/Englewood Wastewater Treatment Plant (L/E WWTP) and Colorado Department of Public Health and Environment, Water Quality Control Division (CDPHE WQCD) for the Clean Water Act National Pollutant Discharge Elimination System (CWA NPDES) permit-required electronic reporting of the Discharge Monitoring Reports (DMR).

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The NetDMR Subscriber Agreement allows the L/E WWTP online access to submit required DMRs for the L/E WWTP's CWA NPDES permit. Electronic submission of DMRs fulfills the requirements of the CWA NPDES program pursuant to 40 CFR 122.4(1)(4).

FINANCIAL IMPACT

No financial impact

LIST OF ATTACHMENTS

NetDMR Subscriber Agreement

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2015

COUNCIL BILL NO. 60
INTRODUCED BY COUNCIL
MEMBER GILLIT

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) "NetDMR SUBSCRIBER AGREEMENT" BETWEEN THE COLORADO CDPHE WQCD (REGULATORY AUTHORITY) AND THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT.

WHEREAS, the "NetDMR Subscriber Agreement" is used by Clean Water Act National Pollutant Discharge Elimination System (NPDES) permit holders who submit Discharge Monitoring Reports (DMRs) and other NPDES permit-required reports electronically, or change/update reporting status information from a previously-submitted application; and

WHEREAS, to abide by the terms and conditions for use of the NetDMR System by use of the assigned electronic signature as a hand-written signature; and

WHEREAS, the "NetDMR Subscriber Agreement" allows the Littleton/Englewood Wastewater Treatment Plant (L/E WWTP) online access to submit the L/E WWTP's required Discharge Monitoring Reports (DMR) for L/E WWTP's Clean Water Act National Pollutant Discharge Elimination System (NPDES) Permit; and

WHEREAS, submission of DMR's electronically is required to fulfill the reporting requirements of the Clean Water Act NPDES program pursuant to 40 CFR 122.41(1)(4); and

WHEREAS, the L/E WWTP is required to comply with electronic DMR reporting no later than January 1, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of Englewood, Colorado, hereby approves the Intergovernmental Agreement "NetDMR Subscriber Agreement" between the Colorado CDPHE WQCD (Regulatory Authority) and the Littleton/Englewood Wastewater Treatment Plant, a copy of which is attached hereto as Exhibit A.

Section 2. The Mayor is hereby authorized to sign the Intergovernmental "NetDMR Subscriber Agreement" between the Colorado CDPHE WQCD (Regulatory Authority) and the Littleton/Englewood Wastewater Treatment Plant (L/E WWTP), a copy of which is attached for and on behalf of the City of Englewood.

Section 3. The Mayor, pursuant to 40 CFR 122.22(a)(3), being the ranking elected official may authorize the Littleton/Englewood Wastewater Treatment Plant Manager to sign permit

applications and reports, pursuant to the “NetDMR Subscriber Agreement”, including required discharge monitoring reports for the L/E WWTP’s Clean Water Act National Pollutant Discharge Elimination System (NPDES) Permit.

Section 4. Pursuant to 40 CFR 122.22 (a)(3)(b)(1-2) the authorization shall be in writing by the Mayor and shall specify the position having responsibility for the overall operation of the regulated facility.

Section 5. The Mayor hereby authorizes the Littleton/Englewood Wastewater Treatment Plant Manager to sign permit applications and reports pursuant to the “NetDMR Subscriber Agreement”, including required discharge monitoring reports for the L/E WWTP’s Clean Water Act National Pollutant Discharge Elimination System (NPDES) Permit.

Introduced, read in full, and passed on first reading on the 7th day of December, 2015.

Published by Title as a Bill for an Ordinance in the City’s official newspaper on the 10th day of December, 2015.

Published as a Bill for an Ordinance on the City’s official website beginning on the 9th day of December, 2015 for thirty (30) days.

Read by title and passed on final reading on the 21st day of December, 2015.

Published by title in the City’s official newspaper as Ordinance No. ____, Series of 2015, on the 24th day of December, 2015.

Published by title on the City’s official website beginning on the 23rd day of December, 2015 for thirty (30) days.

Joe Jefferson, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by title as Ordinance No. ____, Series of 2015.

Loucrishia A. Ellis

Agency: Colorado DPHE WQCD
Subscriber Agreement Number: 75496741-1651-420b-9d8a-2c6e1b86bd52
Generated On: 2015-10-13 11:31:50.0
Account Reference: 14889

NetDMR Subscriber Agreement Instructions Page

This form can be used for permits issued by: Colorado DPHE WQCD, hereafter referred to as "the Regulatory Authority".

Purpose

The NetDMR Subscriber Agreement should be used by Clean Water Act National Pollutant Discharge Elimination System (NPDES) permit holders that would like to apply to submit Discharge Monitoring Reports (DMRs) and other NPDES permit-required reports electronically, or change/update your reporting status information from a previously-submitted application. Submission of DMRs electronically is an alternative to using paper forms to fulfill the reporting requirements of the CWA NPDES program pursuant to 40 CFR 122.41(l)(4).

Basic Information on Who Should Fill Out the Subscriber Agreement

- To request use of electronic reporting for DMR information, the Responsible Official, the person who has the authority to sign permit applications, reports, and other permit-required submittals (e.g., DMRs) as described in 40 CFR §122.22 (a), can designate themselves or identify a duly authorized representative to electronically sign the DMRs for the facility.
- If the Responsible Official plans to electronically sign DMRs submitted through NetDMR, then the Responsible Official will also sign as the Signatory Authority named in Section F of the Subscriber Agreement.
- If the Responsible Official plans to authorize someone else to sign and submit the electronic DMRs as described in 40 CFR §122.22(b), the Responsible Official will sign Section E and the duly authorized representative will sign as the Signatory Authority identified in Section F.
- If the authority to electronically sign for a permit is to be delegated to multiple Signatory Authorities, then each individual Signatory Authority needs to submit and sign a separate Subscriber Agreement.
- This Subscriber Agreement cannot be used to register multiple permits that are issued by different regulatory authorities.

How to Submit the Subscriber Agreement

Print and sign this form, save a copy for your records, and mail the completed Subscriber Agreement below to your Clean Water Act Regulatory Authority for their review at the address below.

Colorado DPHE WQCD
Attn: Data Management Supervisor
WQCD-OP-B2
4300 Cherry Creek Drive South
Denver, CO 80246-1530

You will receive a confirmation email from the Regulatory Authority when your application has been processed and approved. For assistance or questions please contact Colorado DPHE WQCD at 303-691-4046 or CDPHE.WQNetDMRHelp@state.co.us.

A. Signatory Authority Information

The Signatory Authority is the individual that intends to sign DMRs and signs this Subscriber Agreement in Section F.

User Name: dwstowe
Subscriber Name: Dennis Stowe
Organization: Littleton Englewood WWTP
Email Address: dstowe@englewoodgov.org
Phone Number: 303-762-2600

B. Permit Information

Signing privileges are requested for the following permits:

Permit ID	Facility Name	Facility Address	Relationship	Authorized By
CO0032999	LITTLETON/ENGLEWOOD, CITIES OF	2900 SOUTH PLATTE RIVER DR ENGLEWOOD, CO 80110	Parent	Self

This request is (check one):

- NEW:** a new user request by this facility to use NetDMR reporting
- REQUEST FOR REACTIVATION:** a User ID re-activation of NetDMR reporting for a facility that had discontinued using NetDMR
- CONTINUATION WITH NEW AUTHORIZATION:** an updated Subscriber Agreement submitted because a new Responsible Official and/or Signatory Authority has been identified at the facility
- RENEWAL:** an updated form submitted when a permit application is submitted
Permit ID(s): _____
- INACTIVATION:** Explain reason for inactivation in the box below and identify whether the inactivation is temporary or permanent
Permit ID(s): _____

Notes to Permitting Authority (Optional unless Inactivating):

C. Terms and Conditions

- **PURPOSE:** This agreement creates a legally binding obligation for the signer of the Agreement (the Responsible Official and/or Signatory Authority) to abide by the terms and conditions for use of the NetDMR System, and memorializes a mutual understanding that the signer of this agreement is as legally bound, obligated, and responsible by use of the assigned electronic signature as by a hand-written signature.
- **ACCEPTANCE & EFFECT:** Acceptance of this agreement by the Regulatory Authority shall be evidenced by notice from the Regulatory Authority, provided electronically, that this agreement has been approved.
- **SUBMITTAL & RECEIPT:** A Document shall be deemed to have been submitted when it is accessible to the Regulatory Authority. A document shall be deemed to have been received when it can be fully processed. No document shall satisfy any reporting requirement until it is received.
- **VERIFICATION:** In accordance with the associated certification statement, the signer of the Agreement is responsible for the truth and accuracy of the content of each submission. The signer of the Agreement also has an affirmative obligation to check the accuracy of the document as received by the Regulatory Authority and to notify the Regulatory Authority promptly if the document was sent without authorization or differs in substance in any way from the document that was submitted.
- **INABILITY TO TRANSMIT OR FILE REPORTS ELECTRONICALLY:** No party shall be liable for any failure to perform its obligations in connection with any Electronic Transaction or any Electronic Document, where such failure results from any act or cause beyond such party's control which prevents such party from electronically transmitting or receiving any Documents, except that the signer of the Agreement (Responsible Official and/or Signatory Authority) is nonetheless required to submit records or information required by law via other means, as provided by applicable law and within the time period provided by such law.
- **SEVERABILITY:** Any provision of the Agreement which is determined to be invalid or unenforceable will be ineffective to the extent of such determination without invalidating the remaining provisions of this Agreement or affecting the validity or enforceability of such remaining provisions.
- **TERMINATION AND RENEWAL:** The Agreement may be terminated at any time by the Regulatory Authority. Upon termination of this agreement, the associated ability to submit electronic information through the NetDMR system will be terminated. The Regulatory Authority will provide notification of termination, including the date on which termination takes effect. A new Responsible Official and/or Signatory Authority must resubmit this form at the time that a new permit application is submitted or when Responsible Official and/or Signatory Authority responsibility transfers from one person to another.

-Note: Termination of this agreement may eliminate the ability to comply with permit requirements for any continuing operations. Paper DMR Reports will only be accepted under this permit where the permittee has provided sufficient justification and obtained prior approval from the Regulatory Authority.

- **GOVERNING LAW:** This Agreement shall be governed by and interpreted in accordance with 40 CFR §122 and 40 CFR §3.

- **AGREEMENT:**

1. I agree to protect the electronic signature device, consisting of my NetDMR system user name and password, from use by anyone except me. Specifically, I agree to maintain the secrecy of my password and security- and challenge-question answers; I will not divulge or delegate my user name and password to any other individual; I will not write or save my password or challenge question/answer pairs to a script or other mechanism that allows its use or application by someone other than me;
2. I agree to contact the Regulatory Authority Colorado DPHE WQCD at 303-691-4046 or CDPHE.WQNetDMRHelp@state.co.us within 24 hours if any of the following occurs:
 - suspicion or determination that my user name, password, security question answer, or challenge question answers may have been lost, stolen or otherwise compromised;
 - receipt of an e-mail notification for any activity that I do not believe that I performed;
 - if, after receipt of COR, there is any evidence of discrepancy between any electronic document I have signed and submitted and what the NetDMR system has received from me;
 - if I do not receive an e-mail notification within 24 hours for any submission electronically signed using my credentials; or
 - if I cease to represent the regulated entity specified above as signatory of that organization's electronic submissions.
3. I understand and agree that I will be held as legally bound, obligated, and responsible for the use of my electronic signature as I would be using my hand-written signature;
4. I understand that I will be informed through my registered electronic mail (e-mail) address whenever my user name, password, or challenge question/answer pairs have been modified;
5. I agree to provide and maintain an email address by which to receive communications from the NetDMR system. I understand that this account must be accessible only by me and that I have an affirmative obligation to check this email account regularly. If any email sent to me by the NetDMR system is returned as undeliverable, I will explain why this occurred when requested by the Colorado DPHE WQCD;
6. I understand that the NetDMR system reports the last date my user name and password were used immediately after successfully logging in to the system;
7. I understand that whenever I electronically sign and submit an electronic document to the NetDMR system, I will receive an e-mail at my registered e-mail address; This e-mail will inform me that a submission has been made to the system from my user account and will contain instructions to view information regarding the submission, including the Copy of Record (COR) for the submission; and
8. I agree to retain a copy of this signed agreement as long as I continue to represent the regulated entity specified above as signatory of the company's electronic submissions.

D. Inactivation/Removal

Permittee must indicate reason for inactivation in Section B of the form. This is done to inform the Regulatory Authority whether the permittee is no longer in business or has a temporary reason for inactivation.

E. Responsible Official Authorization

The Responsible Official is the appropriate individual identified under 40 CFR §122.22(a) with the authority to sign permit applications, reports, and other permit-required submittals (e.g., DMRs). The Responsible Official can also delegate the authority to electronically sign DMRs to a duly authorized representative(s) as described in 40 CFR §122.22(b).

F. Signatory Authority Signature

The Signatory Authority is the NetDMR user that submits this agreement to request approval to electronically sign DMRs. The Signatory Authority has the authority to sign DMRs under 40 CFR §122.22(a) or is a duly authorized representative(s) who has been delegated the authority to electronically sign DMRs by the Responsible Official as described in 40 CFR §122.22(b).

Permit ID: CO0032999

I, Dennis Stowe, have the authority to enter into this Agreement for LITTLETON/ENGLEWOOD, CITIES OF and Permit ID CO0032999 under the applicable standards.

By submitting this application for CO0032999, I, Dennis Stowe, have read, understand, and accept the terms and conditions of this subscriber agreement. I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signatory Authority Signature

Title

Date

Print this form, save a copy for your records, and mail to:

Colorado DPHE WQCD

Attn: Data Management Supervisor

WQCD-OP-B2

4300 Cherry Creek Drive South

Denver, CO 80246-1530

Checklist - Regulatory Authority Use Only:

Check	Information	Name	Date
	Form Received by		
	Verified ICIS-NPDES Permit Limits		
	Regulatory Authority Approves NetDMR Authorization		
	ICIS-NPDES NetDMR Flag Populated		
	User Approved in NetDMR Application		
	Notification to User		
	Inactivated?		

COUNCIL COMMUNICATION

Meeting Date: December 21, 2015	Agenda Item: 9biii	Subject: Valley Sanitation District Supplement #24 – 2 nd Reading
Initiated By: Englewood Water & Sewer Board	Staff Source: Tom Brennan, Director of Utilities	

PREVIOUS COUNCIL ACTION

None.

RECOMMENDED ACTION

The Utilities Division recommends Council approve a bill for an ordinance, on second reading, approving Valley Sanitation District Supplement #24.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The City of Englewood provides sewage treatment outside the City through contracts with numerous connector districts. The area is defined by the natural drainage and extends south and east from Broadway to I-25 and from Hampden to Lincoln Ave., excluding Highlands Ranch. By contract, the City of Englewood must approve any additions of land to be served by the districts. These are usually in-fill situations that are within the area it has committed to serve. Adequate capacity has been provided in the treatment plant to accommodate all such future inclusions.

A request was made by Global Storage, LLC for inclusion into the Valley Sanitation District. Valley Supplement #24 is for an area approximately 4.4 acres. The property currently has a residence on septic that will be rezoned to commercial, and will be tapped into the Englewood sewer system.

The legal is attached as Exhibit A. The property is located near W. Union Ave. and S. Decatur St. at 2690 W. Union Ave.

FINANCIAL IMPACT

None.

LIST OF ATTACHMENTS

Bill for Ordinance
Valley Sanitation District. Supplement #24

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2015

COUNCIL BILL NO. 61
INTRODUCED BY COUNCIL
MEMBER GILLIT

AN ORDINANCE APPROVING SUPPLEMENT NO. 24 TO THE VALLEY SANITATION DISTRICT CONNECTOR'S AGREEMENT WITH THE CITY OF ENGLEWOOD TO INCLUDE ADDITIONAL LAND WITHIN THE DISTRICT BOUNDARIES.

WHEREAS, the Valley Sanitation receives sewage treatment in accordance with a contract with the City of Englewood; and

WHEREAS, Valley Sanitation District has submitted a request for inclusion into Valley Sanitation District of a parcel located near West Union and South Decatur Street – 2690 West Union Avenue, Englewood with the proposed use Commercial; and

WHEREAS, Supplement No. 24 is for approximately 4.4 acres which and currently has a residence on septic that will be rezoned to commercial, and will be tapped into the Valley Sanitation District; and

WHEREAS, said annexation of this additional parcel of land will not increase the tap allocation to the Valley Sanitation District; and

WHEREAS it is necessary for said District to amend its contract with the City of Englewood to include this additional land within the District; and

WHEREAS, the Englewood Water and Sewer Board reviewed and recommended approval of the Valley Sanitation Supplement No. 24 to Connector's Agreement at their October 13, 2015 meeting;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. The Agreement between the City of Englewood and Valley Sanitation District entitled "Supplement No. 24 to Connector's Agreement" is hereby approved. A copy of said Agreement is attached hereto as Exhibit A.

Section 2. The Mayor and City Clerk are hereby authorized to sign and attest, respectively, the said Agreement for and on behalf of the City Council and the City of Englewood.

Introduced, read in full, and passed on first reading on the 7th day of December, 2015.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 10th day of December, 2015.

Published as a Bill for an Ordinance on the City's official website beginning on the 9th day of December, 2015 for thirty (30) days.

Read by title and passed on final reading on the 21st day of December, 2015.

Published by title in the City's official newspaper as Ordinance No. ____, Series of 2015, on the 24th day of December, 2015.

Published by title on the City's official website beginning on the 23rd day of December, 2015 for thirty (30) days.

Joe Jefferson, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by title as Ordinance No. ____, Series of 2015.

Loucrishia A. Ellis

SUPPLEMENT NO. 24 TO CONNECTOR'S AGREEMENT

THIS AGREEMENT, made and entered into by and between the **CITY OF ENGLEWOOD**, acting by an through its duly authorized Mayor and City Clerk, hereinafter called the "City," and **VALLEY SANITATION DISTRICT**, Arapahoe and Douglas Counties, Colorado, hereinafter called the "District,"

WITNESSETH:

WHEREAS, on the 18th day of April, 1955 the City and the District entered into an Agreement in which the City agreed to treat sewage originating from the District's sanitary sewer system within the area served by the District, which Agreement was renewed by Connector's Agreement dated, April 15, 2013.

WHEREAS, said Connector's Agreement provides that the District may not enlarge its service area without the written consent of the City;

NOW, THEREFORE, in consideration of the mutual covenants and undertakings herein set forth, the parties agree as follows:

1. The City hereby consents to the inclusion of certain additional area located in Arapahoe County, Colorado, owned by Global Storage, LLC and more fully described on Exhibit A attached hereto and incorporated herein by reference, into Valley Sanitation District. The City agrees that said additional area may be served with the sewer facilities of the District, and that the City will treat the sewage discharged into the City's trunk line from said additional area, all in accordance with the Connector's Agreement dated, April 18, 1955 and Amended April 15, 2013. Accordingly, Exhibit A referred to in Paragraph 1 of the Connector's Agreement dated April 18, 1955 and Amended April 15, 2013, is hereby amended to include such additional area.

2. Each and every other provision of the said Connector's Agreement dated April 18, 1955 and Amended April 15, 2013, shall remain unchanged.

IN WITNESS WHEREOF, the parties have set their hands and seals this _____ day of _____, 20____.

CITY OF ENGLEWOOD

BY: _____
MAYOR

ATTEST:

CITY CLERK
(SEAL)

VALLEY SANITATION DISTRICT,
ARAPAHOE COUNTY, COLORADO

BY: Phyllis Cook

ATTEST:

Mary Alice Falletter
SECRETARY
(SEAL)

2690 W. Union Avenue

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

Parcel A:

A tract of land in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 8, Township 5 South, Range 68 West of the 6th P.M., described as follows:

Beginning at a point on the West line, 291.6 feet South of the Northwest corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 8, Township 5 South, Range 68 West;
Thence East 404 feet;
Thence South 320 feet;
Thence West 404 feet to the West line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$;
Thence North along the West line 320 feet to the point of beginning,
County of Arapahoe, State of Colorado.

Parcel B:

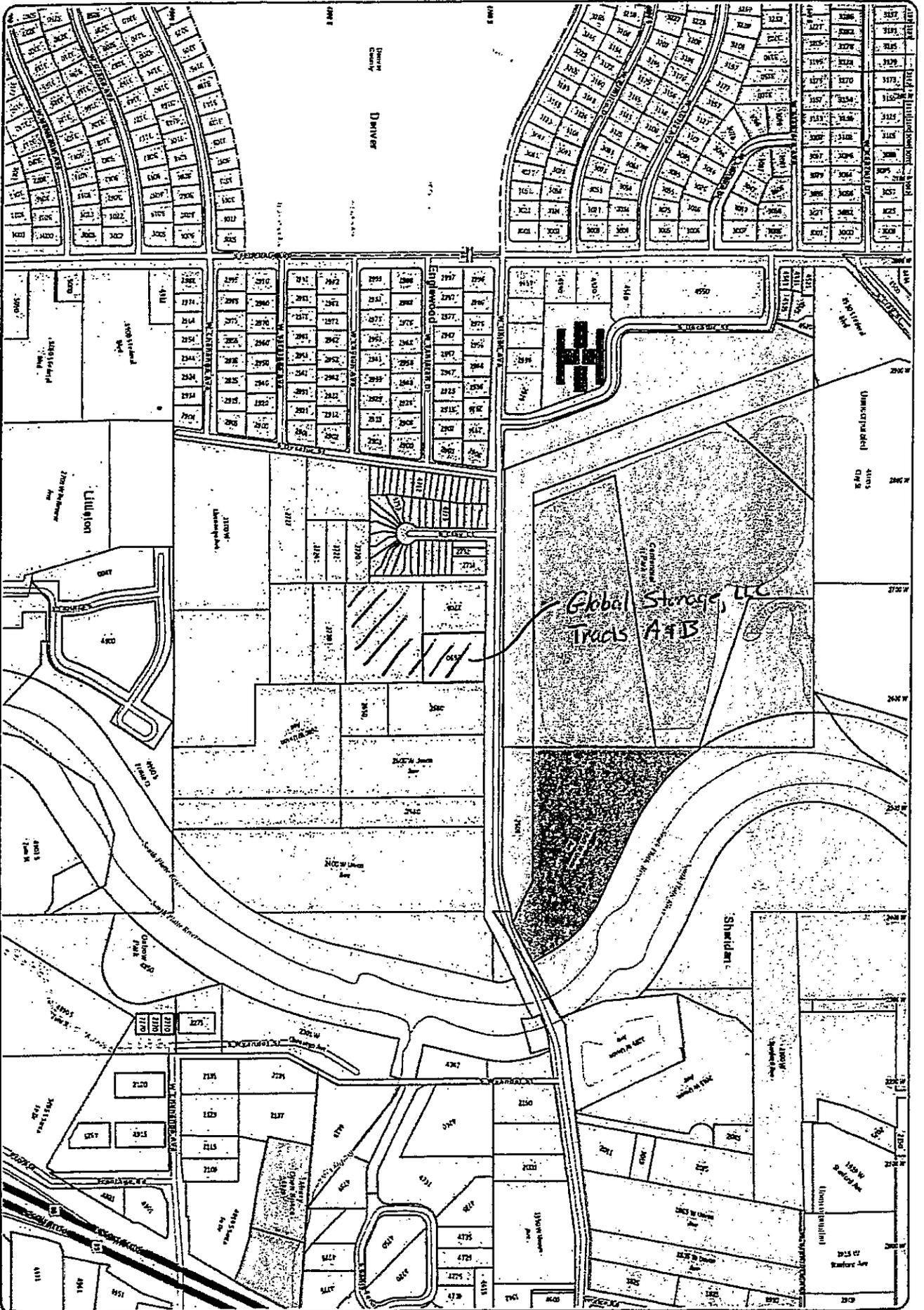
A tract of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 5 South, Range 68 West of the 6th P.M., described as follows:

Commencing at a point on the North line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 8, which is 194 feet East of the Northwest corner of the said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 8;
Thence Southerly 291.7 feet to a point which is 198 feet East of the West line of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8;
Thence East 206 feet;
Thence North 291.8 feet to the North line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 8;
Thence West along the North line 210 feet to the place of Beginning, EXCEPT part conveyed to City of Englewood by Deed recorded April 16, 1965 in Book 1589 at page 250,
County of Arapahoe, State of Colorado.



2077-00-40-021

0 500 1000 1500 2000



Prepared by: [Name]
 Date: [Date]
 Scale: [Scale]
 Project: [Project Name]



Created by: [Name]
 Date: [Date]

COUNCIL COMMUNICATION

DATE: December 21, 2015	AGENDA ITEM: 11ai	SUBJECT: Ordinance approving The Foundry Site Plan of the Sand Creek Planned Unit Development
INITIATED BY: Community Development		STAFF SOURCE: Audra L. Kirk, Planner II

PREVIOUS COUNCIL ACTION

Council approved the Sand Creek Planned Unit Development (PUD) District Plan February 4, 2013. The District Plan approval required that before any residential development was to take place, a site plan for the residential development would need approval from the Planning and Zoning Commission and City Council.

PREVIOUS PLANNING AND ZONING COMMISSION ACTION

The Planning and Zoning Commission considered The Foundry Site Plan of the Sand Creek PUD at a Public Hearing on November 3, 2015. The Commission considered testimony from staff and from the developer and by a vote of 6 to 0 approved The Foundry Site Plan Sand Creek PUD and forward to City Council with a favorable recommendation. No public testimony was received at the Planning and Zoning public hearing.

RECOMMENDED ACTION

The Community Development Department recommends that City Council approve a bill for an ordinance to approve The Foundry Site Plan of the Sand Creek PUD, and set January 4, 2016, as the date for a Public Hearing.

BACKGROUND

The Sand Creek PUD parcel is 10.55 acres and was formerly occupied by the General Iron Works (GIW). RTD acquired the northern portion of the GIW parcel for its maintenance facility in 2002. Sand Creek acquired the southern portion of the GIW parcel in 2010. These parcels have been zoned industrial since zoning was first adopted in 1940.

The PUD is a rezoning process that establishes specific zoning and site planning criteria to meet the needs of a specific development proposal that may not be accommodated within existing zoning development regulations. A PUD rezoning provides the opportunity for unified development control for multiple properties or multiple uses and is composed to two major elements; a District Plan and a Site Plan. The District Plan provides the regulatory framework within which development may occur and the Site Plan provides for the spatial distribution of land uses within the proposed development.

The Sand Creek PUD District Plan incorporated the Permitted Principal Uses of the original underlying I-2 General Industrial District with the addition of residential uses. It further stipulated that site plan approval for industrial, office or retail uses handled administrative,

whereas, residential development must have the site plan reviewed and approved by the Planning and Zoning Commission and City Council.

PUD OVERVIEW

The Sand Creek PUD District Plan was approved with the following:

A. Developmental standards:

1. Multi-family development:

- a. Maximum building height: 75'-0"
- b. Setbacks: All PUD setbacks for multi-family use shall be 5'-0"
- c. Density: Maximum 45 dwelling units per acre (45 DU/ACRE)
- d. Floor area/unit: Minimum 550 square feet
- e. Maximum floor area ratio: None
- f. Minimum open space (includes sidewalks): 25%
- g. Minimum lot with: None

2. Landscaping:

- a. A complete landscape plan shall be provided at time of submittal of final site plan.

3. Parking:

- a. Parking guidelines will be prepared based on future development use and will be submitted with a final site plan and will follow Title 16, Englewood Unified Development Code. Reduction of parking may be proposed for multi-family.

4. Public Land Dedication Requirements:

- a. Parks, trails, and open space land dedication shall be determined by separate agreement at time of final site plan.

B. Architectural Standards:

Form and materials for multi-family housing shall harmonize with the adjacent residential buildings and be considerate of neighboring buildings. Submitted with the proposed PUD are example photographs indicating the general level of design quality, finishes and materials to be incorporated in the project.

1. Facades: exterior walls greater than 50 feet in length should break any flat, monolithic facade with discernible architectural elements. Building designs, rooflines, or facade treatments that are monotonous are strongly discouraged. Building facades oriented to the street or public space should provide architectural variety and scale by incorporating elements such as bay windows, doorways, entrances and windows, balconies, cornices, columns, vertical plane breaks, and other types of architectural detailing to provide visual interest.

2. 360-degree: a building's special architectural features and treatments shall not be restricted to a single facade. All sides of a building open to view by the public, shall display a similar level of quality and architectural interest. Architectural features such as windows,

awnings, projections, reveals, changes in pattern, and trellises should be used on all sides for visual interest. The dimensions of base, middle, and top should be carried around from the primary facades to the side and rear of the building.

3. Flat Roofs: design elements for flat roof buildings should include parapets with variable height and/or changes in setback. Where possible, rooftop areas are encouraged to be used for public or private outdoor space.

4. Sloped Roofs: when sloped roofs are used, at least one of the following elements should be incorporated into the design including projecting gables, hips, horizontal/vertical breaks, or other similar techniques. Roof shapes should be an integral part of the building architecture and create interesting and varied appearances.

5. Bright Colors: intense, bright, or fluorescent colors should not be used as the predominant color on any wall, or roof of any primary or accessory structure.

6. Building Materials: exterior building facades should exhibit high levels of design, detailing and material quality. A mix of high quality compatible materials is strongly encouraged on all facades facing streets, or other public spaces or areas. Buildings should be constructed of durable, high-quality materials such as: brick, stone, architectural pre-cast concrete, architecturally cast concrete, case stone, integrally colored split or ground face concrete masonry units, stucco or EIFS (exterior insulated finishing system), architectural metal, wood, lap siding, or any combination of the materials listed.

7. Scaling: building facades should include a combination of details to enhance the architectural interest. For example, use brickwork to create unique elements, or mix materials of varying depth to provide visual interest.

The Foundry Site Plan is proposing the following:

1. Multi-family development

a. Maximum building height: 46'-0"

b. Setbacks: The building has a setback of 10'-0", balconies will protrude into the 5' setback, but will not encroach into any setback.

c. Density: 32.8 dwelling units per acre

2. Landscaping: A landscaping plan has been provided (page 8 of 9). The Landscape Requirement Chart indicates that the requirement for landscaping is 8%. The Unified Development Code (UDC) has a requirement of 8% for industrial zone districts, and 25% for multi-family residential. The actual amount of landscaping provided for the Foundry is 25%. Staff has no issues with the amount of landscaping provided.

3. Parking: Proposed parking for the Foundry is 1.31 spaces per unit, for a total of 92 spaces. The UDC requires 1.5 spaces per unit, plus 1 visitor space per each 5 units, for a total of 119 for a difference of 27 spaces. However, Sand Creek PUD District was approved with a reduction in parking for multi-family projects. Staff has no issues with the amount of parking provided.

4. Public Land Dedication: The park fee in-lieu fee for the development will be \$27,025.
5. Architectural Standards: The proposed Foundry Site Plan meets all architectural standards as outlined above.

CITY DEPARTMENT AND DIVISION REVIEW:

The applicants had a pre-application meeting with staff in August 2015. Issues that were identified during the pre-application meeting were addressed by the applicant and the final PUD packets were submitted to staff on September 28, 2015. The final plans were reviewed by City of Englewood departments and the following comments were made:

Building:

The City of Englewood has adopted the following codes with amendments:

- 2012 International Building Code and Appendix I - Patio Covers
- 2012 International Residential Code, Appendices H - Patio Covers and M - Home Day Care
- 2012 International Energy Conservation Code
- 2012 International Plumbing Code
- 2012 International Mechanical Code
- 2012 International Fuel Gas Code
- 2012 International Fire Code
- 2011 National Electrical Code
- ICC/ANSI A117.1 - 2009 Accessibility Standards

Engineering:

Transportation easements for the sidewalk and emergency vehicle access may be dedicated by plat or by a separate document.

Detention easement (private) to be dedicated on plat. Plat shall contain standard Detention Pond notes from Englewood Storm Drainage Criteria Manual (ESDCM) section 6.3 (8a and 8b).

FINANCIAL IMPACT

The Foundry Site Plan of the Sand Creek PUD will bring additional building permit revenue as well as use tax and park fee in lieu revenue as well as new property tax.

LIST OF ATTACHMENTS

- The Foundry Site Plan of the Sand Creek PUD
- Planning and Zoning Commission Staff Report
- Planning and Zoning Commission Minutes
- Planning and Zoning Commission Findings of Fact
- Bill for Ordinance

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2015

COUNCIL BILL NO. 64
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE APPROVING THE FOUNDRY SITE PLAN OF THE SAND CREEK PLANNED UNIT DEVELOPMENT (PUD) LOCATED THE SOUTH EAST PORTION OF THE SAND CREEK PUD IN THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City Council of the City of Englewood approved the Sand Creek Planned Unit Development (PUD) District Plan by the passage of Ordinance No. 5, Series 2013; and

WHEREAS, the Sand Creek Planned Unit Development (PUD) District approval required that before any residential development was to take place, a site plan for the residential development would need approval from Englewood Planning and Zoning Commission and the Englewood City Council; and

WHEREAS, the Sand Creek parcel is a 10.61 acre site formerly occupied by General Iron Works (GIW) for many years, and is zoned Industrial (I-1 and I-2) since the 1st zoning was put in place in 1940; and

WHEREAS, RTD acquired a portion of the GIW parcel for its maintenance facility in 2002; and

WHEREAS, Sand Creek acquired its ownership in the GIW parcel in 2010; and

WHEREAS, the Sand Creek PUD District Plan incorporated the Permitted Principal Uses of the original underlying I-2 General Industrial District with the addition of residential uses; and

WHEREAS, the Sand Creek PUD District Plan further stipulated that site plan approval for industrial, office or retail uses be handled administratively, whereas, residential development must have the site plan reviewed and approved by the Englewood Planning and Zoning Commission and City Council; and

WHEREAS, the SW Development Group, LLC submitted an application for the Foundry Site Plan of the Sand Creek PUD for the development of a 2.13 acre parcel located on the South East portion of the Sand Creek PUD for the development of a Multi-family development consisting of 70 units; and

WHEREAS, the Englewood Planning and Zoning Commission held a Public Hearing on November 3, 2015; and

WHEREAS, the Planning and Zoning Commission recommended approval of the Foundry Site Plan of the Sand Creek PUD for the development of a 2.13 acre parcel located on the South East portion of the Sand Creek PUD consisting of 70 units of a Multi-family development 70.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The Foundry Site Plan of the Sand Creek Planned Unit Development (PUD) located at the South East portion of the Sand Creek PUD in the City of Englewood, Colorado, attached hereto as Exhibit A, is hereby approved.

Introduced, read in full, and passed on first reading on the 21st day of December, 2015.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 24th day of December, 2015.

Published as a Bill for an Ordinance on the City's official website beginning on the 23rd day of December, 2015 for thirty (30) days.

Joe Jefferson, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 21st day of December, 2015.

Loucrishia A. Ellis

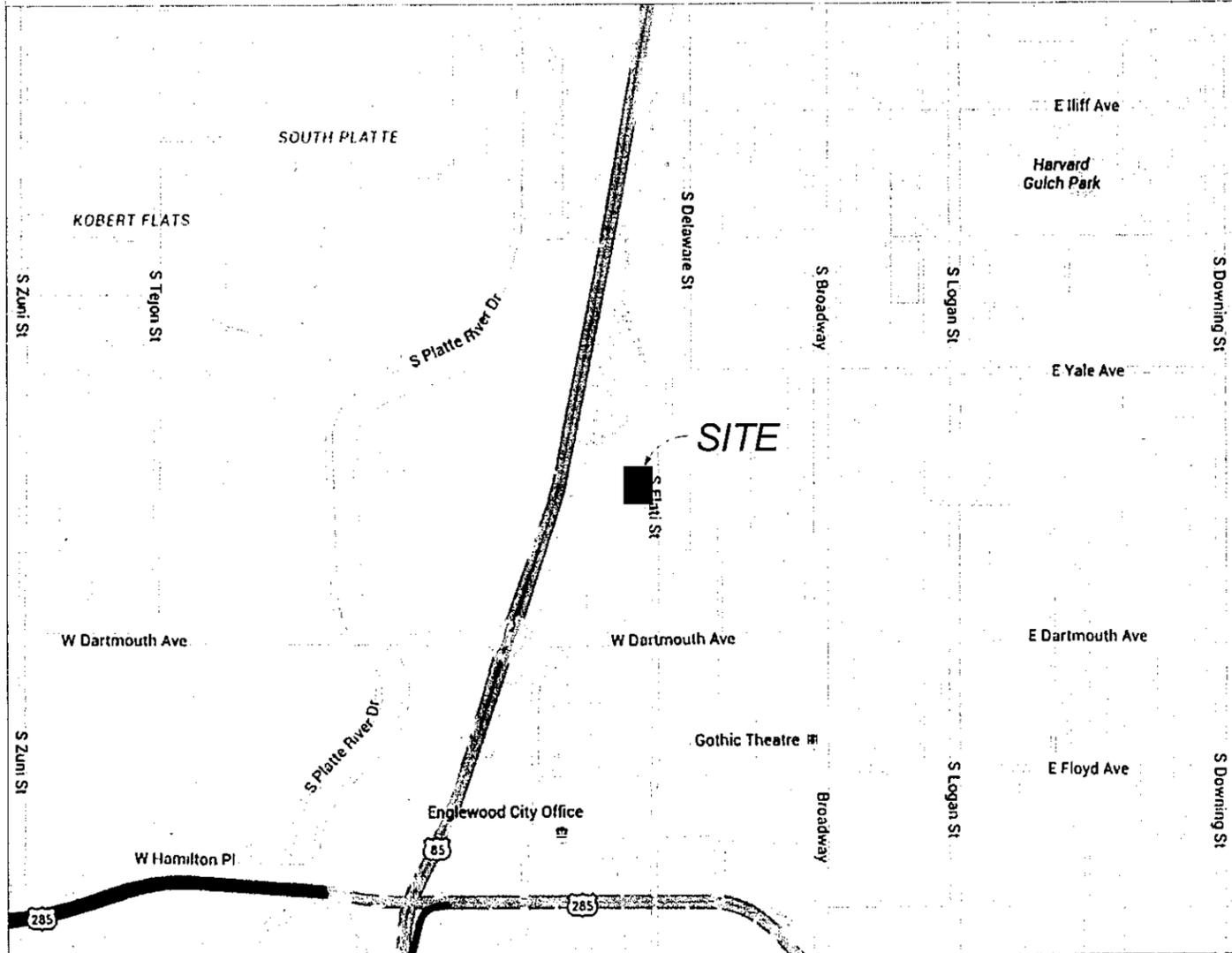
THE FOUNDRY APARTMENTS

PUD SITE PLAN

A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION
TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
CITY OF ENGLEWOOD, ARAPAHOE COUNTY, STATE OF COLORADO

THE FOUNDRY APARTMENTS
SW DEVELOPMENT GROUP

VICINITY MAP



A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION, RECORDED IN BOOK 87, PAGE 25, RECEPTION NUMBER 2609250 IN THE ARAPAHOE COUNTY CLERK AND RECORDERS OFFICE, BEING IN SECTION 34, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ARAPAHOE COUNTY, CITY OF ENGLEWOOD, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST PROPERTY CORNER OF LOT 1 (FOUND 4 REBAR WITH NO CAP); THENCE SOUTH 89°23'38" WEST ALONG THE NORTHERLY ROW LINE OF WEST BATES AVENUE, A DISTANCE OF 275.40 FEET; THENCE DEPARTING A POINT ON THE NORTHERLY ROW LINE OF WEST BATES AVENUE NORTH 00°36'34" WEST, A DISTANCE OF 337.95 FEET; THENCE NORTH 89°58'08" EAST, A DISTANCE OF 277.61 FEET TO A POINT ON THE WESTERLY ROW LINE OF SOUTH ELATI STREET; THENCE SOUTH 00°14'06" EAST ALONG THE WESTERLY ROW LINE OF SOUTH ELATI STREET A DISTANCE OF 335.17 FEET MORE OR LESS TO THE POINT OF BEGINNING, CONTAINING 93,056 SF (2.136 ACRES) MORE OR LESS



NOTE: CODE CHANGES OCCURRING AFTER THE APPROVAL OF THE PUD SITE PLAN WILL NOT REQUIRE AN AMENDMENT TO THE PUD SITE PLAN

CONTACTS

APPLICANT AND OWNER
SW DEVELOPMENT GROUP
1816 17TH ST, #302
DENVER, CO 80202
(303) 667-4080
SCOTT YEATES

PROPERTY OWNER
SAND CREEK INVESTORS, LLC
3002 S. HURON ST.
ENGLEWOOD, CO 80110
FLOYD WINSLOW, JR.

DESIGN TEAM

ARCHITECT
SHOPWORKS ARCHITECTURE
2882 WYANDOT ST.
DENVER, CO 80211
P (303) 433-4094
CHAD HOLTZINGER, AIA, LEED AP

LANDSCAPE ARCHITECT
CHRISTOPHER HOY DESIGN GROUP
3002 WALNUT ST.
DENVER, CO 80205
P (303) 451-7986
CHRISTOPHER HOY, PLA CID

CIVIL ENGINEER
ROTH ENGINEERING GROUP
7853 EAST ARAPAHOE COURT
CENTENNIAL, CO 80112
P (303) 841-9365
KEVIN ROTH, P.E., LEED AP

SHEET INDEX

SHEET NO.	SHEET NAME
1 OF 9	COVER SHEET
2 OF 9	P1 OF SAND CREEK PUD
3 OF 9	P2 OF SAND CREEK PUD
4 OF 9	SITE PLAN
5 OF 9	GRADING & UTILITY PLAN
6 OF 9	SURVEY - GEN NOTES
7 OF 9	SURVEY - ALTA/VACSM
8 OF 9	LANDSCAPE PLAN
9 OF 9	ARCHITECTURAL BUILDING ELEVATIONS

PROPERTY OWNER:

SAND CREEK INVESTORS, L.L.C., A COLORADO LIMITED LIABILITY COMPANY

BY: FLOYD WINSLOW, JR., MANAGER

STATE OF COLORADO

COUNTY OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS

DAY OF _____, 20____ BY
FLOYD WINSLOW, JR. MANAGER FOR
SAND CREEK INVESTORS, L.L.C.

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

APPROVED FOR THE CITY OF ENGLEWOOD

PLANNING AND ZONING COMMISSION CHAIRPERSON _____ DATE _____

PLANNING AND ZONING COMMISSION RECORDING SECRETARY _____ DATE _____

MAYOR OF ENGLEWOOD _____ DATE _____

ATTESTED
THE FOREGOING APPROVALS WERE ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 20____ BY _____

AND _____

ATTEST: CITY CLERK _____

CLERK AND RECORDER

THIS PLANNED UNIT DEVELOPMENT IS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO, AT ____ O'CLOCK ____ M. ON THIS ____ DAY OF _____, A.D. 20____.

RECEPTION NO. _____ BOOK NO. _____
PAGE NO. _____

BY: _____ BY: _____
CLERK DEPUTY

2882 Wyandot Street - Denver, CO 80211 • 303.433.4094
shopworks architecture



SW+ DEVELOPMENT GROUP

THE FOUNDRY APARTMENTS

PUD SITE PLAN

1ST SUBMITTAL	2015-09-28
2ND SUBMITTAL	2015-10-15

COVER SHEET

1 OF 9

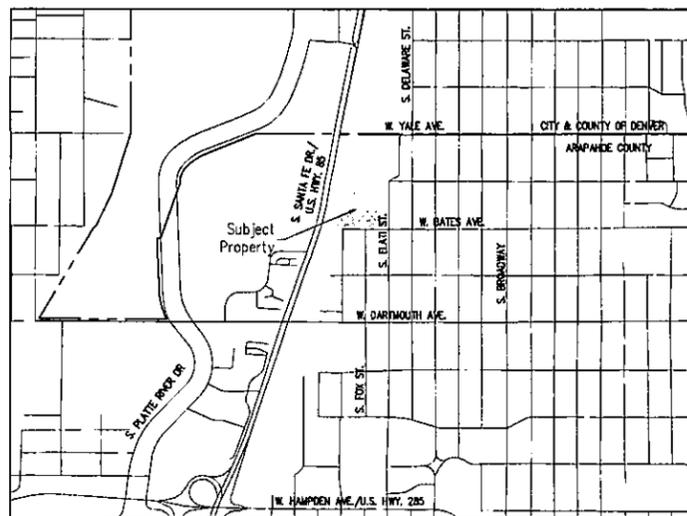
THE FOUNDRY APARTMENTS
PUD SITE PLAN
 A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION
 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
 CITY OF ENGLEWOOD, ARAPAHOE COUNTY, STATE OF COLORADO

THE FOUNDRY APARTMENTS
 SW DEVELOPMENT GROUP

SAND CREEK PLANNED UNIT DEVELOPMENT

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF SECTION 34,
 T4S, R68W OF THE 6TH P.M.,
 CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO

SHEET 1 OF 4



CONTACTS

OWNER
 SAND CREEK INVESTORS, L.L.C.
 3022 S. HURON ST.
 ENGLEWOOD, CO 80401

PLANNER
 BASELINE ENGINEERING CORP.
 700 12TH ST., SUITE 220
 GOLDEN, CO 80401
 VINCE HARRIS, AICP
 (303) 202-5010 x217

ENGINEER
 BASELINE ENGINEERING CORP.
 700 12TH ST., SUITE 220
 GOLDEN, CO 80401
 NOAH MEMBERS, PE
 (303) 940-9966 x207

SHEET INDEX

- P1 - COVER / DISTRICT PLAN
- P2 - DISTRICT PLAN / ARCHITECTURAL IMAGES & DETAILS
- P3 - EXISTING SITE PLAN
- P4 - CONCEPTUAL MULTI-FAMILY SITE PLAN

PUD LEGAL DESCRIPTION

A PARCEL OF LAND DESCRIBED IN THE BOUNDARY LINE ADJUSTMENT DOCUMENT RECORDED AT RECEPTION NUMBER B211969 IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE, ALSO BEING DESCRIBED AS FOLLOWS:

A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION, RECORDED IN BOOK 87, PAGE 25, AT RECEPTION NUMBER B2609250 IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE, LYING IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, ARAPAHOE COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1, GENERAL IRON WORKS SUBDIVISION (FOUND #4 REBAR SET IN CONCRETE);

WHENCE THE SOUTHEAST CORNER OF SAID LOT 1, GENERAL IRON WORKS SUBDIVISION (FOUND #4 REBAR SET IN CONCRETE) BEARS N 89°23'36" E A DISTANCE OF 734.44 FEET (BASIS OF BEARING - ASSUMED);

THENCE ALONG THE ARC OF A CURVE TO THE LEFT, BEING ON THE EASTERLY RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA & SANTA FE RAILROAD, ALSO BEING FIFTY (50) FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF SAID ATCHISON, TOPEKA & SANTA FE RAILROAD MAIN TRACKS, HAVING A CENTRAL ANGLE OF 159°56", A RADIUS OF 5779.75 FEET, A CHORD BEARING OF N 12°39'00" E, A DISTANCE OF 201.63 FEET, AND AN ARC DISTANCE OF 201.64 FEET;

THENCE N 20°39'40" E NON-TANGENT WITH THE LAST DESCRIBED CURVE AND TANGENT WITH THE FOLLOWING DESCRIBED CURVE A DISTANCE OF 297.55 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 34°57'08", A RADIUS OF 120.00 FEET, A CHORD BEARING N 38°08'14" E A DISTANCE OF 72.07 FEET, AND AN ARC DISTANCE OF 73.20 FEET;

THENCE N 55°35'48" E TANGENT WITH THE LAST DESCRIBED CURVE A DISTANCE OF 512.61 FEET;

THENCE S 89°57'28" E A DISTANCE OF 265.47 FEET;

THENCE THE FOLLOWING FIVE (5) COURSES ALONG THE EASTERLY LINE OF SAID LOT 1, GENERAL IRON WORKS SUBDIVISION:

- 1) S 00°14'08" E TANGENT WITH THE FOLLOWING DESCRIBED CURVE A DISTANCE OF 53.29 FEET;
- 2) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 58°32'30", A RADIUS OF 45.73 FEET, A CHORD BEARING S 28°32'27" W A DISTANCE OF 45.41 FEET, AND AN ARC DISTANCE OF 47.52 FEET;
- 3) THENCE S 55°18'21" W TANGENT WITH THE LAST DESCRIBED CURVE A DISTANCE OF 115.33 FEET;
- 4) THENCE S 89°22'25" E A DISTANCE OF 28.26 FEET;
- 5) THENCE S 00°13'34" E A DISTANCE OF 656.37 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, GENERAL IRON WORKS SUBDIVISION (FOUND #4 REBAR SET IN CONCRETE).

THENCE S 89°23'38" W ALONG SAID SOUTHERLY LOT LINE OF LOT 1, GENERAL IRON WORKS SUBDIVISION A DISTANCE OF 734.44 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL OF LAND CONTAINS 459,427 SQ. FT. OR 10.55 ACRE, MORE OR LESS.

TOGETHER WITH:

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 CONSIDERING THE WEST LINE OF THE NW 1/4 OF SAID SECTION 34 AS BEARINGS OF S00°15'24"E AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERE TO;

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 34, THENCE S00°16'24"E ALONG THE WEST LINE OF SAID NW 1/4 OF SECTION 34 A DISTANCE OF 1319.09 FEET TO THE SOUTHWEST CORNER OF THE NW 1/4 OF SAID NW 1/4;

THENCE N89°23'52"E A DISTANCE OF 228.19 FEET TO A POINT ON THE EASTERLY LINE OF THE BURLINGTON RAILROAD RIGHT-OF-WAY (FORMERLY THE ATCHISON-TOPEKA AND SANTA FE RAILROAD) AND THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE ALONG A NON-TANGENT CURVE TO THE LEFT WITH AN ARC LENGTH OF 30.82, A RADIUS OF 5779.65 FEET, A CENTRAL ANGLE OF 0°18'20", AND A CHORD THAT BEARS N41°19'53"E A DISTANCE OF 30.82 FEET TO THE SOUTHWEST CORNER OF LOT 1, GENERAL IRON WORKS SUBDIVISION AS RECORDED IN BOOK 87, PAGE 25, RECEPTION NO. 2609250 OF THE COUNTY CLERK AND RECORDER'S RECORDS;

THENCE N89°23'38"E, ALONG THE SOUTHERLY LINE OF SAID LOT 1, A DISTANCE OF 83.26 FEET TO THE INTERSECTION WITH THE WESTERLY LINE OF SOUTH GALAPAZO STREET EXTENDED;

THENCE S00°19'19"E, ALONG SAID WESTERLY LINE OF SOUTH GALAPAZO STREET EXTENDED A DISTANCE OF 28.79 FEET TO THE SOUTH LINE OF SAID NW 1/4 OF THE NW 1/4 OF SECTION 34;

THENCE S89°23'52"W, ALONG SAID SOUTH LINE A DISTANCE OF 90.95 FEET TO THE POINT OF BEGINNING;

SAID TRACT OF LAND CONTAINS ± 2592 S.F. OR 0.06 ACRES

BACKGROUND

THE SUBJECT PROPERTY IS COMPOSED OF TWO PARCELS, LOCATED ON THE NORTHWEST CORNER OF WEST BATES AVENUE AND SOUTH ELAHI STREET, AND EAST OF THE BURLINGTON NORTHERN SANTA FE RAILROAD.

TOTAL AREA FOR THE PARCEL IS 462,231 SF, OR APPROXIMATELY 10.61 ACRES. THE SITE, WHICH IS CURRENTLY OWNED BY SAND CREEK INVESTORS, L.L.C., IS UNDERGOING A CLEANUP OPERATION FROM A PRIOR IRON WORKS SERVICE LOCATED ON THE PROPERTY. THE SITE IS CURRENTLY ZONED AS A GENERAL INDUSTRIAL DISTRICT (I-2).

THE PUD FOR THIS PROPERTY WILL INTRODUCE ZONING AND DEVELOPMENT STANDARDS THAT WILL ALLOW FOR AND PERMIT (I-2) USES FOR POSSIBLE FUTURE DEVELOPMENTS AND IN ADDITION, WILL ADD MULTI-FAMILY USES AND DEVELOPMENT STANDARDS THAT ARE APPROPRIATE AND CONFORMING TO THE SURROUNDING USES IN THE AREA. THE PLANNED UNIT DEVELOPMENT APPLICATION WILL BE PROCESSED PURSUANT TO THE APPLICABLE CITY REGULATIONS.

GENERAL NOTES

1. AN ALTA SURVEY WAS PREPARED BY BASELINE ENGINEERING CORPORATION AND IS PART OF THIS SUBMITTAL.
2. A PRELIMINARY DRAINAGE REPORT WAS PREPARED BY BASELINE ENGINEERING CORPORATION AND IS PART OF THIS SUBMITTAL.
3. A TRAFFIC REPORT WAS PREPARED BY BASELINE ENGINEERING CORPORATION AND IS PART OF THIS SUBMITTAL.
4. THIS PROPERTY DOES NOT LIE WITHIN A 100-YEAR FLOOD PLAIN.
5. SUBDIVISION OF THE SITE SHALL BE COMPLETED UNDER SEPARATE DOCUMENT.
6. THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE CITY CODES, REGULATIONS, AND STANDARDS.
7. IN THE EVENT OF A CONFLICT BETWEEN THE SPECIFIC PROVISIONS OF THIS PUD AND TITLE 16, THE SPECIFIC PROVISIONS OF THIS PUD SHALL CONTROL.

SITE DATA

TOTAL SITE AREA (2 PARCELS) 462,231 S.F. OR 10.61 ACRES

PUD DISTRICT PLAN DEVELOPMENT STANDARDS

A. **GENERAL REGULATIONS.** UNLESS OTHERWISE PROVIDED FOR IN THE PUD OR AN AMENDMENT THERETO, THE PROVISIONS, STANDARDS, REGULATIONS AND PROCEDURES PERTINENT TO AN APPLICATION FOR THE DEVELOPMENT OF LAND WITHIN THIS PUD ZONE DISTRICT SHALL COMPLY WITH THE (I-2) ZONE DISTRICT AND THE BELOW LISTED STANDARDS FOR MULTI-FAMILY USE. THE STANDARDS FOR (I-2) GENERAL INDUSTRIAL DISTRICT CAN BE REFERENCED IN TITLE 16 OF THE CITY OF ENGLEWOOD MUNICIPAL CODE.

B. **PERMITTED USES.** THE FOLLOWING USES ARE PERMITTED FOR THE SAND CREEK PUD SITE UNLESS OTHERWISE PROVIDED. THE FOLLOWING USE CATEGORIES AND TYPES SHALL HAVE THE SAME MEANINGS AS SUCH CATEGORY AND USE TERMS BY THE SAME NAMES CONTAINED IN TITLE 16 OF THE ENGLEWOOD MUNICIPAL CODE. PERMITTED USES ARE SUBJECT TO ALL APPLICABLE REGULATIONS OF TITLE 16 - ENGLEWOOD UNIFIED DEVELOPMENT CODE.

RESIDENTIAL USES:
 GROUP LIVING FACILITY, LARGE/SPECIAL
 GROUP LIVING FACILITY, SMALL
 LIVE/WORK DWELLING
 LOW, MEDIUM AND HIGH DENSITY MULTI-UNIT DWELLINGS
 MULTI-FAMILY RELATED ANCILLARY USES SUCH AS LEASING OFFICE, PRIVATE RECREATION FACILITIES, ETC.

PUBLIC/INSTITUTIONAL USES:
 ATHLETIC FIELD
 COMMUNITY GARDEN
 LIBRARY
 MUSEUM
 PARK AND OPEN SPACE
 RELIGIOUS INSTITUTIONS AND ASSOCIATED ACCESSORY USES
 SCHOOLS

TELECOMMUNICATION FACILITY (SEE CHAPTER 16-7, "TELECOMMUNICATIONS," FOR APPLICABLE USE-RELATED GUIDELINES AND STANDARDS) TO INCLUDE ALTERNATIVE TOWER STRUCTURE, ANTENNA (MICROWAVE ANTENNA, SECTORIZED PANEL ANTENNA, WHIP ANTENNA) AND TOWER STRUCTURE
 TRANSIT CENTER

COMMERCIAL USES:

- GREENHOUSE/NURSERY, RAISING OF PLANTS, FLOWERS, OR NURSERY STOCK
- ASSEMBLY HALL OR AUDITORIUM, HALL RENTAL FOR MEETINGS OR SOCIAL OCCASIONS
- MEMBERSHIP ORGANIZATION
- WOOD ENTERTAINMENT/ AMUSEMENT
- AMUSEMENT ESTABLISHMENT AS A CONDITIONAL USE
- PHYSICAL FITNESS CENTER/SPA
- THEATER AND PERFORMANCE/CONCERT VENUE, NOT INCLUDING ADULT ENTERTAINMENT
- GENERAL OUTDOOR RECREATION, AS A CONDITIONAL USE
- CHECK CASHING FACILITY
- FINANCIAL INSTITUTION, WITH DRIVE-THROUGH SERVICE
- FINANCIAL INSTITUTION, WITHOUT DRIVE-THROUGH SERVICE
- FOOD AND BEVERAGE SERVICE, INCLUDING:
 BREW PUB
 CATERER
 MICROBREWERY
- RESTAURANT, BAR, TAVERN WITH OR WITHOUT OUTDOOR OPERATIONS
- RESTAURANT, WITH DRIVE-THROUGH SERVICE
- TAKE OUT AND DELIVERY ONLY
- MEDICAL AND SCIENTIFIC:
 CLINIC
 HOSPITAL
 LABORATORY (DENTAL, MEDICAL OR OPTICAL)
- OFFICE, TYPE 1 (GENERAL)
- OFFICE, TYPE 2 (LIMITED)
- DRY CLEANER, DROP-OFF SITE ONLY
- INSTRUCTIONAL SERVICE
- PERSONAL CARE SERVICE,
 INCLUDING PHOTOGRAPHY STUDIO AND PHOTO LAB, UPHOLSTERY, PRINTER, LOCKSMITH, TAILOR
- REPAIR SHOP (NOT INCLUDING AUTO)
- RETAIL SALES AND SERVICE (SALES), INCLUDING:
 ANTIQUE STORE
 ART GALLERY
 BUY-BACK, SECOND-HAND, THRIFT, CONSIGNMENT STORES, LARGE
 BUY-BACK, SECOND-HAND, THRIFT, CONSIGNMENT STORES, SMALL
 CONVENIENCE STORES
 GROCERY/SPECIALTY FOOD STORE
 INTERNET SALES LOCATION
 LIQUOR STORE
 RETAIL SALES, GENERAL MERCHANDISE
- TRADE OR BUSINESS SCHOOL
- RADIO/TELEVISION BROADCASTING STUDIO, RECORDING/TV STUDIO
- AUTOMOTIVE SERVICE STATION (GASOLINE FACILITY)
- CAR WASH, AUTO DETAILING
- PARKING FACILITY, STRUCTURE (OPERABLE VEHICLES), PRINCIPAL USE
- PARKING AREA, SURFACE (OPERABLE VEHICLES), PRINCIPAL USE
- HOTEL
 HOTEL, EXTENDED STAY

- INDUSTRIAL USES:**
 WHOLESALE SALES AND DISTRIBUTION
 INDUSTRIAL SERVICE, LIGHT
 INDUSTRIAL SERVICE, HEAVY
 MANUFACTURING (INCLUDING PROCESSING, FABRICATION OR ASSEMBLY), LIGHT
 MANUFACTURING (INCLUDING PROCESSING, FABRICATION OR ASSEMBLY), HEAVY
 MOVING AND STORAGE
 OUTDOOR STORAGE
 STORAGE YARDS FOR VEHICLES, EQUIPMENT, MATERIAL, AND/OR SUPPLIES, INCLUDING
 CONTRACTOR OFFICE AND YARD
 WAREHOUSING AND/OR STORAGE, INCLUDING WIN-STORAGE
 COMMERCIAL STORAGE, SALES AND REPAIR OF OPERABLE VEHICLES AND EQUIPMENT
 (USES CONTINUED ON NEXT PAGE)

APPROVED FOR THE CITY OF ENGLEWOOD
 PLANNING AND ZONING COMMISSION CHAIRPERSON
 PLANNING AND ZONING COMMISSION RECORDING SECRETARY
 CITY OF ENGLEWOOD
 ATTEST:
 CLERK AND RECORDER
 THIS PLANNED UNIT DEVELOPMENT IS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO, AT 10:00 O'CLOCK A.M. ON THIS 14th DAY OF May, A.D. 2013.
 RECEPTION NO. D.305 9798 BOOK NO. 433
 CONTRACTOR OFFICE AND YARD
 WAREHOUSING AND/OR STORAGE, INCLUDING WIN-STORAGE
 COMMERCIAL STORAGE, SALES AND REPAIR OF OPERABLE VEHICLES AND EQUIPMENT
 (USES CONTINUED ON NEXT PAGE)



REVISION DESCRIPTION	DATE	BY	CHK'D BY
DISTRICT PLAN, SITE PLAN, LANDSCAPING	10/29/12	EW	VH
PROCESS, SUNSET CLAUSE UPDATE	2/27/13	EW/CM	VH

SAND CREEK INVESTORS, L.L.C.
 ARAPAHOE COUNTY
 SAND CREEK PLANNED UNIT DEVELOPMENT
 601 W BATES AVE
 COVER / DISTRICT PLAN

NO.	DATE	DESCRIPTION
1	9/25/13	1ST SUBMITTAL
2	10/15/13	2ND SUBMITTAL

THIS AND ALL OTHERS OF
 BASELINE ENGINEERING CORPORATION
 700 12TH ST., SUITE 220
 GOLDEN, CO 80401
 PHONE: (303) 202-5010
 FAX: (303) 202-5011
 WWW.BASELINEENGINEERING.COM

2882 Wyanndot Street • Denver, CO 80211 • 303.433.4094

sho p w o r k s architecture

ROTH ENGINEERING GROUP

ch d g christophertoydesigngroup landscape architects

SW+ DEVELOPMENT GROUP

THE FOUNDRY APARTMENTS
PUD SITE PLAN

1ST SUBMITTAL	2015-09-28
2ND SUBMITTAL	2015-10-15

P1 OF SAND CREEK PUD
2 OF 9

THE FOUNDRY APARTMENTS
PUD SITE PLAN
 A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION
 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
 CITY OF ENGLEWOOD, ARAPAHOE COUNTY, STATE OF COLORADO

SAND CREEK PLANNED UNIT DEVELOPMENT

A PARCEL OF LAND LOCATED IN THE NW ¼ OF SECTION 34,
 T4S, R68W OF THE 6TH P.M.,
 CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO

SHEET 2 OF 4

DISTRICT PLAN / ARCHITECTURAL IMAGES & DETAILS

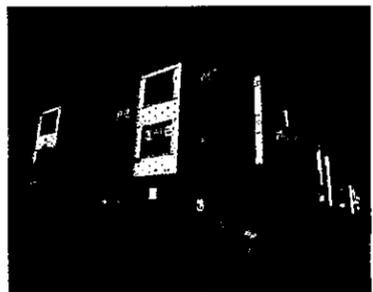
PUD DISTRICT PLAN DEVELOPMENT STANDARDS (CONTINUED)

- ACCESSORY USES:**
 HOME OCCUPATION AS LISTED IN ENGLEWOOD MUNICIPAL CODE TITLE 16 - UNIFIED DEVELOPMENT CODE
- TEMPORARY USES:**
 AS LISTED IN ENGLEWOOD MUNICIPAL CODE TITLE 16 - UNIFIED DEVELOPMENT CODE
- UNLISTED USES:**
 PROCEDURES FOR APPROVAL OF USES NOT LISTED IN THE ABOVE PERMITTED USES SHALL BE GOVERNED BY TITLE 16 PROVISIONS FOR UNLISTED USES.
- C. INDUSTRIAL USES MAY SUNSET:** ALL ALLOWED INDUSTRIAL USES SHALL CEASE AND SHALL NOT BE GRANDFATHERED NOR CONSIDERED LEGAL NON-CONFORMING USES UPON THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY (CO) FOR ANY RESIDENTIAL OR COMMERCIAL USE WITHIN THE PUD, WHETHER OR NOT THE PROPERTY WITHIN THE BOUNDARIES OF THE PUD HAS BEEN PLATTED.
- D. DEVELOPMENT STANDARDS:**
1. MULTI-UNIT RESIDENTIAL DWELLINGS
 - a. MAXIMUM BUILDING HEIGHT: 75'-0"
 - b. SETBACKS: ALL PUD SETBACKS FOR MULTI-FAMILY USE SHALL BE 5'-0"
 - c. DENSITY: MAXIMUM 45 DWELLING UNITS PER ACRE (45 DU/ACRE)
 - d. FLOOR AREA/UNIT: MINIMUM 550 SQUARE FEET
 - e. MAXIMUM FLOOR AREA RATIO: NONE
 - f. MINIMUM OPEN SPACE (INCLUDES SIDEWALKS): 25%
 - g. MINIMUM LOT WIDTH: NONE
 2. COMMERCIAL/INDUSTRIAL
 - a. DEVELOPMENT STANDARDS FOR COMMERCIAL OR INDUSTRIAL USES SHALL COMPLY WITH THE DEVELOPMENT REGULATIONS OUTLINED FOR THE (MU-B-1) MIXED-USE CENTRAL BUSINESS AND (I-1) LIGHT INDUSTRIAL DISTRICTS FOUNDED IN TITLE 16 OF THE ENGLEWOOD UNIFIED DEVELOPMENT CODE.
 - b. MAXIMUM HEIGHT: 100'-0"
 - c. SETBACKS: 10'-0" FOR ALL NONRESIDENTIAL USES

3. LANDSCAPING
 - a. A COMPLETE LANDSCAPE PLAN SHALL BE PROVIDED AT TIME OF SUBMITTAL OF FINAL SITE PLAN.
4. PARKING
 - a. PARKING GUIDELINES WILL BE PREPARED BASED ON FUTURE DEVELOPMENT USE AND WILL BE SUBMITTED WITH A FINAL SITE PLAN AND WILL UTILIZE TITLE 16 OF THE ENGLEWOOD UNIFIED DEVELOPMENT CODE AS A BASIS. REDUCTION OF PARKING MAY BE PROPOSED FOR MULTI-FAMILY.
5. PUBLIC LAND DEDICATIONS REQUIREMENTS
 - a. PARKS, TRAILS, AND OPEN SPACE LAND DEDICATION SHALL BE DETERMINED BY SEPARATE AGREEMENT AT TIME OF FINAL SITE PLAN.
6. ARCHITECTURAL STANDARDS
 - a. FORM AND MATERIALS FOR MULTI-FAMILY HOUSING SHALL HARMONIZE WITH THE ADJACENT RESIDENTIAL BUILDINGS AND BE CONSIDERATE OF NEIGHBORING BUILDINGS SUBMITTED AS A PART OF THE PROPOSED PUD. ARE EXAMPLE PHOTOGRAPHS INDICATING THE GENERAL LEVEL OF DESIGN QUALITY, FINISHES AND MATERIALS TO BE INCORPORATED IN THE PROJECT.
 1. FACADES: EXTERIOR WALLS GREATER THAN 50 FEET IN LENGTH SHOULD BREAK ANY FLAT, MONOTONIC FACADE WITH DISCRETE ARCHITECTURAL ELEMENTS. BUILDING DESIGNS, ROOFLINES, OR FACADE TREATMENTS THAT ARE MONOTONOUS ARE STRONGLY DISCOURAGED. BUILDING FACADES ORIENTED TO THE STREET OR PUBLIC SPACE SHOULD PROVIDE ARCHITECTURAL VARIETY AND SCALE BY INCORPORATING ELEMENTS SUCH AS BAY WINDOWS, DOORWAYS, ENTRANCES AND WINDOWS, BALCONIES, CORNICES, COLUMNS, VERTICAL PLANE BREAKS, AND OTHER TYPES OF ARCHITECTURAL DETAILING TO PROVIDE VISUAL INTEREST.
 2. 360-DEGREE: A BUILDING'S SPECIAL ARCHITECTURAL FEATURES AND TREATMENTS SHALL NOT BE RESTRICTED TO A SINGLE FACADE. ALL SIDES OF A BUILDING OPEN TO VIEW BY THE PUBLIC, WHETHER VIEWED FROM PUBLIC OR PRIVATE PROPERTY, SHALL DISPLAY A SIMILAR LEVEL OF QUALITY AND ARCHITECTURAL INTEREST. ARCHITECTURAL FEATURES SUCH AS WINDOWS, AWNINGS, PROJECTIONS, REVEALS, CHANGES IN PATTERN, AND INCLUDES SHOULD BE USED ON ALL SIDES FOR VISUAL INTEREST. THE DIMENSIONS OF BASE, MIDDLE, AND TOP SHOULD BE CARRIED AROUND FROM THE PRIMARY FACADES TO THE SIDE AND REAR OF THE BUILDING.
 3. FLAT ROOFS: DESIGN ELEMENTS FOR FLAT ROOF BUILDINGS SHOULD INCLUDE PARAPETS WITH VARIABLE HEIGHT AND/OR CHANGES IN SETBACK. WHERE POSSIBLE, ROOFTOP AREAS ARE ENCOURAGED TO BE USED FOR PUBLIC OR PRIVATE OUTDOOR SPACE.
 4. SLOPED ROOFS: WHEN SLOPED ROOFS ARE USED, AT LEAST ONE OF THE FOLLOWING ELEMENTS SHOULD BE INCORPORATED INTO THE DESIGN INCLUDING PROJECTING GABLES, HIPs, HORIZONTAL/VERTICAL BREAKS, OR OTHER SIMILAR TECHNIQUES. ROOF SHAPES SHOULD BE AN INTEGRAL PART OF THE BUILDING ARCHITECTURE

- AND CREATE INTERESTING AND VARIED APPEARANCES.
5. BRIGHT COLORS, INTENSE, BRIGHT, OR FLUORESCENT COLORS SHOULD NOT BE USED AS THE PREDOMINANT COLOR ON ANY WALL OR ROOF OF ANY PRIMARY OR ACCESSORY STRUCTURE.
 6. BUILDING MATERIALS: EXTERIOR BUILDING FACADES SHOULD EXHIBIT HIGH LEVELS OF DESIGN, DETAILING, AND MATERIAL QUALITY. A MIX OF HIGH QUALITY COMPATIBLE MATERIALS IS STRONGLY ENCOURAGED ON ALL FACADES FACING STREETS, OR OTHER PUBLIC SPACES OR AREAS. BUILDINGS SHOULD BE CONSTRUCTED OF DURABLE, HIGH-QUALITY MATERIALS SUCH AS: BRICK, STONE, ARCHITECTURAL, PRE-CAST CONCRETE, ARCHITECTURALLY CAST CONCRETE, CAST STONE, INTEGRALLY COLORED SPILT OR GROUND FACE CONCRETE, MASONRY UNITS, STUCCO OR EIFS (EXTERIOR INSULATED FINISHING SYSTEM), ARCHITECTURAL METAL, WOOD, LAP SIDING, OR ANY COMBINATION OF THE MATERIALS LISTED.
 7. SCALING: BUILDING FACADES SHOULD INCLUDE A COMBINATION OF DETAILS TO ENHANCE THE ARCHITECTURAL INTEREST. FOR EXAMPLE, USE BRICKWORK TO CREATE UNIQUE ELEMENTS, OR MIX MATERIALS OF VARYING DEPTH TO PROVIDE VISUAL INTEREST.
- PROCESS:**
1. SITE PLAN DEVELOPMENT ON ANY PORTION OF THE PUD FOR ANY RESIDENTIAL USE (AND NOT PUBLIC/INSTITUTIONAL, COMMERCIAL, OR INDUSTRIAL USES) SHALL BE SUBJECT TO SITE PLAN REVIEW BY THE PLANNING AND ZONING COMMISSION AND REVIEW AND APPROVAL BY CITY COUNCIL. IF ANY SITE PLAN IS SUBMITTED FOR PUBLIC/INSTITUTIONAL, COMMERCIAL, OR INDUSTRIAL USES, IT WILL BE PROCESSED ADMINISTRATIVELY AS ALLOWED BY THE UNIFIED DEVELOPMENT CODE.
 2. MODIFICATIONS: THE FOLLOWING MODIFICATION PROCEDURES ARE CONSISTENT WITH THE PUD MODIFICATION PROCEDURES OF THE CITY OF ENGLEWOOD TITLE 16, ZONING REGULATIONS, AS MODIFIED BELOW.
 - a. DISTRICT PLAN: THE TERMS, CONDITIONS, THE ADOPTED PUD DISTRICT PLAN AND DOCUMENTS MAY BE CHANGED AND/OR AMENDED IN WHOLE OR IN PART AS FOLLOWS:
 - i. MINOR MODIFICATIONS TO THE PUD DISTRICT PLAN: THE CITY MANAGER OR HIS/HER DESIGNEE MAY APPROVE MINOR MODIFICATIONS IN THE LOCATION, SIZE, AND HEIGHT OF STRUCTURES OR FACILITIES IF REQUIRED BY ENGINEERING OR OTHER CIRCUMSTANCES NOT FORESEEN AT THE TIME THE PUD DISTRICT PLAN WAS APPROVED. MINOR MODIFICATIONS SHALL NOT BE PERMITTED IF THE MODIFICATION RESULTS IN ANY OF THE CIRCUMSTANCES LISTED IN E.2(a) OF THIS PUD.
 - ii. MAJOR MODIFICATIONS TO THE PUD DISTRICT PLAN: MAJOR MODIFICATIONS MAY BE MADE TO THE APPROVED PUD DISTRICT PLAN PURSUANT TO THE SAME LIMITATIONS AND REQUIREMENTS BY WHICH PLANS AND DOCUMENTS WERE ORIGINALLY APPROVED.
 - b. SITE PLAN:
 - i. MINOR MODIFICATIONS TO THE PUD SITE PLAN: THE CITY, THROUGH THE DEVELOPMENT REVIEW TEAM, MAY AUTHORIZE DEVIATIONS FROM THE PUD SITE PLAN WHEN SUCH DEVIATIONS APPEAR NECESSARY IN LIGHT OF TECHNICAL OR ENGINEERING CONSIDERATIONS. MINOR DEVIATIONS SHALL NOT BE

- PERMITTED IF ANY OF THE CIRCUMSTANCES RESULT:
- 1a. A CHANGE IN THE CHARACTER OF THE DEVELOPMENT; OR
 - 1b. A CHANGE IN THE PERMITTED LAND USES; OR
 - 1c. A CHANGE IN THE GENERAL LOCATION OF LAND USES; OR
 - 1d. AN INCREASE IN THE MAXIMUM HEIGHT OF ANY BUILDING OF MORE THAN 5%, OR
 - 1e. AN INCREASE IN THE NUMBER OF DWELLING UNITS, OR IN THE RATIO OF THE GROSS FLOOR AREA OF STRUCTURES TO THE LAND AREA, OR INCREASES IN THE PROPOSED GROSS FLOOR AREA WITHIN ANY PARTICULAR LAND USE OF MORE THAN 2%, OR
 - 1f. A REDUCTION IN THE SETBACKS MORE THAN 10%, OR
 - 1g. AN INCREASE OF MORE THAN 10% IN GROUND COVERAGE, BY STRUCTURES OR SURFACE PARKING; OR
 - 1h. A REDUCTION BY MORE THAN 5% IN THE LAND AREA DESIGNATION FOR LANDSCAPING; OR
 - 1i. A REDUCTION BY MORE THAN 5% IN THE RATIO OF CITY-STREET PARKING AND LOADING SPACE TO GROSS FLOOR AREA OR NUMBER OF DWELLING UNITS.
- ii. SITE PLAN AMENDMENTS NOT MEETING THE ABOVE REQUIREMENTS: ALL PUD SITE PLANS APPROVED AND RECORDED MAY ONLY BE AMENDED PURSUANT TO THE SAME LIMITATION AND REQUIREMENTS BY WHICH SUCH PLANS WERE APPROVED.



1
P2/P2 MULTI-FAMILY ARCHITECTURAL EXAMPLES

731-62



REVISION DESCRIPTION	DATE	PREPARED BY	DATE
DISTRICT PLAN, SITE PLAN, LANDSCAPING	10/20/12	EW	10/20/12
PROCESS, SETBACK CLAUSE UPDATE	2/21/13	EW	2/21/13

SAND CREEK INVESTORS, LLC
 ARAPAHOE COUNTY
 SAND CREEK PLANNED UNIT DEVELOPMENT
 601 W BATES AVE
 DISTRICT PLAN / ARCHITECTURAL IMAGES & DETAILS

DATE SUBMITTED	9/25/12
REVISION	24 x 36"
SHEET NO.	P200
PROJECT NO.	200_PUD_2013-21.dwg
SHEET	2 of 4
	P2

THE FOUNDRY APARTMENTS
 SW DEVELOPMENT GROUP

2882 Wyandot Street • Denver, CO 80211 • 303.433.4094

SHOPWORKS architecture

ROTH ENGINEERING GROUP

SW DEVELOPMENT GROUP

christopherhoyes@shopworks.com

THE FOUNDRY APARTMENTS
PUD SITE PLAN

1ST SUBMITTAL	2015-09-28
2ND SUBMITTAL	2015-10-15

P2 OF SAND
 CREEK PUD
 3 OF 9

THE FOUNDRY APARTMENTS

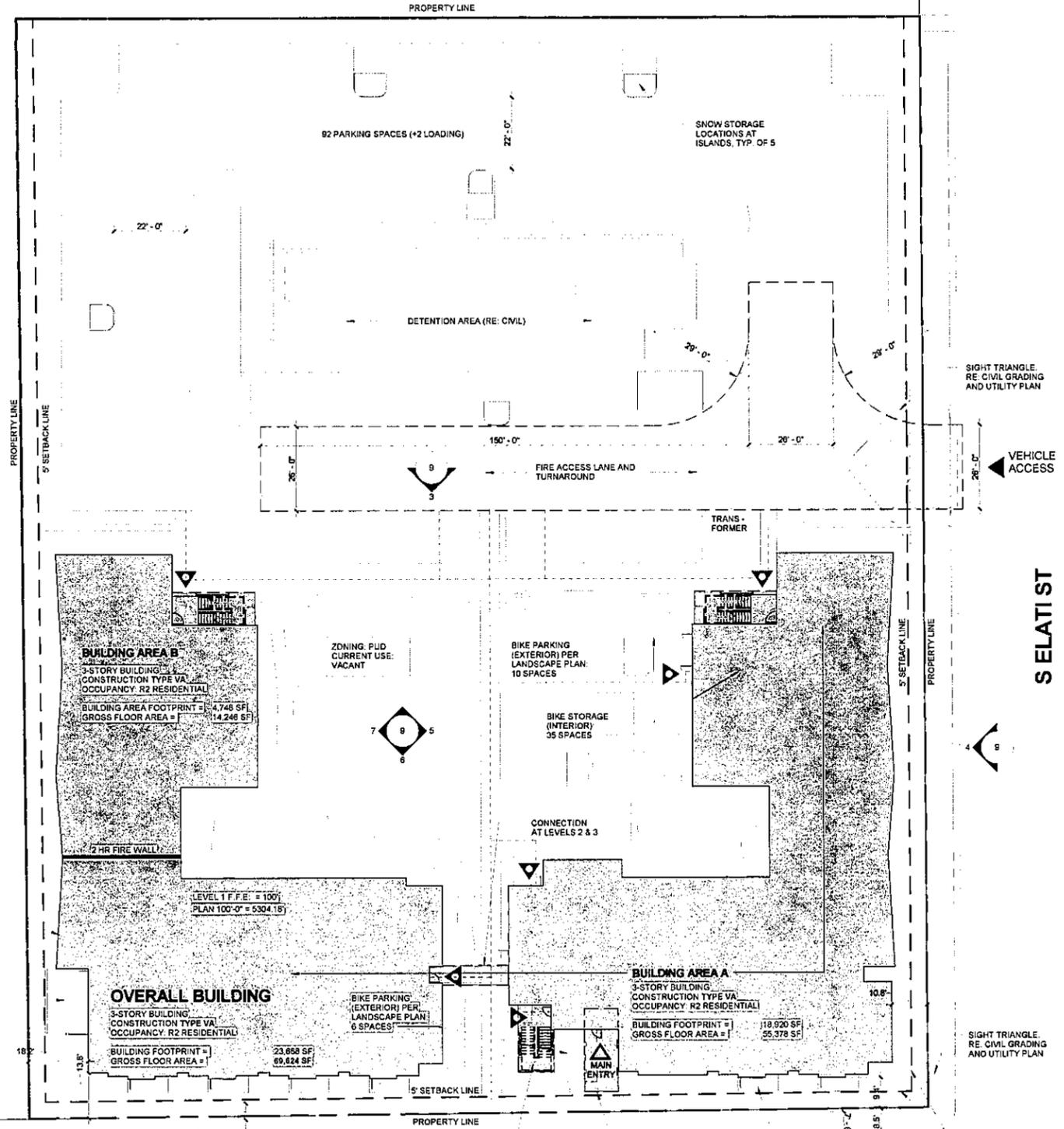
PUD SITE PLAN

A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION
TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
CITY OF ENGLEWOOD, ARAPAHOE COUNTY, STATE OF COLORADO

SITE DATA TABLE		
ZONE DISTRICT	PUD	
	GSF	%
OPEN SPACE	38,457 GSF	41%
PARKING (ALL SURFACE)	30,334 GSF	33%
BUILDING FOOTPRINT* (INCLUDES UPPER LEVEL PROJECTIONS EXCLUDING ROOF EAVES)	24,267 GSF	26%
TOTAL SITE AREA	93,058 GSF (2.13 ACRES)	100%

* AREAS BASED ON LOT COVERAGE AS DEFINED BY SECTION 16-6-1 DIMENSIONAL REQUIREMENTS OF THE ENGLEWOOD MUNICIPAL CODE (EMC)

DWELLING UNIT/PARKING SUMMARY	
1 BEDROOM UNITS	42
2 BEDROOM UNITS	28
TOTAL UNITS	70
DW/ACRE	32.8 DW/ACRE
PARKING SPACES STANDARD ACCESSIBLE	82 4 (INC. 1 VAN)
LOADING SPACES	2
BIKE PARKING	35 INTERIOR, 16 EXTERIOR



- PUD PLAN LEGEND**
- ▲ PEDESTRIAN ACCESS
 - ▼ VEHICLE ACCESS
 - ▲ RESIDENT ACCESS
 - XX PARKING STALL DESIGNATION
 - ACCESSIBLE ROUTE

1 ARCHITECTURAL SITE PLAN
1" = 20'-0"



THE FOUNDRY APARTMENTS
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SHOPWORKS architecture

ROTH ENGINEERING GROUP

chd g
christopherheydesigngroup
landscape architects

SW DEVELOPMENT GROUP

THE FOUNDRY APARTMENTS

PUD SITE PLAN

1ST SUBMITTAL	2015-09-28
2ND SUBMITTAL	2015-10-15

ARCHITECTURAL SITE PLAN
4 OF 9

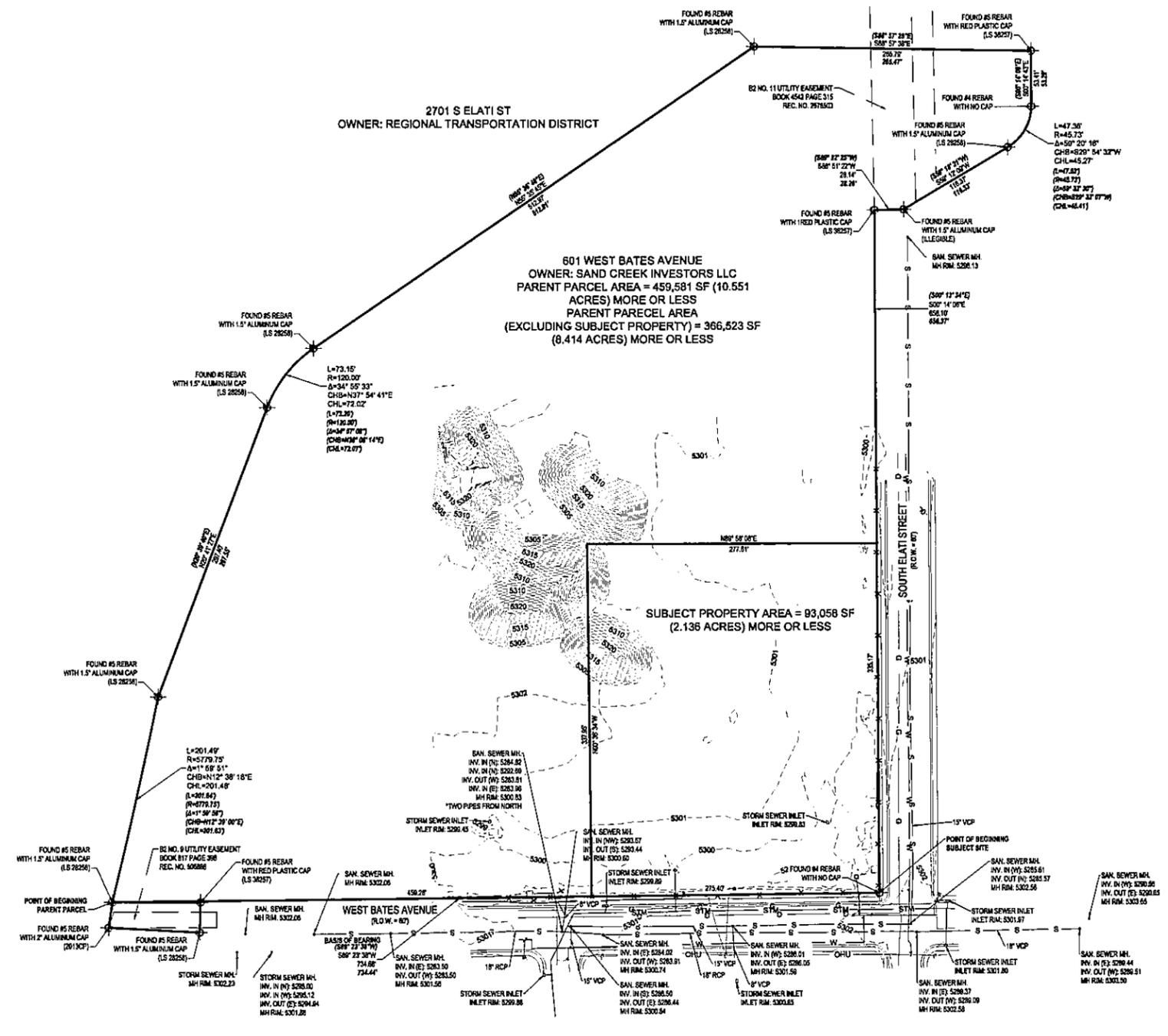
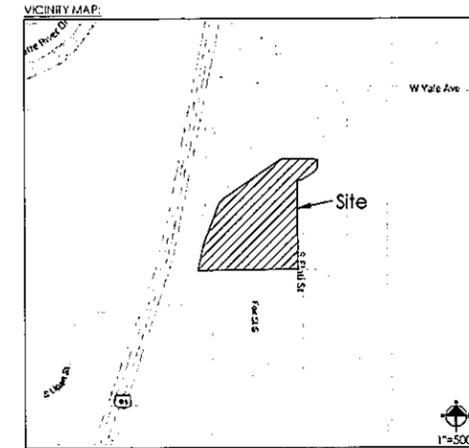
THE FOUNDRY APARTMENTS
 PUD SITE PLAN
 A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION
 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
 CITY OF ENGLEWOOD, ARAPAHOE COUNTY, STATE OF COLORADO

THE FOUNDRY APARTMENTS
 SW DEVELOPMENT GROUP

2882 Wyandot Street • Denver, CO 80211 • 303.433.4094
shoemaker architecture
 ROTH ENGINEERING GROUP
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 chdg christopherhojdesigngroup landscape architects

ALTA/ACSM LAND TITLE SURVEY

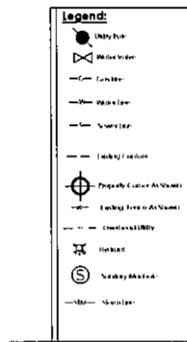
A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION
 LOCATED IN THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
 CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO
 601 WEST BATES AVENUE



- GENERAL NOTES:**
1. LAND TITLE GUARANTEE COMPANY COMMITMENT ABC70416385-4, DATED SEPTEMBER 12, 2015 WAS RELIED UPON IN PREPARATION OF THIS SURVEY.
 2. SURVEY FIELD WORK WAS COMPLETED IN AUGUST AND SEPTEMBER 2015.
 3. **BASIS OF BEARINGS:** THE BASIS OF BEARING IS THE SOUTHERLY LINE OF LOT 1, GENERAL IRON WORKS SUBDIVISION BETWEEN THE FOUND #4 REBAR WITH NO CAP AND THE FOUND #5 REBAR WITH 1.5" ALUMINUM CAP (LS 28258) HAVING AN ASSUMED BEARING OF S89°23'38"W.
 4. **UTILITY NOTE:** EXISTING UTILITIES LOCATIONS SHOWN HEREON ARE BASED ON SURVEYED SURFACE EVIDENCE OF UTILITIES AND THIRD PARTY LOCATES. NO POT-HOLING WAS COMPLETED AT THIS TIME. ALTITUDE LAND CONSULTANTS DOES NOT CERTIFY/GUARANTEE ACCURACY OF ANY CITY UTILITY MAPS RELIED UPON FOR PREPARATION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM ALL UTILITIES PRIOR TO CONSTRUCTION.
 5. SITE ADDRESSES IS: 601 W BATES AVE ENGLEWOOD (PER TITLE COMMITMENT).
 6. ALL MEASUREMENTS IN PARENTHESES ARE PER PLAT. ALL MEASUREMENTS IN BOLD ITALICS ARE AS MEASURED IN THE FIELD.
 7. ALL LINEAR MEASUREMENTS WERE TAKEN USING THE U.S. SURVEY FOOT

THE FOUNDRY APARTMENTS
 PUD SITE PLAN

1ST SUBMITTAL	2015-09-28
2ND SUBMITTAL	2015-10-15



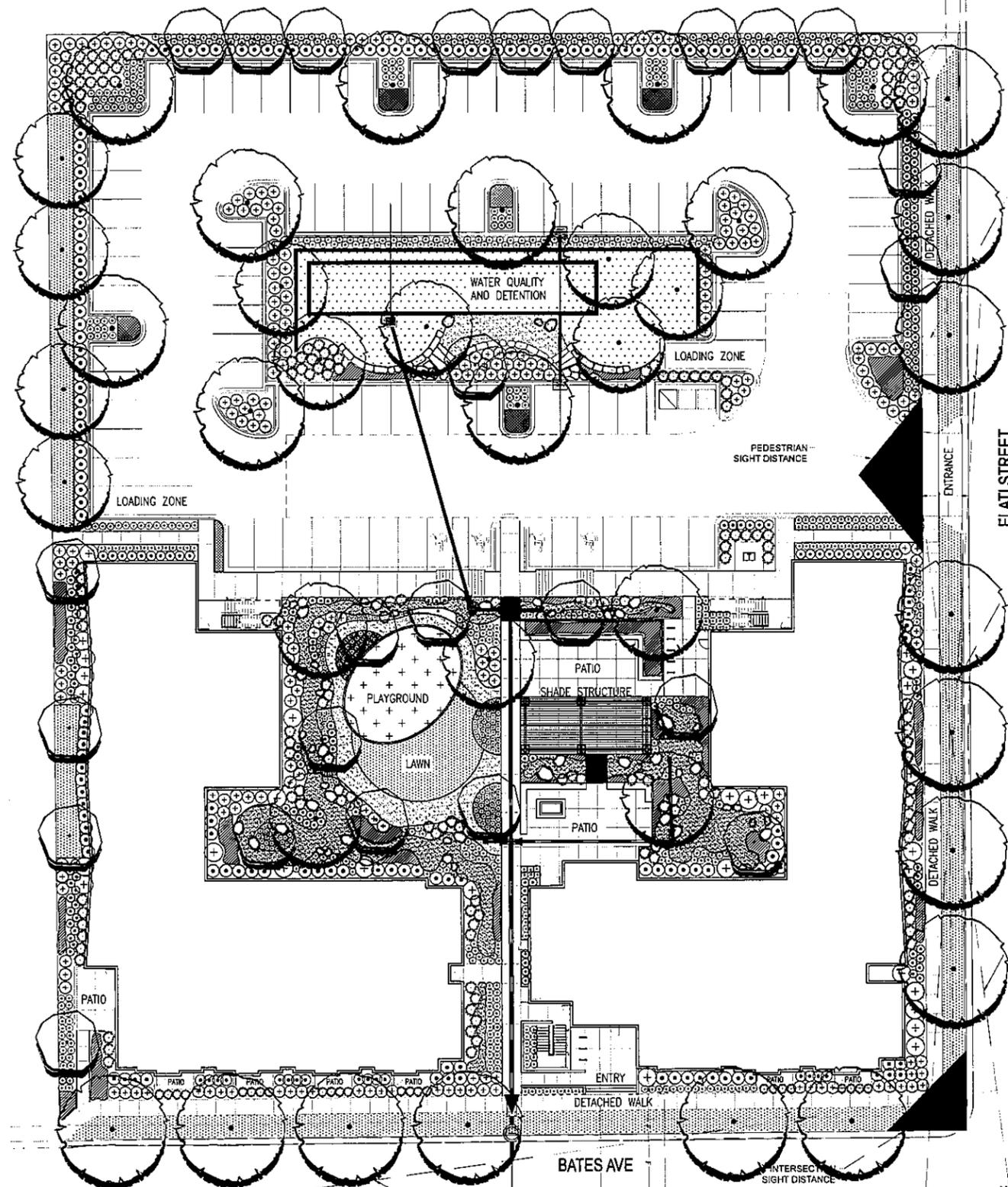
ALTITUDE
 LAND CONSULTANTS
 CIVIL/SURVEY/PLANNING/LANDSCAPE
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 info@altitudeco.com
 AltitudeandCo.com

SHEET 2 OF 2
 DATE: 9.25.15 JOB NO: 15-165

SURVEY -
ALTA/ACSM
7 OF 9

THE FOUNDRY APARTMENTS

PUD SITE PLAN
 A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION
 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
 CITY OF ENGLEWOOD, ARAPAHOE COUNTY, STATE OF COLORADO



LEGEND

	CONCRETE WALL		DRY 'STREAM' BED
	LANDSCAPE BOULDERS		COURTYARD WALK
	BRIDGE		WATER QUALITY NATIVE SEED
	BIKE RACKS		LAWN
	BOULDER SEAT WALL		PLAYGROUND
	DECIDUOUS SHADE TREE		WOOD MULCH
	DECIDUOUS ORNAMENTAL TREE		
	ASSORTED SHRUBS		
	ASSORTED PERENNIALS & GRASSES		
	PERENNIALS & GROUNDCOVERS		

LANDSCAPE DATA CHART

SITE AREAS AND DESIGNATIONS		
ZONE DISTRICT	PUD	UNIT
SITE AREA	93,058	SF
STREET FRONTAGE	575	LF
AREA OF PARKING	30,334	SF
BUILDING AREA	24,438	SF
OVERALL REQUIRED LANDSCAPE CALCULATIONS	PROVIDED	UNIT
LANDSCAPE AREA	38,286	SF
TOTAL LANDSCAPE AREA	41%	
NON LIVING LANDSCAPE MATERIAL	3067	SF
LANDSCAPE MATERIAL	PROVIDED	UNIT
TREES, TOTAL (1 PER 300 SF OF RLA)	52	EA
TREES, STREET (1 PER 30 LF OF FRONTAGE)	13	EA
SHRUBS, TOTAL (1 PER 50 SF OF RLA)	364	EA
PARKING LOT LANDSCAPING	PROVIDED	UNIT
INTERNAL PARKING LOT LANDSCAPING	5887	SF
PERIMETER LINEAL FEET TO BE SCREENED	387	SF

LANDSCAPE NOTES

- EXACT DESIGN INCLUDING LOCATION OF TREES, SHRUBS, PLANTING BEDS, ETC. WILL BE DETERMINED AT TIME OF FINAL DESIGN.
- LANDSCAPE PLANS SHOW PRELIMINARY CONCEPT AND PLANTS MAY BE PLACED ANYWHERE WITHIN THE SITE BOUNDARY.
- PLANTS SHALL BE USED THAT ARE WELL ADAPTED TO COLORADO'S CLIMATE. FOLLOWING THE CITY OF ENGLEWOOD LANDSCAPE MANUAL'S RECOMMENDATIONS IS ENCOURAGED.
- TREES LOCATED IN THE STREET BUFFER SHALL BE SPACED A MINIMUM OF 30'.

1 LANDSCAPE SITE PLAN
 Scale: 0' 20' 40'

LEFT TURN SIGHT DISTANCE (FROM ELATI) 30 MPH ROAD: 335'



THE FOUNDRY APARTMENTS
 SW DEVELOPMENT GROUP

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SHOPWORKS architecture

ROTH ENGINEERING GROUP

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 Christopher Design Group

THE FOUNDRY APARTMENTS
 PUD SITE PLAN

1ST SUBMITTAL 2015-09-28
 2ND SUBMITTAL 2015-10-15

LANDSCAPE PLAN
 8 OF 9

THE FOUNDRY APARTMENTS

PUD SITE PLAN
 A PORTION OF LOT 1, GENERAL IRON WORKS SUBDIVISION
 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
 CITY OF ENGLEWOOD, ARAPAHOE COUNTY, STATE OF COLORADO

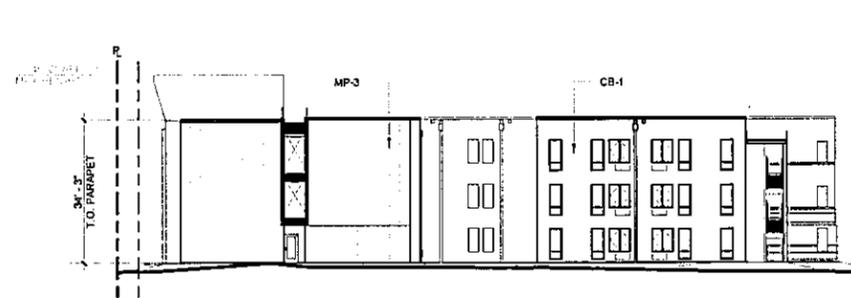
THE FOUNDRY APARTMENTS
 SW DEVELOPMENT GROUP

2882 WYANDOT STREET • DENVER, CO 80211 • 303.433.4094
SHOPWORKS
 architecture

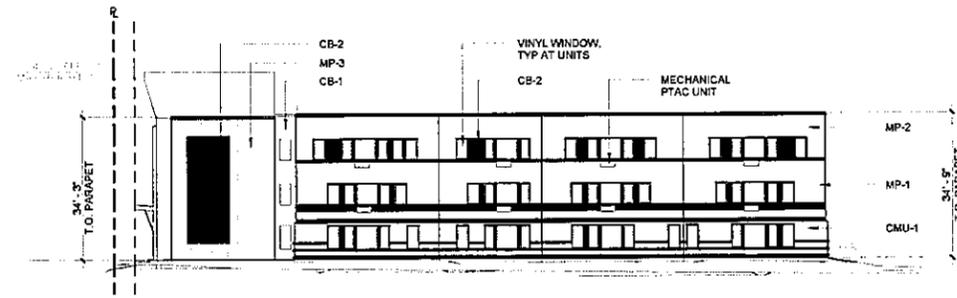
ROTH
 ENGINEERING
 GROUP

chd
 christopher hoyer design group
 landscape architects

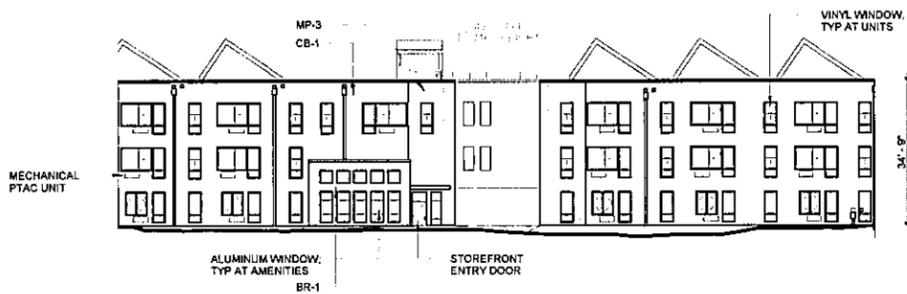
SW
 DEVELOPMENT
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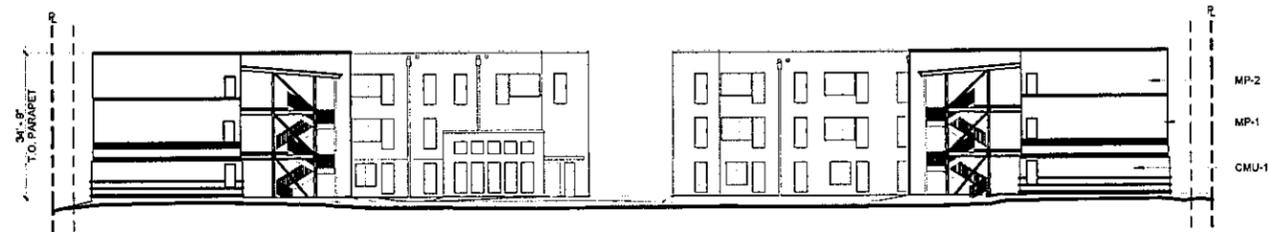
7 EAST ELEVATION - COURTYARD
 1" = 20'-0"



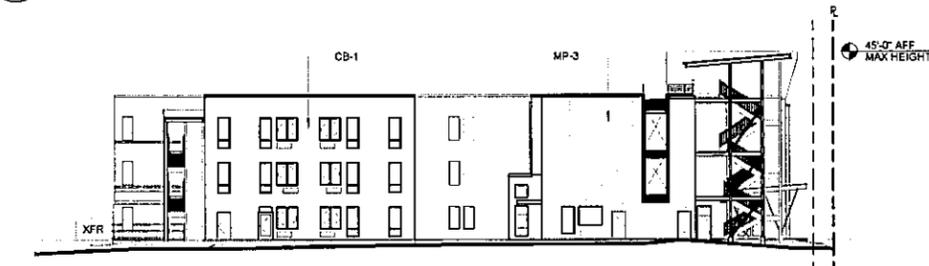
4 EAST ELEVATION
 1" = 20'-0"



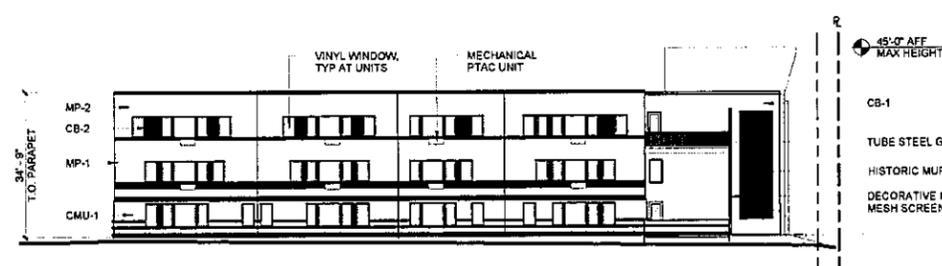
6 NORTH ELEVATION - COURTYARD
 1" = 20'-0"



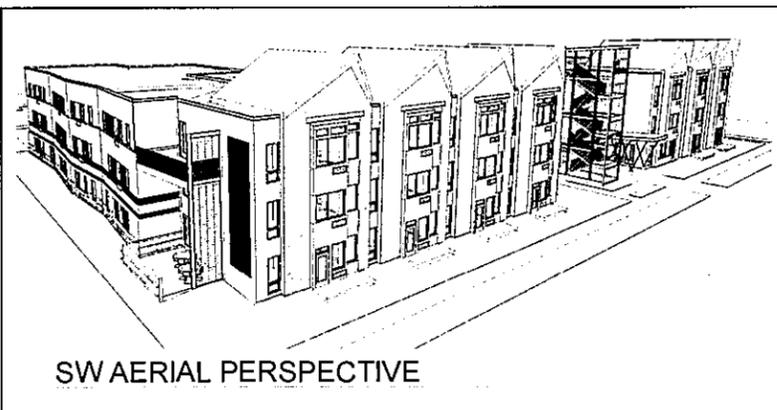
3 NORTH ELEVATION
 1" = 20'-0"



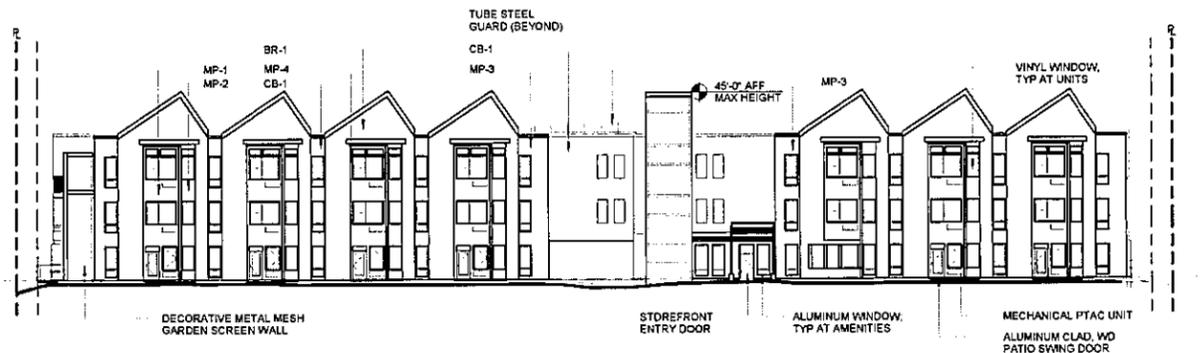
5 WEST ELEVATION - COURTYARD
 1" = 20'-0"



2 WEST ELEVATION
 1" = 20'-0"



SW AERIAL PERSPECTIVE



1 SOUTH ELEVATION
 1" = 20'-0"

MATERIAL LEGEND

BR-1	BRICK MASONRY
MP-1	METAL PANEL SIDING 1
MP-2	METAL PANEL SIDING 2
MP-3	METAL PANEL SIDING 3
MP-4	METAL PANEL
CB-1	CEMENT BOARD SIDING
CB-2	CEMENT BOARD PANEL
CMU-1	CMU MASONRY

1ST SUBMITTAL	2015-09-28
2ND SUBMITTAL	2015-10-15

THE FOUNDRY APARTMENTS
 PUD SITE PLAN

BUILDING ELEVATIONS
 9 OF 9



C I T Y O F E N G L E W O O D
C O M M U N I T Y D E V E L O P M E N T

TO: Planning and Zoning Commission
THRU: Michael Flaherty, Interim Community Development Director
Harold Stitt, Senior Planner
FROM: Audra L. Kirk, Planner II
DATE: November 3, 2015
SUBJECT: Case ZON2015-003 - Public Hearing
PUD Site Plan Approval

APPLICANT:

SW Development Group, LLC
1616 17th Street, #362
Denver, CO 80202

PROPERTY OWNER:

Sand Creek Investors, L.L.C
3002 South Huron Street
Englewood, CO 80110

PROPERTY ADDRESS:

601 West Bates Avenue
Englewood, CO 80110

REQUEST:

The applicant is requesting approval of the Foundry Site Plan within the Sand Creek PUD (Planned Unit Development). The Sand Creek PUD District Plan was brought before the Planning and Zoning Commission on November 20, 2012 and forwarded to City Council with a recommendation for approval. The Sand Creek PUD District Plan was approved by Council on February 4, 2013 with the condition that the final PUD Site Plan receive approval from the Planning and Zoning Commission and City Council.

RECOMMENDATIONS:

The Department of Community Development recommends approval of Sand Creek PUD (the Foundry) Site Plan, and forwarding to Council with the recommendation to approve.

LEGAL DESCRIPTION NORTH PROPERTY:

THAT PART OF LOT 1 GENERAL IRON WORKS SUB DESC AS BEG AT THE SW COR OF SD LOT TH ALG CURVE TO LEFT 201.64 FT TH NE 297.55 FT TH ALG CURVE RT 73.2 FT TH NE 512.81 FT TH SE 265.47 FT TH S 53.29 FT TH ALG CURVE RT 47.52 FT TH SW

116.33 FT TH W 28.26 FT TH S 656.37 FT TO THE SE COR OF SD LOT TH W 734.44 FT TO BEG GENERAL IRON WORKS SUB

ZONE DISTRICT:

Sand Creek PUD

PROPERTY LOCATION AND SURROUNDING LAND USE:

The Foundry site is a 2.13 acre parcel located on the south east portion of the Sand Creek PUD. The Sand Creek PUD is located adjacent to the RTD Light Rail line between West Bates Avenue and just north of West Amherst Avenue. Land directly to the west is the RTD Light Rail tracks and the BSNF railroad tracks and further west beyond South Santa Fe Drive is an industrial zone district and the Englewood/Littleton Waste Water Treatment Plant. Surrounding land to the east is a combination of I-1(light industrial) and R-2-B (single and multi-family) zone districts. This area is a mixture of industrial uses, single and multi-family housing as well as non-conforming residential units in the industrial districts. To the North is the RTD maintenance facility zoned I-2 (heavy industrial).

PUD SITE PLAN APPROVAL PROCEDURE:

Approval of a PUD Site Plan requires the applicant to hold a pre-application meeting with staff, and a neighborhood meeting with owners and tenants located within 1,000 feet of the proposed PUD. After the neighborhood meeting, a formal submittal is made to the City and reviewed by City departments. Public hearings are held before the Planning and Zoning Commission and City Council. If the PUD Site Plan is approved there is a 30 day referendum time period before permits can be granted.

BACKGROUND:

The Planned Unit Development is a rezoning process that establishes specific zoning and site planning criteria to meet the needs of a specific development proposal that may not be accommodated within existing zoning development regulations. A PUD rezoning provides the opportunity for unified development control for multiple properties or multiple uses.

The Sand Creek PUD District Plan was approved on February 4, 2013, by City Council. The purpose of Sand Creek PUD District Plan was to change the properties Permitted Principal Uses to allow residential uses in addition to the industrial, office and retail uses allowed in the industrial zone districts.

The Sand Creek PUD parcel is 10.55 acres and was formerly occupied by General Iron Works (GIW). RTD acquired the northern portion of the GIW parcel for its maintenance facility in 2002. Sand Creek acquired the southern portion of the GIW parcel in 2010. Parcels have been zoned industrial since the first zoning was put into place in 1940.

NEIGHBORHOOD MEETING SUMMARY:

Pursuant to the Unified Development Code PUD procedure, the applicant conducted a neighborhood meeting on Thursday, September 24, 2015.. Notice of the neighborhood meeting was mailed to owners and tenants of property located within 1000 feet of the proposed PUD property. A meeting summary is attached (See Exhibit A).

CITY DEPARTMENT AND DIVISION REVIEW:

The applicants had a pre-application meeting with staff in August 2015. Issues that were identified during the pre-application meeting were addressed by the applicant and the final PUD packets were submitted to staff on September 28, 2015. The final plans were reviewed by City of Englewood departments and the following comments were made:

Building:

The City of Englewood has adopted the following codes with amendments:

- 2012 International Building Code and Appendix I - Patio Covers
- 2012 International Residential Code, Appendices H - Patio Covers and M - Home Day Care
- 2012 International Energy Conservation Code
- 2012 International Plumbing Code
- 2012 International Mechanical Code
- 2012 International Fuel Gas Code
- 2012 International Fire Code
- 2011 National Electrical Code
- ICC/ANSI A117.1 - 2009 Accessibility Standards

Engineering:

Transportation easements for the sidewalk and emergency vehicle access may be dedicated by plat or by a separate document.

Detention easement (private) to be dedicated on plat. Plat shall contain standard Detention Pond notes from Englewood Storm Drainage Criteria Manual (ESDCM) section 6.3 (8a and 8b).

Community Development:

The Sand Creek PUD District Plan changed the Permitted Principal Uses to allow residential uses in addition to the currently allowed industrial, office and retail uses.

Fire Marshal: Comments pending

The Sand Creek PUD District Plan was approved with the following:

A. Developmental standards:

1. Multi-family development:

- a. Maximum building height: 75'-0"
- b. Setbacks: All PUD setbacks for multi-family use shall be 5'-0"
- c. Density: Maximum 45 dwelling units per acre (45 DU/ACRE)
- d. Floor area/unit: Minimum 550 square feet
- e. Maximum floor area ratio: None
- f. Minimum open space (includes sidewalks): 25%
- g. Minimum lot with: None

2. Landscaping:

- a. A complete landscape plan shall be provided at time of submittal of final site plan.

3. Parking:

a. Parking guidelines will be prepared based on future development use and will be submitted with a final site plan and will follow Title 16, Englewood Unified Development Code. Reduction of parking may be proposed for multi-family.

4. Public Land Dedication Requirements:

a. Parks, trails, and open space land dedication shall be determined by separate agreement at time of final site plan.

B. Architectural Standards:

Form and materials for multi-family housing shall harmonize with the adjacent residential buildings and be considerate of neighboring buildings. Submitted with the proposed PUD are example photographs indicating the general level of design quality, finishes and materials to be incorporated in the project.

1. Facades: exterior walls greater than 50 feet in length should break any flat, monolithic facade with discernible architectural elements. Building designs, rooflines, or facade treatments that are monotonous are strongly discouraged. Building facades oriented to the street or public space should provide architectural variety and scale by incorporating elements such as bay windows, doorways, entrances and windows, balconies, cornices, columns, vertical plane breaks, and other types of architectural detailing to provide visual interest.

2. 360-degree: a building's special architectural features and treatments shall not be restricted to a single facade. All sides of a building open to view by the public, shall display a similar level of quality and architectural interest. Architectural features such as windows, awnings, projections, reveals, changes in pattern, and trellises should be used on all sides for visual interest. The dimensions of base, middle, and top should be carried around from the primary facades to the side and rear of the building.

3. Flat Roofs: design elements for flat roof buildings should include parapets with variable height and/or changes in setback. Where possible, rooftop areas are encouraged to be used for public or private outdoor space.

4. Sloped Roofs: when sloped roofs are used, at least one of the following elements should be incorporated into the design including projecting gables, hips, horizontal/vertical breaks, or other similar techniques. Roof shapes should be an integral part of the building architecture and create interesting and varied appearances.

5. Bright Colors: intense, bright, or fluorescent colors should not be used as the predominant color on any wall, or roof of any primary or accessory structure.

6. Building Materials: exterior building facades should exhibit high levels of design, detailing and material quality. A mix of high quality compatible materials is strongly encouraged on all facades facing streets, or other public spaces or areas. Buildings should be constructed of durable, high-quality materials such as: brick, stone, architectural pre-cast concrete, architecturally cast concrete, case stone, integrally colored split or ground face concrete masonry units, stucco or EIFS (exterior insulated finishing system), architectural metal, wood, lap siding, or any combination of the materials listed.

7. Scaling: building facades should include a combination of details to enhance the architectural interest. For example, use brickwork to create unique elements, or mix materials of varying depth to provide visual interest.

The Foundry Site Plan is proposing the following:

1. Multi-family development

a. Maximum building height: 46'-0"

b. Setbacks: The building has a setback of 10'-0", balconies will protrude into the 5' setback, but will not encroach into any setback.

c. Density: 32.8 dwelling units per acre

2. Landscaping: A landscaping plan has been provided (page 8 of 9). The Landscape Requirement Chart indicates that the requirement for landscaping is 8%. The Unified Development Code (UDC) has a requirement of 8% for industrial zone districts, and 25% for multi-family residential. The actual amount of landscaping provided for the Foundry is 25%. Staff has no issues with the amount of landscaping provided.

3. Parking: Proposed parking for the Foundry is 1.31 spaces per unit, for a total of 92 spaces. The UDC requires 1.5 spaces per unit, plus 1 visitor space per each 5 units, for a total of 119 for a difference of 27 spaces. However, Sand Creek PUD District was approved with a reduction in parking for multi-family projects. Staff has no issues with the amount of parking provided.

4. Public Land Dedication: The park fee in-lieu fee for the development will be \$27,025.

5. Architectural Standards: The proposed Foundry Site Plan meets all architectural standards as outlined above.

Process: The process as outlined in the Sand Creek PUD District Plan specifies site plan approval through a public hearing by the Planning and Zoning Commission as well as City Council

SUMMARY:

The applicant is proposing approval of 70 units at the south-east corner of the Sand Creek PUD. The applicant has met or exceeded all requirements in the Sand Creek PUD District Plan. The Foundry Site Plan must be approved by Planning and Zoning Commission as well as City Council.

PLANNED UNIT DEVELOPMENT CONSIDERATIONS:

The Commission must determine if the PUD Site Plan is consistent with the Englewood 2003 Comprehensive Plan. The Planning and Zoning Commission can approve, approve with conditions or deny the proposed PUD.

PUD District Plan

The Site Plan sets forth the zoning regulations under which the proposed development will occur.

1. *The PUD Site Plan is, or is not, in conformance with the District Plan requirements and the Comprehensive Plan.*

The proposed PUD Site Plan is in conformance with the District Plan and the Comprehensive Plan. Section 5: Housing, Goal 1 states, "Promote a balanced mix of housing opportunities serving the needs of all current and future Englewood Citizens". Objective 1-3 states, "Encourage housing investments that improve the housing mix, including both smaller and larger unit sizes, and a wider range of housing types, including single-family, duplex, town home, and condominium units".

2. *All required documents, drawings, referrals, recommendations, and approvals have been received.*

All appropriate documents concerning Sand Creek PUD Site Plan (the Foundry) have been received.

3. *The PUD Site Plan is consistent with adopted and generally accepted standards of development in the City of Englewood.*

The Sand Creek PUD Site Plan (the Foundry) is consistent with accepted development standards established by the City of Englewood.

4. *The PUD Site Plans are substantially consistent with the goals, objectives, design guidelines, policies and any other ordinance, law or requirement of the City.*

Sand Creek PUD Site Plans are in conformance with all other ordinances, laws and requirements of the City.

ATTACHMENTS:

Exhibit A: Sand Creek PUD Site Plan (the Foundry)

Exhibit B: Neighborhood Meeting Summary – September 25, 2015

Exhibit C: Letter from CHFA dated July 14, 2014

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY COUNCIL CHAMBERS
November 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 Chambers of the Englewood Civic Center, Chair Fish presiding.

Present: Brick, Freemire, King, Kinton, Knoth, Fish

Absent: Bleile, Madrid, Townley, Pittinos (All Excused)

Staff: Mike Flaherty, Deputy City Manager
Harold Stitt, Senior Planner
Brook Bell, Planner II
Audra Kirk, Planner II
John Voboril, Planner II, Long Range Planning
Dugan Comer, Deputy City Attorney

Also Present: Scott Yeates, SW Development Group
Chad Holsinger, Shopworks Architecture
Bob Wilson, Shopworks Architecture



II. APPROVAL OF MINUTES

- October 20, 2015 Minutes

Knoth moved:

Freemire seconded: TO APPROVE THE OCTOBER 20, 2015 MINUTES

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

AYES: Brick, Freemire, King, Kinton, Knoth, Fish
NAYS: None
ABSTAIN: None
ABSENT: Bleile, Madrid, Townley

Motion carried.



III. Public Hearing Case #ZON2015-009 Sand Creek Planned Unit Development Site Plan approval

Knoth moved;

King seconded: To open the public hearing for Case #ZON2015-019 Sand Creek Planned Unit Development Site Plan approval

AYES: Brick, Freemire, King, Kinton, Knoth, Fish
NAYS: None
ABSTAIN: None
ABSENT: Bleile, Madrid Townley



Staff Testimony

Audra Kirk, Planner II, was sworn in. Ms. Kirk reviewed the history of the PUD (Planned Unit Development) located at 601 West Bates Avenue. The PUD District Plan was approved by the Planning and Zoning

Commission in November, 2012. The applicant has prepared a site plan for approval by the Commission and met all requirements for notification and neighborhood meetings. The Site Plan meets or exceeds all requirements set forth in the PUD.

Mr. Brick asked Ms. Kirk if she thinks that the development will have a negative effect on the neighborhood. Ms. Kirk responded that it is her opinion that the development will have a positive impact on the area.



Applicant Testimony

Mr. Scott Yeates, 1616 17th Street, Suite 362, Denver, was sworn in. Mr. Yeates thanked the Commission for the opportunity to present his proposed project. Mr. Yeates provided a PowerPoint presentation with images of the proposed project including the survey and elevations.

The project will consist of 70 apartments, 42 one-bedroom and 28 two bedroom units, on the southeast corner of the property. The rental rates will be income restricted.

The project meets many objectives of the Comprehensive Plan the Light Rail Corridor Plan by providing a mix of housing to accommodate various life stages, workforce rental units and proximity to public transportation.



The parking ratio will be 1.31 parking spaces per unit which exceeds the 1:1 ratio recommended in the Light Rail Corridor Study. Twenty guest parking spaces as well as outdoor and indoor bicycle storage will be provided. The apartments will be in a single three story building. The landscaping will exceed minimum requirements. Mr. Yeates described the tenant amenities that will be provided to residents.



The building form will reflect the original General Iron Works site with architectural details coordinating with the theme. Materials will include reclaimed masonry, metal panels and steel stair course. The color palette will be primarily neutral and a large mural will be completed on one face of the building with assistance from the Englewood Cultural Arts Commission.



The proposed development meets all requirements of the PUD. Groundbreaking is scheduled for April 2016 with occupancy May 2017.



Mr. Brick asked about the purpose of the hearing. Mr. Yeates explained that at the time the PUD was formed, the owners did not have a developer for the property when the District Plan was approved. As part of the two-step PUD approval process, he is presenting the Site Plan for approval by the Commission. Ms. Kirk explained that the District Plan outlines the development requirements.



Mr. Kinton asked if the open space requirement includes the parking area. Mr. Yeates responded that it does not include the parking area.



Public Testimony

No members of the public testified at the hearing.



Ms. Kirk clarified that the Commission approved the PUD in November 2013 with final approval by City Council in May 2014.

Brick moved;

Knoth seconded: To close the public hearing for Case #ZON2015-019 Sand Creek Planned Unit Development Site Plan Approval

AYES: Brick, Freemire, King, Kinton, Knoth, Fish

NAYS: None

ABSTAIN: None
ABSENT: Bleile, Madrid, Townley



Knonth moved;

King seconded: To approve Case #ZON2015-009 Sand Creek Planned Unit Development Site Plan as written and forward to City Council with a favorable recommendation.



Mr. Brick – The plans represent conformance with the zoning outlined in the PUD

Mr. Freemire – This will be a marked improvement and meets all criteria for the development of the PUD.

Mr. King – The project meets all criteria of the PUD and is in conformance with the Comprehensive Plan.

Mr. Kinton – He initially had concerns when the PUD was originally approved but believes it has turned out extremely well and meets many objective of the Comprehensive Plan.

Mr. Knonth – He is glad to see the project moving forward.

Chair Fish – He agrees with the previous comments. He is excited to see something happening.



AYES: Brick, Freemire, King, Kinton, Knonth, Madrid, Fish

NAYS: None

ABSTAIN: None

ABSENT: Bleile, Madrid, Townley

Motion passes 6-0



III. STUDY SESSION 2013-03 Comprehensive Plan Update

John Voboril, Planner II, distributed the Commissioner's comments to all members present. The comments were condensed to include the most substantive comments. Mr. Freemire had previously requested the Request for Proposal (RFP) that was issued for the Comprehensive Plan update. Mr. Stitt stated that staff would like to have clarification on some of the comments. Mr. Freemire objected to the fact that the comments were edited and asked what criteria was used to audit the comments. Chair Fish requested a full copy of all comments be sent to the Commissioners.



Mr. Freemire asked if the goals of the RFP were met and requested an analysis to be presented at the November 17th meeting. Chair Fish requested a document that would outline any changes in the draft plan that are made based on feedback from the Commission and the public. Mr. Brick added that the Commissioners can comment at the City Council public hearing. Mr. Stitt reiterated that comments will be taken up to the time of the City Council public hearing as well.



Mr. Brick asked about establishing a work program based on the Comprehensive Plan. Mr. Stitt responded that the final Comprehensive Plan will be available approximately a month after it is approved by City Council and a work plan will be established in December of 2016. Mr. Flaherty suggested that the Commission take testimony at the public hearing and based on that testimony and the other comments received, the Commission make their official recommendations to City Council as a body.



Mr. Flaherty explained that the Commission does not have to approve the draft Comprehensive Plan at the public hearing but can defer the vote for approval to a later date. Mr. Freemire asked about the goals of the project; Mr. Voboril explained that the City Council expressed a desire to see a plan with actionable items. Mr. Voboril explained that staff asked the consultants to perform a cursory review of the existing plan goals and objectives, make minor updates and edit, and carry these goals and objectives forward in the updated plan. Mr. Knonth asked how many items from the previous plan were used in developing the plan, Mr. Voboril responded that the majority of items from the previous plan were incorporated.



Mr. Voboril reviewed the comments that were submitted by the Commissioners. Mr. Kinton commented that the intersection of Belleview and Broadway is problematic in that it is not pedestrian friendly nor is it

easy to navigate by car. An alternative route may be something to consider. Mr. Kinton also commented on the light industrial area near Baker Park. Consideration could be given to changing the zoning in the neighborhood area. Mr. Stitt responded that he did not hear those concerns at the neighborhood meeting but they desired investment by the City.



Mr. Knoth commented on the statistics in the report and expressed that he would like to see more comparisons to Englewood's peer cities. Mr. Fish added that he feels that the statistics regarding population were incorrect; Mr. Voboril agreed and after additional research found some of the numbers were not accurate. Mr. Fish noted that the statistics are stated throughout the document. Mr. Knoth cited a lack of large goals and felt that the recommendations were mostly small steps. Mr. Knoth commented on the lack of objectives for education while one of the goals is to attract employers who will require an educated work force. Mr. Voboril is aware of the lack of information about education.



Mr. Freemire commented on the lack of information regarding city services including administration. He also expressed concern about the plan's assertion that it could be a twenty-year plan and in his experience a ten year plan is more common. It is his opinion that in order to differentiate the City from other cities with the same goals, an actionable plan needs to be in place to reach that goal.



Discussion ensued regarding the processing and integration of comments into the plan. Mr. Flaherty advised the Commission that the Parks and Recreation Department is developing a master plan that will become an addendum to the Comprehensive Plan.



Mr. Fish suggested that there are areas of the Plan that are in conflict that need to be examined. He encouraged staff to place the important items in the front of the document. Mr. Voboril asked Mr. Fish about his comments regarding the catalytic areas; Mr. Fish responded that it is the market that will drive improvement in these areas, not the City. The City can facilitate action and remove barriers to improvement. For strategy 2.1 and 2.2, Mr. Voboril asked for clarification on his comment regarding establishing neighborhood character. Mr. Fish stated that he would like to have that strategy eliminated. Mr. Flaherty informed the Commission that the consultants heard the comments from a neighborhood meeting and reported accordingly.



Mr. Brick thanked Mr. Flaherty for his comments regarding internal city services and expressed that he agrees that it is important for the Comprehensive Plan to be in alignment with the goals of City administration and staff.



IV. PUBLIC FORUM

No members of the public were present at the meeting.



V. ATTORNEY'S CHOICE

Deputy City Attorney Comer did not have any comments for the Commission,



VI. STAFF'S CHOICE

Mr. Flaherty stated that the Commission will have materials coming to them soon regarding the sign code regulations. He outlined the history and timeline of the development of the new Comprehensive Plan. He asked the Commission to consider how much additional time they want to have for consideration of the Comprehensive Plan in light of their regular workload. He reminded the Commissioners that they will have a public hearing on November 17th and that there will be additional comments received on the plan after the hearing.

Mr. Bell informed the Commission that the decision on case 2015-003 4635 South Pearl Street Urban Lot Development is being appealed to City Council on November 16, 2015. The letters received from the three appellants will be forwarded to the Commissioners.



VII. COMMISSIONER'S CHOICE

Mr. Brick expressed that he has appreciation for the work that has gone into the Comprehensive Plan and is willing to continue working with staff.

Mr. Fish asked when the new City Council will be sworn in; Mr. Flaherty informed the Commission that they will be sworn in at the regular meeting November 16th.

Mr. Kinton agreed with previous comments that the Commission has not spent enough time examining the Comprehensive Plan.

The meeting adjourned at 8:50 p.m.

/s/ Julie Bailey, Recording Secretary

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

IN THE MATTER OF CASE #ZON2015-003,)	
FINDINGS OF FACT, CONCLUSIONS)	
AND RECOMMENDATIONS RELATING)	FINDINGS OF FACT AND
TO THE SAND CREEK PLANNED UNIT)	CONCLUSIONS OF THE
DEVELOPMENT SITE PLAN)	CITY PLANNING AND
)	ZONING COMMISSION
)	
INITIATED BY:)	
SW Development Group, LLC)	
1616 17 th Street, #362)	
Denver, CO 80202)	

Commission Members Present: Brick, Fish, Freemire, King, Kinton, Knoth

Commission Members Absent: Bleile, Townley, Madrid

This matter was heard before the City Planning and Zoning Commission on November 3, 2015 in the City Council Chambers of the Englewood Civic Center.

Testimony was received from staff. The Commission received notice of Public Hearing, the Staff Report, and a copy of the proposed Planned Unit Development (PUD) Site Plan which were incorporated into and made a part of the record of the Public Hearing.

After considering the statements of the witness and reviewing the pertinent documents, the members of the City Planning and Zoning Commission made the following Findings and Conclusions.

FINDINGS OF FACT

1. THAT the Public Hearing on Case ZON2015-003 Sand Creek Planned Unit Development Site Plan was brought before the Planning and Zoning Commission on November 3, 2015.
2. THAT notice of the Public Hearing was published in the Englewood Herald on October 15, 2015, and was on the City of Englewood website from October 22, 2015 to November 3, 2015.
3. THAT the staff report was made part of the record.
4. THAT the Sand Creek PUD District plan was approved by the Planning and Zoning Commission on November 20, 2012, and approved by City Council on February 4,

2013 with the condition that the final PUD Site Plan receive approval from the Planning and Zoning Commission and City Council.

5. THAT the applicant conducted a neighborhood meeting on September 24, 2015.
6. THAT the applicant is proposing approval of 70 units at the south-east corner of the Sand Creek PUD.
7. THAT the final plans were reviewed by City of Englewood departments in August 2015, including Building, Engineering, Community Development and Fire and was found to meet or exceed all requirements in the Sand Creek PUD District Plan.
8. THAT the PUD Site Plan sets forth the zoning regulations under which the proposed development will occur.

CONCLUSIONS

1. THAT the proposed Sand Creek PUD Site Plan is in conformance with the District Plan previously approved by the Planning and Zoning Commission and City Council.
2. THAT the proposed development will be an improvement over the current use(s).
3. THAT the Sand Creek PUD Site Plan is consistent with adopted and generally accepted standards of development in the City of Englewood.
4. THAT the Sand Creek PUD Site Plan is in conformance with the Englewood Comprehensive Plan by providing a balanced mix of housing opportunities serving the needs of current and future Englewood Citizens.

DECISION

THEREFORE, it is the decision of the City Planning and Zoning Commission that Case #ZON2015-0-003 Sand Creek Planned Unit Development Site Plan should be referred to the City Council with a favorable recommendation.

This decision was reached upon a vote on a motion made at the meeting of the City Planning and Zoning Commission on November 3, 2015 by Knoth, seconded by King, which motion states:

To approve Case #ZON2015-003 Sand Creek Planned Unit Development Site Plan and forward to City Council with a favorable recommendation.

AYES: Brick, Freemire, King, Kinton, Knoth, Fish
NAYS: None
ABSTAIN: None
ABSENT: Bleile, Madrid, Townley

Motion carried.

These Findings and Conclusions are effective as of the meeting on November, 3, 2015.

BY ORDER OF THE CITY PLANNING & ZONING COMMISSION



Ron Fish, Chair

COUNCIL COMMUNICATION

Meeting Date: December 21, 2015	Agenda Item: 11ci	Subject: Update the Title of the ICMA-Retirement Corporation Plan Coordinator for Plans 107460, 108369, 108370, 108371, 108372 and 300034
Initiated By: Department of Finance and Administrative Services		Staff Source: Shelley Becker, Director of Finance and Administrative Services

PREVIOUS COUNCIL ACTION

City Council previously approved the Director of Financial Services to execute all necessary agreements with ICMA-Retirement Corporation (ICMA-RC) as the Plans' Coordinator.

RECOMMENDED ACTION

The title of Director of Financial Services was changed to Director of Finance and Administrative Services. Staff recommends the City Council approve the attached resolution.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The resolution allows the Director of Finance and Administrative Services to execute all necessary agreements with ICMA-RC.

FINANCIAL IMPACT

This action will not have an impact on the City's financial condition

LIST OF ATTACHMENTS

Proposed resolution

RESOLUTION NO. _____
SERIES OF 2015

A RESOLUTION AMENDING THE TITLE OF THE PERSON AUTHORIZED AS PLAN COORDINATOR FOR THE CITY OF ENGLEWOOD, COLORADO ICMA RETIREMENT CORPORATION PLANS.

WHEREAS, the City of Englewood has established employee retirement Plans with ICMA Retirement Corporation (ICMA-RC) Plan numbers 107460, 108369, 108370, 108371, 108372 and 300034; and

WHEREAS, the title of the person authorized to execute all necessary agreements with ICMA-RC Plans as Plan Coordinator for the City of Englewood ICMA-RC Plans has changed; and

WHEREAS, the title of Director of Financial Services was previously changed to Director of Finance and Administrative Services; and

WHEREAS, the passage of this resolution authorizes the title of the ICMA-RC Plan Coordinator be changed to Director of Finance and Administrative Services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes amending the title of the person authorized as Plan Coordinator for the City of Englewood ICMA-RC Plans to Director of Finance and Administrative Services.

ADOPTED AND APPROVED this 21st day of December, 2015.

ATTEST:

Joe Jefferson, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2015.

Loucrishia A. Ellis, City Clerk

COUNCIL COMMUNICATION

Date: December 21, 2015	Agenda Item: 11cii	Subject: Resolution to adopt the 2015 Arapahoe County Multi-Hazard Mitigation Plan 2015-2020
Initiated By: Police Department		Staff Source: Commander Tim Englert

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council has previously approved adopting the 2010 Denver Regional Council of Governments' Denver Region Natural Hazard Mitigation Plan. The plan expired in 2015 and is to be replaced by the Arapahoe County Multi-Hazard Mitigation Plan 2015-2020.

RECOMMENDED ACTION

The Police Department is recommending that City Council adopt a resolution to adopt the Arapahoe County Multi-Hazard Mitigation Plan 2015-2020.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

In 2011 the City of Englewood adopted the Denver Regional Natural Hazard Mitigation Plan which was approved by the Colorado Division of Emergency Management and by the Federal Emergency Management Agency (FEMA).

In anticipation of the expiration of the Denver Regional Natural Hazards Mitigation Plan in 2015, the Arapahoe County Multi-Hazard Mitigation Plan was developed in cooperation with: the Arapahoe County Sherriff's Office and the following participating jurisdictions: Town of Bennett, Town of Bow Mar, City of Centennial, City of Cherry Hills Village, Town of Columbine Valley, Town of Deer Trail, City of Englewood, Town of Foxfield, City of Glendale, City of Greenwood Village, City of Littleton, and the City of Sheridan. The Arapahoe County Multi-Hazard Mitigation Plan 2015-2020 has been submitted and approved by FEMA.

The plan will serve as a blueprint for coordinating and implementing hazard mitigation policies, programs, and projects in Arapahoe County. It provides a list of mitigation goals, objectives, and related actions that may assist the City of Englewood in reducing risk and preventing loss from future hazard events. The impacts of hazards can be lessened and sometimes avoided altogether if appropriate actions are taken before hazardous events occur. By avoiding unnecessary exposure to known hazard risks, the City of Englewood will save lives and property and minimize the social, economic, and environmental disruptions that commonly follow hazard events.

Communities face significant challenges during post-disaster redevelopment in balancing the immediate needs associated with rapid recovery with the implementation of long-term hazard

mitigation strategies. The necessity to meet basic needs and resettle displaced populations immediately following a disaster often overshadows the more abstract, longer-term sustainability considerations. Once full-scale reconstruction is initiated, it is difficult to modify projects in progress to meet sustainability objectives. This trend highlights the need for pre-disaster mitigation planning that incorporates principles of sustainable development into the reconstruction context, so that communities can more easily rebuild in a manner that will make them less vulnerable to future hazard events while improving quality of life.

It is imperative that decision makers in the City of Englewood become and stay involved in this planning process to provide new ideas and insight for future updates to the Arapahoe County Multi-Hazard Mitigation Plan. It is critical that the City of Englewood and all local agencies, units of government, non-profit organizations, businesses and industries, and private citizens continue their involvement and dedication to hazard mitigation.

FINANCIAL IMPACT

There is no cost associated with the adoption of the Arapahoe County Multi-Hazard Mitigation Plan 2015-2020.

LIST OF ATTACHMENTS

Resolution for Adoption
Arapahoe County Multi-Hazard Mitigation Plan 2015-2020

RESOLUTION NO. _____
SERIES OF 2015

A RESOLUTION ADOPTING THE 2015 ARAPAHOE COUNTY MULTI-HAZARD
MITIGATION PLAN 2015-2020.

WHEREAS, natural hazards in the Denver Region historically have caused significant disasters with losses of life and property and natural resources damage; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential of harm to people and property from future hazard occurrences; and

WHEREAS, the Englewood City Council adopted the Denver Regional Hazards Mitigation Plan which was approved by the Colorado Division of Emergency Management and by the Federal Emergency Management Agency (FEMA) by the passage of Resolution No. 3, Series of 2011; and

WHEREAS, the Denver Regional Natural Hazards Mitigation Plan expires in 2015, the Arapahoe County Multi-Hazard Mitigation Plan was developed in cooperation with the: Arapahoe County Sheriff's Office and the following participating jurisdictions: Town of Bennett, Town of Bow Mar, City of Centennial, City of Cherry Hills Village, Town of Columbine Valley, Town of Deer Trail, City of Englewood, Town of Foxfield, City of Glendale, City of Greenwood Village, City of Littleton, and the City of Sheridan; and

WHEREAS, the plan will serve as a blueprint for coordinating and implementing hazard mitigation policies, programs, and projects in Arapahoe County; and

WHEREAS, the passage of this Resolution will authorize the Arapahoe County Multi-Hazard Mitigation Plan 2015-2020 which has been submitted and approved by FEMA.

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

Section 1. The City Council of the City of Englewood, Colorado hereby adopts the 2015 Arapahoe County Multi-Hazard Mitigation Plan 2015 - 2020 as an official plan upon approval by the Colorado Office of Emergency Management and the Federal Emergency Management Agency (FEMA)

Section 2. The City of Englewood will submit this Adoption Resolution to the Arapahoe County Multi-Hazard Mitigation Plan 2015 -2020 to enable the Plan's final approval

ADOPTED AND APPROVED this 21st day of December, 2015.

ATTEST:

Joe Jefferson, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2015.

Loucrishia A. Ellis, City Clerk