
Council Newsletter



CITY MANAGER'S NOTES

June 10, 2010

Upcoming Council Meetings

City Council will meet on **Monday, June 14, 2010**. City Council will interview applicants for board and commission vacancies. Interviews will be held in the City Council Conference Room starting at 6:15 p.m. Sandwiches will be available at 5:30 p.m.

The next meeting will be held on **Monday, June 21, 2010**. The Study Session will begin at 6:00 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. in Council Chambers.

The following City Council meeting is **Monday, June 28th**.

Informative Memoranda

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

1. Police Department Summary Report, May, 2010.
2. Memorandum concerning the Fire Department Monthly Report, May, 2010.
3. Memorandum concerning the Project Update.
4. Calendar of Events.
5. Tentative Study Session Topics.
6. Minutes from the Board of Adjustment and Appeals meeting of February 10, 2010.
7. Minutes from the Alliance for Commerce in Englewood Committee meeting of May 13, 2010.
8. Minutes from the Planning and Zoning Commission meeting of May 18, 2010.

PARKS AND RECREATION DEPARTMENT

- In the recent "Best of the Best" poll by Colorado Community Newspapers, Englewood Parks and Recreation picked up three top categories. Broken Tee Englewood Golf Course was voted "Best Golf Course" and "Best Golf Shop" by the readers. Additionally, the Englewood Recreation Center was named the "Best of the Best" workout facility. The votes counted were by the readers of the Englewood Herald with 60,000 votes were tallied in the 2010 Best of the Best.

- The 2009-2010 Englewood Youth Council (EYC) has wrapped up for the year. The EYC was founded in 1999. Eligible youth must either live in Englewood or attend an Englewood school and be in 6th-12th grade. For 2009-2010, there were nine members serving on the youth council and five vacancies. In addition to monthly meetings, the EYC accomplished a number of projects throughout the year. These included:
 - Helping with the Halloween Carnival at the Englewood Recreation Center
 - Raising money to help pay for the statewide retreat
 - Attending the state wide retreat/youth summit
 - Assisting with the Santa Pancake Breakfast at Malley
 - Working on personal growth with trainings on introductions, how to carry themselves, etc.
 - Making Valentines cards for shut ins
 - Volunteering at ARTGLEE, a nonprofit that sends bags filled with art supplies to kids in Third World Countries
 - Aiding with the Great Egg Hunt
 - Helping with Night of the Stars Talent Show
 - Assisting with Delores Project-shelter for battered women
 - Working on recruitment for the EYC

There will be an informational meeting on July 14, 2010 at the Englewood Recreation Center to recruit interested for the 2010-2011 council.

- The Malley Fitness Challenge, a seven-week exercise program open to those 55 and older, came to an end on May 26 with a Finisher's Party. There were 88 people who registered for the 2010 Challenge. Of those 88, 61% were female and 39% were male, 63% were residents and 38% were non-residents, 66% were Silver Sneakers members, and 53% participated in the 2009 challenge. The challenge was successfully completed by 47 participants (61%) by exercising at Malley at least three times a week for 6 of 7 weeks. 33 prizes were awarded throughout the Challenge, including three grand prizes. The grand prizes were donated by HealthONE Swedish Medical Center including: \$75 in cash and a massage with an Englewood Recreation Center massage therapist, a \$35 gift card to Target, and a \$25 gift card to King Soopers. Additionally, 38 participants signed up to receive weekly emails that included wellness tips and updates on the challenge.

Englewood Police Department Summary Report

For Period May 1, 2010 through May 31, 2010



TYPE OF INCIDENT	May 2010	May 2009	YTD 2010	YTD 2009
PATROL AND TRAFFIC				
Total Activities	6,409	5,975	30,845	30,224
Officer Initiated Activities	3,198	2,887	17,242	15,815
Misdemeanor Arrests	193	152	875	683
Felony Arrests	19	28	89	93
Warrant Arrests	54	44	253	243
DUI Arrests	21	25	129	175
Hazardous Summonses	300	259	1,934	1,704
Laser Summonses	397	460	2,214	3,360

INVESTIGATIONS				
Case Filings	8	22	85	205
Summons	1	7	21	70
Deactivated (no additional leads)	18	32	163	391
Unfounded	3	4	22	26
Victim Failure to Prosecute	8	4	27	21
Other Jurisdiction	4	4	22	24
Located Missing Person/Runaway	0	5	17	20
Non Criminal Death Investigations	0	4	24	30
Prosecution Declined by District Attorney	0	1	4	102
TOTAL	42	83	385	889

NEIGHBORHOOD SERVICES				
Impact Team				
Projects initiated	23	n/a	115	n/a
Residential	16	n/a	81	n/a
Business	7	n/a	34	n/a
Projects Cleared	16	n/a	75	n/a
Community Contacts	8	n/a	114	n/a
Residential	0	n/a	28	n/a
Business	8	n/a	86	n/a
Community Events	3	n/a	22	n/a
Code Enforcement				
Cases Opened	746	929	2,599	3,154
Notices of Violation	482	628	1,523	1,765
Postings	94	94	334	284
Summons	16	27	78	81
Patrol Referrals	72	70	227	268
TOTAL	1,410	1,748	4,761	5,552
Traffic Bureau				
High Accident Locations - Summons	208	182	1,168	1,737
School Zone - Summons	6	41	89	180
Citizen Complaint	17	60	191	192
Other	0	12	26	41
TOTAL	231	295	1,474	2,150
Community Relations				
Community Events/Activities	7	8	45	41
Persons in Attendance	225	n/a	865	741

ENGLEWOOD POLICE DEPARTMENT SUMMARY REI

For Period May 1, 2010 through May 31, 2010



TYPE OF INCIDENT	May 2010	May 2009	YTD 2010	YTD 2009
COMMUNICATIONS/RECORDS				
Reported Part I Crimes				
Murder/Manslaughter	0	0	0	0
Rape	1	2	4	16
Robbery	0	2	7	10
Assault (includes all assaults)	27	45	148	174
Burglary	28	14	109	76
Theft	143	130	555	578
Auto Theft	22	23	75	91
Arson	0	3	0	8
Reported Part I Crimes TOTAL	221	219	898	953
Calls for Service TOTAL	3,752	3,727	14,251	18,029

VICTIM ASSISTANCE RESPONSE				
Incidents with victim assistance provided	73	45	353	349
People served relative to incidents	93		488	541
Domestic Violence victims	7		85	101



C I T Y O F E N G L E W O O D
F I R E D E P A R T M E N T

MEMORANDUM

TO: Mayor Woodward and Members of City Council
THROUGH: Gary Sears, City Manager
FROM: Mike Pattarozzi, Fire Chief
DATE: June 2, 2010
SUBJECT: May 2010 Fire Department Monthly Summary

Attached is the monthly summary for May, 2010. The Fire Department responded to 328 calls for service during May. In 2009, the Fire Department responded to 360 calls during the same time period. Year to date the Fire Department has responded to 1,585 calls for service. During the same time period in 2009 the Fire Department responded to 1,628 calls for service.

During the month of May, Fire Department personnel completed 66 primary inspections and 15 follow-up inspections. The total square footage inspected was 1,775,910.

During the month of May, Fire Department personnel completed 1,630 staff hours of training.

Incident Response Summary for Englewood Fire Rescue

For period 05/01/2010 Through 05/31/2010

Type of Incident	Current Year		Totals
	In Jurisdiction	Outside	
Fires			
Structure fire involving an enclosed building	1	0	1
Vehicle fire, not otherwise classified	1	0	1
Natural vegetation fire, not otherwise classified	1	0	1
Brush, or brush and grass mixture fire	1	0	1
Outside rubbish fire, not otherwise classified	2	0	2
	6	0	6
EMS			
Emergency medical incident	219	1	220
Vehicle accident with injuries	13	3	16
Firefighter Injury Report	1	0	1
Lift Assist	4	0	4
	237	4	241
Alarms			
False call (other than a fire alarm)	3	0	3
False Medical Alarm	4	0	4
Fire alarm system malfunction, no fire	5	1	6
Fire alarm sounded due to dust, lack of maintenance, or similar cause	3	0	3
Alarm system activation (no fire), unintentional	3	0	3
	18	1	19
Other			
Carbon monoxide incident	1	0	1
Anifreeze spill or leak	1	0	1
Power line down	5	0	5
Fire Dept. Vehicle Accident, property damage only	1	0	1
Public service assistance, other	15	0	15
Assist police or other governmental agency	2	0	2
Blood Draw	4	0	4
Public Education - Schools	1	0	1
Public Education - Residential	1	0	1
Car seat check	5	0	5
Dispatched & canceled en route	14	1	15
Wrong location	1	0	1
Smoke or odor investigation, no fire	7	0	7
Fire alarm sounded due to cooking or burnt food	2	0	2
Damaged/Lost Equipment	1	0	1
	61	1	62

Incident Response Summary for Englewood Fire Rescue

For period 05/01/2010 Through 05/31/2010

Type of Incident	Current Year		Totals
	In Jurisdiction	Outside	

Grand Totals

322

6

328

MEMORANDUM



TO: Gary Sears, City Manager

THROUGH: Rick Kahm, Director of Public Works ✓

FROM: David Henderson, Engineering/Capital Projects Administrator ✓

DATE: June 9, 2010

SUBJECT: PROJECT UPDATES –Concrete Utility Program 2010, Dartmouth Railroad Crossing, Street Maintenance Projects 2010, Golf Course Clubhouse Basement Remodel, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects)

CONCRETE UTILITY PROGRAM 2010

Thoutt Brothers Concrete began removal and replacement of marked concrete on Monday, June 7th. Work has been completed in the 3400 block of S. Broadway and they are now working in the SW quadrant of Englewood.

DARTMOUTH RAILROAD CROSSING

Railroad Specialties, Inc. will be replacing failing tracks that cross Dartmouth Ave. just east of Shoshone St. This is a private railroad spur and all costs associated with the repair fall with the track owners.

Closure of Dartmouth Ave. is required for this work. The work is scheduled to be completed between Friday evening, June 11th and Monday morning before 6:00 AM. Dartmouth through traffic will be detoured to Evans via Platte River Dr. and Tejon St. The intersection of Dartmouth and Shoshone will remain open for local traffic only. **Message boards announcing the planned closure are in place.**

STREET MAINTENANCE PROJECTS 2010

The in-house overlay program began this week. Street closures are listed on the City's web site and updated every few days.

GOLF COURSE CLUBHOUSE BASEMENT REMODEL

Remodel of the basement storage area will begin as soon as permits are issued by the City of Sheridan. Improvements will include additional electrical service for 63 carts, mechanical system improvements to vent battery gases, and changes to the cart storage layout.

CITYCENTER SITE DEVELOPMENT

Alexan East and West Parcels

438 residential units. Alexan's occupancy level for January, 2009 is 94.7%. Commercial uses: Mile High Coffee, Let It Bead, Curves for Women, State Farm, Cuttin' It Loose, Jackson Hewitt Tax Service, Foothills Physical Therapy, and Creative Perspectives.

Parkway Retail / Office Buildings

Commercial uses: The International House of Pancakes (IHOP), Qdoba, GNC, Supercuts, Nails Center, CityCenter Dental Group, MMB Hearing, Tableaux Interior Design, Englewood Eyecare, Collective Licensing Int'l, Inc., M.P. Hayutin, LLC, CityCenter Wine and Spirits, Quizno's, Miller/Weingarten, Air Walk, "Insurance Company of the West", Printwear Express, and Fred Astaire Dance Studio, and Wellness Treatment Center.

Bally's Building

Tenants include Bally's, "Blondies Fire House Pub and Restaurant", and MaxFour.

Retail South of the Parkway

Tenants: Petco, Ross, Payless Shoes, Coldstone Creamery, Noodles, Sports Authority, and Office Depot.

Gold Mine Pad

Tenants include: Jamba Juice, Tokyo Joe's, and Mega Wraps, and Browncow.

CityCenter Site

EEFI continues project management of all infrastructure on the site. Staff is monitoring the security, sweeping, snow removal, and day porter services performed under the Common Area Maintenance.

Bradley Station Environmental

EEFI's environmental consultants prepared an Executive Summary Report (dated July 28, 2008). Updates will be provided as additional information is received.

ENGLEWOOD MCLELLAN RESERVOIR FOUNDATION (EMRF)

PA-84 West

The lease with TT of Denver has been executed and deposit has been made with the title company. EMRF continues to receive \$10,000 monthly draws against the deposit. Site plans have been delivered for review by EMRF and Douglas County. Construction is anticipated to begin in early summer.

PA-85 (RTD site)

RTD has paid the final billing in the amount of \$591,836.86. Finance has deposited this money in the LTAR fund.

AIR QUALITY/ENERGY SAVING PROJECTS

Flex Fuel Program

Thirty-four of our fleet vehicles are running on E-85 ethanol fuel. All new replacement vehicles (less than ¾ ton) will be compatible with E-85. Approximately 50 Flex Fuel vehicles will be in our fleet within two years. Currently, the cost of E-85 fuel is approx. \$0.90 less than regular unleaded gasoline.

Diesel Retrofit

Nineteen of our older diesel powered vehicles have been retrofitted to meet current air quality standards. The Regional Air Quality Council approved a grant covering 100% of the cost (approximately \$20,000) to retrofit our heavy equipment. **Retrofitting of our diesel powered vehicles is complete. Englewood is one of three municipalities in Colorado to meet the 2007 emissions standards for off-road vehicles.**

Hybrid Vehicle Purchase

Delivery of two 2010 GMC Hybrid Sierra Pickups is expected this month and will be utilized within the Englewood Utilities Department.

"Green" Programs

We continue to work with our vendors to expand the Green product line as it becomes available. 90% of our custodial paper supplies are from recycled sources.

Energy Saving Projects

In 2001, the Public Works Traffic Division began an ongoing program to convert traffic signals from incandescent lamps to Light-Emitting-Diode (LED) bulbs. To date, 80% of our City maintained signals have been converted. LED traffic signals use 90% less energy than incandescent lamps, last 5 times longer, and provide better visibility.

**CITY OF ENGLEWOOD
2010 CALENDAR OF EVENTS**



Mon., June 14	6:15 p.m.	Board & Commission Interviews, Council Conference Room
Wed., June 16	7:00 p.m.	Liquor Licensing, Council Chambers
Thurs., June 17	6:30 p.m.	Transportation Advisory Committee, Special Meeting, Council Conference Room
Mon., June 21	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., June 22	7:00 p.m.	Planning & Zoning, Council Chambers
Mon., June 28	6:00 p.m.	Study Session, Community Room
Sun., July 4		Library Closed – Independence Day
Mon., July 5		City Hall Closed – Independence Day (Observed) Library Open
Tues., July 6	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Wed., July 7	4:00 p.m.	Englewood Housing Authority, 3460 S. Sherman #203, Board Room
	5:00 p.m.	Water and Sewer Board, Public Works Conference Room
	5:45 p.m.	Cultural Arts Commission, Council Conference Room
	7:00 p.m.	Liquor Licensing, Council Chambers
	7:00 p.m.	Planning & Zoning, CD Conference Room
Thurs., July 8	11:30 a.m.	Alliance for Commerce, Council Conference Room
	5:30 p.m.	Parks and Recreation Commission, Pirates Cove
	6:30 p.m.	Transportation Advisory Committee, Council Conference Room
Mon., July 12	6:00 p.m.	Study Session, Community Room
Tues., July 13	6:30 p.m.	Keep Englewood Beautiful, Council Conference Room
	7:00 p.m.	Library Board, Library Board Room

Wed., July 14	6:30 p.m.	Urban Renewal Authority, Community Development Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Mon., July 19	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., July 20	7:00 p.m.	Planning & Zoning, Council Chambers
Wed., Jul. 21	6:30 p.m.	Code Enforcement Advisory Committee, Council Conference Room
	7:00 p.m.	Liquor Licensing, Council Chambers
Mon., July 26	6:00 p.m.	Study Session, Community Room
Mon., Aug. 2	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Aug. 3	7:00 p.m.	Planning & Zoning, Council Chambers
Wed., Aug. 4	4:00 p.m.	Englewood Housing Authority, 3460 S. Sherman #203, Board Room
	5:45 p.m.	Cultural Arts Commission, Council Conference Room
	7:00 p.m.	Liquor Licensing, Council Chambers
Mon., Aug. 9	6:00 p.m.	Board/Commission Appreciation, Pirates Cove
Tues., Aug. 10	4:00 p.m.	NonEmergency Employees Retirement Board, Public Works Conference Room
	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful, Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., Aug. 11	6:30 p.m.	Urban Renewal Authority, Community Development Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Thurs., Aug. 12	11:30 a.m.	Alliance for Commerce, Council Conference Room



**ENGLEWOOD CITY COUNCIL
TENTATIVE STUDY SESSION TOPICS**

June 21	Regular Meeting Financial Report Police/Fire Emergency Generator Grant Fire Grant Issues (Auto. Aid/Denver Health/Hamm Radio)
June 28	Study Session Cities of Service
July 6	Regular Meeting (Tuesday) Winter De-Icing Alternatives
July 12	Study Session Sign Code Flood Plain Regulations Broadway Signage Medical District Thrift Store footage
July 19	Regular Meeting Financial Report & 6 month update Phone System Update
July 26	Study Session
August 2	Regular Meeting
August 9	Study Session Board/Commission Appreciation Night @ Pirates Cove
August 16	Regular Meeting Financial Report
August 23	Study Session Community Meeting – WWTP
August 30	No Meeting Scheduled – 5 th Monday
September 7	Regular Meeting – Tuesday
September 13	Study Session
September 20	Regular Meeting Financial Report

September 25	Saturday Budget Workshop - tentative
September 27	Study Session
October 4	Regular Meeting
October 11	Study Session
October 18	Regular Meeting Financial Report
October 25	Study Session
November 1	Regular Meeting
November 8	Study Session
November 15	Regular Meeting Financial Report
November 22	Study Session
November 29	No Meeting Scheduled – 5 th Monday
December 6	Regular Meeting Aid To Other Agencies Board/Commission Reappointments
December	Tentative Breakfast Meeting with Littleton City Council @ WWTP
December 13	Study Session Financial Report
December 20	Regular Meeting Holiday Dinner
December 27	No Meeting Scheduled

FUTURE STUDY SESSION TOPICS

Historic Preservation
 Unrelated Persons per Household
 Flood Plain District
 July 4th Sponsorships
 Inclusive Cities
 Medical Marijuana Zoning/Licensing



**CITY OF ENGLEWOOD
BOARD OF ADJUSTMENT AND APPEALS
FEBRUARY 10, 2010
MINUTES**

1. Call to Order

The regular meeting of the Englewood Board of Adjustment and Appeals was called to order at 7:05 p.m. in the Englewood City Council Chambers, Chair Smith presiding.

2. Roll Call

Present: Douglas Cohn, Carson Green, Marcie O'Brien, John W. Smith III, Sue Purdy, David Spreccace.

Absent/Unexcused: Miodrag Budisa.

Chair Smith stated there were six members present; therefore, five affirmative votes are required to grant a variance or appeal.



Chair Smith stated that the Board of Adjustment and Appeals is empowered to grant or deny variances by Part III, Section 60 of the Englewood City Charter. Variances granted by the Board are subject to a 30-day appeal period. Variances are effective at the end of the appeal period. Building permits for construction associated with an approved variance will not be issued until the appeal period is ended. Building permits must be obtained and construction begun within 180 days of the variance's effective date.

Chair Smith set forth parameters for the hearing: The case will be introduced; applicants will present their request and reasons the variance should be granted; proponents will be given an opportunity to speak; opponents will address the Board; and then staff will address the Board. Staff will give a preliminary overview of the variance before testimony is taken.

3. Public Hearings:

Case #VAR2010-001

Brandis Meeks

3518 South Bannock Street

Chair Smith stated he had proof of posting and publication. He introduced the case by stating it is a variance to encroach 24.5 feet into the required 25 foot rear setback to reconstruct a deck. This is a variance to Table 16-6-1.1 of the Englewood Municipal Code.



Brook Bell, Planner was sworn in. Mr. Bell provided an overview of the property and neighborhood. The property is currently a registered, legal nonconforming use since the lot is only 3,300 square feet. Four units require at least a 12,000 square foot lot. Further, the existing structure does not meet the rear setback. After the structure was built, the Highway Department widened US285 and took some of the parcel for that purpose.



Brandis Meeks, 12882 E Kansas Pl, #101, Aurora was sworn in. Mr. Meeks explained why the variance was necessary and answered questions from the Board. The upper deck of the building serves as the rear exit for the top two units, and there is a cement patio below the deck that is the back exit for the lower two units. The deck and patio are needed for safety in case of a fire. Mr. Meeks testified that he purchased the property as it currently exists; the variance is not self-imposed since the Highway Department took a portion of the land for US285. When the stairwell is reconstructed, it will not encroach onto the neighboring property as it previously had. A Pin Survey was done and the property lines are clearly marked.

Mr. Cohn pointed out that the City recommended the sewer line be located. Mr. Meeks responded that he can do a locate for the sewer line if necessary, but he is not digging underground.



Mr. Bell provided additional information regarding the case and answered questions from the Board. Because the footprint of the building is not increasing, it is not considered an expansion of the nonconforming structure. It is considered a reconstruction.

There were no other persons present to testify for or against the variance. Chair Smith incorporated the staff report and exhibits into the record and closed the public hearing.

MOTION: THAT CASE VAR2010-001, 3518 SOUTH BANNOCK STREET, BE GRANTED A VARIANCE TO ENCROACH 24.5 FEET INTO THE REQUIRED 25 FOOT REAR SETBACK TO

RECONSTRUCT A DECK PER THE ATTACHED SITE PLAN. **MOVED BY DOUGLAS COHN**
SECONDED BY CARSON GREEN



With no further discussion, the secretary polled the members' votes.

Mr. Green voted yes. The lot was reduced in size with the expansion of US285. It will not change the existing footprint, and will increase the public safety by making it a useful property with safer egress. It is essentially the same building as the neighboring building and will improve adjacent properties by not being vacant. The size of the lot was reduced due to eminent domain.

Ms. Purdy, Mr. Spreccace, Ms. O'Brien, Mr. Cohn, and Chair Smith voted yes concurring with Mr. Green.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Douglas Cohn, Carson Green, Marcie O'Brien, John W. Smith III, Sue Purdy, David Spreccace.

The Chair instructed the applicant to contact staff for any additional or necessary information.



Case #VAR2010-002

Jacalyn Neuhaus

431 East Girard Avenue

Chair Smith stated he had proof of posting and publication. He introduced the case by stating it is a variance to reduce the minimum distance requirement between a small group living facility and a state-licensed child care facility from 750 feet to 715 feet; and to reduce the minimum distance requirement between a small group living facility and another group living facility from 1,250 feet to 700 feet. These are variances to 16-5-2:A.1.b.(1) and 16-5-2:A.1.b.(2) of the Englewood Municipal Code.

Brook Bell, Planner was sworn in. Mr. Bell provided an overview of the property and neighborhood. Mr. Bell stated the vicinity map shows one child care facility and two group living facilities within the distancing requirements. The House of Hope, one of the existing group living facilities, was granted a variance in 2000 to reduce the distancing requirement from the St. Louis School.



Jacalyn Neuhaus, 431 East Girard Avenue was sworn in. Ms. Neuhaus testified that she has met seniors who do not want to live alone but still want to live in a home environment. She believes seniors, capable of taking care of themselves, do better when they have more contact with people and are encouraged to get out. Her house is close to the Malley Center and Swedish Medical Center. She was previously a childcare provider, and the group home will not cause any problems in the community.



Derek Bell, 3396 South Pennsylvania Street, was sworn in. Mr. Bell testified that the neighborhood is currently a high density area. He and his neighbors question how the proposed group living facility would impact parking in the neighborhood, which is currently restricted. If the variance is granted, there is the potential of 9 extra cars on the street which impacts parking and increases traffic in the neighborhood.

When he and his wife purchased their home 5 years ago, they chose a neighborhood that was zoned single-family residential; it was very appealing to them. Adding more people in the house next to him will negatively impact his quality of life. He asked the Board to deny the variance request based on the fact that the neighborhood is already very dense; it will only increase traffic; and it will increase parking. Adding a parking lot to the rear of the applicant's lot, changes the feel of the neighborhood. Mr. Bell stated he is also concerned about his property value should he ever decide to move and sell his home.

In addition to the 8 individuals living in the home, there is the potential of visitors which increases the traffic in and out of the neighborhood.

Mr. Cohn asked if Mr. Bell has reviewed the Swedish Small Area Plan. Mr. Bell responded that he has received some information and that there are some capital improvements being discussed to the south.



Ms. Neuhaus responded that a parking area for 5 cars could be constructed in the back yard. Further, not all of the senior residents would be driving. The City shuttle could transport residents, and she would use her personal vehicle as well. The Malley Center is within walking distance, and the light rail station is fairly close. There are a lot of elderly who do not drive. A lot of elderly do not have contact with their families, which is why a group living arrangement is advantageous.

Chair Smith asked if she would be willing to limit the number to no more than 5 residents. Ms. Neuhaus stated she was willing to be flexible.

Mr. Green asked how many employees there would be. Ms. Neuhaus stated it would just be her; and if she wasn't there, one of her family members would cover for her.

Ms. O'Brien asked if she was the only person who currently resided in the home. Ms. Neuhaus responded that she lives in the home along with a roommate.

Mr. Green reviewed the parking layout with Ms. Neuhaus.



Mr. Bell stated the property has 100 feet of frontage; only 50 feet is required in that zone district. According to County records, the house is 1,844 square feet and there is a 2-car garage. Garages are counted as parking spaces. Mr. Green's parking ratios are correct.

Mr. Green asked how the distance is calculated. Mr. Bell responded it is the nearest point of each property in a straight line. He also included the distance if a pedestrian walked along the street, which is longer in each of the three cases. Mr. Cohn stated he appreciated the extra perspective.

Mr. Cohn asked how the Small Area Plan impacted this neighborhood. Mr. Bell discussed the Medical District Small Area Plan. The original scope of the Plan did include the subject property. As that Plan was moving through the public input phase, it changed. Ultimately there was a rezoning of the area, which is the new M-1 District to the south of the subject property. The subject property was not included in the rezoning which occurred approximately a year ago. Discussion ensued regarding the Medical District Small Area Plan.

Mr. Green clarified that the use is allowed within the zone district. The issue is that the house is too close to other group living facilities. Mr. Bell stated that was correct; group living facilities are permitted uses within each zone district except the I-1 and I-2 districts. It is a matter of distancing between the facilities.

Mr. Green asked if the off-street parking regulations required the space be accessible at all times. Mr. Bell responded that it does; parking spaces are required to be 19 feet by 9 feet. They must also comply with any sight distance requirements imposed by the Traffic Division and be paved with a hard surface.

The Board and staff further discussed various methods of measuring distances between two properties. Ms. Reid stated that traditionally distancing is measured from the nearest point of one property to the nearest point on another property. Distancing is the closest point of any two lots.

Mr. Green asked if the home were sold, would the new owner need to reapply for a group living facility. Ms. Reid responded that the variance for the facility runs with the property. The new owner would need to apply to the State for a license to operate a group living facility. Mr. Bell stated group living facilities must also register with the City.



There were no other persons present to testify for or against the variance. Chair Smith incorporated the staff report and exhibits into the record and closed the public hearing.

MOTION: THAT CASE VAR2010-002, 431 EAST GIRARD AVENUE, BE GRANTED A VARIANCE TO REDUCE THE MINIMUM DISTANCE REQUIREMENT BETWEEN A SMALL GROUP LIVING FACILITY AS DEFINED IN C.R.S. 31-23-303 (2)(B), AND A STATE-LICENSED CHILD CARE FACILITY FROM 750 FEET TO 715 FEET; AND TO REDUCE THE MINIMUM DISTANCE REQUIREMENT BETWEEN A SMALL GROUP LIVING FACILITY AND ANOTHER GROUP LIVING FACILITY FROM 1,250 FEET TO 700 FEET; WITH THE CONDITION THAT THE APPLICANT VACATE THE 1995 VARIANCE TO PERMIT MANICURING AS A HOME OCCUPATION. **Moved by** Douglas Cohn, **Seconded by** Chair Smith

Ms. O'Brien stated there are different methods of having these facilities. She believes the applicant wishes to have the type of home wherein the residents are capable of independent living. There is a large difference between caring for children and the elderly. One example is when an elderly person falls, you must be trained in how to let them fall down the side of your body onto the floor safely. It is not the same with children. Ms. O'Brien stated she believes it is a good idea, but not in the proposed location. The City clearly does not want group living facility congregated in one location. There are 10 out of 13 in one area of the City. It makes sense for the applicant, but not for the neighborhood.

Mr. Green stated he believes the location makes sense; it is across from the hospital, near the senior center, near a shuttle stop, etc. The house is close to the meeting the distance requirements. There is no issue with the zoning. The parking has been addressed; and the lot is large enough that it could be subdivided which could increase the parking and number of people anyway.



MOTION: TO AMEND THE MOTION BY ADDING THE FOLLOWING CONDITION: THAT THE PREMISES HAVE NO MORE THAN FIVE GROUP HOME RESIDENTS. **Moved by** Mr. Green, **Seconded by** Mr. Cohn.

Chair Smith called for the vote on the Motion to Amend.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Douglas Cohn, Carson Green, Marcie O'Brien, John W. Smith III, Sue Purdy, David Spreccace.

The Motion to Amend carried.

With no further discussion, the secretary polled the members' votes on the Motion as amended.



Mr. Green voted yes. The subject property is located adjacent to, and north of, the M-1 Mixed-Use Medical, Office and High Density Residential District. The distances the Board is offering a variance to are very minimal. There are unique physical conditions because the property is well suited for a group home. If it were not for the distance restriction, a variance would be not required. The property has a unique condition in that it can handle a lot of on-site parking. The variance is consistent with the intent of the zone district regulations to secure public health, safety and welfare. It will add more housing for people who can live independently, yet who want to live with other people which will also add to the neighborhood. It will not permanently impair the use or development of adjacent conforming properties. The neighborhood is already high density with the hospital close by. There are other high density uses nearby. The property could be subdivided into two lots which would create a similar impact to the neighborhood. The variance is not a self-imposed difficulty or hardship.

Ms. Purdy voted no. It reduces the distance between group homes by 550 feet. The intent of the regulation was to keep group homes further apart so they were not grouped together in one neighborhood.

Mr. Spreccace voted no. It does not meet the four criteria. The measurement regulations go to the heart of the Englewood Development Code. There are no unique physical conditions. It would increase density in an already dense neighborhood. It would permanently impair the use and development of adjacent conforming properties. The other properties are conforming.

Mr. Cohn voted yes; he believes the 1,250 foot distance restriction is an arbitrary imposition. It would be a good use of the property.

Ms. O'Brien voted no. The subject property's location does not appear to have any unique physical conditions that would nullify the practical distance or access between the child care facility and House of Hope group living facility. The intent of zoning assumes that all new development adheres to the requirements of the UDC. The adjacent properties' single unit residential zoning classification of R-1-C is intended to provide property owners with a

reasonable expectation of density and intensity levels. One purpose of the distances requirements, as mentioned earlier, is to prevent a concentration of group living facilities. There are currently 10 of 13 group living facilities within Englewood located north of US 285 and east of Broadway. The subject property could pursue other uses by right that are permitted by the UDC.

Chair Smith voted yes; concurring with Mr. Green.

Vote: Motion failed (**summary:** Yes = 3, No = 3, Abstain = 0).

Yes: Douglas Cohn, Carson Green, John W. Smith III.

No: Marcie O'Brien, Sue Purdy, David Sprepace.

Chair Smith stated 5 affirmative votes were needed for the Motion to pass; therefore, the variance was denied. The Chair instructed the applicant to contact staff for any additional or necessary information.

4. Approval of Minutes

Motion: APPROVE THE DECEMBER 9, 2009 MINUTES AS WRITTEN. **Moved by** Marcie O'Brien, **Seconded by** Carson Green.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Douglas Cohn, Carson Green, Marcie O'Brien, John W. Smith III, Sue Purdy, David Sprepace.



5. Elections

a. Chair and Vice Chair

Chair Smith called for elections of Chair.

Motion: TO ELECT CARSON GREEN AS CHAIR. **Moved by** John W. Smith III, **Seconded by** Sue Purdy.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Douglas Cohn, Carson Green, Marcie O'Brien, John W. Smith III, Sue Purdy, David Sprepace.

Mr. Green assumed the position of Chair.

Chair Green called for elections of Vice Chair.

Motion: ELECT DAVID SPRECAE AS VICE CHAIR. **Moved by** John W. Smith III, **Seconded by** Sue Purdy.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Douglas Cohn, Carson Green, Marcie O'Brien, John W. Smith III, Sue Purdy, David Sprecae.

6. Staff's Choice

Mr. Bell stated there are no cases for March.

7. Attorney's Choice

Ms. Reid had nothing further.



8. Board Member's Choice

Mr. Smith inquired about the Board's letter sent to City Council. Ms. Reid responded that it would be included in this week's Council's packet.

9. Adjourn

The meeting adjourned at 8:35 pm

/s/ Nancy G. Fenton

Nancy G. Fenton, Recording Secretary

ALLIANCE FOR COMMERCE IN ENGLEWOOD

May 13, 2010

I. CALL TO ORDER



The regular meeting of the Alliance for Commerce in Englewood (ACE) was called to order at 11:35 a.m. in the City Council Conference Room of the Englewood Civic Center, Chair Lonborg presiding.

Present: Lonborg, McDermott, Vasilas, Sarconi, Champion, Calonder

Absent: Schalk

Also present: Joe Jefferson, City Council Liaison
Jim Woodward, Mayor
Jennifer Brown, Quacker Gift Shop
Rosemary Cabramcavral, Cuttin it Loose

Staff present: Alan White, Community Development Director
Darren Hollingsworth, Economic Development Coordinator
Michael Flaherty, Deputy City Manager

APPROVAL OF MINUTES

April 8, 2010

Chair Lonborg stated that the Minutes of April 8, 2010 were to be considered for approval. It was determined there was a quorum. Chair Lonborg asked if there were any changes or adjustments to the Minutes. There were none.

McDermott moved:

Vasilas seconded: THE MINUTES OF APRIL 8, 2010 BE APPROVED AS WRITTEN.

The motion carried unanimously.

Chair Lonborg asked that everyone introduce themselves as there are several guests.

II. ACE BUSINESS



BUILDING CODES FOR HISTORIC STRUCTURES

Mr. Hollingsworth said in March ACE discussed historic structures and attended the Broadway post office meeting. At that time there was a question as to how our building codes handle historic structures in regards to remodeling. Staff contacted Chief Building Official Lance Smith, who pulled from the 2006 International Building Code Section 3407 Historic Buildings, which was included in today's packet. The Code indicates the Chief Building Official is allowed some discretion in terms of dealing with code issues related to historic buildings. Chair Lonborg asked if it's the Staff's assessment that the code is friendly to someone coming in and purchasing a historic structure and being able to work with that historic structure. Director White reminded everyone a structure must have already been designated historic for this section to apply and said it is friendly. Ms. McDermott said it is a

little more forgiving about bringing things up to current code and just because a building is old doesn't mean it is historic. Complying with the ADA was discussed. There are several structures in Englewood that have been designated historic and several more could be.

COORDINATION OF EVENTS

 Mr. Hollingsworth stated at the last meeting ACE discussed the coordination of City events. He distributed a memo listing some of the City events and a current City Recreation Guide that lists events. Ms. Mello discussed Chamber events. Chair Lonborg asked about events held by Safety Services. Mayor Woodward also noted National Night Out is held every year. Englewood Days and the car show are not being held this year. Mr. Vasilas stated the businesses and building owners on the north end of the BID area do not see the benefit in spending BID money to support a car show as they do not benefit from it. Mr. Vasilas stated next year the BID is planning a music and beer festival. Mayor Woodward reminded everyone there is not an area large enough in downtown Englewood to provide for the number of people and the green space that would be required, nor is there enough space at CityCenter. If you move the event to a park you have taken it away from the business area.

The idea of closing several blocks of Broadway for a large event was discussed. Mayor Woodward said comparing Main Street in downtown Littleton and Broadway is not comparing apples to apples. Ms. Brown said the town of Lafayette closes their State highway each year for a large event, which is very successful. Mr. Flaherty said it is not unlawful to close Broadway, but it's a matter of the impact on major bus routes being rerouted and emergency access to the hospital that would have to be accommodated. The biggest impact on the City is the cost of police traffic control and barricades. To do so would require a lot of coordination, effort and cost depending on how many blocks would be closed, but it can be done.

Mr. Flaherty said he felt Staff could put together a more complete list of events to bring to ACE. He suggested adding who the target audiences are for each event. Discussion ensued. Chair Lonborg said she believes we can't just say having a music festival and having people come to the City is a formula for increased business. We need to look at what will drive people to this area. Mr. Vasilas said the issue will be brought up at the next BID meeting. Chair Lonborg suggested asking the merchants in downtown Englewood what type of event they think would work to promote their business.

III. COMMENTS & EVENTS

CHAMBER OF COMMERCE

 Ms. Mello stated the next After Hours will be held next week at the Johnson Adult Day Program at 3444 S Emerson Street. The Chamber is in the process of redoing their directory. Information is due by June 15th. 16,000 copies will be distributed by mail and through Chamber events. The golf tournament will be held on June 11th and the Chamber member's picnic will be held on June 29th.

BID COMMENTS

 Mr. Vasilas said the BID website is being worked on and should be completed by the end of May. The sidewalks on both sides of Broadway from Yale Avenue to Hampden Avenue will be power washed next Monday, Tuesday and Wednesday. Flowers will be planted in the large planters next week once the power washing is complete. Assessments were slow to come in this year, but the BID did receive some funds in April. Ms. Mello asked if the BID could place a sign on the planters stating the BID was responsible for installing them. She said many residents believe the City made the improvements. Mr. Vasilas said yes, signs will be placed on each planter as funds become available.

ACE MEMBERS

 There were no comments.

STAFF COMMENTS

 Mr. Vasilas stated he missed the last meeting and asked what happened with the sign code regarding banners. Director White said Staff is working on the issues. Staff met with City Council to present some ideas and the outcome was that most of the sign code is workable; temporary signs (banners, sandwich board signs, balloons, etc.) are the issue. Staff presented a new idea and it seemed like Council wanted Staff to pursue this new sign concept further. Director White briefly described the new concept. The Mayor noted the moratorium was extended on enforcement of banners and portable signs.

Consignment and thrift stores in the downtown area were discussed. Mayor Woodward said the City Council public hearing is next Monday night and the proposed Ordinance will be on the City's website on Friday. He encouraged everyone to read it and attend the public hearing to voice their opinions.

IV. UPCOMING ACE BUSINESS

RELATIONSHIP – CREATING A BUSINESS-FRIENDLY ENVIRONMENT

No further business was brought forth for consideration. The meeting was adjourned at 1:20 p.m.

The next meeting is scheduled for June 10, 2010.

Barbara Krecklow, Recording Secretary

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
May 18, 2010**

I. CALL TO ORDER



The regular meeting of the City Planning and Zoning Commission was called to order at 7:05 p.m. in the Council Chambers of the Englewood Civic Center, Chair Knoth presiding.

Present: Bleile, Roth, Krieger (entered 7:07), Knoth, Fish, Brick, Calonder
Kinton (alternate) (entered 7:07)

Absent: Welker, King

Staff: Tricia Langon, Senior Planner
Brook Bell, Planner II

II. APPROVAL OF MINUTES

May 4, 2010



Bleile moved:

Roth seconded: TO APPROVE THE MAY 4, 2010 MINUTES

Chair Knoth asked if there were any modifications or corrections.

There were none.

AYES: Bleile, Roth, Knoth, Brick

NAYS: None

ABSTAIN: Fish, Calonder, Krieger

ABSENT: Welker, King

Motion carried.

III. TITLE 16 CODE INTERPRETATION: OUTDOOR RECREATIONAL RAMPS



Mr. Bell reviewed the procedures for an interpretation.

Ms. Krieger asked if the Commission could also write regulations to go along with the interpretation. Mr. Bell said no, not at this time. Tonight, the Commission is being asked to make comments and render a yes or no decision.

He said Staff requests that the Planning and Zoning Commission review and interpret Englewood Municipal Code section 16-5-4:A.4.a., which states:

16-5-4: Accessory Uses

A. General Provisions.

4. General Conditions: All accessory uses shall comply with the following general conditions:

- a. Be clearly incidental and customarily found in connection with the principal use;
- b. Be conducted and/or located on the same lot as the principal use; and
- c. Be operated and maintained under the same ownership, or by lessees or concessionaires thereof, and on the same lot as the permitted principal use.

The Commission will tonight be focusing on 4.a. above. The other portion of the Code to take note of is in Chapter 11, which deals with use classifications and definitions of terms. That section has a description of characteristics of "Household Living". This interpretation has to do with the consideration of outdoor recreational ramps as an accessory use to Household Living. Historically, the Community Development Department has not regulated "recreational activities" such as basketball goals, swing sets, trampolines and play sets. Those do not require zoning approval or a building permit. It is assumed those recreational activities and their equipment are commonly found in connection with residential uses and to be clearly incidental and customarily found. The question becomes whether outdoor recreational ramps are clearly incidental and customarily found in connection with residential uses.

Mr. Bell reviewed the current Code. He stated the purpose of this request is to interpret if the use of outdoor recreational ramps is "incidental and customarily found in connection with the principal use", which in this case, is residential. The term "outdoor recreational ramps" is commonly used to describe quarter pipes, half-pipes and similar devices for skateboards, trick bikes, rollerblades, etc.

This request is being made so that zoning inquiries regarding outdoor recreational ramps associated with residential uses can be handled in a consistent and efficient manner.

Mr. Brick asked how many currently exist in residential areas of Englewood that Staff is aware of. Mr. Bell said up to now the Department is not aware of any recreational ramps, but there has been a request for one. Mr. Brick asked if the City would incur any liability issues. Mr. Bell said he was not an attorney and could not answer that question. Mr. Brick asked if the ramps could be placed in the front yard. Ms. Langon said the definition of a

setback in the front yard is that it is clear from ground the sky, so other than living plants, fence, driveway, sidewalks, etc, manmade structures would not be permitted.

Mr. Fish asked how Staff came to the statement that this is an accessory use. Ms. Langon said because it is not the principal use in a residential zone district it becomes an accessory use just as a garage or gazebo would be. She read the Code definition of "accessory use".

Mr. Bleile said as long as the use did not adversely impact safety and hours of the day and night, and the owner is not charging anyone else to use it he saw no reason to not allow the use. Ms. Krieger and Mr. Calonder agreed.

Mr. Brick asked what other cities are doing. Mr. Bell said he was not able to find specific regulations regarding this use in other cities. He called several cities and one said it was considered "outdoor storage" and did not have specific regulations regarding ramps.

Bleile moved:

Calonder seconded: THE PLANNING AND ZONING COMMISSION INTERPRETS THE ENGLEWOOD MUNICIPAL CODE SECTION 16-5-4:A.4 TO DETERMINE THAT THE USE OF OUTDOOR RAMPS FOR "RECREATIONAL ACTIVITY" IS "CLEARLY INCIDENTAL AND CUSTOMARILY FOUND IN CONNECTION WITH" RESIDENTIAL USE.

AYES: Bleile, Roth, Knoth, Brick, Fish, Calonder, Krieger

NAYS: Roth

ABSTAIN: None

ABSENT: Welker, King

Motion carried.

Mr. Roth voted no because he believes size is an issue.

Ms. Krieger said she believes it is a recreational use just like any other sports/playground equipment children play on. She noted there may come a time when the size may need to be regulated.

Mr. Bleile said he echoes the same sentiment. Children should be allowed to play. The City has the ability to enforce hours, safety, traffic, sight triangles, businesses....he's fully for it.

Mr. Fish said there is one in his neighborhood that is quite large and does not find it offensive.

Ms. Langon said for clarification, does the Commission want to place this use on the list of things to discuss further in the future. The Commission said at this time they did not see any reason to.

LANDSCAPE AMENDMENTS UPDATE



Mr. Bell distributed a memo regarding the landscape amendments. He said the Commission is coming to an end at least to the conceptual discussions on amendments to the landscape ordinance. He said after tonight we will have gone through each of the sections and topics in landscaping. All the information will be placed in a draft and brought back to the Commission at a future meeting. The Commission will move forward with refining it as a whole rather than as little pieces.

Issues discussed included landscaping in the public right-of-way, alternative methods of compliance, fee-in-lieu and incentives for alternative landscape materials. Mr. Bell will make the changes the Commission requested and incorporate into the draft.

Several Commissioners congratulated Mr. Bell on doing a good job.

IV. PUBLIC FORUM



There was no public present.

V. DIRECTOR'S CHOICE



Director White was not present.

VI. STAFF'S CHOICE



Ms. Langon provided an update on future meetings:

June 8:	Sign Code amendments update
June 22:	Landscape amendments update and Medical District Phase II update

She provided an update on the City Council public hearing held on May 17th on buy-back, second-hand, thrift and consignment uses in MU-B-1. Council had requested separate definitions for each use and those were presented.

VII. ATTORNEY'S CHOICE



Ms. Reid was not present.

VIII. COMMISSIONER'S CHOICE



Mr. Brick asked Staff for an update on the expansion of the King Soopers at Belleview and Federal. Ms. Langon stated, to her knowledge, no plans have been submitted to the City.

Mr. Brick asked if Darren Hollingsworth, Economic Development Coordinator at the City, could attend an upcoming meeting to discuss the King Soopers center at Belleview and Federal. He stated he has seen more vacancies lately and wanted to know what was happening with the center. Ms. Langon reminded everyone that is private property. Ms. Krieger said she did not feel that was the Commission's business. Ms. Langon asked Mr. Brick if he wanted Mr. Hollingsworth to attend a meeting or would an update of what he knows be sufficient. Mr. Brick said an update would be fine. Ms. Langon said the last discussions the owners had with the City, she knew of, were at least a year ago.

The meeting adjourned at 8:40 p.m.

Barbara Krecklow, Recording Secretary