
Council Newsletter



CITY MANAGER'S NOTES **January 20, 2011**

Upcoming Council Meetings

City Council will meet on **Monday, January 24, 2011**. The Study Session will begin at 6:10 p.m. in the City Council Conference Room. There is no Regular Meeting scheduled. The agenda is attached. Sandwiches will be available at 5:30 p.m. in the City Council Conference Room.

There is no meeting scheduled for **Monday, January 31, 2011**.

The next City Council meeting will be **Monday, February 7, 2011**.

Informative Memoranda

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

1. Letter from The Denver Hospice expressing appreciation for the donation.
2. Letter from Up Close and Musical expressing appreciation for the donation.
3. Memorandum concerning the DRCOG Transportation Improvement Plan.
4. Calendar of Events.
5. Tentative Study Session Topics.
6. Minutes from the Alliance for Commerce in Englewood Committee meeting of October 14, 2010.
7. Minutes from the Water and Sewer Board meeting of November 9, 2010.
8. Minutes from the Planning and Zoning Commission meeting of January 5, 2011.

THE DENVER HOSPICE

January 13, 2011

JAN 20 2011

Mayor James K. Woodward
City of Englewood
1000 Englewood Parkway
Englewood, Colorado 80110

Dear Mayor Woodward and City of Englewood Council Members:

Thank you most sincerely for your recent letter indicating that The Denver Hospice has been selected to receive funds from the City of Englewood's "Aid to Other Agencies." We are immensely grateful to have been designated, once again, to be a recipient of your generosity.

Your support is so important in allowing us to continue to be the largest, most comprehensive provider of hospice care in the Rocky Mountain region. As you may know, this month we opened our new Care Center at Lowry which will allow us to better serve the twenty percent of our patients who require the medical expertise and therapeutic services of a sophisticated inpatient facility designed to meet their physical, emotional, social and spiritual needs.

Ed Bostick, our grant writer at The Denver Hospice, is looking forward to attending your City Council meeting on January 18, 2011 to receive your donation. We are honored to start 2011 with this affirmation of your continued support.

We can never say too often how much we appreciate your confidence in our organization and your many contributions. If you have questions at any time, please feel free to contact me at (303) 321-2828 or bsloan@denverhospice.org.

Sincerely,

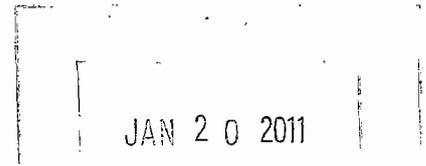
Bev Sloan
President and CEO



Up Close and Musical

1000 Englewood Parkway
Englewood, CO 80110
303.806.8196

Eric Bertoluzzi
Program Director



January 19, 2011

Englewood City Council
1000 Englewood Parkway
Englewood, CO 80110

Dear Council members:

On behalf of Up Close and Musical, I want to thank you for the grant of \$2,125 from Aid to Other Agencies. Your support is vital in assisting our organization with its efforts to provide musical enrichment to the greater Englewood community. Although Mr. McCaslin expressed his heartfelt regrets that more funds could not be granted to local organizations, we all are keenly aware of and understand the economic hard times the City is experiencing. We are truly grateful for the City's generosity to us. There will be better days ahead.

Thanks again.

Sincerely,

Eric Bertoluzzi, President



M E M O R A N D U M

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

TO: Gary Sears, City Manager

FROM: Alan White, Community Development Director ✓

DATE: January 20, 2011

RE: DRCOG Transportation Improvement Plan

On October 4, 2010 City Council authorized Community Development to submit an application to DRCOG for funding in the 2012-2017 Transportation Improvement Plan (TIP) to undertake master planning for Bates, Englewood and Oxford light rail stations. Today we received notification that our project is included in the *draft* TIP. The TIP is scheduled for approval by the DRCOG Board on February 16, 2011 at which time, if approved, the project will be officially funded.

We requested and were awarded \$120,000 in federal funding for the study. The funding is scheduled for 2012. We are providing \$30,000 in matching funds (the 20% required minimum match of a total project cost of \$150,000). The matching funds were set aside in the Multi-Year Capital Fund and will need to be appropriated in the 2012 budget.

CITY OF ENGLEWOOD
2011 CALENDAR OF EVENTS



| | | |
|----------------------|------------|---|
| Mon., Jan. 24 | 6:10 p.m. | Board and Commission Interviews, Council Conf. Rm. |
| Wed., Feb 2 | 5:45 p.m. | Cultural Arts Commission, Council Conference Room |
| | 7:00 p.m. | Liquor Licensing Authority, Council Chambers |
| Mon., Feb. 7 | 6:00 p.m. | City Council Study Session, Community Room |
| | 7:30 p.m. | City Council Meeting, Council Chambers |
| Tues., Feb. 8 | 4:00 p.m. | NonEmergency Employees Retirement Board, Public Works Conference Room |
| | 5:00 p.m. | Water and Sewer Board, CD Conference Room |
| | 6:30 p.m. | Keep Englewood Beautiful Commission, Council Conf. Rm. |
| | 7:00 p.m. | Library Board, Library Board Room |
| | 7:00 p.m. | Planning & Zoning Commission, Council Chambers |
| Wed, Feb. 9 | 6:30 p.m. | Urban Renewal Authority, CD Conference Room |
| | 7:00 p.m. | Board of Adjustment and Appeals, Council Chambers |
| Thurs. Feb. 10 | 11:30 a.m. | Alliance for Commerce in Englewood Committee, Council Conference Room |
| | 3:00 p.m. | Police Officers Pension Board, Public Works Conf. Rm. |
| | 4:00 p.m. | Firefighters Pension Board, Public Works Conference Room |
| | 5:30 p.m. | Parks & Recreation Commission, City Council Conf. Rm. |
| Mon., Feb. 14 | 6:00 p.m. | City Council Study Session, Community Room |
| Wed., Feb. 16 | 7:00 p.m. | Liquor Licensing Authority, Council Chambers |
| Fri., Feb. 18 | | City Furlough Day – City Facilities Closed |
| Mon., Feb. 21 | | Civic Center Closed – Presidents’ Day |
| Tues., Feb. 22 | 6:00 p.m. | City Council Study Session, Community Room |
| | 7:30 p.m. | City Council Meeting, Council Chambers |

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| Wed., Feb. 23 | 4:00 p.m. | Englewood Housing Authority, 3460 S. Sherman #203, Board Room |
| | 7:00 p.m. | Planning & Zoning Commission, Council Chambers |
| Mon., Feb. 28 | 6:00 p.m. | City Council Study Session, Community Room |
| Wed., Mar. 2 | 5:45 p.m. | Cultural Arts Commission, Council Conference Room |
| | 7:00 p.m. | Liquor Licensing Authority, Council Chambers |
| Mon., Mar. 7 | 6:00 p.m. | City Council Study Session, Community Room |
| | 7:30 p.m. | City Council Meeting, Council Chambers |
| Tues., Mar. 8 | 5:00 p.m. | Water and Sewer Board, Community Development Conference Room |
| | 6:30 p.m. | Keep Englewood Beautiful Commission, Council Conference Room |
| | 7:00 p.m. | Library Board, Library Board Room |
| | 7:00 p.m. | Planning & Zoning Commission, Council Chambers |
| Wed., Mar. 9 | 6:30 p.m. | Urban Renewal Authority, CD Conference Room |
| | 7:00 p.m. | Board of Adjustment and Appeals, Council Chambers |
| Thurs. Mar. 10 | 11:30 a.m. | Alliance for Commerce in Englewood Committee, Council Conference Room |
| | 5:30 p.m. | Parks & Recreation Commission, Englewood Service Center, 2800 South Platte River Drive |
| | 6:30 p.m. | Transportation Advisory Committee, Council Conference Room |
| Mon., Mar. 14 | 6:00 p.m. | City Council Study Session, Community Room |
| Wed., Mar. 16 | 6:30 p.m. | Code Enforcement Advisory Committee Meeting, Council Conference Room |
| | 7:00 p.m. | Liquor Licensing Authority, Council Chambers |
| Mon., Mar. 21 | 6:00 p.m. | City Council Study Session, Community Room |
| | 7:30 p.m. | City Council Meeting, Council Chambers |
| Tues., Mar. 22 | 7:00 p.m. | Planning & Zoning Commission, Council Chambers |
| Mon., Mar. 28 | 6:00 p.m. | City Council Study Session, Community Room |

TENTATIVE

**STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL**



| | |
|-------------|---|
| January 31 | No Meeting Scheduled – 5 th Monday |
| February 7 | Study Session & Regular Meeting Legislators Mile High Community Loan Fund |
| February 14 | Study Session Ultraviolet Wastewater Disinfectant @ WWTP |
| February 22 | Study Session & Regular Meeting – Tuesday Englewood School District Bond Issue Financial Report |
| February 28 | Study Session Regional Air Quality Council – Exec. Dir. Ken Lloyd |
| March 7 | Study Session & Regular Meeting |
| March 14 | Study Session NLC Conference in Washington D.C. |
| March 21 | Study Session & Regular Meeting Financial Report |
| March 28 | Study Session |
| April 4 | Study Session & Regular Meeting |
| April 11 | Study Session |
| April 18 | Study Session & Regular Meeting Financial Report |
| April 25 | Study Session |
| May 2 | Study Session & Regular Meeting Discussion of Board/Commission Reappointments |
| May 9 | Study Session Citizen of the Year Celebration |

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|-----------|---|
| May 16 | Study Session & Regular Meeting Financial Report |
| May 23 | Study Session |
| May 30 | No Meeting Scheduled – Memorial Day Holiday |
| June 6 | Study Session & Regular Meeting |
| June 13 | Study Session Board and Commission Interviews |
| June 20 | Study Session & Regular Meeting Financial Report |
| June 27 | Study Session |
| July 5 | Study Session & Regular Meeting – Tuesday |
| July 11 | Study Session |
| July 18 | Study Session & Regular Meeting Financial Report |
| July 25 | Study Session |
| August 1 | Study Session & Regular Meeting |
| August 8 | Study Session Board and Commission Appreciation Night @ Pirates Cove |
| August 15 | Study Session & Regular Meeting Financial Report |

FUTURE STUDY SESSION TOPICS

Historic Preservation
 Unrelated Persons per Household
 Inclusive Cities
 BID Liaison
 Informing Citizens
 PLACE Discussion
 RACQ
 EMS Billing Policy
 Sign Code
 Civility
 ACE role in business initiatives

ALLIANCE FOR COMMERCE IN ENGLEWOOD

October 14, 2010

I. CALL TO ORDER



The regular meeting of the Alliance for Commerce in Englewood (ACE) was called to order at 11:40 a.m. in the City Council Conference Room of the Englewood Civic Center, Chair Lonborg presiding.

Present: Lonborg, Vasilas, Schalk, Champion, Calonder
Knoth (Alternate)

Absent: Sarconi

Also present: Joe Jefferson, City Council Liaison
Jim Woodward, Mayor
Colleen Mello, Englewood Chamber of Commerce
Bryan Slekes, Economic Development Specialist, City of Denver
Business Improvement District Board Members
Nicole Jarman, HobNob Events

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

APPROVAL OF MINUTES

September 9, 2010



Chair Lonborg stated that the Minutes of September 9, 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.

Vasilas moved:

Schalk seconded: THE MINUTES OF SEPTEMBER 9, 2010 BE APPROVED AS WRITTEN.

The motion carried unanimously.

II. ACE BUSINESS

GUEST SPEAKER FROM DENVER'S ECONOMIC DEVELOPMENT DEPARTMENT



Mr. Schalk introduced Mr. Bryan Slekes, Economic Development Specialist with the City of Denver. Mr. Slekes discussed the Small Business Lending Programs he oversees for the City of Denver. The programs provide "gap" financing for businesses that are looking to expand or start up. They are funded through the U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG) program. Before the downturn in the economy Denver was receiving \$4 to \$5 million dollars annually; this year with the help of other funding about \$3.5 million will be available. He distributed a brochure detailing the programs and a map showing the target areas.

He noted the City of Denver is an entitlement city and as such are able to get money directly from the Federal Government. Mayor Woodward said the City of Englewood must go through Arapahoe County to obtain CDBG funds and the County Commissioners must approve the use. Englewood's portion has typically been \$150,000. Mr. Slekes also provided information on Denver's Workforce Development program.

Mr. Slekes held a question and answer session with ACE members.

Chair Lonborg thanked Mr. Slekes for his presentation. Mr. Slekes exited the meeting.

CITY FINANCIAL UPDATE



Director White distributed a chart listing stimulus program grants the City has applied for.

Chair Lonborg asked Staff if Englewood's allocation of CDBG money coming from Arapahoe County is based on per capita and if Englewood is getting what they are suppose to be getting. Director White said the allocation has been stable at \$150,000 per year for several years. It is based upon low and moderate income population, not total population.

Chair Lonborg asked how the City decided to spend the money on housing as opposed to business development or economic development. Director White said Staff takes the requests to City Council and they decide what is approved. The possibility of funding different projects in the future was discussed.

Chair Lonborg said she would like to continue the discussion at the next meeting. She asked "are we really here for business"? Could some of the money allocated to affordable housing be spent on economic development and programs for the businesses that are here?

Chair Lonborg said she would like ACE to have a conversation to figure out what we should be doing regardless of whether or not there is funding for it; come up with some different kinds of programs and determine if they are then worth considering asking for funding.

BID DISCUSSION REGARDING 2011 DOWNTOWN EVENT



The Business Improvement District (BID) discussed the proposed event they would like to hold in downtown Englewood in early summer 2011. He introduced, Nicole Jarman, the event coordinator. The BID requested assistance from the City.

Schalk moved:

Champion seconded: THE ALLIANCE FOR COMMERCE IN ENGLEWOOD SUPPORTS THE BUSINESS IMPROVEMENT DISTRICT IN HOLDING AN EVENT IN 2011.

The motion carried unanimously.

Lonborg moved:
Schalk seconded:

HAVING ADOPTED SUPPORT FOR THE EVENT, THE ALLIANCE FOR COMMERCE IN ENGLEWOOD ENCOURAGES THE ENGLEWOOD CITY COUNCIL TO SUPPORT THE BUSINESS IMPROVEMENT DISTRICT IN THEIR ENDEAVOR TO HOLD A LARGE SCALE EVENT IN 2011.

The motion carried unanimously.

Chair Lonborg thanked the BID board for attending and hoped there could be more joint meetings as she believes ACE and the BID share a vision and an agenda for the City.

No further business was brought forth for consideration. The meeting was adjourned at 1:11 p.m.

The next meeting is scheduled for December 9, 2010.

Barbara Krecklow, Recording Secretary

WATER AND SEWER BOARD
MINUTES

November 9, 2010

The meeting was called to order at 5:04 p.m.

Members present: Cassidy, Wiggins, Woodward, Olson
Habenicht, Higday, McCaslin, Clark

Members absent: Burns

Also present: Stewart Fonda, Director of Utilities

1. MINUTES OF THE OCTOBER 12, 2010 MEETING.

The Englewood Water and Sewer Board received the minutes of the October 12, 2010 meeting.

Mr. Higday moved;

Mr. Habenicht seconded: To approve the minutes of the October 12, 2010 as amended.

Ayes: Cassidy, Wiggins, Woodward, Olson,
Habenicht, Higday, McCaslin

Nays: None

Abstain: Clark

Absent: Burns

Motion carried.

Mr. Burns entered at 5:10 p.m.

2. BOREAS PASS DITCH

The U.S. Department of Agriculture – Forest Service, submitted a Special Use Permit for the continued operation and maintenance of the Boreas Ditch #2. This allows the Boreas Ditch #2 to cross the White River Forest in the Dillon Ranger District. The existing 30-year permit has expired and this permit would be for an additional 30 years. An annual fee of \$210.92 is assessed for a 25' right-of-way for 1.48 miles. Englewood received approximately 250 acre feet of raw water per year from this ditch. The City Attorney's office reviewed and approved the Special Use Permit. A modification to the Forest Service indemnity clause was added by the City Attorney and accepted by the Forest Service.

Mr. Habenicht moved;

Mr. Higday seconded: To recommend Council approval of the U.S. Department of Agriculture Forest Service Special Use Permit for Boreas Ditch #2.

Ayes: Cassidy, Wiggins, Woodward, Olson, Habenicht, Higday, McCaslin, Burns, Clark

Nays: None

Absent: None

Motion carried.

3. ADMINISTRATIVE COMPLIANCE ORDER APPEAL – CHIPOLTE – 333 W. HAMPDEN – FRANK BRANDSE

An executive session was called to address the Administrative Compliance Order Appeal from Frank Brandse of Pro GTS regarding an overflow incident caused by the Chipolte Restaurant at the Chase Bank Building at 333 W. Hampden Ave.

Present was Frank Brandse of Pro GTS, Jon Bridges and Harold Sheel of the Industrial Pretreatment Division of the Littleton Englewood Wastewater Treatment Plant, Kevin Ferris, representative of Clifford Wynberger, owner of building and the building management company, Situs Enterprises and Tom Brennan, City of Englewood Utilities Manager.

Mr. Frank Brandse of Pro GTS was sworn in to testify. Mr. Brandse was charged with knowingly and willingly discharging liquid waste from his tanker into the City's interceptor. Mr. Brandse reviewed the background behind the overflow incident and distributed pictures showing the fat, oil and grease (FOG) interceptor process. He noted that two employees were on site. One employee inside was using the portable jetter, cleaning the line using high pressure water and the other was outside using a truck-mounted jetter. Tom Brennan questioned the procedure that was used. As a result, wastewater backed up in the basement because of the blockage. The grease interceptor was not emptied before flushing. The flushing operation was stopped as soon as it was discovered that the interceptor was backing up into the basement. PRO GTS performed no immediate mitigation because Mr. Ferris told them to leave. Situs called a restoration service for cleanup and billed Chipolte for \$7,200. Pro GTS reimbursed Chipolte. Mr. Brandse's insurance company cut him a check for the amount.

Ms. Arnold had requested an equipment inspection, which was arranged with Mr. Brandse. Mr. Bridges and Mr. Sheel of the Industrial Pretreatment Division met with Mr. Brandse, but he refused to cooperate after discovering that they did not have a predetermined check-off sheet or an interview questionnaire. He believed they were looking for evidence to use against him.

Mr. Brandse refuted the non-compliance charge and fine because he stated the charges were dismissed October 12, 2010, Case #10M2236. He had been charged with dumping water from a construction site in an unauthorized area. Mr. Cassidy noted the Sheriff's report was not signed or properly filled out.

Linda Olson asked about precautions taken when going into a new place for cleaning. Brandse said this was the first time they used two jetters at the same time and because of this incident, they now vacuum first and start the jetters on low. Cassidy asked if there is a government document stating the acknowledged proper procedure or best practices. Mr. Brandse and Mr. Bridges were not aware of such a document.

Mr. Kevin Ferris of Situs Property Management at 333 W. Hampden Ave. was sworn in. Mr. Ferris acknowledged that he ordered Pro GTS to stop. Mr. Ferris noted that Situs has a strong preventative plumbing maintenance program and they contract out to have the lines cleaned every 3 – 4 months. The backup encompassed approximately 1" in the building basement over a 2,000 square foot area.

Jonathan Bridges of the Industrial Pretreatment Division was sworn in. Mr. Bridges explained how the Pretreatment Division regulates discharges that cause problems at the treatment plant, including fats, grease and oil from restaurants. Mr. Bridges distributed a schematic of an interceptor system.

Mr. Bridges discussed the Enforcement Respond Plan which states that the fine can be increased or decreased depending on circumstances. During the investigation, Ms.

Arnold considered what Pro GT's business practices were, the prior history, which was dismissed, and if Mr. Brandse's actions caused harm to property.

Tom Burns asked what the fine would be without a history of noncompliance. Mr. Bridges stated that if there was no history of noncompliance the base fine would be \$2,000. Mr. Cassidy asked if there was evidence of waste being pushed into the interceptor and the sewer system. He noted that instead of inspecting every 6 months, City had only inspected every 9 months. To be compliant, a restaurant is required to have a 3 year history of records on site, but a normal inspection does not include a records review. All percentages were under the 25% pumping rule and in compliance, so a more extensive inspection was not necessary. The interceptor is designed to slow flow down so solids and grease can separate out. If excess water is introduced into the system, it will short circuit the system. This is why interceptor should have been pumped first.

Harold Sheel of the Industrial Pretreatment Division, noted that interceptors should always be pumped out first and discussed how a pumping operation should be conducted. According to policy Chipolte is responsible for pumping.

Jim Higday moved to close meeting. Mr. Wiggins seconded.

Linda Olson noted that further discussion and questions were necessary.

Ayes: Higday, Wiggins

Nays: Cassidy, Woodward, Olson, Habenicht, McCaslin, Clark, Burns

Motion defeated.

Higday moved: That the original recommended fine stand.

Motion was not seconded.

Motion died.

Jim Higday moved:

Wiggins seconded: To close the hearing and make a determination of fine.

Ayes: Cassidy, Wiggins, Woodward, Olson, Habenicht, Higday, McCaslin, Burns, Clark

Nays: None

Absent: None

Motion carried.

Mr. Clark discussed lowering the fine, but not eliminating it because there was a discharge. Stu discussed the Memorandum from Pam Arnold dated September 23, 2010 noting that the, "major history of noncompliance," category calls for a minimum penalty of \$3,000. The other option would be to consider it from the, "minor history of noncompliance" category that calls for a minimum penalty of \$2,500, if the Board believes the history is a minor offense. If the history of a major noncompliance penalty is removed, it would result in a \$2,000 fine.

Clark moved: That because there was not a history of non compliance, the level of the fine be lowered to \$2,000.

Habenicht seconded:

Further discussion regarding the motion ensued.

Cassidy stated that Chipolte's inspection records were not in compliance, and the interceptor may have been already over capacity, which could have contributed to the backup. He does not believe that Mr. Brandse willfully or maliciously discharged into the interceptor. Mr. Cassidy recommended that he not be fined, or if fined, suspend the fine for one year as incentive to comply with proper procedure.

Mr. Clark stated that believes damages were caused by not pumping the system out. Wiggins noted having two pumpers working also contributed.

Ayes: Cassidy, Wiggins, Woodward, Olson, Habenicht, Higday, McCaslin, Burns, Clark

Nays: None

Absent: None

Motion carried.

The above hearing was recorded. Copies of the tapes are available for a fee.

4. GRANT OF EASEMENT FOR ENGLEWOOD ACRES.

Timothy and Nancy Baker submitted a Grant of Easement to Distinctive Builders for a 10' utilities easement to service the future Englewood Acres development. The 10' easement is to provide space for a City water main for the proposed Habitat for Humanity Development.

Mr. Burns moved;

Mr. Cassidy seconded: To recommend Council approval of the Grant of Easement to Distinctive Builders for a 10' utilities easement for a water main at 1294 W. Quincy Ave. from Timothy and Nancy Baker.

Ayes: Cassidy, Wiggins, Woodward, Olson, Habenicht, Higday, McCaslin, Clark, Burns

Nays: None

Absent: None

Motion carried.

5. WATER RIGHTS UPDATE FROM DAVID HILL DATED OCTOBER 8, 2010.

The Board received an update from Mr. David Hill dated October 8, 2010 on developments in water litigation cases in which Englewood is involved.

The meeting adjourned at 7:10 p.m.

The next Englewood Water Board meeting will be January 11, 2010 in the Community Development Conference Room

Respectfully submitted,

/s/ Cathy Burrage
Recording Secretary

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
January 5, 2011**

I. CALL TO ORDER



The regular meeting of the City Planning and Zoning Commission was called to order at 7:03 p.m. in the Council Chambers of the Englewood Civic Center, Chair Knoth presiding.

Present: Bleile, Roth, King, Knoth, Fish, Brick, Calonder
Kinton (alternate)

Absent: Welker, Krieger

Staff: Brook Bell, Planner II
Tricia Langon, Senior Planner
Dan Brotzman, City Attorney

Applicant: Andy Blackmun, Habitat for Humanity Land Development Manager
Jennifer Schaefer, Habitat for Humanity Architectural Designer

II. APPROVAL OF MINUTES

December 7, 2010



Mr. Fish moved:

Mr. Calonder seconded: TO APPROVE THE DECEMBER 7, 2010 MINUTES

Chair Knoth asked if there were any modifications or corrections.

There were none.

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

NAYS: None

ABSTAIN: King

ABSENT: Welker, Krieger

Motion carried.

III. PUBLIC HEARING

Case #ZON2010-003 Englewood Estates PUD Amendment No. 1



Mr. Roth moved:

Mr. Bleile seconded: TO OPEN THE PUBLIC HEARING FOR CASE #ZON2010-003

AYES: Bleile, Roth, Knoth, Fish, Brick, Calonder, King
NAYS: None
ABSTAIN: None
ABSENT: Welker, Krieger

Motion carried.

Mr. Bell was sworn in. He stated the case before the Commission is CASE #ZON2010-003, which is a request for Amendment No. 1 to the Englewood Estates Planned Unit Development that was originally approved as Ordinance No. 47 in 2004. The applicant is Habitat for Humanity of Metro Denver, Inc. The property owner is the Estate of Patrick Duggan with Mike Duggan as its representative. The property address is 1210, 1230, 1250, 1255, 1270, 1275 and 1290 W. Quincy Circle. Included for the public record is the Staff Report and associated exhibits, proof of publication, and proof of posting. He stated the Department of Community Development recommends that the Planning and Zoning Commission approve the Englewood Estates PUD Amendment No. 1 as proposed and forward a recommendation of approval to City Council.

Mr. Bell stated the purpose of the public hearing is to:

1. Consider the Planned Unit Development modifications proposed in Amendment No. 1;
2. Take public testimony;
3. Make Findings of Fact based on established criteria; and
4. Make a recommendation to City Council.

He provided background information on the property and an overview of what Amendment No. 1 proposes.

The Commission had questions regarding drainage, areas of concern on survey sheet, parking, landscaping, bulk plane, height limit and adjoining properties.

Mr. Bell introduced Mr. Andy Blackmun.

 Mr. Andy Blackmun, Land Development Manager for Habitat for Humanity of Metro Denver, was sworn in. Mr. Blackmun provided an overview of Habitat's mission, presented a PowerPoint slide show of the project and answered questions from the Commission. He thanked the Commission for their time.

Chair Knoth thanked Mr. Blackmun for his presentation.

PUBLIC TESTIMONY

 Mr. David Miller was sworn in. He stated he feels the project has too many units and is not in character with the single family neighborhood. He also voiced concerns regarding traffic.


Mr. Brick moved:
Mr. Fish seconded: TO CLOSE THE PUBLIC HEARING FOR CASE #ZON2010-003

AYES: Bleile, Roth, Knoth, Fish, Brick, Calonder, King
NAYS: None
ABSTAIN: None
ABSENT: Welker, Krieger

Motion carried.


Mr. Fish moved:
Mr. Calonder seconded: CASE #ZON2010-003, ENGLEWOOD ESTATES PLANNED
UNIT DEVELOPMENT AMENDMENT NO. 1 BE
RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH
A FAVORABLE RECOMMENDATION FOR ADOPTION.

Mr. Bleile voiced concerns regarding density and front facing garages. He said he felt Habitat for Humanity put forth a good solution for the limited amount of property space available.

Mr. King said the property is a transitional site between industrial and residential which tends to typically have more density. He said he feels the site is not suited for a single-family home; the economics would not work. It's a tough site to develop.

Mr. Calonder said he believes, when you consider the alternative, the highest and best use may very well be what Habitat is proposing, otherwise the City is left with a vacant lot. In the future there could be similar projects in the area in close proximity to the light rail. He said he felt it is a great idea.

Mr. Fish said he did not believe traffic was an issue connected to the development.

Mr. Roth said he too had issues with the front loading garages. The only mitigating factor is that they are facing into the project and most of the bulk plain issues are internal. The setbacks for lots 10 and 11 may need to be looked at.

Chair Knoth stated he likes the project. Density is always a concern, but a single-family home against an industrial property is a tough sell. He said he likes the change in density as you go down from industrial to single-family and likes the idea of having different density projects in Englewood.

Mr. Bleile asked Mr. Bell if the 2004 PUD included the single-family residence at 1294 W Quincy Avenue. Mr. Bell said the 2004 PUD has the exact same boundaries as the proposed amendment. 1294 W Quincy Avenue was never a part of the PUD in 2004 or a part of this PUD. The property is currently made up of 7 properties and Tract A. The PUD Amendment would amend the requirements for all 7 of the properties. The properties will have to be replatted into 11 properties so the internal property lines will shift around; the external property lines will not change at all.

Mr. Fish said this project could end up being very beneficial to the City. It could potentially form a seed that might actually spread higher density housing into the Industrial Zone.

Mr. King offered a friendly amendment to the motion amending the rear setback on lots 10 and 11 to the original and consistent rear setback with the rest of the project of 15 feet.

Mr. Fish and Mr. Calonder accepted Mr. King's friendly amendment.



AYES: Bleile, Roth, Knoth, Fish, Calonder, King
NAYS: Brick
ABSTAIN: None
ABSENT: Welker, Krieger

Mr. Fish votes yes because the development is probably the best we can do considering the constraints of the property and it conforms with Roadmap Englewood: 2003 Englewood Comprehensive Plan. It fits with what Englewood wants to do in trying to develop properties in this area that are difficult to develop and offers a potential seed for similar development in the area that will take advantage of the light rail. Those issues overcome the negativity of higher density.

Mr. Brick said the project is consistent with Roadmap Englewood: 2003 Englewood Comprehensive Plan in terms of density; however, this specific project is not in the best interest of the health and welfare of the people who are going to be living there and it is out of character for the neighborhood. He voted no.

Mr. Roth stated he too had many of those concerns, but does think ultimately if the area gets developed this project will serve as a buffer. Development along Windermere will probably be more than two stories. It meets Roadmap Englewood: 2003 Englewood Comprehensive Plan provisions.

Mr. Calonder voted yes because he believes it is the highest and best use for that area and the alternative options are worse.

Mr. Bleile said he firmly believes that the Habitat for Humanity mission is outstanding. It is a wonderful organization that rewards people after putting in a lot of hard effort. He believes there needs to be some type of buffer between future high density potential in the area and even the current industrial area. An empty lot does not benefit Englewood. He voted yes.

Mr. King said he voted yes because the amendment is not changing much from the original PUD. From West Quincy Avenue you don't even see the site. He said he hopes that if the neighborhood is not happy with the decision of the Planning and Zoning Commission they will organize and voice their concerns at the City Council Public Hearing. Without their input here it can only be assumed that the majority of the neighborhood is not opposed to the development.

Motion carried.

IV. PUBLIC FORUM



There was no public in attendance.

V. DIRECTOR'S CHOICE



Director White was not present.

VI. STAFF'S CHOICE



Ms. Langon reviewed topics for upcoming meetings:

January 19: Medical Marijuana Amendments, Study Session

February 8: Medical District Small Area Plan, Study Session

February 23: Election of Officers, Study Session

VII. ATTORNEY'S CHOICE



City Attorney Brotzman had nothing further to report.

VIII. COMMISSIONER'S CHOICE



Mr. Bleile wished Habitat for Humanity good luck on their project. He said it was a good discussion tonight and was proud to participate in it.

Mr. Brick echoed Mr. Bleile's comments.

Planning and Zoning Commission
Public Hearing
Case #ZON2010-003 Englewood Estates PUD Amendment No. 1
January 5, 2011
Page 6 of 6

The meeting adjourned at 8:40 p.m.

Barbara Krecklow, Recording Secretary