

**AGENDA FOR THE  
ENGLEWOOD CITY COUNCIL  
STUDY SESSION**



**MONDAY, JULY 9, 2012**

**COMMUNITY ROOM**

**6:00 P.M.**

- I. **Urban Renewal Authority**  
Members from the Urban Renewal Authority and Community Development Director Alan White will be present to discuss the property at South Broadway and Englewood Parkway.
- II. **Englewood Chamber Events - 6:20 p.m.**  
Colleen Mello from the Englewood Greater Chamber of Commerce will be present to request additional financial support and in-kind services from the City for the Chamber events.
- III. **Englewood McLellan Reservoir Foundation - 6:40 p.m.**  
Deputy City Manager Mike Flaherty, Community Development Director Alan White, Public Works Director Rick Kahm, Utilities Director Stu Fonda and Financial and Administrative Services Director Frank Grylewicz will provide an update.
- IV. **School Use Tax Projects - 7:00 p.m.**  
City Council will discuss the School Use Tax projects.
- V. **Colorado Municipal League Conference Reports - 7:20 p.m.**  
City Council Members will discuss their attendance at the Colorado Municipal League Conference, June, 2012.
- VI. **City Manager's Choice**
- VII. **City Attorney's Choice**
- VIII. **City Council Choice**



# 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

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TO: Mayor Penn and City Council

THRU: Gary Sears, City Manager

FROM: Alan White, Community Development Director ✓

DATE: July 9, 2012

SUBJECT: City and EURA Property at Broadway and Englewood Parkway

In April of this year, the subject of redevelopment of the vacant property at Broadway and Englewood Parkway was discussed by the Urban Renewal Authority. The Authority determined that now might be an opportune time to solicit development proposals for the site. The Authority directed staff to request a meeting with City Council to discuss development of the site.

### **Site Information**

The parcels owned by the City and EURA total 87,075 square feet, or just under 2.0 acres. Attached is a map showing the parcels.

The parcels are zoned MU-B-1, which allows a range of retail, commercial and office uses in addition to residential uses. For residential uses, a majority of the first floor must be occupied by a use or uses other than residential.

The parcels under ownership of the EURA were acquired in the mid-1980's to implement the urban renewal plan for the downtown. The parcels west of the alley that serve as parking lots are leased to the City.

Disposition of the EURA property requires the solicitation of competitive proposals under the State Urban Renewal Law.

### **Past Redevelopment Efforts**

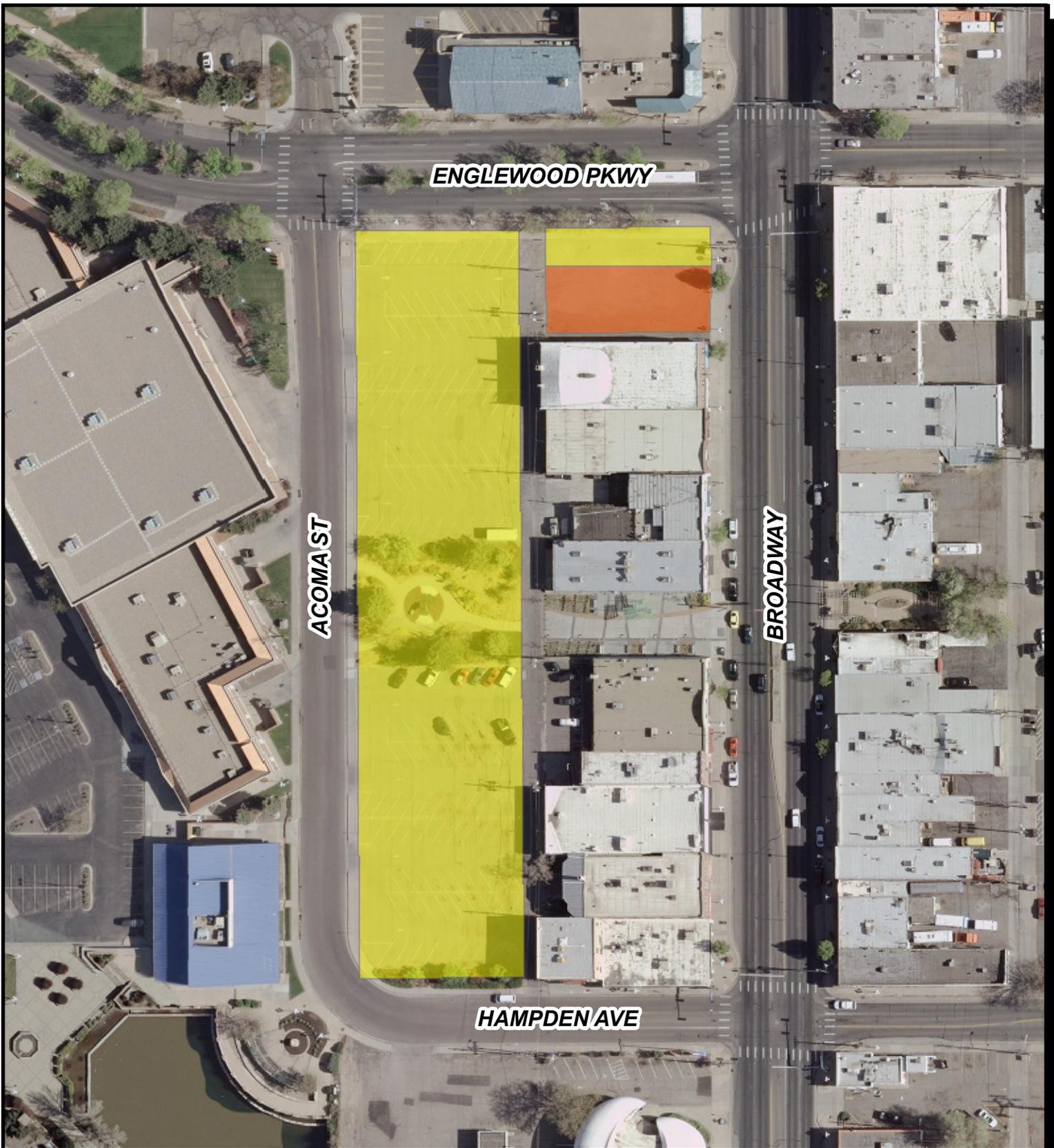
In 2005, the City and EURA issued a request for proposals announcing the development opportunity available on a portion of the site. Proposals were solicited for the entire ownership of the City and EURA. Three development proposals were received, but because of economic conditions, none of the development teams was prepared to move forward with their proposal.

Essentially the same RFP was issued again in 2007 and in response to this effort, the EURA received a proposal from the Englewood Cultural Arts Center Association, a group proposing to construct a cultural arts center on the property. The EURA entered into a redevelopment agreement with the Association in late 2007. Funding for the center did not materialize as anticipated and the EURA terminated the development agreement.

### **Direction Requested**

Staff is seeking a consensus from Council and EURA on initiating the redevelopment proposal process for this property. In order to create the RFP, staff needs direction on the following items:

1. Is this the time to issue a request for proposals?
2. Should all or a portion of the site be offered for development? Options:
  - a. Just the corner piece at Broadway and Englewood Parkway, east of the alley
  - b. The corner piece described above, plus an equivalent parcel west of the alley
  - c. The corner piece at Broadway and Englewood Parkway plus the parcel west of the alley and north of the small park
  - d. The entirety of the City and EURA ownership
3. The value of the property needs to be known in any negotiations with a potential developer. Staff is seeking authorization to obtain an appraisal for the entire City/EURA ownership, with values established for the parcels identified in #2 above.
4. Are the objectives for development of the site still the same as in the previous RFP? Do the design standards and guidelines in the previous RFP adequately convey the vision Council and EURA have for development on the site? Does anything need to be added?
5. Will Council and EURA consider receiving less than the appraised value for the property in order to facilitate redevelopment of the site? (This maybe can't be answered until an updated appraisal is obtained.)



**Property Ownership Boundaries for the 3400 Block of Broadway (West side)**

 Urban Renewal Authority	 City of Englewood
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Feet



City of Englewood



June, 2012

# ***DEVELOPMENT OPPORTUNITY***

For property located in the  
Englewood Downtown Area  
at South Broadway and Englewood Parkway



The City of Englewood, Colorado  
and the  
Englewood Urban Renewal Authority

1000 Englewood Parkway  
Englewood, CO 80110-2373  
303.762.2342

[www.engagewoodgov.org](http://www.engagewoodgov.org)

Mark Graham 303.762.2353  
Harold Stitt 303.762.2341

May 2007

## **Development Opportunity**

Broadway – Englewood Parkway – Acoma  
City of Englewood – Englewood Urban Renewal Authority

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The City of Englewood (City) and the Englewood Urban Renewal Authority (EURA) are soliciting development proposals for a prominent property in Englewood's historic downtown. Proposed developments may utilize all or part of the property at the southwest corner of South Broadway and Englewood Parkway. The property is approximately 80,800 square feet in area.

### **Access and Visibility**

The development site is at a highly visible signalized intersection on Broadway at Englewood Parkway which extends 10 blocks west to the Englewood CityCenter and light rail station. Englewood Parkway is also the route of the free Art Shuttle that links the light rail and buses at CityCenter to Downtown and the Medical Center. The development site is on South Broadway, a regional arterial, used by more than 38,000 motorists daily. Broadway is also served by public transportation 24 hours a day, 7 days a week. The site is approximately one-half block north of the Broadway intersection with U.S. Highway 285. U.S. 285 carries approximately 67,000 motorists daily past South Broadway. The site is visible across the water feature at Little Dry Creek Plaza to eastbound drivers on U.S. 285.

### **Site Information**

#### **Existing Conditions**

The City of Englewood and EURA jointly own this development site, located between South Broadway and South Acoma Street on the south side of Englewood Parkway. The property has approximately 78 feet of South Broadway frontage and approximately 266 feet of Englewood Parkway frontage. The site is approximately 80,800 square feet; generally level, with existing public improvements including streets, sidewalks, and utilities. The development parcel is comprised of vacant land and surface parking currently supporting downtown businesses. Phase I and II environmental information is available for this property. Please contact the City during business hours to review this information. See Attachment A.

#### **Opportunities**

The successful development of this site will result in a landmark-type building anchoring a principal commercial corner in Englewood. The development will support and reinforce existing commercial activity in the downtown as well as add its own vitality to the downtown's urban character.

#### **Public Objectives**

- First floor retail/commercial uses (restaurant/entertainment uses desired.)
- Focal Point - landmark building that anchors principal downtown commercial block.
- High quality level of architecture and materials, (masonry and other durable urban material).
- Upper floor(s) office or residential uses
- Residential uses must self-park.
- Project completion within a 24-month timeframe.
- Prominent inclusion of public art within the development.

## Development Opportunity

Broadway - Englewood Parkway - Acoma  
City of Englewood - Englewood Urban Renewal Authority

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### Parking

With the increased interest in development in Englewood, adequate parking has emerged as a concern of both businesses and the City. It is the City's intention to address this issue in a comprehensive manner taking into account the various demands for parking. It may be several years before the City completes this parking analysis and formulates a course of action. Therefore, residential and office uses proposed through this RFP must self-park. In the event that only a portion of the property is purchased for development, the City may consider providing parking for nonresidential uses in the existing public parking lot on the property.

### Area Employment

The area surrounding the site is a significant employment center in the South Denver Metropolitan Area. A daytime occupational population of 13,657 is located within a one-mile radius of the site. Sixty-three percent of the daytime occupational population is concentrated within the executive/professional and administrative support staff occupational classifications, with trades and labor making up the next largest class. An additional 62,156 employees are located within the next one to three-mile ring, for a grand total of 75,183 employees.

### Zoning

The development parcel is zoned MU-B-1, Business District. The MU-B-1 Business District is a mixed-use district, which applies to the central business section of Englewood. The District is designed to create an environment having urban characteristics within a relatively small area of land.

### Sale of the Property

- Available fee simple title.
- Land price negotiable and based on development value and public objectives met.

### Financial Assistance

- This RFP seeks projects that do not require public financial assistance.

### Submission Requirements

Submissions must include the following items:

1. Approach
  - Describe your understanding of the project and general approach to redevelopment.
  - Identify the development entity and the personnel who will negotiate with the City and EURA representatives.
  - Provide a narrative about the preliminary design and development concepts in terms of the type, market orientation, and quality of the proposed development and how it meets the public objectives.

## Development Opportunity

Broadway – Englewood Parkway – Acoma  
City of Englewood – Englewood Urban Renewal Authority

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### 2. Developers and Relevant Experience

- Identify the Developers by company name and their project role and responsibility.
- Identify the key individuals likely to be involved and their respective backgrounds, roles, and responsibilities.
- Describe the previous development experience of the companies and Individuals. Focus on experience in public/private ventures and/or similar development projects.
- List the names and locations of not more than five relevant projects and associated references for these projects. (Name, address, telephone number.)

### 3. Financial

- Provide evidence of the financial capability to carry out the proposed project.
- List the names and addresses of financial references for the developer and any other named sources of financing.
- Describe your preliminary approach to project financing including identifying potential development options, general sources, and uses of funds, past experience, and anticipated public and private sector roles and responsibilities.

### 4. Other

- Other additional information that may help the Review Team evaluate the proposal.
- Critical to the success of this redevelopment is the seamless integration of all elements of the proposed project into the downtown. Provide a narrative describing this integration identifying unique aspects of the proposed project.
- Describe how this project adds or contributes value to the downtown and the community.

A complete submittal package will include ten sets of all materials with written material in an 8 ½" x 11" format and graphic material in an 11" x 17" format. Also provide a CD or DVD of a complete digital copy, in Adobe Acrobat readable format (.pdf), of all written and graphic material. Only submittals meeting the above requirements will be accepted. The City reserves the right to reject any or all proposals. Development Agreement will be required.

**Development Opportunity**

Broadway - Englewood Parkway - Acoma  
City of Englewood - Englewood Urban Renewal Authority

**Development Contact**

Direct questions concerning this development opportunity to:

Mark Graham, Senior Planner  
Community Development Department  
City of Englewood  
1000 Englewood Parkway  
Englewood, CO 80110-2304  
303 762-2353 Phone  
303 783-6895 Fax

Harold Stitt, Community Development Director  
Community Development Department  
City of Englewood  
1000 Englewood Parkway  
Englewood, CO 80110-2304  
303 762-2341 Phone  
303 783-6895 Fax

**Design Standards and Guidelines**

**A1. Design and Purpose**

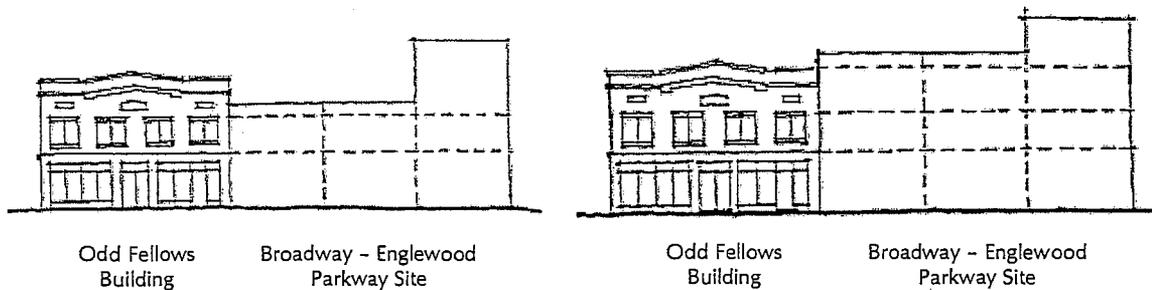
Intent

A1.i1 To create a visually prominent building at the corner of South Broadway and Englewood Parkway through massing, material, and height.

A1.i2 To encourage an architectural design that honestly expresses the times within which it is built. Such expression may include contemporary materials, building processes, and contemporary design concepts.

Standards

A1.s1 The majority of the building height shall be nearly as high, the same height, or higher than the existing and adjacent Odd Fellows Building.



Odd Fellows Building

Broadway - Englewood Parkway Site

Odd Fellows Building

Broadway - Englewood Parkway Site

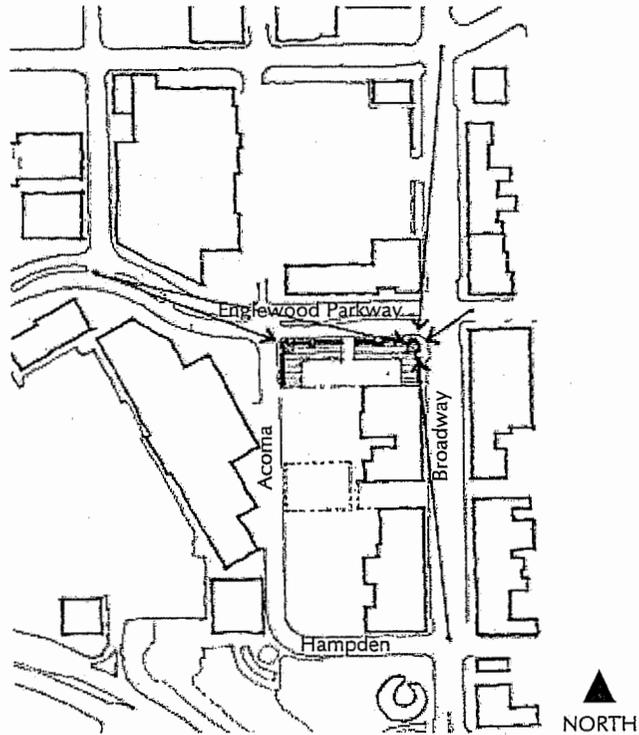
**Development Opportunity**

Broadway – Englewood Parkway – Acoma  
City of Englewood – Englewood Urban Renewal Authority

**A2. Visual Prominence**

Intent

A2.i1 To create visual prominence and interest by including a special form, tower, marquee-type sign, and/or art element that can be seen from a distance along South Broadway, Englewood Parkway, and Hampden Ave.



Standards

A2.s1 This special form shall be a height of at least fifty (50) feet.



*Examples of possible corner forms and historical precedents*

Guidelines

A2.g1 The corner of Englewood Parkway and South Acoma Street should be emphasized as a secondary focal point with a prominent architectural expression.

**A3. Building Relationships**

Intent

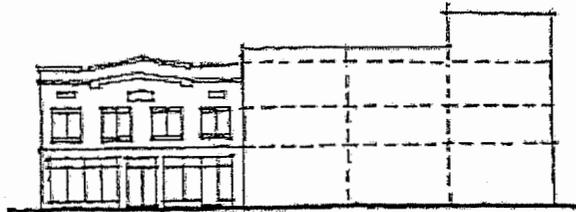
A3.i1 Establish a facade design relationship with the adjacent Odd Fellows building.

Standards

A3.s1 Building materials and colors shall have some similarities or subtle differences, but shall not strongly contrast.

Guidelines

A3.g1 Important facade elements such as belt courses and storefront lintels should be in alignment with the Odd Fellows building.



A3.g2 Similar storefront window proportions should be continuous.

A3.g3 Form and detailing should establish a smaller, more human scale.

**A4. Building Continuity**

Intent

A4.i1 To create a continuous building frontage that includes pedestrian-active uses. Pedestrian-active uses are those uses that generate higher volumes of pedestrian traffic, and have interesting ground floor display windows, or uses visible through large store-front windows. Examples of such uses are: retail, entertainment, restaurants, and galleries.

Standards

A4.s1 Insure that pedestrian-active uses face, and are accessible from, both South Broadway, and Englewood Parkway.

A4.s2 To create a continuous building frontage that includes pedestrian-active uses along South Broadway between Englewood Parkway and the Odd Fellows Building.

A4.s3 To create a building frontage that includes pedestrian active uses along Englewood Parkway between South Broadway and Acoma Street.

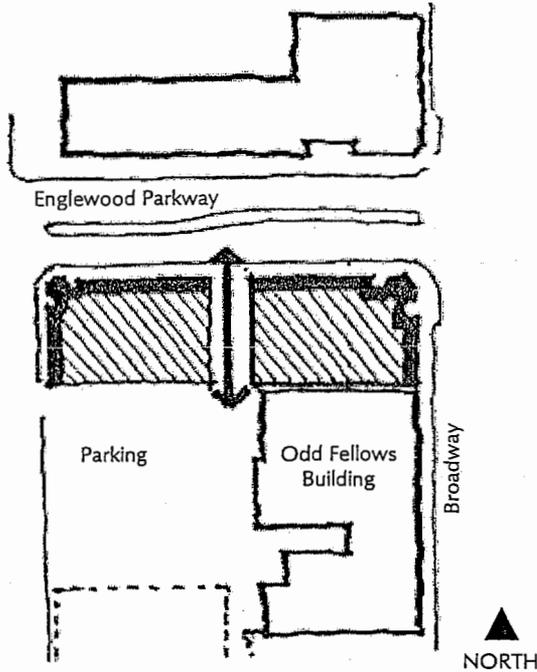
A4.s4 Create a high degree of transparency on the ground floor frontages adjoining South Broadway and Englewood Parkway.

**Development Opportunity**

Broadway – Englewood Parkway – Acoma  
City of Englewood – Englewood Urban Renewal Authority

Guidelines

A4.g1 A gap in the building frontage may occur along Englewood Parkway for a pedestrian passageway to shared parking.



**A5 Parking**

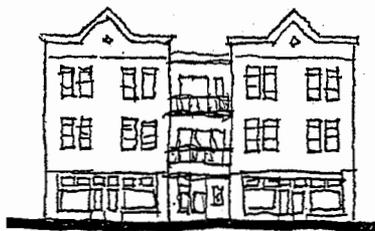
Intent

A5.i1 Conceal or screen any surface parking along Englewood Parkway.

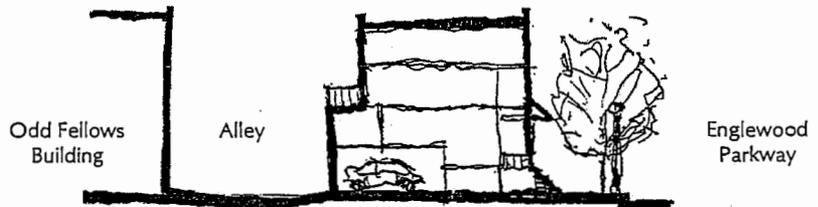
Standards

A5.s1 A liner building and ground floor uses shall occur along Broadway.

A5.s2 A liner building and ground floor uses shall occur along Englewood Parkway.



Town homes or offices with retail on ground floor on Englewood Parkway



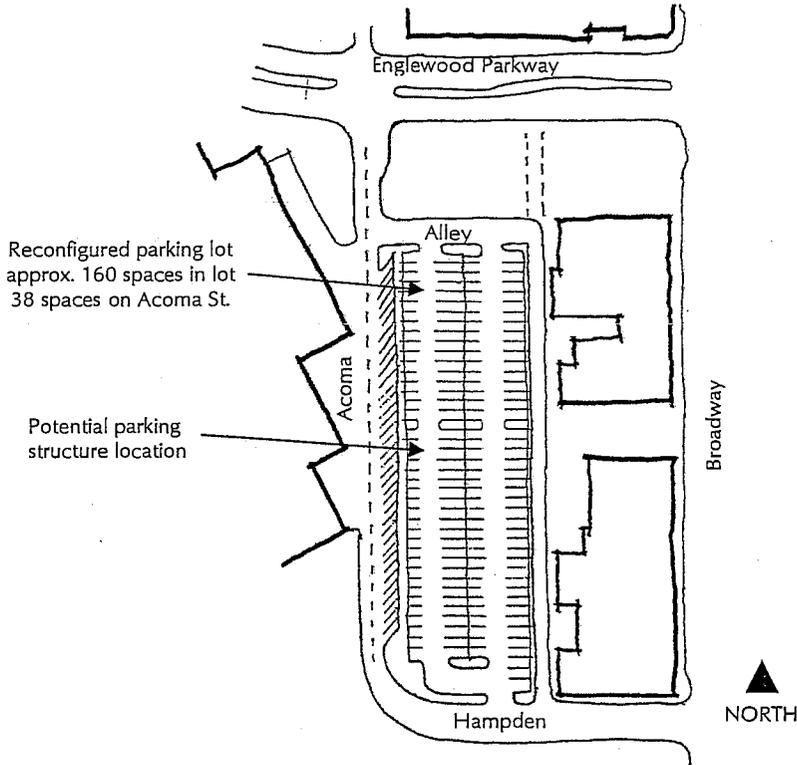
Town homes with walk up entrance on Englewood Pkwy and tuck under parking accessed via alley

## Development Opportunity

Broadway – Englewood Parkway – Acoma  
City of Englewood – Englewood Urban Renewal Authority

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The conceptual design illustrated below provides 160 spaces off-street and 38 space on-street. This surface lot may be redeveloped into structured parking as parking demand increases. Final design and configuration is subject to City review and approval.



### Downtown Development Plan

A series of Objectives and Policies guiding development in downtown Englewood were adopted by the City and the Englewood Urban Renewal Authority in 1981. Development is encouraged to meet the objectives and policies. The Proposal should identify which of the Objectives and Policies (listed below) are met and describe how.

1. A concentration of high activity uses should be encouraged in the downtown to provide a focal point for the City. Downtown should be a location for work, shipping, living and playing with aesthetically pleasing areas for rest and relaxation.
2. To provide housing for workers and encourage home ownership, residential condominiums should be provided within the Downtown District.
3. To preserve and protect the existing single-family residential nature of the surrounding area from commercial encroachment, Floyd and Eastman should be strengthened as barriers to further commercial expansion to the north.
4. Downtown should be maintained as a regional activity center with high concentrations of retail, office and residential uses.
5. The downtown area should be developed under a coordinated theme.

## Development Opportunity

Broadway – Englewood Parkway – Acoma  
City of Englewood – Englewood Urban Renewal Authority

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6. The arrival points to the downtown, U.S. 285 and South Broadway, U.S. 285 and Elati, Broadway and Floyd, should be strengthened visually to identify the area.
7. Public transit should be strengthened with a transit center linking the downtown to the regional transit network.
8. Off-street parking capacities should be increased and should be enhanced with landscaping.
9. Parking should be provided between development parcels and on the perimeter of the downtown with access from the internal street system.
10. To provide for better vehicular circulation, some intersections in the downtown area should be realigned.
11. The proposed redevelopment should be linked to surrounding neighborhoods with safe pedestrian connections.
12. Existing utilities and new utility service should be placed underground.
13. Usable open space should be created in the downtown.
14. To create an open space climate, Little Dry Creek should become a focal point with a variety of uses developed along its banks.
15. The image and character of the redevelopment should be aesthetically pleasing to attract people.
16. Alternative energy sources (solar; etc.) should be used where possible.
17. To insure an adequate level of public services including police and fire protection and maintaining public areas.
18. New ways to finance the redevelopment should be determined and initiated.
19. A marketing package should be developed to promote the redevelopment.



# Memorandum

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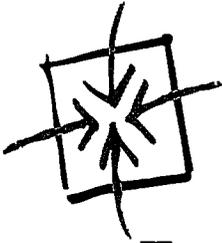
City Manager's Office

TO: Mayor Penn and Members of City Council  
THROUGH: Gary Sears, City Manager  
FROM: Michael Flaherty, Deputy City Manager ✓  
DATE: July 2, 2012  
SUBJECT: Greater Englewood Chamber of Commerce-Request to City Council

At the July 9<sup>th</sup> Study Session, Colleen Mello, Executive Director of the Greater Englewood Chamber of Commerce, will present a request to City Council for consideration of waiver of certain City fees and for in-kind contribution of costs for City personnel related to three upcoming Chamber events.

Please find the attached memorandum of June 6, 2012, that identifies City's 2012 support of the Chamber, including dues and sponsorships. Also attached are three letters from Ms. Mello that describe sponsorship requests of City Council for upcoming events, Student Free Hair Cut Event, Breasts of Colorado, and the Holiday Parade.

City staff has worked with Ms. Mello to identify costs related to each of these events and I have provided a summary of those costs. While we have identified all estimated costs, waiver of fees is not a direct cost to the City but represents administrative fees established by City Ordinance. Direct costs for employee services are estimated at the overtime rate as each of these events will take place on weekends. Also note that we have included actual 2011 costs that were incurred for the 2011 Holiday Parade due to inclement weather that required snow removal costs and custodial costs related to moving events indoors.



Greater Englewood  
chamber of commerce  
*bringing business together™*

June 6, 2012

To the Englewood City Council,

Thank you for all the sponsorships you have so graciously awarded to the Greater Englewood Chamber of Commerce for the 2012 Calendar year. We truly appreciate this support and all of the in kind awards you have given to the Chamber which helps to subsidize our programs.

We have set up the City of Englewood as a Premier Sponsor for 2013 which entitles the City to be a Gold Sponsor for all of the Chamber events. The Gold Sponsorship allows the City to have a number of city managers attend all events, city acknowledgement in all event publications and media information, display of city logo and banner at all events and time allotted at each event for a city official to talk about the city or specific individuals. This sponsorship will include the following for the 2013 year:

Chamber Dues	\$3,500.00
Gold Sponsorship	\$5,000.00
Chamber Business Gala	
Chamber Service Luncheon	
Chamber Business Party	
Student Recognition Luncheon	
Women in Business	
Shop Local Campaign	
Holiday Parade	
Student Free Hair Cut Event	
Breasts of Colorado	

**Total Sponsorship** **\$8,500.00**

Thank you so much for your continued partnership. We hope that our events will continue to build the relationships between the business community, city government and the Chamber.

Sincerely,  
Colleen Mello  
Executive Director  
Greater Englewood Chamber of Commerce  
(303) 789-4473



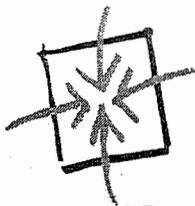
June 6, 2012

Englewood City Council

Dear Council Members,

The Englewood Chamber of Commerce will be doing free hair cuts for all Englewood and Sheridan students on August 12, 2012 at 1000 Englewood Parkway from 12:00pm-4:00pm. Last year during this event we cut hair for 386 students, this year we are hoping to do over 450. We will have 25-30 hair stylists volunteering their time for this event. Meadow Gold Dairies and Dave Cheadle with City Center Community will be supplying ice cream, popcorn and water. Entertainment will be provided by Pastor Bubbles and Star Wars characters. We are asking for the use of 15 tents, 8 trash cans, 30 chairs(\$200 employee time) from Parks & Recreation and 6 road barriers (\$86 employee time) from the street department to block off Englewood Parkway at the egg at no charge to Chamber for this charitable event. We are also asking that the \$75 usage permit fee be waived for this event. We appreciate your continued support for this event.

Sincerely,  
Colleen Mello  
Executive Director  
The Greater Englewood Chamber of Commerce  
(303) 789-4473



# Greater Englewood

chamber of commerce

*bringing business together™*

May 30, 2012

Englewood City Council

Dear Council Members,

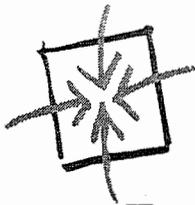
The Englewood Chamber is promoting a new event, "Breasts of Colorado", whose ambition is to increase further awareness of breast cancer and to raise money for *Sense of Security* a charity that helps breast cancer patients in Colorado. It is very exciting that this will be the very first event of this kind in the Denver Metro area. We have already had great response from local media which we believe will bring further recognition to the City of Englewood. The event has been met with great response from local artists, media staff and people wanting to volunteer to assist with this great event. The event will be held October 7 from 12-6pm in the City Center site. We are very excited about bringing this unique and worthy event to the City of Englewood.

As you know the Chamber is a non-profit organization that works with our local businesses, city departments and citizens to promote our city and provide programs/events for the community. In order for us to provide events such as this we rely on volunteers and donations from businesses and other organizations within the community. In this case we have also been soliciting donations from other organizations outside our community.

As City representatives we are asking you to consider the waiving of fees/charges for this event. This event is not for the promotion of the Chamber but one that will highlight the Englewood Community for promoting this cause. If you would consider the waiving of fees it would certainly assist us in our endeavors for this event. The fees included are: a \$75 usage permit fee, the cost of the police coverage, 4 officers for 4 hours (\$800), 6 barricades(\$86 employee time), the use of the 20x20 tent and trash cans(\$240 employee time) and the cost of the Community Room (\$250) in the event of bad weather. We are actively seeking sponsors to help with our costs but would appreciate your consideration of the waiving of the charges to the Chamber.

We truly believe this event presents a positive reflection on our community for providing this event to the metro area and will bring many new people to our city for the event. We are hopeful that you will seriously consider our request.

Sincerely,  
Colleen Mello  
Executive Director, Englewood Chamber of Commerce  
(303) 789-4473



# Greater Englewood

chamber of commerce

*bringing business together™*

May 29, 2012

Englewood City Council

Dear Council Members,

The Englewood Chamber was very successful in bringing back the Holiday Parade for the Englewood Community in 2010-2011. The event was met with great reviews from businesses along the parade route and from many citizens. We are very excited about bringing this showcase event again in 2012. We think this is a great opportunity for our citizens and also for merchants to advertise and promote their businesses for the holiday season.

We will follow a similar proposal to the 2011 Parade with the route and street closures. We are planning on the date being Saturday, December 1<sup>st</sup>, from 10:00am -11:30am. The parade would start at South Acoma and Englewood Parkway and proceed west on Englewood Parkway to the City Center. As the parade would proceed the streets would then be opened to traffic. We are committed to minimizing the amount of time the streets are closed.

As you know the Chamber is a non-profit organization that works with our local businesses, city departments and citizens to promote our city and provide programs/events for the community. In order for us to provide events such as the Holiday Parade we rely on volunteers and donations from businesses and other organizations within the community. Our members will be volunteering their time and money to ensure the success of the parade.

As City representatives we are asking you to consider the waiving of fees for this event. This event is not for the promotion of the Chamber but a gift to the Englewood community. If you would consider the waiving of fees it would certainly assist us in our endeavors for this event. The fees included are: the cost of the police coverage (\$1800); a \$75 temporary usage permit fee, a \$200 street occupancy fee; a \$263 fee for the usage of the Cherrelyn Trolley and a \$400 fee for the hanging of a banner advertising the parade, \$1219.00 for custodial help\*, \$340 snow removal\*, and use of the community room\* for a total of \$4,547.00. We are actively seeking sponsors to help with our cost which will be about \$7,547.00, the largest portion of that figure is required for the police coverage and the traffic barricades. If you would consider waiving these additional fees it would certainly help us achieve our goal of providing the parade to the citizens of Englewood.

We are also asking for permission to use the Acoma parking lot and the 3400 block of S Acoma for the staging area of the parade.

We truly believe this event presents a positive reflection on our business community for providing this event to the children and citizens of Englewood. We are hopeful that you will seriously consider our request. Please help us to continue this tradition for Englewood residents.

Sincerely,  
Colleen Mello  
Executive Director, Englewood Chamber of Commerce  
(303) 789-4473

\* In case of inclement weather

## Chamber Events Summary Requested City In-kind Contribution

### Haircuts for Education at CityCenter Estimated Cost

Placement/removal of Tents, Trash Cans, chairs (employee time)	\$ 200
Placement/removal of 6 Barricades (employee time)	<u>\$ 86</u>
Subtotal estimated direct costs	\$ 286

Fee Waiver -Temporary Use Permit- \$ 75

Total requested \$ 361

EEF Out of Pocket Expenses – to be reimbursed by Chamber

### Breasts of Colorado at CityCenter Estimated Cost

#### City Direct Personnel Expenses

Placement/removal of Tent, Trash Cans (employee time)	\$ 240
Placement/removal of 6 Barricades (employee time)	\$ 86
4 Police Officers X4 Hours @\$50/hour (OT rate)	<u>\$ 800</u>
Subtotal of estimated direct costs	\$1126

#### Waiver of fees

Temporary Use Permit	\$ 75
Use of Community Room	<u>\$ 250</u>
Subtotal	\$ 325

Total requested \$1451

EEF Out of Pocket Expenses – to be reimbursed by Chamber

### Holiday Parade at Englewood Parkway & CityCenter Estimated Cost

#### City Direct Personnel Expenses

12 Police Officers x 3 hours @\$50/hour (OT rate)	\$1800
Trolley (Driver)	\$ 263
Banner fabrication and placement (employee time)	<u>\$ 400</u>
Subtotal direct costs	\$2463
Custodial	\$1219*
Snow Removal	<u>\$ 340*</u>
Subtotal with snow removal and custodial	\$4022

\*2011 Actual costs incurred due to snow removal and to inclement weather that required some events to move indoors. –applicable if snow and cold weather repeat in 2012

<u>Waiver of fees</u>	
Street Occupancy Permit	\$ 200
Temporary Use Permit	<u>\$ 75</u>
Subtotal	\$ 275
Use of Community Room-if events moved indoors	\$ 250*
Subtotal with Community Room fee waiver, if necessary	\$ 525
Total requested for Parade (if weather cooperates)	\$2738
Total (if inclement weather/snow and cold-based on 2011)	\$4547
EEF Expenses – to be reimbursed by chamber	
Total for all City Events	\$4550
Total (with snow/inclement weather costs for Parade)	\$6359



# Memorandum

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City Manager's Office

**TO:** Mayor Penn and Members of City Council  
**THROUGH:** Gary Sears, City Manager  
**FROM:** Michael Flaherty, Deputy City Manager, on behalf of the Englewood McLellan Reservoir Foundation (EMRF)  
**DATE:** July 3, 2012  
**SUBJECT:** McLellan Reservoir Properties Update

The following provides a status report on the Englewood McLellan Reservoir Foundation (EMRF) properties. Please refer to the attached aerial map and spreadsheets:

**Currently leased parcels:**

PA 84 (west) Lot 2: TT Denver, D.B.A., Mike Ward Infiniti- 2013 lease rate: \$352, 323.  
PA 84 (east 7+ acres) Lot 1: Larry H. Miller Group (Nissan) – 2013 lease rate: \$228,296  
PA 85 (southwest) Lot 1: Benjamin Franklin Charter School – 2013 lease rate: \$130,000

**Prospects:**

PA 81 (south-24 acres): Retail Developer - Letter of Intent under consideration. Amendment of restrictive use agreement with Shea Properties and Met Life required.

PA 85: Lots 2, 4 & 5: TOD/Residential – Two multi-family residential developers have expressed interest and both have indicated that proposals are under consideration. Lease requirement and uncertainty of Light Rail expansion may impede.

**Other:** EMRF is working with the Highlands Ranch Metropolitan District to dedicate storm water detention facilities and other undevelopable property to the District to relieve EMRF of maintenance responsibility and liability. Some parcels that have little or no development value may be considered for open space conservation easements with the newly formed High Line Canal working group. Conservation easement may produce some limited one-time revenue, but will also relieve EMRF of maintenance and liability.

Finance and Administrative Services Director Frank Gryglewicz has prepared the two attached spreadsheets that provide estimates EMRF revenues and expenses, respectively, through 2015. Estimated annual revenue, in 2012 dollars, when all developable land is leased is \$2,967,015. EMRF expenses average approximately \$80,000 annual for general operations, with a capital expenditure of \$945,000 currently projected for 2014 for construction of an access road to serve PA 85. However, RTD is contractually obligated to reimburse EMRF for 2/3 of that cost.

EMRF will provide information to City Council on formal Letter of Intent as they may be received.



**McLellan Reservoir Properties**

SCALE: 1 inch = 700 feet  
 REV: October 7, 2009  
 PHOTO DATE: 2008

Parcel Number	Lot or Tract	Use	Gross Acreage	Net Rentable	Square Footage	Return Rate	Est Value Per SQ'	Sale Value	Return Per Year	Base Rent Per SQ'	2011 Revenue	2012 Est Revenue	2013 Est Revenue	2014 Est Revenue	2015 Est Revenue	Future Estimate
PA 81	South	Sembler (?)	24.00	24.00	1,045,440	8.50%	\$8.94	\$9,346,234	\$794,534	\$0.76	\$0	\$0	\$66,211	\$794,534	\$794,534	\$794,534
PA 81	North	Unknown	12.90	12.90	561,924	8.50%	\$4.00	\$2,247,696	\$191,054	\$0.34	\$0	\$0	\$0	\$0	\$0	\$191,054
PA 84	153 Lot 1(E)	Auto (LMN)	7.33	7.33	319,295	8.50%	\$8.41	\$2,685,279	\$228,296	\$0.72	\$30,000	\$161,320	\$228,296	\$228,296	\$228,296	\$228,296
PA 84	153 Lot 1(W)	Unknown	6.18	6.18	269,201	8.50%	\$8.50	\$2,288,207	\$194,632	\$0.72	\$0	\$0	\$0	\$0	\$0	\$194,632
PA 84	153 Lot 3	Unknown	4.90	4.90	213,357	8.50%	\$7.00	\$1,493,451	\$128,014	\$0.60	\$0	\$0	\$0	\$0	\$0	\$128,014
PA 84	153 Lot 2	Auto (MWI)	12.79	12.79	557,132	8.50%	\$9.06	\$5,047,616	\$428,992	\$0.77	\$306,286	\$378,992	\$352,323	\$338,988	\$338,988	\$428,992
PA 84	153 Tract A	Along Road	3.33	0.00	0	0	\$1.00	\$144,967	\$0	\$0	\$0	\$0	\$0	\$0	\$144,967	\$0
PA 84	153 Tract B	HRMD*	3.43	0.00	0	0	\$8.41	\$1,257,640	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PA 84	153 Tract C	Future Access	1.34	0.00	0	0	\$2.00	\$117,090	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PA 84	155 Lot 1	Unknown	2.70	2.70	117,699	8.50%	\$6.00	\$706,194	\$60,026	\$0.51	\$0	\$0	\$0	\$0	\$0	\$60,026
PA 84	155 Lot 2	Unknown	1.84	1.84	80,238	8.50%	\$7.00	\$561,663	\$48,143	\$0.60	\$0	\$0	\$0	\$0	\$0	\$48,143
PA 84	155 Tract A	Unknown	2.27	0.00	0	0	\$1.00	\$98,838	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$98,838
PA 84	155 Tract B	Storm HRMD	7.06	0.00	0	0	\$2.00	\$614,806	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$614,806
PA 84	155 Tract C	OS**	1.94	0.00	0	0	\$1.00	\$84,637	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$84,637
PA 84	155 Tract D	HRMD	0.46	0.00	0	0	\$6.00	\$119,442	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PA 84	155 Tract E	HRMD	0.01	0.00	0	0	\$6.00	\$3,398	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PA 84	155 Tract F	HRMD	0.26	0.00	0	0	\$7.00	\$79,889	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PA 85	154 Lot 1	BFA	10.14	8.90	387,597	3.4 -7.2%	\$7.16	\$2,870,472	\$173,500	\$0.53	\$88,873	\$112,333	\$130,000	\$157,000	\$179,667	\$193,532
PA 85	154 Lot 2	Unknown	9.89	9.89	430,983	8.50%	\$9.00	\$3,878,847	\$331,857	\$0.77	\$0	\$0	\$0	\$0	\$0	\$331,857
PA 85	154 Lot 3	RTD	10.87	10.87	473,497	0.00%	\$6.50	\$3,200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
PA 85	154 Lot 4	Unknown	4.78	4.78	208,130	8.50%	\$9.00	\$1,873,170	\$160,260	\$0.77	\$0	\$0	\$0	\$0	\$0	\$160,260
PA 85	154 Lot 5	Unknown	10.25	6.25	272,250	8.50%	\$6.00	\$2,678,940	\$227,710	\$0.51	\$0	\$0	\$0	\$0	\$0	\$227,710
			138.68	113.33	4,936,742			\$41,398,476	\$2,967,018		\$425,159	\$652,645	\$776,830	\$1,518,818	\$1,686,452	\$3,785,331
<b>Estimated Expenses</b>											\$73,455	\$155,000	\$87,505	\$945,743	\$83,023	\$66,294
<b>Net Revenue Available For Appropriation</b>											\$351,704	\$497,645	\$689,325	\$573,075	\$1,603,429	\$3,719,037
*Highlands Ranch Metropolitan District																
**Open Space																
In 2013 RTD will reimburse 66 percent (\$855,698) of the capital expenditures (\$1,284,832) incurred in 2012.																

	2011	2012	2013	2014	2015	2016
<b>Operating expenses</b>						
Professional services	12,366	5,000	10,000	10,000	8,000	5,000
Maintenance	22,000	22,000	22,000	22,000	22,000	22,000
Plating		23,000	10,000	0	0	0
ALTA Surveys		18,000	9,000	18,000	9,000	0
Re-Plats		5,000	5,000		10,000	
Insurance	7,580	7,807	8,042	8,283	8,531	8,787
Legal	31,065	35,000	23,000	30,000	25,000	30,000
General administrative and office	444	450	464	477	492	506
Total operating expenses	73,455	116,257	87,505	88,760	83,023	66,294
Capital Construction				856,983		
<b>Total Expenses</b>	<b>73,455</b>	<b>116,257</b>	<b>87,505</b>	<b>945,743</b>	<b>83,023</b>	<b>66,294</b>



# Memorandum

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City Manager's Office

TO: Mayor Penn and Members of City Council  
FROM: Gary Sears, City Manager ✓  
DATE: June 14, 2012  
SUBJECT: School District Use Tax

Mayor and Members of the City Council,

The City and School District representatives to the School City Committee at their last meeting of May 8, 2012, discussed the City's use tax of approximately \$600,000 and the alternative ways that both the School Board and the City Council may consider to utilize these funds to enhance the School District's bonded project. City staff have met with School District staff to develop a list of potential projects that may benefit both the schools and the city in the construction of the new high school.

School Superintendent Ewert has attached projects that staff from both entities support and meet this objective. In essence, some of these projects will be designed and constructed by the School District and the City will reimburse the Schools up to approximately \$600,000 (depending upon the actual cost of building materials).

At the upcoming Study Session of June 18<sup>th</sup>, staff is asking City Council to discuss and give staff direction about these projects or any others that Council would support to meet this objective. While both the tennis court and the artificial turf field (asterisked in the memo from Superintendent Ewert) may be considered by the Boards as an appropriate use of these funds, the two staffs are pursuing alternative revenue sources to support the construction of these facilities without using use tax funds.

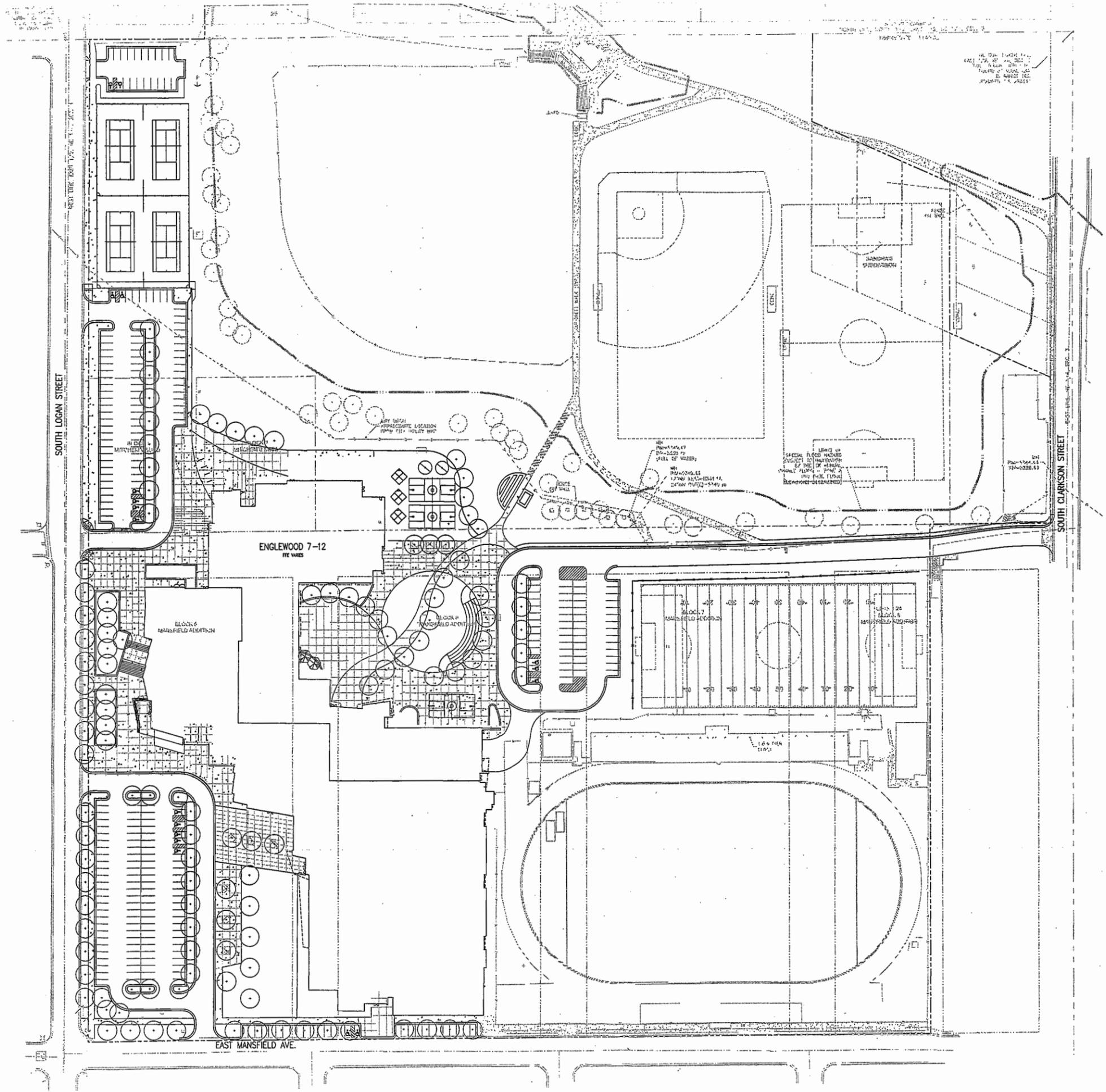
With City Council's direction regarding these funds, we will be putting together an intergovernmental agreement with the School Board to finalize the inclusion and rebate process for first reading by the City Council.

**TEC Use Tax Scope Priorities**

Revised 6/7/12

<u>City Desired Areas for Use Tax Expenditure</u>	<u>Cost In estimate</u>
1. Adult Learning Community room	\$ 299,300
2. Parking Along Lehigh Extension	\$ 59,400
3. Mansfield Parking	\$ 20,000
4. Outdoor Ampitheater	\$ 75,000
5. Health Center	\$ 100,000
6. Pedestrian/Streetscape/Landscape Enhancements	\$ 250,000
7. Venue room (Community Use)	\$ 267,903
	<u>\$ 1,071,603 *</u>

\*Note - The Use Tax amount currently anticipated for TEC is \$600,000 based upon a total construction cost of \$36.9MM



ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE  
SCALE: 1/4" = 1'-0"  
DATE: 11/14/03  
DRAWN BY: J. J. JONES  
CHECKED BY: J. J. JONES

SOUTH LOGAN STREET

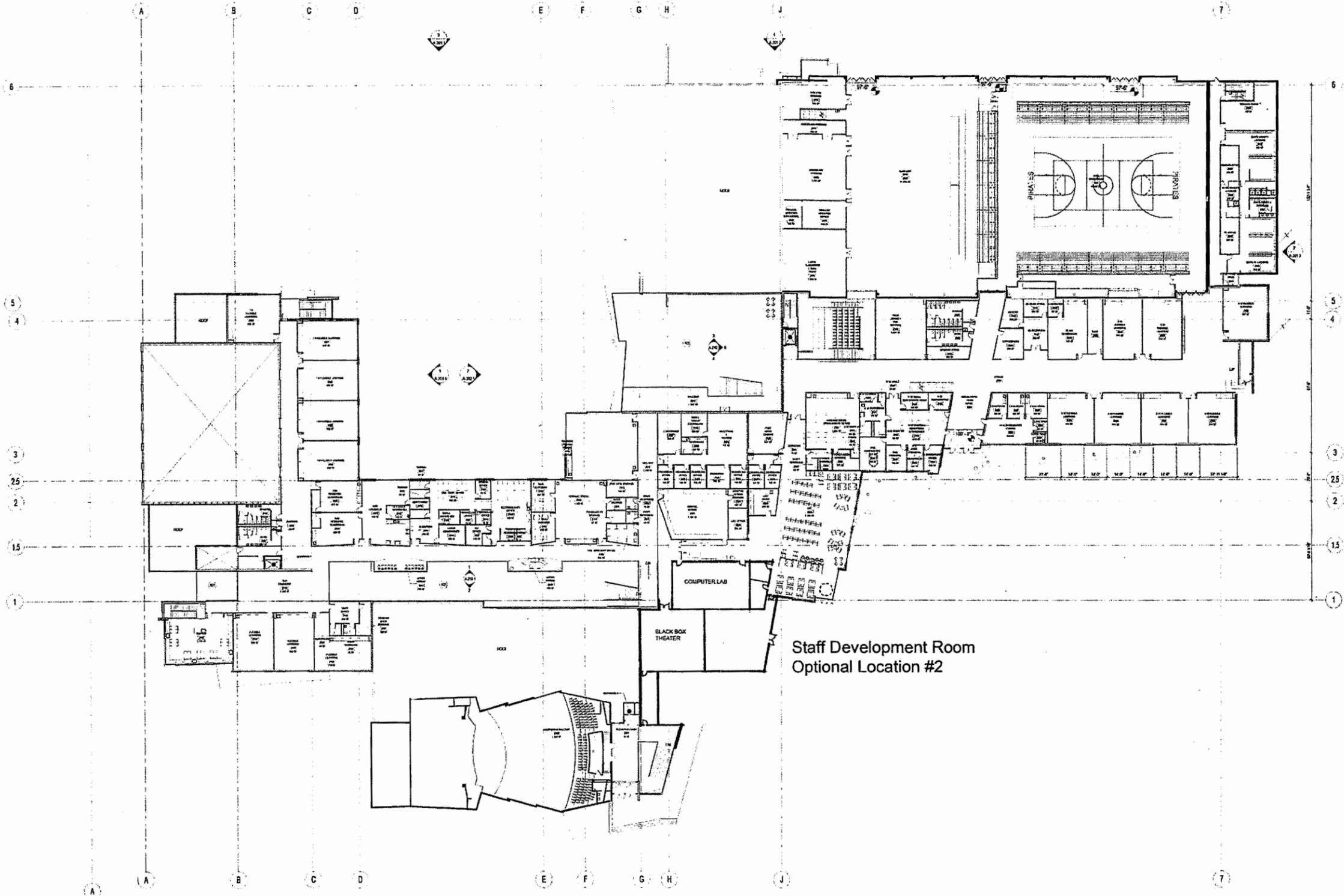
SOUTH CLARKSON STREET

ENGLEWOOD 7-12  
75' WIDE

EAST MANSFIELD AVE.







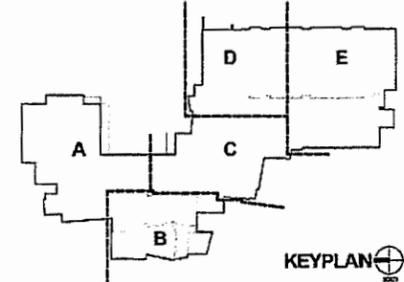
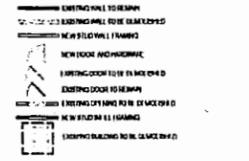
Staff Development Room  
Optional Location #2

1 OVERALL FLOOR PLAN, MAIN LEVEL - PHASE 2  
7-2017

**GENERAL SHEET NOTES**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND THE 2012 INTERNATIONAL BUILDING CODES UNLESS OTHERWISE SPECIFIED.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL BUILDING CODES UNLESS OTHERWISE SPECIFIED.
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4. ALL INTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL BUILDING CODES UNLESS OTHERWISE SPECIFIED.
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15. ALL INTERIOR FINISHES SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL BUILDING CODES UNLESS OTHERWISE SPECIFIED.

**WALL AND OPENING LEGEND**



KEYPLAN



**THE ENGLEWOOD CAMPUS**  
Phase 2  
3600 South Logan St.  
Englewood, CO 80113



PHASE 2 MAIN LEVEL  
FLOOR PLAN - OVERALL  
**A-101.2**



CITY OF ENGLEWOOD  
Finance and Administrative Services Department

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To: Gary Sears, City Manager  
Through: Frank Gryglewicz, Director of Finance and Administrative Services Department  
From: Jennifer Nolan, Revenue and Budget Manager  
Date: May 4, 2012  
SUBJ: Building Use Tax

This memo clarifies the Building Use Tax calculated and remitted on the cost of materials and equipment installed in the City of Englewood by a contractor.

The stated purpose of the sales and use tax in the Englewood Municipal Code (EMC) Purpose of Tax, Distribution of Proceeds section 4-4-3 is to levy taxes for the raising of funds for the payment of the general operating expenses and for capital improvements. The section further states that of those items contained in subsection 4-4-5-3B of this Chapter, dealing with motor vehicles, trailers or semi-trailers, building materials and supplies, shall be segregated, held apart and deposited into a separate capital improvement account and shall be used solely to fund and finance the capital improvements of the City.

Typically nonprofit and government entities are exempt from the payment of sales and use tax on retail items. Unless the nonprofit or government organization acts as their own general contractor on their construction project, the City does not exempt Building Use Tax on materials and equipment installed in the City of Englewood. The EMC Exempt Taxpayers section 4-4-4-3B states

Nothing herein contained shall be deemed to exempt from the tax levied by this Chapter, sales of building materials or supplies to be used by a contractor for the construction of an improvement for any of the institutions or agencies enumerated in subsection B1 or B2 hereof.

The process that is usually followed is for the contractor to provide to the Building and Safety Division for review the construction contract. Unless the construction contract separately lists the building materials and equipment for installation, the Building and Safety Division calculates the Building Use Tax based on fifty percent of the construction contract price and multiplies that amount by 3.5% and .25%, the Building Use Tax Rate and the Arapahoe County Open Space Tax respectively. On large dollar construction projects, the City offers to contractors a couple of Building Use Tax payment options. The two options available are: 1) Pay as you Go – The Contractor provides on a monthly basis a list of the materials and equipment installed and pays the associated taxes due based on the invoiced amount, or 2) Estimated Payments – The Building Use Tax is estimated based on fifty percent of the contract price and estimated monthly payments are made over the project period. At the end of the project, a final audit of the materials and equipment installed will determine any difference in amount due from or refunded to the contractor.

The City has collected Building Use Tax from contractors for projects constructed at addresses located in the City of Englewood owned by nonprofit or government entities such as All Souls Catholic Church, Regional Transportation District, City of Englewood and the Littleton/Englewood Wastewater Treatment Plant.

Please let me know if you need additional information.

#### **4-4-4-3: Exemptions to Sales Tax.**

A. *Exempt Items:* The sale of the following classes of tangible personal property are exempt from the tax imposed by Section 4-4-4-2:

1. Motor vehicles, trailers and semi-trailers, registered outside of the City.
2. Sales of tangible personal property where both the following conditions exist:
  - a. The sales are to parties who are residents of, or doing business in, the State of Colorado, but outside the City; and
  - b. The articles purchased are to be delivered to the purchaser outside the City by common carrier or by the conveyance of the seller or by mail.
3. Sale of fuel used for the operation of internal combustion engines.
4. Sale of medicine, medical supplies, orthopedic braces and appliances, dental appliances, hearing aids, crutches, wheel chairs, eye glasses or other mechanical contrivances when purchased with a licensed practitioner's written prescription.
5. Sales of food products which are to be consumed off the premises of the vendor. As used herein "food" means food which is advertised or marketed for home consumption and sold in the same form, condition, quantities and packaging as is commonly sold by grocers. The term includes cereals and cereal products; milk and milk products; meat and meat products; fish and fish products; eggs and egg products; vegetables and vegetable products; fruit and fruit products; sugar, sugar products and sugar substitutes; coffees and coffee substitutes; teas, cocoa and cocoa products; spices, condiments; salt and oleomargarine. The term "food" does not include chewing gum; spirituous malt or vinous liquors; cocktail mixes; proprietary medicines; nostrums; lozenges; tonics; vitamins and other dietary supplements; water, mineral water and carbonated water marketed in containers; ice; pet foods; food or drink purchased and used by a business or commercial entity by serving to customers or employees (not resold); food or drink furnished, prepared or served for consumption at tables, chairs or counters or from trays; glasses, dishes or other tableware provided by the retailer; prepared food or drink sold by retailers who regularly sell for consumption on or near the premises of the retailer even though such food or drink is sold on a "take out" or "to go" order and is bagged, packaged or wrapped and taken from the premises of the retailer; and food or drink vended by or through machines on behalf of a vendor.
6. Sales of goods manufactured within the City and sold directly by the manufacturer to a common carrier operating in interstate commerce as the ultimate consumer thereof.
7. For transactions consummated on or after January 1, 1986, the City's sales tax shall not apply to the sale of construction and building materials, as the term is used in Section 29-2-109, C.R.S., if such materials are picked up by the purchaser and if the purchaser of such materials presents to the retailer a building permit or other documentation acceptable to the City evidencing that a local use tax has been paid or is required to be paid.
8. Sales of newspapers and magazines.
9. Sales of tangible personal property at a garage sale as defined herein and not in violation of 15-16-2 EMC.

B. *Exempt Taxpayers:* Sales to the following classes of taxpayers shall be exempt from the tax imposed by this Chapter:

1. Sales to the United States government; to the State of Colorado, its departments or institutions and

to the political subdivisions thereof, in their governmental capacity only; in all sales to the City; providing, however, that no commercial, industrial or other banking institution, organized or chartered by the United States government, any agency or department thereof, or by the State of Colorado, shall be considered a governmental institution for the purpose of this exemption.

2. Sales to religious, charitable and eleemosynary institutions, in the conduct of their regular religious, charitable and eleemosynary functions and activities:

3. Nothing herein contained shall be deemed to exempt from the tax levied by this Chapter, sales of building materials or supplies to be used by a contractor for the construction of an improvement for any of the institutions or agencies enumerated in subsection B1 or B2 hereof.

4. Persons purchasing tangible personal property at a garage sale as defined herein and not in violation of 15-16-2 EMC.

C. *Burden of Providing Exemptions; Disputes:* The burden of proof that any retailer is exempt from collecting a tax upon any goods sold and paying the same to the City, or from making return for the same, shall be on the retailer under such reasonable requirements of proof as the City may prescribe. Should a dispute arise between any purchaser and seller as to whether or not any retail sale is exempt from taxation hereunder, the seller shall, nevertheless, collect and the purchaser shall pay such tax; and the seller shall thereupon issue to the purchaser a receipt, or certificate, on forms prescribed by the City showing the names of the seller and purchaser, the items purchased, the date, price, amount of tax paid, and a brief statement of the claim of exemption. Thereafter the purchaser may apply to the City for a refund of such taxes and it shall then be the duty of the City to determine the question of exemption. In any case where the City refunds any taxes, it may collect from the retailer the amount of taxes retained by him/her as a fee which is attributable to the transaction.

(Code 1985, § 4-4-4-3; Ord. 00-7; Ord. 00-43; Ord. 02-26; Ord. 02-31; Ord. 05-48, § 1)