Agenda for the
Regular Meeting of the
Englewood City Council
Monday, November 5, 2012
7:30 pm

Englewood Civic Center - Council Chambers
1000 Englewood Parkway
Englewood, CO 80110

1. Call to Order.

2. Invocation.

3. Pledge of Allegiance.

4. Roll Call.

5. Consideration of Minutes of Previous Session.

   a. Minutes from the Regular City Council Meeting of October 15, 2012.

6. Recognition of Scheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.)

   a. The Englewood Historic Preservation Society will be present to address City Council regarding the Englewood Depot.

7. Recognition of Unscheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to three minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.)

   Council Response to Public Comment

Please note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood (303-762-2405) at least 48 hours in advance of when services are needed.

8. Communications, Proclamations, and Appointments.

   a. A proclamation declaring the month of November as National Diabetes Month.

   b. A proclamation declaring the month of November as Alzheimer's Disease Awareness/ Caregivers Month.

9. Consent Agenda Items.

   a. Approval of Ordinances on First Reading.

   b. Approval of Ordinances on Second Reading.

      i. Council Bill No. 56, emergency bill enacting a moratorium on marijuana.

   c. Resolutions and Motions.

10. Public Hearing Items. (There is no Public Hearing scheduled.)

11. Ordinances, Resolutions and Motions

   a. Approval of Ordinances on First Reading.

      i. Council Bill No 57 – Recommendation from the Utilities Department to adopt a bill for an ordinance amending sections of the Englewood Municipal Code pertaining to sewer fees and charges. **Staff Sources: Stewart H. Fonda, Director of Utilities.**

      ii. Council Bill No. 58 – Recommendation from the Community Development Department to approve a bill for an ordinance adopting the rezoning of Flood Middle School from MU-B-1, MU-R-3-B and R-2-B to PUD. Staff further recommends that Council set November 19, 2012 as the date for the public hearing to gather public input on the proposed ordinance. **Staff Source: Brook Bell, Planner II.**

      iii. Council Bill No. 59 – Recommendation from the Community Development Department to approve an ordinance adopting the Alta Cherry Hills Major Subdivision. Staff further recommends that Council set November 19, 2012 as the date for the public hearing to gather public input on the proposed ordinance. **Staff Source: Brook Bell, Planner II.**

   b. Approval of Ordinances on Second Reading.

      i. Council Bill No. 50, establishing an intergovernmental agreement with Englewood Schools regarding Use Tax.

Please note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood (303-762-2405) at least 48 hours in advance of when services are needed.

c. Resolutions and Motions.

i. Recommendation from the City Manager's Office to approve, by motion, the South Broadway Englewood Improvement District Operating Plan and proposed 2013 Budget. **Staff Source: Darren Hollingsworth, Economic Development Manager.**

12. General Discussion.

a. Mayor's Choice.

b. Council Members' Choice.

13. City Manager's Report.

14. City Attorney's Report.

15. Adjournment.

Please note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood (303-762-2405) at least 48 hours in advance of when services are needed.

PROCLAMATION

WHEREAS, in the United States, 24 million children and adults live with diabetes and an additional 57 million Americans are at risk; and

WHEREAS, one out of every three children (and one in two minority children) born in the United States today will face a future with diabetes if current trends continue; and

WHEREAS, diabetes is a serious disease with potentially life-threatening complications such as heart disease, stroke, blindness, and kidney disease; and

WHEREAS, the American Diabetes Association encourages communities to become more aware of the seriousness of diabetes and has launched a national campaign to Stop Diabetes with the ambitious goal of gathering the support of millions of Americans to help confront, fight, and most importantly, stop diabetes; and

WHEREAS, the Stop Diabetes campaign encourages Americans to join the movement and learn more by visiting www/stopdiabetes.com or calling 1-800-DIABETES.

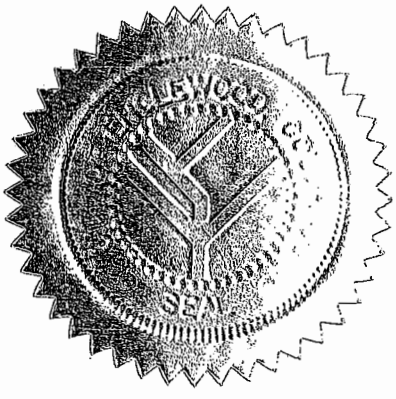
NOW THEREFORE, I, Randy P. Penn, Mayor of the City of Englewood, Colorado, hereby proclaim the month of November as:

AMERICAN DIABETES MONTH

in the City of Englewood, Colorado. I urge all of our residents to get involved with the education, prevention and control of diabetes that affects far too many Americans.

BE IT FURTHER RESOLVED that the Mayor and City Council of the City of Englewood, Colorado reaffirm our commitment to

GIVEN under my hand and seal this 5th day of November, 2012.



Randy P. Penn, Mayor

PROCLAMATION

WHEREAS, Alzheimer's is an incurable and fatal brain disease that causes memory loss, disorientation, decreased judgment, and difficulty speaking; and

WHEREAS, more that 5 million Americans are now living with Alzheimer's disease; 72,000 people in Colorado alone and 227,000 care partners who provide unpaid care at home valued at upwards of $3 billion; and

WHEREAS, the care provided by family caregivers helps offset the impact on our community budgets at a time we can ill afford the rising cost of healthcare; and

WHEREAS, with early detection and diagnosis, individuals and families can gain access to treatment medications, enroll in critical research trials, fully participate in planning for the future, and receive help and support from the Alzheimer's Association of Colorado's locations around the state; and

WHEREAS, we need more individuals and families to know they can get help at no cost from the Alzheimer's Association and that there is hope on the horizon with advancements in research;

NOW THEREFORE, I, Randy P. Penn, Mayor of the City of Englewood, Colorado, hereby proclaim November as:

ALZHEIMER'S DISEASE AWARENESS MONTH/CAREGIVERS MONTH

in the City of Englewood, Colorado. I urge all of our residents to join together to support the efforts the Alzheimer's Association of Colorado.

GIVEN under my hand and seal this 5th day of November, 2012.

Randy P. Penn, Mayor

BY AUTHORITY

ORDINANCE NO. ____
SERIES OF 2012

COUNCIL BILL NO. 56
INTRODUCED BY COUNCIL
MEMBER JEFFERSON

AN EMERGENCY ORDINANCE CREATING A TEMPORARY SUSPENSION OR MORATORIUM ON THE ESTABLISHMENT OF ANY NEW BUSINESS WHICH SELLS, MANUFACTURES OR CULTIVATES MARIJUANA SHOULD AMENDMENT 64 BE APPROVED BY THE VOTERS.

WHEREAS, there is a proposed amendment on the ballot for the November 6, 2012 election which, if passed, would change Colorado law regarding the regulation and sale of marijuana; and

WHEREAS, the proposed Constitutional amendment sets a deadline for the completion of regulations by the State Department of Revenue to implement this Amendment for July 1, 2013; and

WHEREAS, the moratorium allows thirty (30) additional days to evaluate the State regulations; and

WHEREAS, it is unclear what the effect of these required State regulations will be on the City's current medical marijuana licensing and zoning requirements; and

WHEREAS, a moratorium on the sale of marijuana or the establishment of any new marijuana business which sells, manufacturers or cultivates marijuana is necessary for the City to evaluate the effect of the proposed Amendment 64 and any State regulations on the City's existing regulations as well as any new City regulations which may be required or needed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT THERE SHALL BE A TEMPORARY SUSPENSION OR MORATORIUM ON THE ESTABLISHMENT OF ANY NEW BUSINESS WHICH SELLS, MANUFACTURES OR CULTIVATES MARIJUANA SHOULD AMENDMENT 64 BE APPROVED BY THE VOTERS.

Section 1. An emergency is hereby declared requiring immediate passage of this Ordinance for the immediate preservation of the public property, health, peace and safety; it is hereby declared that an emergency exists and that this Ordinance shall take effect upon its final passage.

Section 2. The moratorium on the sale, manufacture and cultivation of Marijuana is necessary for the City to evaluate the effect of the Amendment and any State regulations on the City's existing marijuana regulations and any new regulations required.

Section 3. During said moratorium the City Council directs City staff to develop appropriate recommendations to Council, consistent with the Constitutional Amendment language and State regulations.

Section 4. The City Council finds the provisions of this Ordinance are temporary in nature and are intended to be replaced by subsequent legislative enactment so that the moratorium or temporary suspension as specified in this Ordinance shall terminate thirty (30) days after July 1, 2013, the effective date of Colorado State Constitutional Amendment Number 64 for 2012.

Section 5. This moratorium shall become effective only if Amendment 64 is approved by the voters of the State of Colorado.

Introduced, read in full, and passed on first reading as an emergency Ordinance on the 15th day of October, 2012.

Published as an Emergency Bill for an Ordinance by Title as a Bill for an Ordinance in the City's official newspaper on the 19th day of October, 2012.

Published as an Emergency Bill for an Ordinance on the City's official website beginning on the 17th day of October, 2012 for thirty (30) days.

Read by title and passed on final reading as an Emergency Ordinance on the 5th day of November, 2012.

Published as an Emergency Ordinance by title in the City's official newspaper as Ordinance No. ___, Series of 2012, on the 9th day of November, 2012.

Published as an Emergency Ordinance by title on the City's official website beginning on the 7th day of November, 2012 for thirty (30) days.

_____
Randy P. Penn, Mayor

ATTEST:

_____
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Emergency Ordinance passed on final reading and published by title as Ordinance No. ___, Series of 2012.

_____
Loucrishia A. Ellis

COUNCIL COMMUNICATION

Date	Agenda Item	Subject
November 5, 2012	11 a i	Ordinance for Sewer Rate Increases

INITIATED BY	STAFF SOURCE
Utilities Department	Stewart H. Fonda, Director of Utilities

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

Council approved a sewer rate increase that was implemented January 1, 1999. The last rate increase before that was in 1982 by Council Bill #56.

On July 8, 2003 Council approved annual increases for a five year period. The last increase was implemented January 1, 2008.

November 3, 2008 Council approved a resolution for annual sewer rate increases for 8% in 2009, 8% in 2010 and 8% in 2011.

RECOMMENDED ACTION

The Englewood Water and Sewer Board recommended Council approval of the proposed ordinance at their meeting on October 9, 2012. The recommended increases in sewer charges are 4% in 2013, 4% in 2014 and 4% in 2015.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The results of numerous cash flows for the Sewer Utility were presented to the Water and Sewer Board at their meeting of August 14, 2012. The results showed various combinations of revenue increases that would maintain an adequate balance and adequate bond coverage until the end of 2015. The proposed increases ranged from 0% to 10%.

After considering the information presented, the Water and Sewer Board recommended that Council consider increases of 4% in 2013, 4% in 2014 and 4% in 2015. The Board also recommended borrowing $3,000,000 in 2013 because interest rates are so low at this time. This combination of rate increases and borrowing will cover the costs of operation and maintenance, as well as anticipated capital improvements at the Bi-City Wastewater Plant through 2015. It will also result in a better fund balance and revenue stream to ultimately build facilities in 2016 to meet newly required nutrient regulations. These nutrient removal facilities probably will require substantial rate increases from 2016 to 2020.

The cash flow results were reviewed and discussed by City Council at their study session on September 24, 2012.

FINANCIAL IMPACT

It is proposed to increase sewer rates 4% in 2013, 4% in 2014 and 4% in 2015. All rounding of fractions of cents shall be down, and in favor of the customer.

LIST OF ATTACHMENTS

Ordinance

BY AUTHORITY

ORDINANCE NO. ____
SERIES OF 2012

COUNCIL BILL NO. 57
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE AMENDING TITLE 12, CHAPTER 2, SECTION 3, SUBSECTIONS B AND D, OF THE ENGLEWOOD MUNICIPAL CODE 2000 REGARDING SEWER FEES AND CHARGES.

WHEREAS, the City Council of the City of Englewood, Colorado approved sewer rate increases through 2011 with the passage of Ordinance No. 21, Series of 2008; and

WHEREAS, there are continuing increases in the costs of operation and maintenance for the collection system and the wastewater treatment plant; and

WHEREAS, the proposed sewer rate increases will provide adequate funds to operate and maintain the Bi-City Plant as well as the Englewood sewer collection system and allow completion of several capital projects at the Bi-City Plant; and

WHEREAS, the Water and Sewer Board recommended the proposed increases to fees and charges at their October 9, 2012 meeting.

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

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 12, Chapter 2, Section 3, Subsection B, Paragraph 9, of the Englewood Municipal Code 2000, to read as follows:

12-2-3: Fees and Charges.

B. *General.* There is hereby levied and charged on each lot, parcel of land and premises served by or having sewer connection with the sanitary sewer of the City or otherwise discharging sanitary sewage, industrial wastes or other liquids, either directly or indirectly, into the City sanitary sewer system an annual service charge which shall be computed and payable as follows:

[Editors Note: Subsections 1 through 8 are not changed and are therefore not included]

9. The following rates ~~shall become~~ became effective January 1, ~~2003~~ 2011:

Sewage Treatment Charge per 1,000 gallons	~~$1.0049~~ $2.5243
Collection System Charge per 1,000 gallons	~~$0.1337~~ $0.3362
Total:	~~$1.1386~~ $2.8605

	SCHEDULE I		SCHEDULE II		SCHEDULE III		SCHEDULE IV	
Customer Class	In City City Sewers Billed Quarterly		In City District Sewers Billed Quarterly		Outside City District Sewers Billed Annually		Outside City District Sewers Billed Quarterly	
	Flat Rate	Min.	Flat Rate	Min.	Flat Rate	Min.	Flat Rate	Min.
Single Family Dwelling	~~$23.94~~ $60.189	~~$21.78~~ $54.747	~~$21.12~~ $53.097	~~$19.20~~ $48.260	~~$88.56~~ $222.465	~~$80.64~~ $202.574	~~$22.14~~ $55.667	~~$20.16~~ $50.691
Multi Family Per Unit	~~$14.82~~ $37.275	~~$13.50~~ $33.937	~~$13.08~~ $32.891	~~$11.88~~ $29.893	~~$54.96~~ $138.102	~~$49.92~~ $125.430	~~$13.74~~ $34.554	~~$12.48~~ $31.379
Mobile Home Per Unit	~~$9.12~~ $22.95	~~$8.28~~ $20.85	~~$8.04~~ $20.23	~~$7.32~~ $18.43	~~$33.84~~ $85.03	~~$30.72~~ $77.18	~~$8.46~~ $21.28	~~$7.68~~ $19.34
Commercial & Industrial (by meter size)								
5/8"	~~$33.00~~ $82.91	~~$30.06~~ $75.53	~~$29.16~~ $73.29	~~$26.52~~ $66.65	~~$122.40~~ $307.47	~~$111.36~~ $279.76	~~$30.60~~ $76.89	~~$27.84~~ $69.98
3/4"	~~$50.10~~ $125.90	~~$45.60~~ $114.56	~~$44.22~~ $111.12	~~$40.26~~ $101.15	~~$185.76~~ $466.64	~~$168.96~~ $424.41	~~$46.44~~ $116.69	~~$42.24~~ $106.13
1"	~~$83.10~~ $208.76	~~$75.60~~ $189.91	~~$73.38~~ $184.35	~~$66.78~~ $167.76	~~$308.16~~ $774.04	~~$280.32~~ $704.12	~~$77.04~~ $193.53	~~$70.08~~ $176.06
1 1/2"	~~$166.20~~ $417.46	~~$151.26~~ $379.94	~~$146.70~~ $368.50	~~$133.50~~ $335.35	~~$616.32~~ $1,548.05	~~$560.64~~ $1,408.21	~~$154.08~~ $387.05	~~$140.16~~ $352.08
2"	~~$266.40~~ $669.15	~~$242.46~~ $609.02	~~$235.14~~ $590.65	~~$213.96~~ $537.44	~~$987.60~~ $2,480.59	~~$898.80~~ $2,257.56	~~$246.90~~ $620.19	~~$224.70~~ $564.43
3"	~~$531.72~~ $1,335.57	~~$483.84~~ $1,215.31	~~$469.32~~ $1,178.83	~~$427.02~~ $1,072.61	~~$1,970.88~~ $4,950.30	~~$1,793.76~~ $4,505.42	~~$492.72~~ $1,237.60	~~$448.44~~ $1,126.38
4"	~~$831.12~~ $2,087.56	~~$756.36~~ $1,899.80	~~$733.56~~ $1,842.53	~~$667.56~~ $1,676.75	~~$3,080.88~~ $7,738.30	~~$2,803.68~~ $7,042.05	~~$770.22~~ $1,934.62	~~$700.92~~ $1,706.54

6"	~~$1,662.30~~ $4,175.23	~~$1,512.72~~ $3,799.53	~~$1,467.12~~ $3,685.00	~~$1,335.06~~ $3,353.30	~~$6,162.00~~ $15,477.11	~~$5,607.36~~ $14,084.05	~~$1,540.50~~ $3,869.31	~~$1,401.84~~ $3,521.03
8"	~~$2,641.32~~ $6,634.22	~~$2,403.60~~ $6037.16	~~$2,324.34~~ $5,838.08	~~$2,115.12~~ $5,312.57	~~$9,791.70~~ $24,593.82	~~$8,910.42~~ $22,380.32	~~$2,447.88~~ $6,148.40	~~$2,227.62~~ $5,595.16
10"	~~$3,796.92~~ $9,536.74	~~$3,455.22~~ $8,678.52	~~$3,341.34~~ $8,392.49	~~$3,040.56~~ $7,637.00	~~$14,075.64~~ $35,353.79	~~$12,808.80~~ $32,171.86	~~$3,518.88~~ $8,838.39	~~$3,202.26~~ $8,043.12

Minimum charges both inside and outside the City are ninety-one percent (91%) of the flat rate charge for the customer class involved.

10. All fees and charges listed under this Section 12-2-3, shall be subject to a cumulative increase for the next three (3) years (~~2009~~ 2013 to ~~2011~~ 2015) as follows:

~~On January 1, 2009, the existing fees and charges shall be increased by the amount of eight percent (8%) above the January 1, 2008, fees and charges.~~

~~On January 1, 2010, the existing fees and charges shall be increased by the amount of eight percent (8%) above the January 1, 2009, fees and charges.~~

~~On January 1, 2011, the existing fees and charges shall be increased by the amount of eight percent (8%) above the January 1, 2010, fees and charges.~~

On January 1, 2013, the existing fees and charges shall be increased by the amount of four percent (4%) above the January 1, 2011, fees and charges.

On January 1, 2014, the existing fees and charges shall be increased by the amount of four percent (4%) above the January 1, 2013, fees and charges.

On January 1, 2015, the existing fees and charges shall be increased by the amount of four percent (4%) above the January 1, 2014, fees and charges.

Section 2. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 12, Chapter 2, Section 3, Subsection D, of the Englewood Municipal Code 2000, to read as follows:

12-2-3: Fees and Charges.

D. *Significant Industrial Users*:

1. Industries that are permitted as Significant Industrial Users and that discharge wastewater with BOD, COD and/or TSS in excess of Normal Domestic Strength Wastewater (12-2-11, B.31) will be charged for the cost of handling treatment of these wastes calculated based upon the net excess loading. The use of surcharges does not permit the User to otherwise exceed any local limits specified at 12-2-11, C. or Federal and State Pretreatment Standards.

2. The City shall require payment to cover the added cost surcharge of handling and treating the wastes as determined by the following formula:

SC	=	Q x 8.34 [UC_O (AOD) + UCs (SS 300)]
SC	=	annual surcharge in dollars and cents
Q	=	volume of sewage discharged to the public sewer in million gallons per year
8.34	=	conversion factor; 1 gallon of water to pounds
UC_O	=	unit charge for AOD in dollars per pound (~~$0.0160~~ $0.02016)

	(i)	If COD / BOD_5 is less than 3.0, then AOD=(BOD_5 - 200 mg/l)
	(ii)	If COD / BOD_5 is greater than 3.0, then AOD=(COD-500 mg/l)
AOD	=	Additional Oxygen Demand strength index in milligrams per liter
COD	=	Chemical oxygen demand strength index in milligrams per liter
BOD_5	=	5 day biochemical oxygen demand strength index in milligrams per liter
UC_S	=	unit charge for SS in dollars per pound (~~$0.0389~~ $0.101)
SS	=	suspended solids strength index in milligrams per liter
200	=	normal BOD_5 strength in milligrams per liter
300	=	normal SS strength in milligrams per liter
500	=	normal COD strength in milligrams per liter

The application of the above formula provides for a surcharge for BOD, COD and/or TSS. If the concentration of these pollutants is less than that of Normal Domestic Strength Waste, the User shall not receive a surcharge nor given a credit to the total surcharge.

3. Payment rates shall be computed for ICR customers based on the following basic capital costs of the Bi-City plant:

   Q (Volume): ~~$552.15~~ $1,386.83 per 1,000 gallon day of capacity

   BOD: ~~36.57~~ $91.858 per pound day of capacity

   SS: ~~42.05~~ $105,627 per pound day of capacity

4. Specific individual rates will be calculated based on the volume strength and rate of flow in accordance with current Federal guidelines.

   Adjustments to individual rates will be made annually or more frequently, whenever evidence is received that a major change in wastewater volume and/or characteristics has occurred. Payment will commence within one (1) year of the date of initiation of service through the Bi-City plant.

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

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of

competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

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

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

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

Introduced, read in full, and passed on first reading on the 5th day of November, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 9th day of November, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 7th day of November, 2012 for thirty (30) days.

_____
Randy P. Penn, Mayor

ATTEST:

_____
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 5th day of November, 2012.

_____
Loucrishia A. Ellis

COUNCIL COMMUNICATION

DATE: November 5, 2012	**AGENDA ITEM:** 11 a ii	**SUBJECT:** Ordinance Approving the rezoning Flood Middle School from MU-B-1, MU-R-3-B, and R-2-B to Planned Unit Development (PUD)
INITIATED BY: Barbury Holdings, LLC. 4725 South Monaco Street, Suite 205 Denver, Colorado 80237	**STAFF SOURCE:** Brook Bell, Planner II	

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

There has been no previous Council action concerning the proposed Flood Middle School Planned Unit Development (PUD).

PREVIOUS PLANNING COMMISSION ACTION

The Planning and Zoning Commission considered the proposed Flood Middle School PUD at a Public Hearing conducted on September 18, 2012. The Commission considered testimony and voted 6-2 to forward the proposed Flood Middle School PUD to City Council with a favorable recommendation for adoption with the following conditions related to the land use application:

1. That the maximum number of allowed units shall be 310.

2. That a minimum 20% of the property shall be landscaped.

These conditions have been included in the Ordinance approving the rezoning.

RECOMMENDED ACTION

Staff recommends adoption of a proposed bill for an ordinance approving the Flood Middle School PUD and setting November 19, 2012 as the date for Public Hearing to consider public testimony on the PUD.

The Planning and Zoning Commission also recommended that the Park Dedication Fee-in-lieu be established using $20,000 per required acre. The Park fee-in-lieu amount is part of the incentive request of the developer and will be finalized in a separate agreement.

BACKGROUND

The former Flood Middle School site is a property consisting of two parcels totaling 4.56 acres located at the northeast corner of South Broadway and Kenyon Avenue. In 2006, Englewood Public School District made the decision to consolidate two middle schools and close the Flood Middle School site. Subsequently, the district issued a request for proposals to redevelop the Flood Middle School property. In 2011, Barbury Holdings, LLC came forward with a proposal to purchase the property. The Barbury Holdings development proposal included a maximum of 350 residential apartment units contained within two buildings. The property's existing zoning designation would not accommodate the proposed development; therefore, Barbury Holdings began the process of requesting a rezoning to a PUD.

PUD OVERVIEW

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

The proposed Flood Middle School PUD would include a maximum of 350 residential apartment units contained within two buildings on Parcels 01 and 02. The majority of the parking would be in a multi-level structure accessed off of South Lincoln Street that would be predominantly screened or wrapped by the apartment building. The Site Plan includes several courtyards, perimeter landscaping, and minimum 5 foot wide sidewalks. All new and existing utilities within the property and abutting right-of-way would be placed underground.

Architectural Character: The proposed PUD contains Architectural Character standards that require building plane changes, a mix of pattern and color changes, a minimum masonry requirement, and a building transparency. The conceptual building footprint shown on the Site Plan and the Conceptual Architecture are subject to change; however, any changes would have to meet the Development Standards and Architectural Character provisions of the PUD.

Permitted Uses: The Flood Middle School property lies within the following existing Zone Districts: MU-R-3-B, MU-B-1, and R-2-B; each of these zone districts has a list of permitted uses, including multi-unit dwellings. The proposed Flood Middle School PUD would allow multi-unit dwellings, surface parking, and parking garage as permitted uses regulated by the standards of the PUD. For all other uses, the proposed PUD would be regulated by the standards and provisions of the MU-R-3-B Zone District. The MU-R-3-B Zone District also permits hospital and other limited office uses without limitation on the concentration of the use, provided the parking standards can be met.

Dimensional Standards: The proposed dimensional standards for the Flood Middle School PUD vary from the existing underlying zone districts dimensional standards for residential uses in terms of minimum lot area, maximum lot coverage, minimum lot width, maximum height, and minimum setbacks.

Residential Density: Without a PUD rezoning, the existing Zone Districts occupied by the Flood Middle School property would permit approximately 164 dwelling units based on minimum lot area and where applicable, lot width. The proposed Flood Middle School PUD would permit a maximum of 350 units (310 units under the Planning and Zoning Commission condition) between Parcels 01 and 02; this represents a density of 76.75 dwelling units per acre (d.u./ac.). For comparison purposes the density at Orchard Place is 87 d.u./ac., the Terraces on Penn is 76 d.u./ac., Simon Center 76 d.u./ac., and Cherokee Kiva condos is 61 d.u./ac.

Setbacks: The building setbacks for the Flood Middle School PUD vary from 0 to 10 feet depending on which street or property line the building faces. Setbacks in the existing underlying zone districts vary from 0 to 25 feet for residential uses.

Building Height: The maximum building heights in the PUD are based on United States Geological Survey (USGS) elevations. The height on Parcel 01 is U.S.G.S. 5,416' (approximately 60' to 78' from south to north). The maximum building height on Parcel 02 is U.S.G.S. 5,414' (approximately 60' to 70' from south to north). The maximum building heights in the existing underlying zone districts vary from 32′ to 100′ for depending on the district.

Bulk Plane: The Flood Middle School property is bounded by streets or an alley on all sides except for the eastern half of northern boundary of Parcel 02. The proposed PUD complies with the standard bulk plane on the eastern half of northern boundary of Parcel 02, but excludes the remainder of the side lot lines from the bulk plane requirement.

Parking: The proposed Flood Middle School PUD will follow the standard parking regulations outlined in 16-6-4 of the Unified Development Code (UDC). With the current unit mix, this would amount to approximately 604

required parking spaces including guest parking. The majority of these spaces would be in the parking structure wrapped by the apartment building.

Traffic: The traffic impact study for the proposed Flood Middle School PUD shows an increase in overall traffic volume; however, the study concludes that the development can be accommodated by the existing study area roadways and intersections without modification, and without creating significant impacts to the study area through 2030. The traffic impact study was reviewed by the Public Works Traffic Division and CDOT who both concurred with its findings.

Signage: The proposed PUD will follow the signage regulations outlined in 16-6-13 of the UDC as amended except that the PUD would permit the maximum height a projecting sign to be 50 feet high rather than the UDC's maximum height limit of 25 feet.

Landscaping: The UDC requires that a minimum of 20% to 25% of a multi-unit dwelling property be landscaped for depending on the existing underlying zone district. The Flood Middle School PUD proposes a minimum of 15% of the property be landscaped (the Planning and Zoning Commission recommended that this be increased to 20% as a condition of approval). Additionally, the UDC requires that a minimum of 70% of the required landscape be "living". The Flood Middle School PUD proposes that a minimum of 50% of the landscape be "living". The PUD will meet the requirements of the UDC in terms of plant quantities and sizes; with 50% of the required trees being located between the building and street.

Screening and Fencing: The PUD proposes an 8 foot high fence/wall between the apartment building and existing residential uses at the northern boundary of Parcel 02. The fence/wall must be consistent with the overall building design. All other screening or fencing must comply with the requirements of the UDC.

Drainage: The proposed Drainage Plan and Preliminary Drainage Report were reviewed and approved by the City's Public Works Department.

City Ditch: The proposed development will require the relocation of the City Ditch and the dedication of associated easements by separate document.

Park Dedication: The UDC requires the dedication of park land or payment of a fee in lieu of dedication for all residential developments. Based on a maximum of 350 multi-unit dwellings, the UDC would require the proposed PUD to dedicate 6.74 acres of park land or payment of a fee in lieu of land dedication.

On September 4, 2012 City Council adopted a fee to be paid in lieu of dedication amount of $20,000 per required acre. Credit towards the dedication requirements for recreational amenities provided on-site by the developer and waivers of all or a portion of the remaining fee-in-lieu may be requested. The applicant has requested and Council has preliminarily agreed to a fee of $57,780 based on a development containing 300 units. Council may deliberate the final fee-in-lieu of dedication amount concurrently or shortly after consideration of the PUD on second reading. This incentive plus others will be by separate written agreement.

The City has received comments from citizens requesting that the existing green space on Parcel 02 be preserved as a park rather than be developed. The Flood Middle School property is owned by the Englewood School District and is not a City of Englewood dedicated park. The citizen comments and replies from the Mayor and Mayor Pro Tem are attached as Exhibits I-O. The Park Master Plan does not recognize this area as being underserved or unserved, and no recommendations were made for developing a park at this location. The Park Master Plan also notes that the acquisition of new park land must be balanced with park development costs and ongoing maintenance costs. Since the Master Plan was adopted, the City has decided to invest in enhancing and improving access to existing parks.

Phasing: The initial demolition of the existing school demolition and environmental remediation will take approximately 3 months. This will be followed by approximately 22 months of new construction for the apartment buildings.

PLANNED UNIT DEVELOPMENT CONSIDERATIONS

The UDC requires that Council shall only approve a proposed PUD, if it finds that the proposed development complies with all applicable use, development, and design standards set forth in this Title that are not otherwise modified or waived according to the rezoning approval; and the proposed rezoning meets one of the following criteria:

a. *That the proposed development will exceed the development quality standards, levels of public amenities, or levels of design innovation otherwise applicable under this Title, and would not be possible or practicable under a standard zone district with conditional uses or with a reasonable number of Zoning Variances or Administrative Adjustments; or*

   The proposed PUD will exceed the development quality standards required by the UDC for residential development as follows:

   - The UDC does not require that the majority of the parking for a residential development be provided in a multi-level structure that is predominantly screened or wrapped by the apartment building. The PUD proposes a parking garage that is effectively hidden from public view.
   - The UDC requires that street-facing building facades be articulated by the use of 3 or more techniques which could include; a change in texture, appropriate window placement, and use exterior trim. The PUD proposes a greater level of building articulation including; a 5 foot minimum building plane change every 45 feet, a mix of pattern and color changes, a minimum 30 percent masonry requirement, and a building transparency requirement at the corner of Broadway and Kenyon.

b. *That the property cannot be developed, or that no reasonable economic use of the property can be achieved, under the existing zoning, even through the use of conditional uses or a reasonable number of Zoning Variances or Administrative Adjustments.*

   The Flood Middle School property has been vacant since the school closed in 2007; shortly thereafter, the Englewood Public School District issued a request for proposals to redevelop the site. Since that time, no viable development proposal has come forward except for the PUD application for the multi-unit residential development currently under consideration. Prior to filing the PUD application, Barbury Holding LLC researched various uses and the market for redeveloping the subject property. Their conclusions regarding various potential use alternatives are summarized as follows:

   - Meetings with professional retail brokers revealed that there was not a strong interest in the site; in part, because the retail market contracted with the recession, and the access to the site is deemed to be undesirable for regional retail. Additionally, there is already an adequate supply available for any neighborhood retail demand.
   - In terms of office, medical office, hospital, and hotel uses; the applicant enlisted help from a medical office consultant, a medical office broker, and hotel developers. They found that there that there was not a significant combination of drivers or demand to make these types of development feasible at this time.
   - The applicant commissioned a preliminary study to evaluate the site for various senior housing options. Their study found that while a portion of the site could be attractive for senior housing, the economics would not reasonably support a viable development.
   - Barbury Holdings enlisted a multi-family residential broker, who found that there was a market for a larger apartment project. The site was then marketed to over 3,000 apartment builders. Through this effort Wood Partners was identified as the preferred builder. In order to make the redevelopment economically feasible, it was determined that the project would require a significantly greater density than the current zoning on the property provides.

In addition to the two Planned Unit Development considerations above; the UDC requires that a property rezoned to PUD must not have a significant negative impact on those properties surrounding the rezoned area and that the general public health, safety and welfare of the community are protected. The Planning and Zoning Commission's Findings of Fact and Conclusions state the following:

- The PUD application is in conformance with the Comprehensive Plan and the Unified Development Code.
- The application is consistent with adopted and generally accepted standards of development in the City.
- The property cannot be developed under the existing zoning.
- The resulting rezoned property will not have a significant negative impact on those properties surrounding the rezoned area and that the general public health, safety and welfare of the community are protected.

FINANCIAL IMPACT

The proposed Flood Middle School redevelopment will generate a one-time building use tax of $600,000 to $700,000 based on a construction cost of $35 to $40 million. If Council concurs with the previously adopted park dedication fee, the project would also generate a one-time park dedication fee-in-lieu of approximately $120,000 based on 310 residential units.

As the site transitions from school property to a private residential development, additional property tax revenues are estimated at $11,000 to $14,000 per year. New residents living in the City will also generate sales tax revenue.

If the incentive request submitted by the developer receives approval, the one-time building use tax would be reduced by $170,000 and the park fee-in-lieu would be reduced by 50%. There are also costs associated with providing services such as police and fire; it is difficult to estimate what these projected costs will be.

LIST OF ATTACHMENTS

Planning Commission Staff Report including Exhibits A – L (September 18, 2012)
Planning Commission Minutes (September 18 and October 2, 2012)
Planning Commission Findings of Fact
Exhibit M: Email from Mr. Forney - Dated September 24, 2012
Exhibit N: Letter from Mrs. McGovern - Dated September 26, 2012
Exhibit O: Email from Mrs. Schell - Dated September 27, 2012
Bill for Ordinance

CITY OF ENGLEWOOD
COMMUNITY DEVELOPMENT

TO: Planning and Zoning Commission
THRU: Alan White, Community Development Director
FROM: Brook Bell, Planner II
DATE: September 18, 2012

SUBJECT: **Case ZON2012-003** - Public Hearing
Flood Middle School Planned Unit Development

Case SUB2012-002 - Public Hearing
Alta Cherry Hills Subdivision

APPLICANT:
Barbury Holdings, LLC.
4725 South Monaco Street, Suite 205
Denver, Colorado 80237

PROPERTY OWNER:
Englewood School District #1
4101 South Bannock Street
Englewood, Colorado 80110

PROPERTY ADDRESS:
3695 South Lincoln Street
PIN#'s: 2077-03-1-08-004 and 2077-03-1-09-006

REQUEST:
The applicant has submitted an application to rezone the parcels above from MU-R-3-B, MU-B-1, and R-2-B Zone Districts to Planned Unit Development (PUD). The proposed PUD would allow a maximum of 350 residential apartment units contained within two buildings. The applicant has also submitted an application for a Major Subdivision for the property contained in the PUD.

RECOMMENDATION:
Case ZON2012-003: The Department of Community Development recommends that the Planning and Zoning Commission review the Flood Middle School PUD request and forward a favorable recommendation for approval to City Council.

Case SUB2012-002: The Community Development Department recommends approval of the Preliminary Plat of the Alta Cherry Hills Subdivision. If the Commission requires no changes from the Preliminary Plat to the Final Plat, staff recommends that the Final Plat be forwarded to Council with a recommendation for approval.

LEGAL DESCRIPTIONS:

PIN#: 2077-03-1-08-004 Lots 6-45 except a 25 Foot x 25 Foot Parcel Deeded for Roadway in Northwest Corner of Block 1 Higgins Broadway Addition.

PIN#: 2077-03-1-09-006 Lots 15-35 Block 2 Higgins Broadway Addition except Alley between Lots 15 & 16.

EXISTING ZONE DISTRICTS:

MU-R-3-B Mixed-Use High Density Residential and Limited Office District, MU-B-1 Mixed-Use Central Business District, and R-2-B Medium Density Single and Multi-Dwelling Unit Residential District.

PROPERTY LOCATION AND SURROUNDING LAND USE:

The subject property of this PUD is located on two parcels (see Sheet 3 and 4 of PUD).

Parcel 01 is located at the northeast corner of South Broadway and East Kenyon Avenue. Land to the north of Parcel 01 is zoned MU-B-1 Mixed-Use Central Business District and contains the US 265/South Broadway interchange and open space. Land to the west of Parcel 01 is zoned MU-B-2 Mixed-Use General Arterial Business District and contains commercial uses. Land to the south of Parcel 01 and west of the alley is zoned MU-B-2 and contains commercial uses. Land south of Parcel 01 and east of the alley is zoned R-2-A and contains low density single and multi-unit dwellings.

Parcel 02 is located at the northeast corner of South Lincoln Street and East Kenyon Avenue. Land to the north of Parcel 02 is zoned MU-R-3-B Mixed-Use High Density Residential and Limited Office District, and contains multi-unit dwellings. Land to the east of Parcel 02 is zoned R-2-B Medium Density Single and Multi-Dwelling Unit Residential District., and contains multi-unit dwellings. Land south of Parcel 02 is zoned R-2-A and contains low density single and multi-unit dwellings.

PUD AND SUBDIVISION PROCEDURE:

Rezoning to a PUD requires the applicant to have a pre-application meeting with staff, a neighborhood meeting with owners and tenants located within 1,000 feet of the proposed PUD. After the neighborhood meeting a formal application is made to the City and reviewed by City departments and other affected outside agencies. A public hearing is held before the Planning and Zoning Commission and City Council. If the PUD is approved there is a 30 day referendum time period before becoming effective.

Since the information required and testimony necessary for both the PUD and Subdivision cases are parallel, the requests are being considered within a single hearing; however, each case will require a separate motion from the Planning Commission.

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

In 2006, Englewood Public School District made the decision to consolidate two middle schools and close the Flood Middle School site. The school then closed in 2007. Subsequently, the district issued a request for proposals to redevelop the Flood Middle School property. In 2011, Barbury Holdings, LLC. came forward with a proposal to purchase the property consisting of two parcels totaling 4.56 acres. Barbury Holdings development proposal included a maximum of 350 residential apartment units contained within two buildings. The property's existing zoning designation would not accommodate the proposed development; therefore, Barbury Holdings began the process of requesting a rezoning to a PUD. A preliminary subdivision plat, based on the PUD, was also submitted.

NEIGHBORHOOD MEETING SUMMARY:
Pursuant to the PUD procedure, the applicant conducted a neighborhood meeting on May 16, 2012, prior to submitting the application for a PUD rezoning on June 4, 2012. Notice of the pre-application meeting was mailed to property owners and occupants of property within 1000 feet of the site. Neighborhood meeting notes are attached to this report (See Exhibit D).

CITY DEPARTMENT AND DIVISION REVIEW:
The Flood Middle School PUD, Alta Cherry Hills Subdivision, and subsequent revisions were reviewed by the City's Development Review Team (DRT) on June 30th, August 10th, and August 30th of 2012. Identified issues were addressed by the applicant and the final Flood Middle School PUD and Alta Cherry Hills Subdivision were submitted on September 7, 2012.

OUTSIDE AGENCY COMMENTS:
Preliminary plans of the proposed Flood Middle School PUD and Alta Cherry Hills Subdivision were referred to Tri-County Health, the Colorado Department of Transportation (CDOT), RTD, Xcel Energy, Century Link, Comcast, and the City's list of trash haulers for review and comment. Tri-County Health, CDOT, Xcel Energy, and Century Link provided written comments that are attached as Exhibits E-H. There were no objections in the comments received provided that the applicant continues working with the agencies' individual processes. If any other formal comments are received before the public hearing, Staff will present them during the hearing. RTD and the trash haulers did not provide comments.

PUD OVERVIEW:
The proposed Flood Middle School PUD would include a maximum of 350 residential apartment units contained within two buildings on Parcels 01 and 02. The majority of the parking would be in a multi-level structure accessed off of South Lincoln Street that would be predominantly screened or wrapped by the apartment building. The Site Plan includes

several courtyards, perimeter landscaping, and minimum 5 foot wide sidewalks. All new and existing utilities within the property and abutting right-of-way would be placed underground.

Architectural Character: The proposed PUD contains Architectural Character standards that require building plane changes every 45 feet, a mix of pattern and color changes, a minimum 30 percent masonry requirement, and a building transparency requirement at the corner of Broadway and Kenyon. It should be noted that the conceptual building footprint shown on the Site Plan and the Conceptual Architecture are subject to change; however, any changes would have to meet the Development Standards and Architectural Character provisions of the PUD.

Permitted Uses: The Flood Middle School property lies within the following existing Zone Districts: MU-R-3-B, MU-B-1, and R-2-B; each of these zone districts has a list of permitted uses, including multi-unit dwellings. The proposed Flood Middle School PUD would allow multi-unit dwellings, surface parking, and parking garage as permitted uses regulated by the standards of the PUD. For all other uses, the proposed PUD would be regulated by the standards and provisions of the MU-R-3-B Zone District.

Dimensional Standards: The following table provides a comparison between the property's existing zone classifications and the proposed PUD.

COMPARISON OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES								
	Min Lot Area (sq ft)	Max FAR	Max Lot Coverage (%)	Min Lot Width (ft)	Max Height (ft)	Minimum Setbacks (ft)		
						Front	Each Side	Rear
R-2-B District (Parcel 02)								
One-Unit Dwelling	6,000	None	40	50	32	25	5	20
Multi-Unit Dwelling (Maximum Units Based on Lot Area & Lot Width)	3,000 per unit	None	60	25 per unit	32	25	5	20
All Other Allowed Uses	24,000	None	60	200	32	25	25	25

COMPARISON OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES								
	Min Lot Area (sq ft)	Max FAR	Max Lot Coverage (%)	Min Lot Width (ft)	Max Height (ft)	Minimum Setbacks (ft)		
						Front	Each Side	Rear
MU-R-3-B District (most of Parcel 01)								
One-Unit Dwelling	6,000	None	40	50	32	15	5	20
Multi-Unit -Dwelling (Maximum Units Based on Lot Area & Lot Width)	2-4 units: 3,000 per unit; Each additional unit over 4 units: 1,000 per unit; for properties over 1 acre: 1,089 per unit or 40 units per acre	None	75	None	2-4 units: 32 More than 4 units: 60	15	2-4 units: 5 More than 4 units: 15	25
Office, Limited	24,000	1.5 (Excluding the area of parking structures)	75	None	60	15	15	25
All Other Allowed Uses	24,000	None	75	None	60	15	15	25
MU-B-1 District (a portion of Parcel 01)								
Live/Work Dwelling	None	None	None	None	100	Max of 0 to 5 feet	0	5
Multi-Unit Dwelling	None	None	None	None	100	Max of 0 to 5 feet	0	5
All Other Allowed Uses	None	None	None	None	100	Max of 0 to 5 feet	0	5
Proposed Flood Middle School PUD								
Multi-Unit Dwelling and Parking Structure	567 per unit or 76.75 units per acre for Parcels 01 and 02 combined	None	Parcel 01: 75 Parcel 02: 80	None	Parcel 01: +/-60-78; Parcel 02: +/-60-78	Varies depending on street frontage: 0 to 10 feet, see PUD		
Surface Parking	None	None	Same as above	None	NA	From Buildings: 0 From Public ROW: 5		

Residential Density: Without rezoning, the existing Zone Districts occupied by the Flood Middle School property would permit the following amount of dwelling units based on minimum lot area and where applicable, lot width:

Zone District	Total Lot Area	Total Lot Width (Frontage)	# of Dwelling Units
R-2-B (Parcel 02)	33,187 SF	250 LF	10
MU-R-3-B (Parcel 02)	33,187 SF	N/A	33
MU-R-3-B (Parcel 01)	119,243 SF	N/A	109
MU-B-1 (Parcel 01)	13,187 SF	N/A	12
Note: MU-B-1 figured at one unit per 1,089 SF		TOTAL	164 Units

The proposed Flood Middle School PUD would permit a maximum of 350 units between Parcels 01 and 02; this represents a density of 76.75 dwelling units per acre.

Setbacks: A setback is the minimum distance a structure must be located from a property line. The proposed PUD's setbacks are as follows:
From Broadway - 0 feet
From Kenyon – 10 feet
From Lincoln – 5 feet
From Sherman – 10 feet
From the northern property lines – 10 feet except where Parcel 02 meets alley - 5 feet

Building Height: The maximum building heights in the PUD are based on United States Geological Survey (USGS) elevations. The maximum building height on Parcel 01 is U.S.G.S. elevation 5,416' (approximately 60' at the south property line, to 78' at the north property line). The maximum building height on Parcel 02 is U.S.G.S. elevation 5,414' (approximately 60' at the south property line to 70' at the north property line).

Bulk Plane: The R-2-B and MU-R-3-B zone districts have a bulk plane that regulates building mass on side lot lines. The bulk plane is figured from the midway point along the side lot line, measured 12' vertically, and then at a 45 degree angle towards the center of the property. The Flood Middle School property is bounded by streets or an alley on all sides except for the eastern half of northern boundary of Parcel 02. The proposed PUD complies with the standard bulk plane on the eastern half of northern boundary of Parcel 02 but excludes the remainder of the side lot lines from the bulk plane requirement.

Parking: The proposed Flood Middle School PUD will follow the parking regulations outlined in 16-6-4 of the Unified Development Code (UDC). These requirements are 1.5 spaces for each studio, 1 bedroom, or 2 bedroom unit; and 2 spaces for each 3 bedroom unit; plus 1 guest space for every 5 units. With the current unit mix, this would amount to approximately 604 required parking spaces. The majority of these spaces would be in the parking structure wrapped by the apartment building. Bicycle parking will be required at a rate of one bicycle space for every two units.

Traffic: A traffic impact study was performed for the proposed Flood Middle School PUD. The traffic study shows an increase in overall traffic volume; however, the development can be accommodated by the existing study area roadways and intersections without modification and without creating significant impacts to the study area through 2030. The traffic impact study was reviewed by the Public Works Traffic Division and CDOT who both concurred with its findings.

Signage: The proposed PUD will follow the signage regulations outlined in 16-6-13 of the UDC as amended except that the PUD would permit the maximum height a projecting sign to be 50 feet high rather than the UDC's maximum height limit of 25 feet.

Landscaping: The UDC requires that a minimum of 25% of the property be landscaped for multi-unit dwellings in the R-2-B and MU-R-3-B zone districts and 20% in the MU-B-1 zone district. The Flood Middle School PUD proposes a minimum of 15% of the property be landscaped. Additionally, the UDC requires that a minimum of 70% of the required landscape be "living" landscape. The Flood Middle School PUD proposes that a minimum of 50% of the landscape be "living". This is due in part to the urban nature of the project that may include specialty paving, plazas, water features, etc. as "non-living" landscape. The PUD will meet the requirements of the UDC in terms of plant quantities and sizes; additionally, 50% of the required trees must be located between the building and street which will result in street trees for the project.

Screening and Fencing: The PUD proposes an 8 foot high fence/wall between the apartment building and existing residential uses at the northern boundary of Parcel 02. The fence/wall must be consistent with the overall building design. All other screening or fencing must comply with the requirements of the UDC.

Drainage: The proposed Drainage Plan and Preliminary Drainage Report were reviewed and approved by the City's Public Works Department.

City Ditch: The existing City Ditch runs through Parcel 01 and the northeast corner of Parcel 02. The proposed development will require the relocation of the City Ditch and the dedication of associated easements by separate document.

Park Dedication: The subdivision regulations of the UDC require the dedication of park land or payment of a fee in lieu of dedication for all residential developments. The UDC provides a method for determining the amount of land to be dedicated based on the number of units and the number of new residents that will be generated. Based on a maximum of 350 multi-unit dwellings, the proposed Flood Middle School PUD would require a park dedication of 6.74 acres of land or payment of a fee in lieu of land dedication.

On September 4, 2012 City Council adopted a fee to be paid in lieu of dedication amount of $20,000 per required acre. Credit towards the dedication requirements for recreational amenities provided on-site by the developer and waivers of all or a portion of the remaining fee-in-lieu may be requested. Requests are considered on a case-by-case basis at the discretion of Council. Council will be considering the final fee-in-lieu of dedication amount concurrently or shortly after approval of the PUD. The applicant has requested and Council has preliminarily agreed to a fee of $57,780 based on a development containing 300 units.

The City has received comments from citizens requesting that the existing green space on Parcel 02 be preserved as a park rather than be developed. The Flood Middle School property is owned by the Englewood School District and is not a City of Englewood dedicated park. The citizen comments and replies from the Mayor and Mayor Pro Tem are attached as Exhibits I-L. The Park Master Plan does not recognize this area as being underserved or unserved, and no recommendations were made for developing a park at this location. The Park Master Plan also notes that the acquisition of new park land must be

balanced with park development costs and ongoing maintenance costs. Since the Master Plan was adopted, the City has decided to invest in enhancing and improving access to existing parks.

Phasing: The initial demolition of the existing school demolition and environmental remediation will take approximately 3 months. This will be followed by approximately 22 months of new construction for the apartment buildings.

PUD SUMMARY:

The proposed Flood Middle School PUD has been reviewed by the City's Development Review Team (DRT) and the appropriate outside agencies. Issues identified by the DRT were addressed by the applicant and there were no objections from the outside agencies provided that the applicant continues working with the agencies' individual processes. The PUD documents are complete and no additional conditions of approval are recommended at this time. Therefore, the Community Development Department recommends that the Planning and Zoning Commission review the Flood Middle School PUD request and forward a favorable recommendation for approval to City Council.

PLANNED UNIT DEVELOPMENT CONSIDERATIONS:

The Planning and Zoning Commission is to review the Flood Middle School PUD request, and following the public hearing, may recommend that the Council approve, deny, or approve the rezoning with conditions. In its review of the application, the Commission's recommendations should include findings on each of the following points:

1. *The application is or is not in conformance with the Comprehensive Plan and this Title (UDC).*

   The Flood Middle School PUD conforms to the Comprehensive Plan strategy of redevelopment. The Comprehensive Plan states, "Englewood residents will benefit from the new opportunities for housing, shopping, and entertainment these new developments will bring to the City". The proposed PUD supports the following Comprehensive Plan Housing Goal #1: "Promote a balance mix of housing opportunities serving the needs of all current and future Englewood citizens."

   Additionally the PUD documents states: "The proposed project addresses the City's 3-part strategy outlined in the 2003 Englewood Comprehensive Plan for Growth and Development in the City; Revitalization, Redevelopment and Reinvention. The abandoned Flood Middle School currently occupies this site. The proposed project will redevelop this site into a vibrant, high quality residential community that fits into the existing mix of uses that surround the site that include a mix of single family, duplex and multi-family residences, as well as commercial/retail uses. This project will revitalize this established neighborhood area and provide a unique housing option for residents in this location. This project takes advantage of existing community infrastructure and transportation options while reinvesting in an existing established neighborhood. The additional residents will take advantage of the

existing retail in the neighborhood and generate tax revenue that will benefit programs and services provided by the City of Englewood."

The increased tax revenue will also benefit other taxing entities, most notably the School District.

2. *The application is or is not consistent with adopted and generally accepted standards of development in the City.*

   The Flood Middle School PUD is consistent with adopted and generally accepted development standards established by the City of Englewood. The application was reviewed by the City's Development Review Team (DRT) and the appropriate outside agencies. All comments were addressed by the applicant.

3. *The application is or is not substantially consistent with the goals, objectives, design guidelines, policies and any other ordinance, law, or requirement of the City.*

   The Flood Middle School PUD is substantially consistent with the goals, objectives, design guidelines, policies, and other ordinances, laws and requirements of the City.

SUBDIVISION SUMMARY:

The proposed Preliminary Plat of the Alta Cherry Hills Subdivision has been reviewed by the City's Development Review Team (DRT) and the appropriate outside agencies. The Alta Cherry Hills Subdivision includes:

- The vacation of alleys on Parcel 01 and 02.
- The vacation of platted lot lines.
- The relocation/dedication of a portion of the east-west leg of the alley on Parcel 02.
- The dedication of public right-of-way on north edge of East Kenyon Avenue.
- The dedication of utility easements on Parcel 02 along South Sherman Street and East Kenyon Avenue.
- A utility easement on Parcel 02 to be vacated by separate document.
- A city ditch easement to be dedicated by separate document.
- A pedestrian access easement to be dedicated by separate document.

Issues identified by the DRT were addressed by the applicant and there were no objections from the outside agencies provided that the applicant continues working with the agencies' individual processes. Therefore, the Community Development Department recommends approval of the Preliminary Plat of the Alta Cherry Hills Subdivision. If the Commission requires no changes from the Preliminary Plat to the Final Plat, staff recommends that the Final Plat be forwarded to Council with a recommendation for approval.

SUBDIVISION CONSIDERATIONS:

When considering a subdivision plat, the Commission must consider the following:

1. The zoning of the property proposed for subdivision, together with the zoning of the areas immediately adjacent thereto.

The proposed Flood Middle School PUD use is multi-unit dwelling with a wrapped parking garage and limited surface parking; these uses are compatible with adjacent City of Englewood R-2-B, MU-R-3-B, and MU-B-1 zone district uses.

2. *The proposed layout of lots and blocks and the proposed dimensions thereof to demonstrate compliance with yard area requirements.*

The proposed lots are compatible with dimensions established by the Flood Middle School PUD.

3. *The availability of all utilities, and the proximity thereof to the area proposed for subdivision.*

Public water and sewer along with electric, gas, and communication utilities are available to the subject property.

4. *Topography and natural features of the land with special reference to flood plains.*

The subject property is not located within an identified flood plain zone.

5. *The continuity of streets and alleys within the area proposed for subdivision, and the design and location of such streets and alleys, with relation to existing streets and alleys, both within and without the area proposed for subdivision, and the Master Street Plan.*

The relocation of a portion of the public alley proposed within this subdivision provides the necessary access to the lots adjacent to the subdivision.

6. *All rights-of-way to be designated and located to facilitate the safe movement of pedestrians and bicyclists.*

Minimum 5 foot wide sidewalks are provided.

7. *All bicycle and pedestrian facilities shall be selected, located and designed in accordance with current City standards.*

No bicycle facilities are required for this proposed subdivision. Sidewalks are provided.

8. *The location of utility and other easements.*

See Preliminary Plat.

9. *The location of, and provision for, public areas, including land reserved for parks, schools and other public uses.*

Council will be considering a final fee-in-lieu of land dedication amount once the PUD process is completed. The easements necessary for public uses and utilities are either dedicated on the subdivision plat or are to be dedicated by separate document.

10. *The method of handling drainage and surface water.*

A drainage study has been completed as part of the proposed Planned Unit Development application. Drainage issues have been addressed and will be monitored in the development permit process.

ATTACHMENTS:

Exhibit A: Flood Middle School PUD
Exhibit B: Preliminary Plat of the Alta Cherry Hills Subdivision
Exhibit C: Final Plat of the Alta Cherry Hills Subdivision
Exhibit D: Neighborhood Meeting Summary – May 16, 2012
Exhibit E: Tri-County Health Department – Letter dated June 28, 2012
Exhibit F: CDOT Region 6 – Letter dated August 31, 2012
Exhibit G: Xcel - Letter dated August 22, 2012
Exhibit H: Century Link – Letters dated July 23 and June 26, 2012
Exhibit I: Email from Mr. Hannen and Mayor's response - Dated August 28, 2012
Exhibit J: Email from Mr. Blomstrom - Dated August 28, 2012
Exhibit K: Email from Mr. Anthony and Mayor Pro Tem's response - Dated August 29, 2012
Exhibit L: Email from Mr. and Mrs. Mears - Dated August 31, 2012

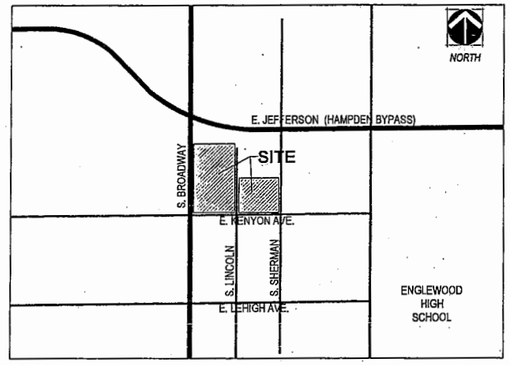
FLOOD MS PLANNED UNIT DEVELOPMENT

ENGLEWOOD, COLORADO

EXHIBIT A

VICINITY MAP

NOT TO SCALE



LEGAL DESCRIPTION

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 6 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,
EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

PROJECT BACKGROUND

THIS PROJECT AT 3650 S. BROADWAY IS COMPRISED OF 2 PARCELS (PARCEL I.D #2077-03-1-08-004 & #2077-03-1-09-008) TOTALING APPROXIMATELY 4.6 ACRES. THE FIRST (WEST) PARCEL (KNOWN HEREIN AS PARCEL 01) IS LOCATED AT THE NORTHEAST CORNER OF S. BROADWAY AND E. KENYON. THE SECOND (EAST) PARCEL (KNOWN HEREIN AS PARCEL 02) IS LOCATED DIRECTLY EAST OF THE WEST PARCEL AT THE NORTHEAST CORNER OF S. LINCOLN AND E. KENYON. PRESENTLY THE WEST PARCEL CONTAINS, THE NOW CLOSED, FLOOD MIDDLE SCHOOL WHICH WILL BE DEMOLISHED AS A PART OF THIS PROPOSED DEVELOPMENT. THE EAST PARCEL IS VACANT. THE CURRENT ZONING OF THE WEST PARCEL IS MU-R-3-B WITH THE NORTHERNMOST MOST PORTION BEING ZONED MU-B-1. THE WEST HALF OF THE EAST PARCEL IS MU-R-3-B AND THE EAST HALF OF THE EAST PARCEL ZONED R-2-B. THIS PUD WILL BRING ALL PARCELS UNDER THE SAME ZONING DESIGNATION AS OUTLINED WITHIN THIS PUD DOCUMENT. THE PLANNED UNIT DEVELOPMENT WILL BE PROCESSED PURSUANT TO THE APPLICABLE CITY REGULATIONS.

CONSTRUCTION/PHASING PLAN

INITIAL DEMOLITION OF THE EXISTING BUILDINGS ON-SITE SHALL TAKE APPROXIMATELY 3 MONTHS. ONCE DEMOLITION IS COMPLETE NEW CONSTRUCTION SHALL TAKE APPROXIMATELY 22 MONTHS. IT IS ANTICIPATED THAT THE FIRST RESIDENTIAL UNITS WILL BE READY FOR OCCUPANCY APPROXIMATELY 12 MONTHS AFTER NEW CONSTRUCTION BEGINS.

PUD DEVELOPMENT SUMMARY

THE APPLICANT PROPOSES TO DEVELOP A MAXIMUM OF 350 RESIDENTIAL 'FOR-RENT' APARTMENT UNITS CONTAINED WITHIN TWO BUILDINGS DEVELOPED ON PARCEL 01 AND PARCEL 02. PARKING SHALL MOSTLY BE PROVIDED IN A PARKING STRUCTURE THAT WILL PREDOMINANTLY BE WRAPPED/SCREENED BY THE APARTMENT BUILDING. VEHICULAR AND BICYCLE PARKING SHALL BE PROVIDED BASED ON MINIMUM CITY CODE REQUIREMENTS. SEVERAL COURTYARD/AMENITY AREAS ARE INCORPORATED INTO THE DESIGN THAT WILL ALSO INCLUDE LANDSCAPING.

THE PROPOSED PROJECT ADDRESSES THE CITY'S 3-PART STRATEGY OUTLINED IN THE 2003 ENGLEWOOD COMPREHENSIVE PLAN FOR GROWTH AND DEVELOPMENT IN THE CITY; REVITALIZATION, REDEVELOPMENT AND REINVENTION. THE ABANDONED FLOOD MIDDLE SCHOOL CURRENTLY OCCUPIES THIS SITE. THE PROPOSED PROJECT WILL REDEVELOP THIS SITE INTO A VIBRANT, HIGH QUALITY RESIDENTIAL COMMUNITY THAT FITS INTO THE EXISTING MIX OF USES THAT SURROUND THE SITE THAT INCLUDE A MIX OF SINGLE FAMILY, DUPLEX AND MULTI-FAMILY RESIDENCES, AS WELL AS COMMERCIAL/RETAIL USES. THIS PROJECT WILL REVITALIZE THIS ESTABLISHED NEIGHBORHOOD AREA AND PROVIDE A UNIQUE HOUSING OPTION FOR RESIDENTS IN THIS LOCATION. THIS PROJECT TAKES ADVANTAGE OF EXISTING COMMUNITY INFRASTRUCTURE AND TRANSPORTATION OPTIONS WHILE REINVESTING IN AN EXISTING ESTABLISHED NEIGHBORHOOD. THE ADDITIONAL RESIDENTS WILL TAKE ADVANTAGE OF THE EXISTING RETAIL IN THE NEIGHBORHOOD AND GENERATE TAX REVENUE THAT WILL BENEFIT PROGRAMS AND SERVICES PROVIDED BY THE CITY OF ENGLEWOOD.

PUD PLAN NOTES

1. THIS PROPERTY DOES NOT LIE WITHIN A 100-YEAR FLOODPLAIN.
2. ALL NEW AND EXISTING UTILITIES WITHIN THE PROPERTY AND ABUTTING RIGHT-OF-WAY SHALL BE PLACED UNDERGROUND.
3. ALL CONCRETE WORK DONE IN THE PUBLIC RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH CONSTRUCTION STANDARDS AND CONCRETE SPECIFICATIONS FOR THE CITY OF ENGLEWOOD, COLORADO.
4. ANY NEW FIRE HYDRANTS SHALL BE TO THE CITY OF ENGLEWOOD REQUIREMENTS.
5. SUBDIVISION OF THE SITE SHALL BE COMPLETED UNDER SEPARATE DOCUMENT.
6. ALL STRUCTURES AND PROJECTIONS (UNLESS OTHERWISE NOTED WITHIN THIS PUD) SHALL BE CONSTRUCTED WITHIN BUILDING ENVELOPES AND BUILDING HEIGHT LIMITS.
7. THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE CITY CODES, REGULATIONS, AND STANDARDS NOT SPECIFICALLY ADDRESSED WITHIN THIS PUD.
8. IN THE EVENT OF A CONFLICT BETWEEN THE SPECIFIC PROVISIONS OF THIS PUD AND TITLE 16, THE SPECIFIC PROVISIONS OF THIS PUD SHALL CONTROL.
9. THE EXISTING CITY DITCH MAY BE REALIGNED AS PART OF FUTURE DEVELOPMENT.

CONTACT LIST

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MKIBBEE@HKSENG.COM

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PROPOSED SITE PLAN	04
PROPOSED UTILITY PLAN	05
PROPOSED DRAINAGE PLAN	06
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SIGNATURE BLOCKS

APPROVED FOR ENGLEWOOD SCHOOL DISTRICT

_____ _____
SIGNATURE DATE

STATE OF COLORADO
COUNTY OF _____
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20___ BY _____, AS _____ OF _____.

MY COMMISSION EXPIRES _____.

_____
NOTARY PUBLIC

_____
ADDRESS

APPROVED FOR THE CITY OF ENGLEWOOD

_____ _____
PLANNING AND ZONING COMMISSION CHAIRPERSON DATE

_____ _____
PLANNING AND ZONING COMMISSION RECORDING SECRETARY DATE

_____ _____
MAYOR OF ENGLEWOOD DATE

ATTESTED
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20___ BY _____, AS _____ OF _____.

_____
CITY CLERK

CLERK AND RECORDER'S OFFICE

THIS PLANNED UNIT DEVELOPMENT IS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, COLORADO AT _____ O'CLOCK, ____. M. THIS_____ DAY OF _____, 20____.
RECEPTION NUMBER _____ BOOK NUMBER _____ PAGE NUMBER_____

_____ _____
CLERK AND RECORDER BY: DEPUTY

SHEET TITLE:
COVER SHEET

SHEET #:
01 of 08

SUBMITTAL: 06/04/12
REVISION #/DATE: #01 07/23/12
REVISION #/DATE: #02 08/20/12
REVISION #/DATE: #03 09/07/12
REVISION #/DATE:
REVISION #/DATE:

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FLOOD MS
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ENGLEWOOD, COLORADO

FLOOD MS PLANNED UNIT DEVELOPMENT

ENGLEWOOD, COLORADO

ARCHITECTURAL CHARACTER

THE ARCHITECTURAL CHARACTER OF THIS DEVELOPMENT SHALL BE URBAN IN CHARACTER AND WILL PROVIDE FOR A PEDESTRIAN SCALE ALONG THE STREET LEVEL. DESIGN SHALL INCLUDE THE FOLLOWING:

a. A MINIMUM OF ONE 5' BUILDING PLANE CHANGE EVERY 45 LINEAR FEET. THIS MAY BE ACCOMPLISHED IN A NUMBER OF WAYS INCLUDING RECESSED BALCONIES OR PORCHES, BUT SHALL NOT INCLUDE CANTILEVERED BALCONIES OR PORCHES. PARKING GARAGES ARE EXCLUDED FROM THIS BUILDING PLANE CHANGE REQUIREMENT.
b. A MINIMUM OF 3 DIFFERENT MATERIAL PATTERNS AND COLOR CHANGES SHALL BE INCORPORATED INTO THE BUILDING DESIGN. IT IS ENCOURAGED THAT THESE MATERIALS ARE DISTRIBUTED AS EVENLY AS POSSIBLE THROUGHOUT THE BUILDING DESIGN. AT LEAST ONE ADDITIONAL COLOR AND/OR MATERIAL WILL BE USED TO DIFFERENTIATE IMPORTANT ARCHITECTURAL ELEMENTS SUCH AS CORNERS, ENTRIES, AND COMMON USE AREAS.
c. AN AVERAGE OF 30% OF THE BUILDING FAÇADE SHALL CONSIST OF MASONRY, WHICH MAY INCLUDE BRICK, STONE, AND/OR CMU. NO ELEVATION FACING A PUBLIC STREET SHALL HAVE LESS THAN 20% MASONRY.
d. STUCCO, STONE, CMU, BRICK, CEMENTITIOUS (INCLUDING JAMES HARDIE & SIMILAR), AND METAL SIDING ARE PERMISSIBLE BUILDING MATERIALS.
e. AT THE CORNER OF S. BROADWAY AND KENYON THE BUILDING FAÇADE SHALL BE 80% TRANSPARENT FOR A HEIGHT OF AT LEAST 20', ACTIVATING THE STREET WITH THE ACTIVITY OF THE AMENITY AREAS WITHIN THE CLUBHOUSE.
f. PREDOMINANT BUILDING ENTRIES SHALL BE CLEARLY DEFINED AND MAY CONSIST OF ELEMENTS SUCH AS; CANOPIES, OVERHANGS, PEAKED ROOFS, ARCHES, AND/OR OUTDOOR AMENITIES (I.E. BENCHES, BOLLARDS, PEDESTRIAN LIGHTS, AND SIMILAR).
g. ROOFS MAY BE SLOPED AND/OR FLAT WITH SLOPED ROOFS RANGING FROM A MINIMUM 4:12 TO A MAXIMUM OF 6:12.

FUTURE DEVELOPMENT SHALL INCORPORATE THE AFOREMENTIONED FEATURES TO CREATE AESTHETICALLY PLEASING BUILDINGS THAT HAVE STRONG ARCHITECTURAL CHARACTER WITH HIGH QUALITY FINISHES.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS

A. GENERAL REGULATIONS: UNLESS OTHERWISE PROVIDED FOR IN THIS PUD OR SUBSEQUENT AMENDMENTS, THE PROVISIONS, STANDARDS, REGULATIONS AND PROCEDURES PERTINENT TO AN APPLICATION FOR THE DEVELOPMENT OF LAND WITHIN THIS PUD ZONE DISTRICT SHALL COMPLY WITH THE MU-R-3-B ZONE DISTRICT OF THE CITY OF ENGLEWOOD AND RELATED ZONING REGULATIONS IN EFFECT AT THE TIME ANY FUTURE APPLICATION IS FILED WITH THE CITY.

B. PERMITTED LAND USES:
1. MULTI UNIT DWELLING (INCLUDING ANCILLARY USES SUCH AS LEASING OFFICE, PRIVATE RECREATION FACILITIES, ETC.)
2. SURFACE PARKING
3. PARKING GARAGE

ACCESSORY USE:
1. HOME OCCUPATION AS DEFINED IN THE UNIFIED DEVELOPMENT CODE (UDC)

PERMITTED ACCESSORY STRUCTURES:
1. POOL EQUIPMENT/MAINTENANCE BUILDING - 1 PERMITTED AT 250 SF EACH
2. TRELLIS - MAXIMUM 3 PERMITTED AT 250 SF EACH
3. GAZEBO - MAXIMUM 3 PERMITTED AT 250 SF EACH

C. UNLISTED USES
PROCEDURES FOR APPROVAL OF USES NOT LISTED IN THE ABOVE PERMITTED USES SHALL BE GOVERNED BY TITLE 16 PROVISIONS FOR UNLISTED USES.

D. DEVELOPMENT STANDARDS
THE FOLLOWING STANDARDS APPLY TO PARCEL 01 AND PARCEL 02 UNLESS OTHERWISE NOTED.
1. MAXIMUM BUILDING HEIGHT:
   a. PARCEL 01 - APPROXIMATELY 60' TO 78' ABOVE GRADE OF ADJACENT RIGHT-OF-WAY (MAXIMUM U.S.G.S ELEVATION OF 5,416')
   b. PARCEL 02 - APPROXIMATELY 60' TO 70' ABOVE GRADE OF ADJACENT RIGHT-OF-WAY (MAXIMUM U.S.G.S ELEVATION OF 5,414')
   c. ANTENNAS, MECHANICAL EQUIPMENT, ELEVATOR PENTHOUSES, CHIMNEYS, AND SIMILAR ARE EXCLUDED FROM THIS LIMITATION.

2. MAXIMUM PERMITTED RESIDENTIAL UNITS:
   a. 76.75 DU/AC OR 350 UNITS (TOTAL COMBINED FOR PARCELS 01 & 02)
   b. PROJECTED UNIT SCHEDULE:
      - 1-BEDROOM - ~65%
      - 2-BEDROOM - ~30%
      - 3-BEDROOM - ~5%

      * NOTE: UNIT SCHEDULE SUBJECT TO CHANGE BASED ON CURRENT MARKET CONDITIONS AT TIME OF CONSTRUCTION. FINAL BREAKDOWN WILL BE PROVIDED AT TIME OF BUILDING PERMIT.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS (CONT.)

3. SETBACKS

BUILDING (INCLUDES PARKING STRUCTURES)	PARCEL 01	PARCEL 02
FROM S. BROADWAY ROW	0'	N/A
FROM E. KENYON ROW	10'	10'
FROM S. LINCOLN ROW	5'	5'
FROM S. SHERMAN ROW	N/A	10'
FROM NORTH BOUNDARY (PARCEL 01)	10'	N/A
FROM NORTH BOUNDARY ADJACENT TO ALLEY	N/A	5'
FROM NORTH BOUNDARY ADJACENT TO EXISTING RESIDENTIAL	N/A	10'
FROM INTERNAL LOT LINE	0'	0'

SURFACE PARKING	PARCEL 01	PARCEL 02
FROM BUILDINGS	0'	0'
FROM PUBLIC ROW	5'	5'

4. BULK STANDARDS:
   a. MAXIMUM LOT COVERAGE: PARCEL 01 - 75%, PARCEL 02 - 80%
   b. BUILD TO LINE - AT LEAST 33% OF THE BUILDING FRONTAGE ALONG S. BROADWAY SHALL BE BUILT NO FURTHER BACK THAN 5' FROM THE PROPERTY LINE.
   c. BUILD TO LINE - NO MORE THAN 33% OF BUILDING WILL BE SETBACK GREATER THAN 25' FROM S. BROADWAY.
   d. STANDARD BULK PLANE REQUIREMENTS AS DEFINED BY THE CITY OF ENGLEWOOD SHALL ONLY APPLY TO THE EASTERN HALF OF THE NORTHERN BOUNDARY OF PARCEL 02, WHERE THE BUILDING IS DIRECTLY ADJACENT TO EXISTING RESIDENTIAL AND NOT THE PORTION OF THE NORTHERN BOUNDARY THAT IS DIRECTLY ADJACENT TO THE ALLEYWAY.

5. PARKING STANDARDS:
   a. PARKING REQUIREMENTS SHALL BE MET PER CITY OF ENGLEWOOD REQUIREMENTS AS SPECIFIED IN SECTION 16-6-4 AND OUTLINED IN TABLE 16-6-4.1 *"MINIMUM OFF-STREET PARKING REQUIREMENTS."*
   b. ADEQUATE AREA FOR SNOW STORAGE SHALL BE PROVIDED ON-SITE AND SHALL BE IDENTIFIED AT TIME OF BUILDING PERMIT.

6. SIGNAGE STANDARDS:
   a. SIGNAGE STANDARDS SHALL MEET STANDARDS AS AMENDED FOR THE MU-B-1 ZONE DISTRICT WITH THE FOLLOWING EXCEPTION:
      a.a. PROJECTING SIGNS ARE PERMITTED A MAXIMUM HEIGHT OF 50' ABOVE GRADE.

7. LANDSCAPE STANDARDS:
   a. A COMPLETE LANDSCAPE PLAN SHALL BE PROVIDED AT TIME OF BUILDING PERMIT.
   b. 15% OF THE TOTAL COMBINED AREA OF PARCELS 01 & 02 IS REQUIRED FOR PUBLIC AND/OR PRIVATE LANDSCAPE AREA. DUE TO ITS URBAN NATURE, UP TO 50% OF THE PROVIDED COURTYARDS/PLAZAS, ENHANCED PAVING WITHIN THE STREETSCAPE ZONE, BUFFER LANDSCAPE ZONE, AND INTERIOR LANDSCAPE ZONES 01 & 02 MAY COUNT TOWARDS THIS REQUIREMENT, THIS INCLUDES IMPROVEMENTS MADE WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, BUT EXCLUDES THE 5' SIDEWALKS ALONG, BROADWAY, KENYON, SHERMAN, AND LINCOLN. A MINIMUM OF 50% OF THE REQUIRED LANDSCAPE SHALL BE LIVING LANDSCAPE.
   c. MINIMUM LANDSCAPE SIZE AND QUANTITIES SHALL BE PROVIDED PER CITY OF ENGLEWOOD REQUIREMENTS.

8. PUBLIC LAND DEDICATIONS REQUIREMENTS:
   a. PARKS, TRAILS, AND OPEN SPACE LAND DEDICATION SHALL BE DETERMINED BY SEPARATE AGREEMENT.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS (CONT.)

9. SCREENING:
   a. A MAXIMUM 8' TALL, FULLY OPAQUE SCREEN WALL/FENCE MAY BE USED ON THE NORTHERN BOUNDARY OF PARCEL 02 TO SCREEN BETWEEN EXISTING AND PROPOSED USES. MATERIALS SHALL BE CONSISTENT WITH THE OVERALL BUILDING DESIGN AND WILL BE DETERMINED AT TIME OF BUILDING PERMIT. LANDSCAPE THAT INCLUDES A MIX OF DECIDUOUS AND EVERGREEN SHRUBS, ORNAMENTAL GRASSES AND/OR PERENNIALS WILL BE INCORPORATED ADJACENT TO THE FENCE WHERE ADEQUATE LANDSCAPE AREA IS PROVIDED. (AREAS MORE THAN 5' AWAY FROM BUILDING FOUNDATION). QUANTITIES SHALL BE PER CITY OF ENGLEWOOD REQUIREMENTS. ALL OTHER PROJECT AREAS MUST MEET SCREENING STANDARDS AS REQUIRED BY THE CITY OF ENGLEWOOD.

10. LIGHTING:
   a. ALL ON-SITE LIGHTING SHALL USE FULL CUT-OFF LIGHT FIXTURES AND NOT EXCEED 0.5 FOOT CANDLES AT THE PROPERTY LINE.

11. MISC. ADDITIONAL STANDARDS:
   a. WASTE AND RECYCLE COLLECTION: ALL FACILITIES FOR WASTE AND RECYCLE COLLECTION WILL BE INTERNAL TO THE BUILDING. NO FACILITIES WILL BE VISIBLE FROM THE PUBLIC WAY OR ADJACENT PROPERTIES. NO STORAGE WILL BE EXTERNAL TO THE BUILDING, EXCEPT FOR TEMPORARY STAGING DURING WASTE AND RECYCLE REMOVAL TIMES.
   b. SIDEWALKS SHALL BE A MINIMUM OF 5' IN WIDTH.

E. MODIFICATIONS
THE FOLLOWING MODIFICATION PROCEDURES ARE CONSISTENT WITH THE PUD MODIFICATION PROCEDURES OF THE CITY OF ENGLEWOOD TITLE 16, ZONING REGULATIONS, AS MODIFIED BELOW:

1. DISTRICT PLAN - THE TERMS, CONDITIONS, THE ADOPTED PUD DISTRICT PLAN AND DOCUMENTS MAY BE CHANGED AND/OR AMENDED IN WHOLE OR IN PART AS FOLLOWS -
   a. MINOR MODIFICATIONS TO THE PUD DISTRICT PLAN: THE CITY MANAGER OR HIS DESIGNEE MAY APPROVE MINOR MODIFICATIONS IN THE LOCATION, SIZING, AND HEIGHT OF STRUCTURES OR FACILITIES IF REQUIRED BY ENGINEERING OR OTHER CIRCUMSTANCES NOT FORESEEN AT THE TIME THE PUD DISTRICT PLAN WAS APPROVED . MINOR MODIFICATIONS SHALL NOT BE PERMITTED IF THE MODIFICATION RESULTS IN ANY OF THE CIRCUMSTANCES LISTED IN E.2.a OF THIS PUD.
   b. MAJOR MODIFICATIONS TO THE PUD DISTRICT PLAN: MAJOR MODIFICATIONS MAY BE MADE TO THE APPROVED PUD DISTRICT PLAN PURSUANT TO THE SAME LIMITATIONS AND REQUIREMENTS BY WHICH SUCH PLANS AND DOCUMENTS WERE ORIGINALLY APPROVED.

2. SITE PLAN -
   a. MINOR MODIFICATIONS TO THE PUD SITE PLAN: THE CITY, THROUGH THE DEVELOPMENT REVIEW TEAM, MAY AUTHORIZE MINOR DEVIATIONS FROM THE PUD SITE PLAN WHEN SUCH DEVIATIONS APPEAR NECESSARY IN LIGHT OF TECHNICAL OR ENGINEERING CONSIDERATIONS. MINOR DEVIATIONS SHALL NOT BE PERMITTED IF ANY OF THE FOLLOWING CIRCUMSTANCES RESULT:
      a.a. A CHANGE IN THE CHARACTER OF THE DEVELOPMENT; OR
      a.b. A CHANGE IN THE PERMITTED LAND USES; OR
      a.c. A CHANGE IN THE GENERAL LOCATION OF LAND USES; OR
      a.d. AN INCREASE IN THE MAXIMUM HEIGHT OF ANY BUILDING OF MORE THAN 5%; OR
      a.e. AN INCREASE IN THE NUMBER OF DWELLING UNITS, OR IN THE RATIO OF THE GROSS FLOOR AREA OF STRUCTURES TO THE LAND AREA, OR INCREASES IN THE PROPOSED GROSS FLOOR AREA WITHIN ANY PARTICULAR LAND USE OF MORE THAN 2%;
      a.f. A REDUCTION IN THE SETBACKS FROM PROPERTY LINES MORE THAN 10%; OR
      a.g. AN INCREASE OF MORE THAN 10%, IN GROUND COVERAGE BY STRUCTURES OR SURFACE PARKING; OR
      a.h. A REDUCTION BY MORE THAN 5% IN THE LAND AREA DESIGNATION FOR LANDSCAPING; OR
      a.i. A REDUCTION IN THE RATIO OF OFF-STREET PARKING AND LOADING SPACE TO GROSS FLOOR AREA OR NUMBER OF DWELLING UNITS.
   b. SITE PLAN AMENDMENTS NOT MEETING THE ABOVE REQUIREMENTS: ALL PUD SITE PLANS APPROVED AND RECORDED MAY ONLY BE AMENDED PURSUANT TO THE SAME PROCEDURE AND SUBJECT TO THE SAME LIMITATION AND REQUIREMENTS BY WHICH SUCH PLANS WERE APPROVED.

SUBMITTAL:	06/04/12
REVISION #/DATE:	#01 07/23/12
REVISION #/DATE:	#02 08/20/12
REVISION #/DATE:	#03 09/07/12
REVISION #/DATE:	
REVISION #/DATE:	

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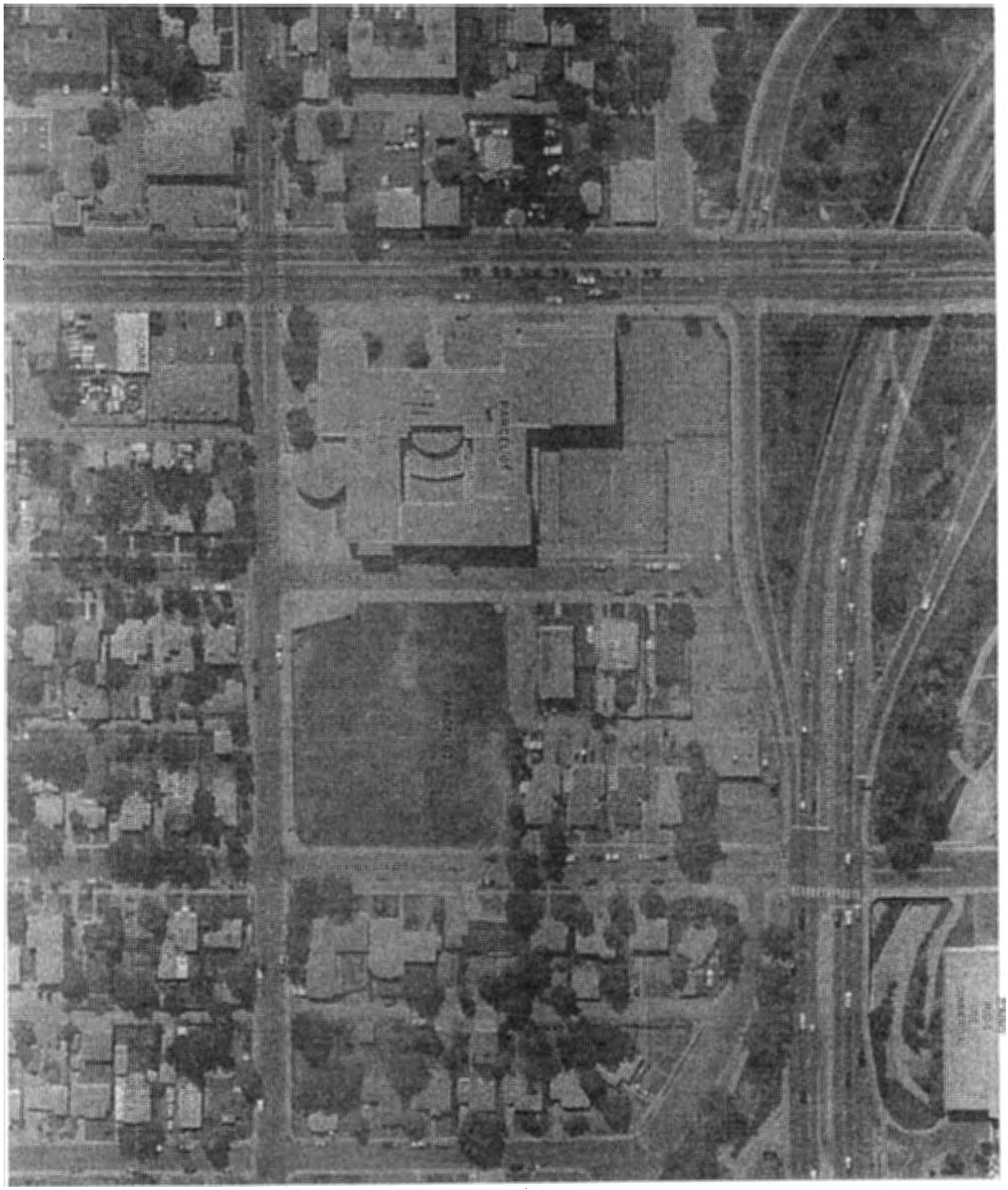
FLOOD MS
PLANNED UNIT DEVELOPMENT
ENGLEWOOD, COLORADO

SHEET TITLE:
DISTRICT PLAN

SHEET #:
02 of 08



ZONING BOUNDARY

NORTH

0 25' 50' 100'

SCALE - 1" = 50'

SHEET TITLE:
EXISTING SITE PLAN

SHEET #:
03 of 08

FLOOD MS

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Denver, CO 80206
ph: 303 592-2904
fx: 303 592-2387
em: ptb@ptbarc.com

SUBMITTAL:	06/04/12
REVISION #/DATE:	#01 07/23/12
REVISION #/DATE:	#02 08/20/12
REVISION #/DATE:	#03 09/07/12
REVISION #/DATE:	
REVISION #/DATE:	

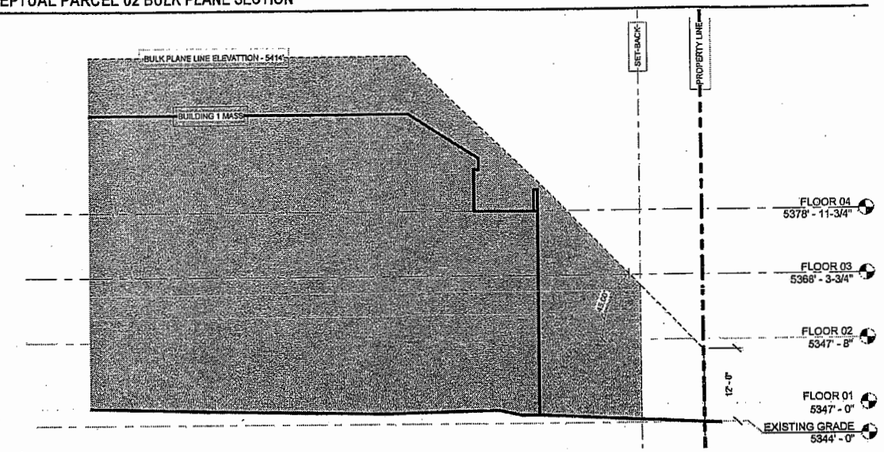
SETBACKS

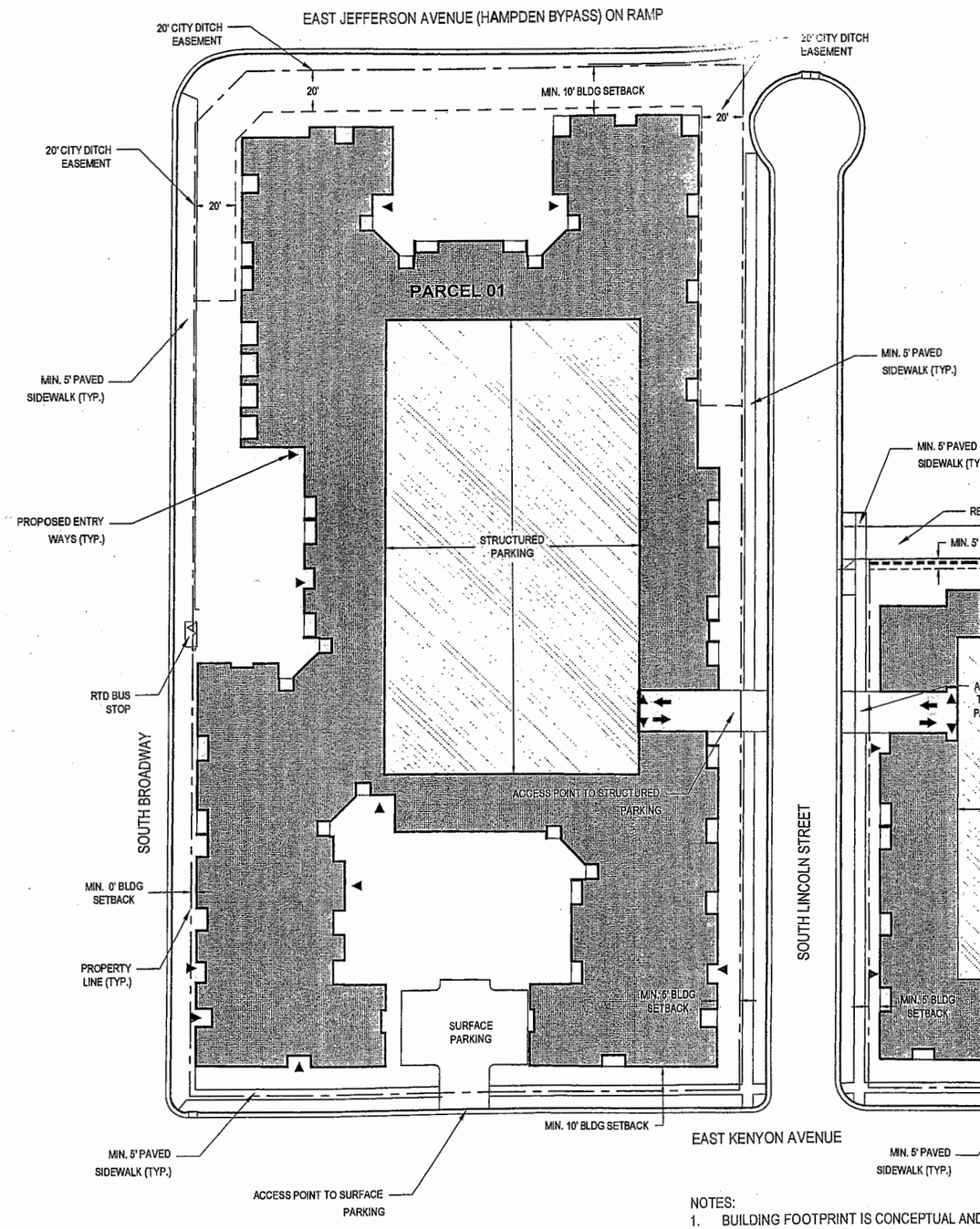
BUILDING (INCLUDES PARKING STRUCTURES)	PARCEL 01	PARCEL 02
FROM S. BROADWAY ROW	0'	N/A
FROM E. KENYON ROW	10'	10'
FROM S. LINCOLN ROW	5'	5'
FROM S. SHERMAN ROW	N/A	10'
FROM NORTH BOUNDARY (PARCEL 01)	10'	N/A
FROM NORTH BOUNDARY ADJACENT TO ALLEY	N/A	5'
FROM NORTH BOUNDARY ADJACENT TO EXISTING RESIDENTIAL	N/A	10'
FROM INTERNAL LOT LINE	0'	0'

SURFACE PARKING	PARCEL 01	PARCEL 02
FROM BUILDINGS	0'	0'
FROM PUBLIC ROW	5'	5'

CONCEPTUAL PARCEL 02 BULK PLANE SECTION

NTS





NORTH

0 15' 30' 60'
SCALE - 1" = 30'

NOTES:
1. BUILDING FOOTPRINT IS CONCEPTUAL AND SUBJECT TO CHANGE.
2. FINAL RTD STOP LOCATION AND THE AMENITIES PROVIDED IN ASSOCIATION, TO BE DETERMINED BY RTD.

SHEET TITLE:
PROPOSED SITE PLAN

SHEET #:
04 of 08

SUBMITTAL:	06/04/12
REVISION #/DATE:	#01 07/23/12
REVISION #/DATE:	#02 08/20/12
REVISION #/DATE:	#03 09/07/12
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REVISION #/DATE:	

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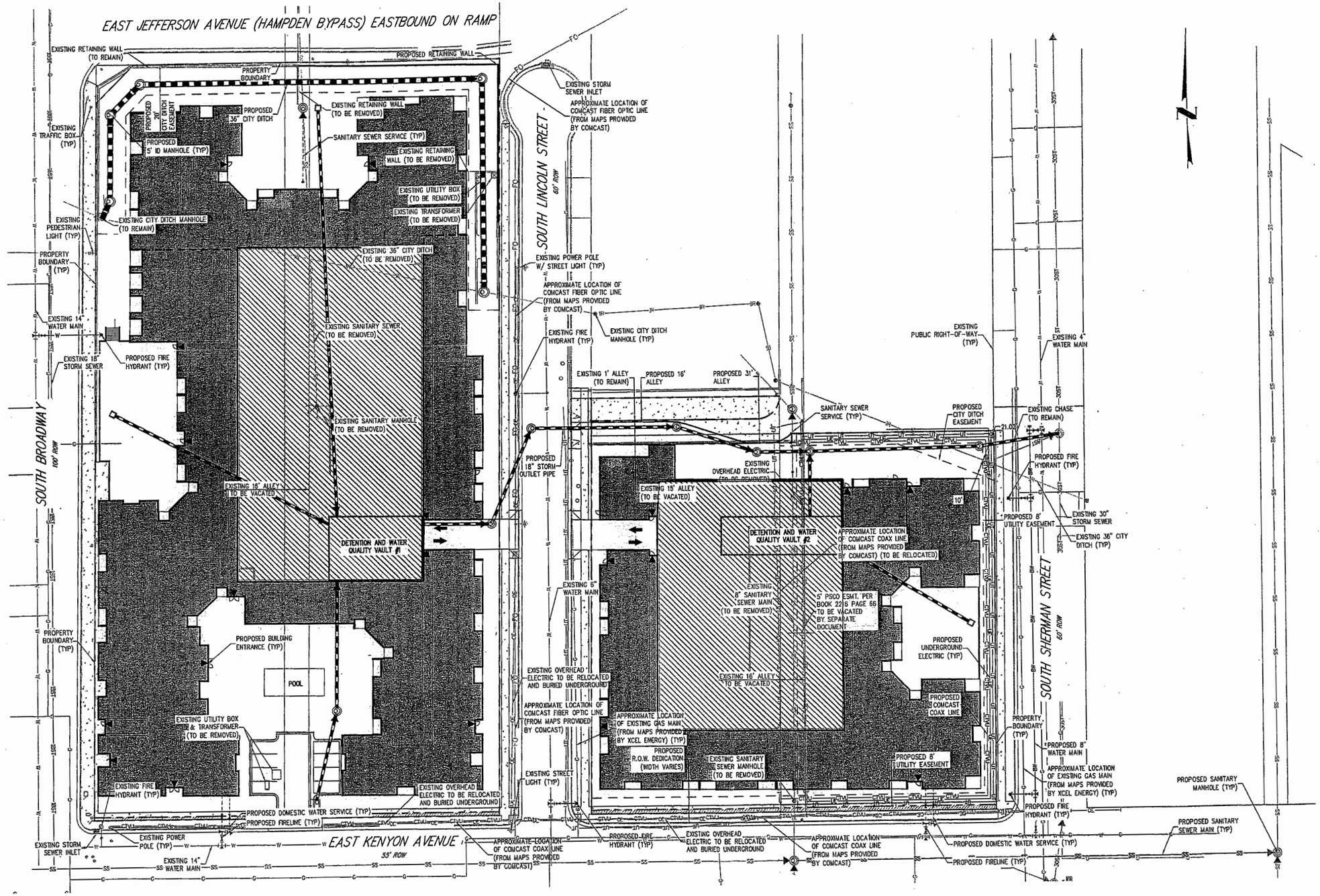

30 0 30 60

SCALE: 1"=30'

NOTES:

1. UTILITY SERVICE LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE DURING THE SITE DESIGN AND CIVIL CONSTRUCTION PLAN PROCESS. FINAL LOCATION TO BE DETERMINED AT TIME OF BUILDING PERMIT.
2. EXISTING UTILITY LOCATIONS ARE APPROXIMATE AND WERE LOCATED FROM UTILITY MAPS.

SHEET TITLE:
PROPOSED UTILITY PLAN

SHEET #:
05 OF 08

SUBMITTAL:	06/04/12
REVISION #/DATE:	#01 07/23/12
REVISION #/DATE:	#02 08/20/12
REVISION #/DATE:	#03 09/07/12
REVISION #/DATE:	
REVISION #/DATE:	

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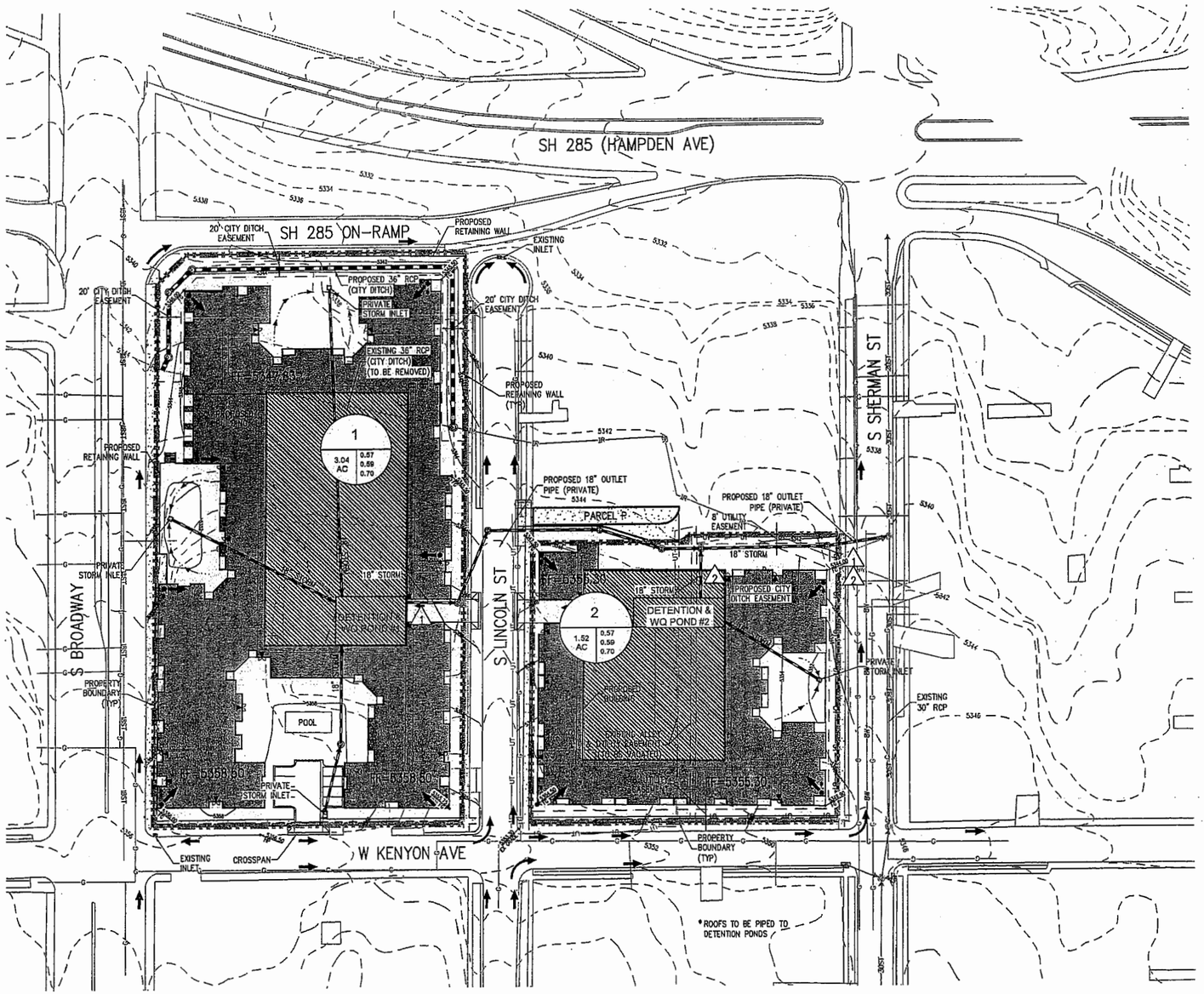
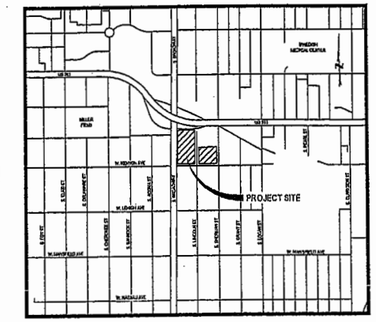
ENGLEWOOD, COLORADO





VICINITY MAP

SCALE: 1"=1000'

LEGEND:

DESIGN POINT

BASIN LIMITS

DRAINAGE FLOW

BASIN DESIGNATION — 1

BASIN AREA IN ACRES — 2.0 AC

0.30 — 2-YR "C" COEFFIENT

0.40 — 5-YR "C" COEFFIENT

0.60 — 100-YR "C" COEFFIENT

RUNOFF SUMMARY								
BASIN	AREA (AC)	IMPERVIOUS (%)	C_2	C_5	C_{100}	Q_2 (cfs)	Q_5 (cfs)	Q_{100} (cfs)
1	3.04	80	0.57	0.59	0.70	4.5	6.6	15.0
2	1.52	80	0.57	0.59	0.70	2.2	3.3	7.4
1+2*	4.56	-	-	-	-	-	0.9**	4.5**

*AFTER DETENTION **ALLOWABLE RELEASE

DETENTION & WQ SUMMARY		
BASIN	1	2
REQ'D 5-YR DETENTION VOLUME	0.20 AC-FT	0.10 AC-FT
REQ'D 100-YR DETENTION VOLUME	0.37 AC-FT	0.18 AC-FT
ALLOWABLE 5-YR DISCHARGE	0.6 CFS	0.3 CFS
ALLOWABLE 100-YR DISCHARGE	3.0 CFS	1.5 CFS
WQ VOLUME (SAND FILTER)	3,271 CUBIC FT	1,620 CUBIC FT

NOTE:

PRIVATE COMBINATION DETENTION/WQ PONDS WILL BE CONSTRUCTED WITHIN THE PARKING GARAGES FOR EACH PARCEL.

BENCHMARK:

NGS BRASS DISK #V 409 IN THE ABUTMENT OF SOUTH BROADWAY BRIDGE AT HAMPDEN AVENUE, ELEVATION=5334.82 NAVD 88.

NOTE: EXISTING CONTOUR INFORMATION SHOWN HEREON WAS PROVIDED BY THE CITY OF ENGLEWOOD. CONTOUR ELEVATIONS SHOWN DO NOT MATCH ELEVATIONS ESTABLISHED USING THE ABOVE BENCHMARK. DATUM AND BENCHMARKS UTILIZED FOR EXISTING CONTOURS ARE UNKNOWN.

SHEET TITLE:
PROPOSED DRAINAGE PLAN

SHEET #:
06 OF 08

SUBMITTAL:	06/04/12
REVISION #/DATE:	#01 07/23/12
REVISION #/DATE:	#02 08/20/12
REVISION #/DATE:	#03 09/07/12
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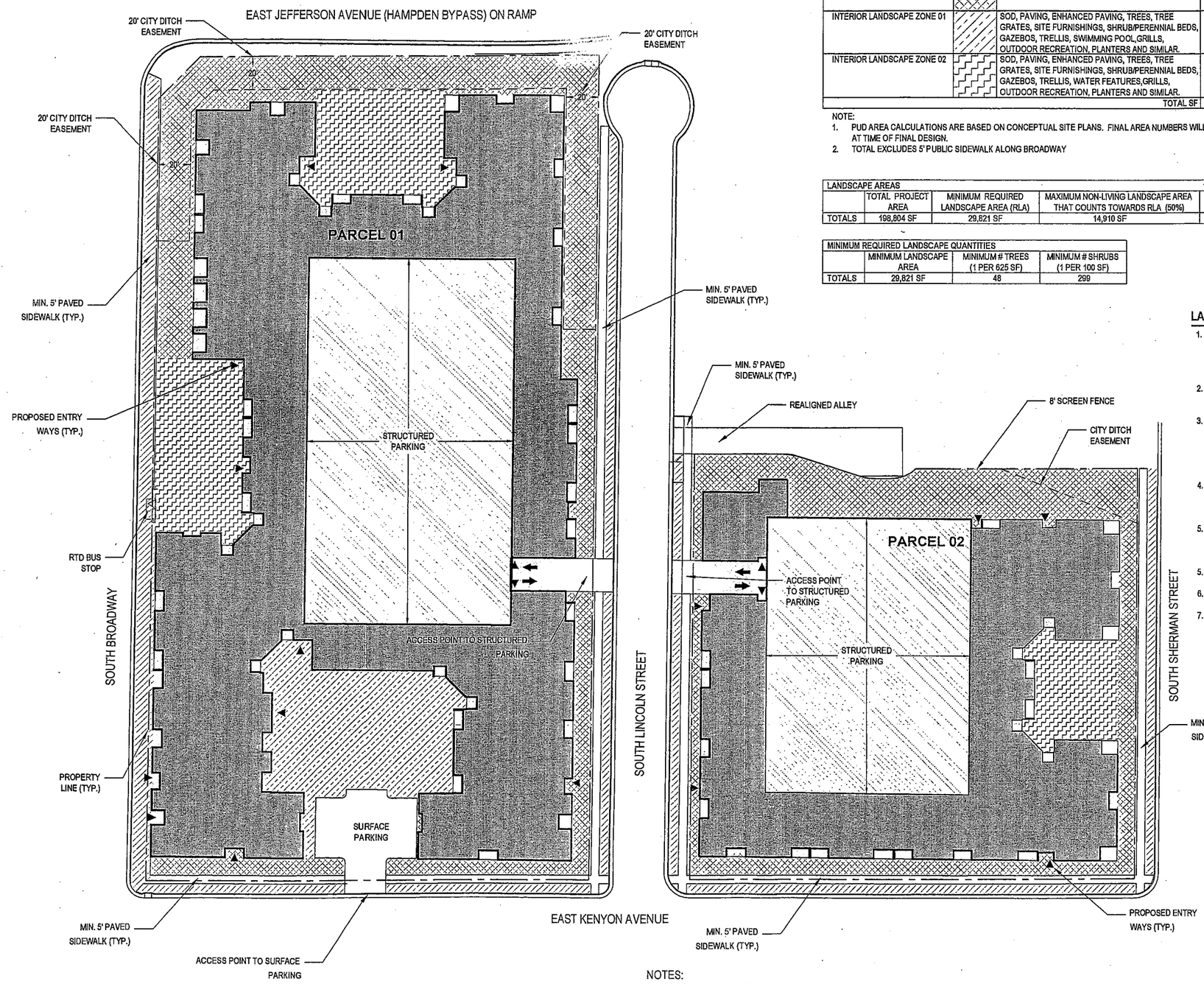

LANDSCAPE LEGEND	SYMBOL	DESCRIPTION (MAY CONTAIN THE FOLLOWING:)	AREA (SF) (1)
STREETSCAPE ZONE		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS AND SIMILAR.	13,614 (2)
BUFFER LANDSCAPE ZONE		SOD, PAVING, ENHANCED PAVING, TREES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS AND SIMILAR.	33,879
INTERIOR LANDSCAPE ZONE 01		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS, GAZEBOS, TRELLIS, SWIMMING POOL,GRILLS, OUTDOOR RECREATION, PLANTERS AND SIMILAR.	9,096
INTERIOR LANDSCAPE ZONE 02		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS, GAZEBOS, TRELLIS, WATER FEATURES,GRILLS, OUTDOOR RECREATION, PLANTERS AND SIMILAR.	14,692
		TOTAL SF	71,281

NOTE:
1. PUD AREA CALCULATIONS ARE BASED ON CONCEPTUAL SITE PLANS. FINAL AREA NUMBERS WILL BE DETERMINED AT TIME OF FINAL DESIGN.
2. TOTAL EXCLUDES 5' PUBLIC SIDEWALK ALONG BROADWAY

LANDSCAPE AREAS					
	TOTAL PROJECT AREA	MINIMUM REQUIRED LANDSCAPE AREA (RLA)	MAXIMUM NON-LIVING LANDSCAPE AREA THAT COUNTS TOWARDS RLA (50%)	MINIMUM LIVING LANDSCAPE AREA	TOTAL PROVIDED LIVING/ NON-LIVING LANDSCAPE AREA
TOTALS	198,804 SF	29,821 SF	14,910 SF	14,910 SF	71,281 SF

MINIMUM REQUIRED LANDSCAPE QUANTITIES			
	MINIMUM LANDSCAPE AREA	MINIMUM # TREES (1 PER 625 SF)	MINIMUM # SHRUBS (1 PER 100 SF)
TOTALS	29,821 SF	48	299

LANDSCAPE PLAN NOTES

1. TOTAL PROVIDED LANDSCAPE AREA CALCULATIONS ARE BASED ON CONCEPTUAL SITE PLANS. FINAL PROVIDED LANDSCAPE AREA NUMBERS WILL BE DETERMINED AT TIME OF FINAL DESIGN. AT NO TIME SHALL LESS THAN 15% OF THE TOTAL AREA BE PROVIDED AS LANDSCAPE AREA AS DEFINED WITHIN THIS PUD.
2. EXACT DESIGN INCLUDING LOCATIONS OF TREES, SHRUBS/PERENNIAL BEDS, PLAZA AREAS, SITE FURNISHINGS, ETC., SHALL BE DETERMINED AT THE TIME OF FINAL DESIGN.
3. FINAL LANDSCAPE QUANTITIES (I.E. NUMBERS OF TREES AND SHRUBS PROVIDED) SHALL BE DETERMINED AT TIME OF FINAL DESIGN AND PROVIDED AT THE RATES AND MINIMUM SIZES AS REQUIRED PER CITY OF ENGLEWOOD CODE. EACH PARCEL SHALL MEET THE REQUIRED LANDSCAPE AREA AND REQUIRED TREE AND SHRUB QUANTITIES BASED UPON IT'S INDIVIDUAL LAND AREA.
4. LANDSCAPE PLANS SHOW PRELIMINARY CONCEPT AND PLANTS MAY BE PLACED ANY PLACE WITHIN BOUNDARY OF PROPERTY WITH THE EXCEPTION THAT A MINIMUM OF 50% OF THE REQUIRED TREES SHALL BE LOCATED WITHIN THE STREETSCAPE AND/OR BUFFER LANDSCAPE ZONES.
5. PLANTS SHALL BE USED THAT ARE WELL ADAPTED TO COLORADO'S CLIMATE. THE USE OF NATIVE, DROUGHT-TOLERANT PLANT MATERIALS IS ENCOURAGED. IT IS ENCOURAGED TO USE TREES AS RECOMMENDED BY THE CITY OF ENGLEWOOD LANDSCAPE MANUAL.
5. PROHIBITED TREES AS DEFINED BY THE CITY OF ENGLEWOOD SHALL NOT BE USED.
6. ALL LIVING LANDSCAPE AREAS SHALL BE IRRIGATED BY 100% AUTOMATIC UNDERGROUND SPRAY AND DRIP SYSTEM.
7. TREES LOCATED WITHIN THE STREETSCAPE ZONE SHALL BE SPACED A MINIMUM OF 30' APART.

NORTH

0 15' 30' 60'
SCALE - 1" = 30'

NOTES:
1. BUILDING FOOTPRINT IS CONCEPTUAL AND SUBJECT TO CHANGE.
2. FINAL RTD STOP LOCATION AND THE AMENITIES PROVIDED IN ASSOCIATION, TO BE DETERMINED BY RTD.

SHEET TITLE:
CONCEPTUAL LANDSCAPE PLAN

SHEET #:
07 of 08

SUBMITTAL: 06/04/12
REVISION #/DATE: #01 07/23/12
REVISION #/DATE: #02 08/20/12
REVISION #/DATE: #03 09/07/12
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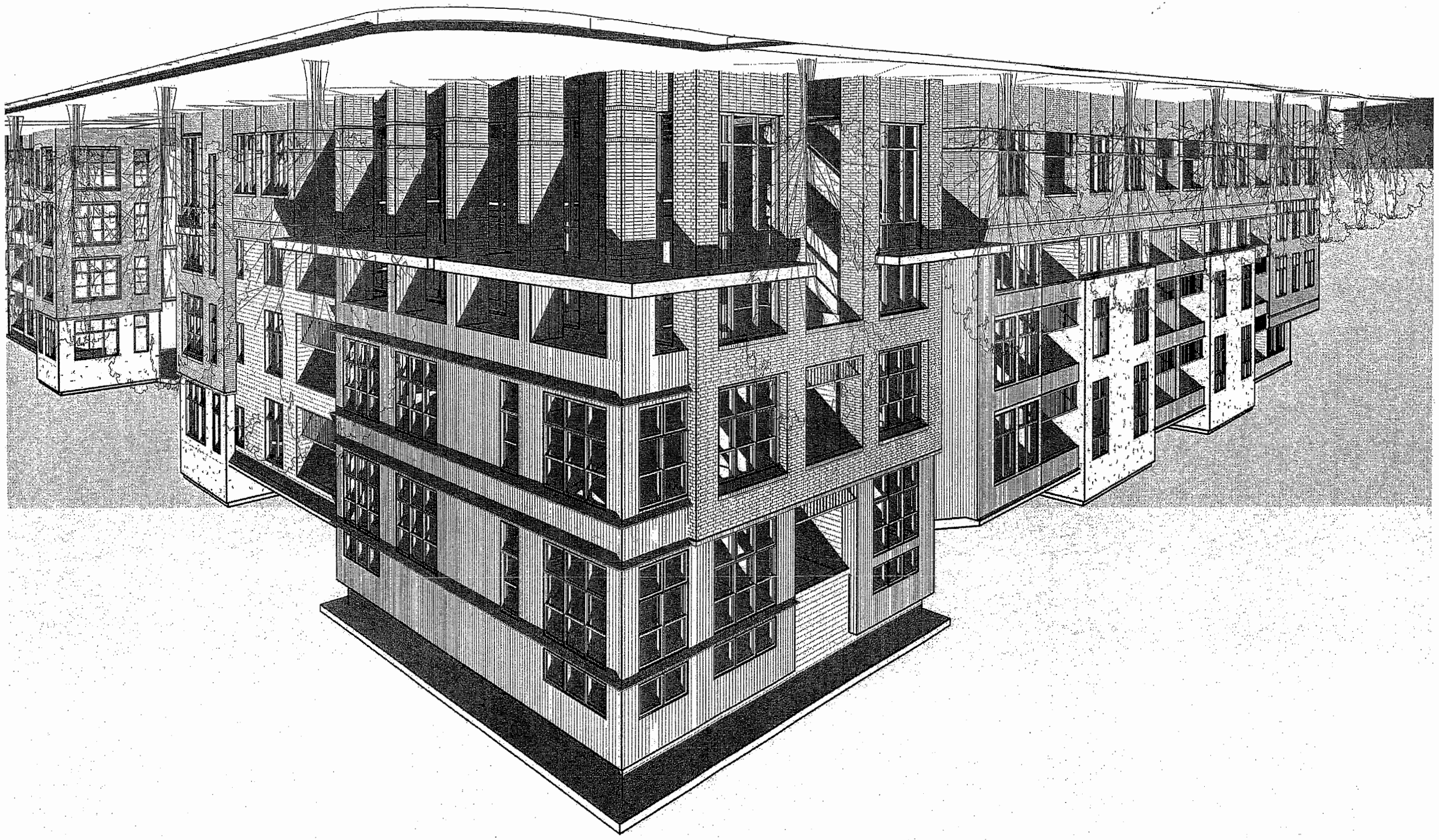
NOTE: THIS ARCHITECTURAL DEPICTION IS CONCEPTUAL AND SUBJECT TO CHANGE.

NOT TO SCALE



SHEET TITLE:
CONCEPTUAL ARCHITECTURE

SHEET #:
08 of 08

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REVISION #/DATE:	

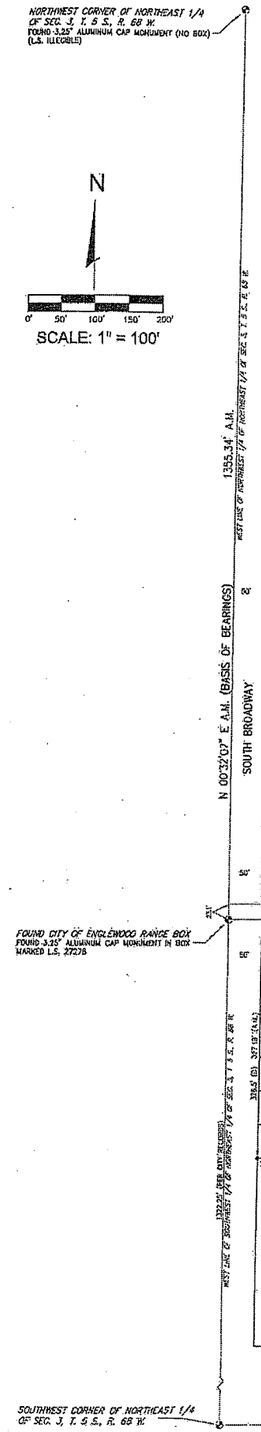
ALTA / ACSM LAND TITLE SURVEY

PART OF

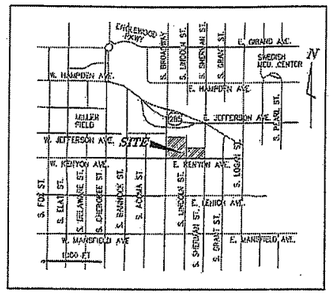
THE NORTHEAST 1 / 4 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST, OF THE 6TH. P.M.

BEING ALSO A PART OF

BLOCKS 1 AND 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO



CONTROL DETAIL



VICINITY MAP

LEGEND

- INDICATES SUBJECT PROPERTY LINE.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES A LAND LINE

NOTES

1.) THIS ALTA/ACSM LAND TITLE SURVEY IS A RESURVEY OF A PORTION OF BLOCK 1 AND A PORTION OF BLOCK 2, HIGGINS BROADWAY ADDITION, AS RECORDED AT THE CLERK AND RECORDER IN THE COUNTY OF ARAPAHOE ON THE 3RD DAY OF APRIL, 1917.

2.) ALTHOUGH EVERY EFFORT WAS MADE TO ACCURATELY LOCATE ALL INDICATION OF ABOVE GROUND UTILITY LINES AND ALL UTILITY EASEMENTS, THE LOCATION MUST BE VERIFIED PRIOR TO ANY DIGGING OR CONSTRUCTION.

3.) COLORADO STATE LAW CRS 9-1.5-101 STATES THAT EVERYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY RIGHT-OF-WAY, OR UTILITY EASEMENT TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, TWO (2) BUSINESS DAYS BEFORE YOU DIG -- CALL 1-800-922-1987 OR 534-6700 IN METRO DENVER TO LOCATE BURIED LINES.

4.) ALL BEARINGS AND DISTANCES SHOWN ARE ACTUAL MEASUREMENTS UNLESS OTHERWISE NOTED.

5.) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY COLORADO ENGINEERING AND SURVEYING, INC. TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.
FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY AND TITLE OF RECORD WE RELIED UPON TITLE COMMITMENT NO. 1482108
EFFECTIVE DATE: JUNE 30TH, 2011 AT 7:30 A.M.
BY: CHICAGO TITLE OF COLORADO, INC.

6.) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

7.) DATE OF FIELD WORK: 6 - 28 - 2011

8.) ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON A DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE CERTIFICATION SHOWN HEREON.

9.) THERE ARE 17 PAINTED (STRIPED) PARKING SPACES ON SUBJECT PROPERTY, NONE OF WHICH ARE DESIGNATED AS HANDICAP PARKING SPACES.

10.) LINEAL MEASUREMENTS SHOWN AND STATED HEREON ARE IN U. S. SURVEY FEET.

11.) THE NORTHERLY AND SOUTHERLY RIGHT OF WAY LINES FOR E. KENYON AVE. WERE ESTABLISHED BY ANALYSIS AND BREAKDOWN OF EXISTING SURVEY CONTROL POINTS WITHIN THE ADJACENT SUBDIVISIONS.

12.) THE LOCATION OF THE CITY DITCH AS SHOWN HEREON WAS DETERMINED BY THE MAP OF THE CITY DITCH, DATED SEPTEMBER 24TH, 2010 AND BY SURFACE LOCATIONS OF THE CITY DITCH MANHOLES.
NOTE ON MAP DATED SEPTEMBER 24TH, 2010 STATES:
"NOTE: THIS MAP BOOK ILLUSTRATES THE ENGLEWOOD CITY DITCH PATH FROM HARVARD GULCH TO THE HEAD GATE AT CHATFIELD DAM. THE GENERAL LINE OF THE DITCH IS DERIVED AND DIGITIZED FROM CITY DITCH AS BUILTS DATED MARCH 7, 1939. PRECISE POINT LOCATIONS ALONG THE ENGLEWOOD CITY DITCH WERE OBTAINED BY GPS SURVEY JUNE-SEPTEMBER OF 2010."
REVISED LOCATION OF DITCH 7-2-2012 PER INFORMATION SUPPLIED BY THE CLIENT

NOTE: EXISTING MONUMENTS AND TIES THERETO CORRESPOND WITH THE CITY OF ENGLEWOOD BREAKDOWN MAP DATED SEPT., 1980, PREPARED BY GINGERY & ASSOC. JOB # D-1633.001, SHEET 7 OF 13, AND SHOWN HEREON AS REFERENCE ONLY.

BASIS OF BEARINGS

THE WEST LINE OF THE NORTHWEST 1/4 OF NORTHEAST 1/4 OF SEC. 3, T. 5 S., R. 68 W. ASSUMED A BEARING OF N00°32'07"E BETWEEN THE FOUND MONUMENTS AS SHOWN.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT FLOOD INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

MAPS ARE DATED DECEMBER 17TH., 2010
COMMUNITY NO. 085074
PANEL NO. 0163K
ZONE: "X"

SURVEYORS CERTIFICATION

TO: SCHOOL DISTRICT NO. 1, COUNTY OF ARAPAHOE, STATE OF COLORADO, A QUASI-MUNICIPAL CORPORATION AND CHICAGO TITLE OF COLORADO, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, 9, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 28TH, 2011.

DATE SIGNED

RONALD W. FLANAGAN RPLS 26958

LEGAL DESCRIPTION

PER TITLE COMMITMENT NO. 1482108 (SEE NOTE NO. 5):

PARCEL A:

LOTS 13 THROUGH 19, INCLUSIVE, AND 28 THROUGH 36, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO

PARCEL B:

LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL C:

LOTS 10, 11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL D:

LOTS 6 THROUGH 9, INCLUSIVE, AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROAD WAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO IN DEED RECORDED JULY 21, 1970 IN BOOK 1876 AT PAGE 110.

PARCEL E:

THE ALLEYWAY IN BLOCK 1 ADJOINING LOTS 6 THROUGH 45, INCLUSIVE, HIGGINS BROADWAY ADDITION, AS SHOWN ON THE PLAT THEREOF RECORDED APRIL 3, 1917 UNDER RECEPTION NO. 44923, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL F:

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL G:

LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL H:

LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL I:

THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL J:

LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL K:

THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL L:

LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL M:

LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL N:

LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL O:

LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL P:

LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 396.

PARCEL Q:

THE ALLEYWAY IN BLOCK 2 ADJOINING LOTS 15 THROUGH 35, INCLUSIVE, HIGGINS BROADWAY ADDITION, EXCEPT THAT PORTION OF WEST HALF OF ALLEY ADJACENT TO LOTS 15 AND 16 CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 396.

PROPERTY ADDRESS:
3650 SOUTH BROADWAY - ARAPAHOE COUNTY PARCEL I.D. #2077-03-1-08-004
3600 SOUTH LINCOLN STREET - ARAPAHOE COUNTY PARCEL I.D. #2077-03-1-09-006

TOTAL AREA OF SUBJECT PROPERTY IS 200,693 SQUARE FEET OR 4.6073 ACRES.

REVISED 7-2-2012 FOR CITY DITCH & EASEMENT

ALTA / ACSM LAND TITLE SURVEY

PART OF

THE NORTHEAST 1 / 4 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST, OF THE 6TH. P.M.

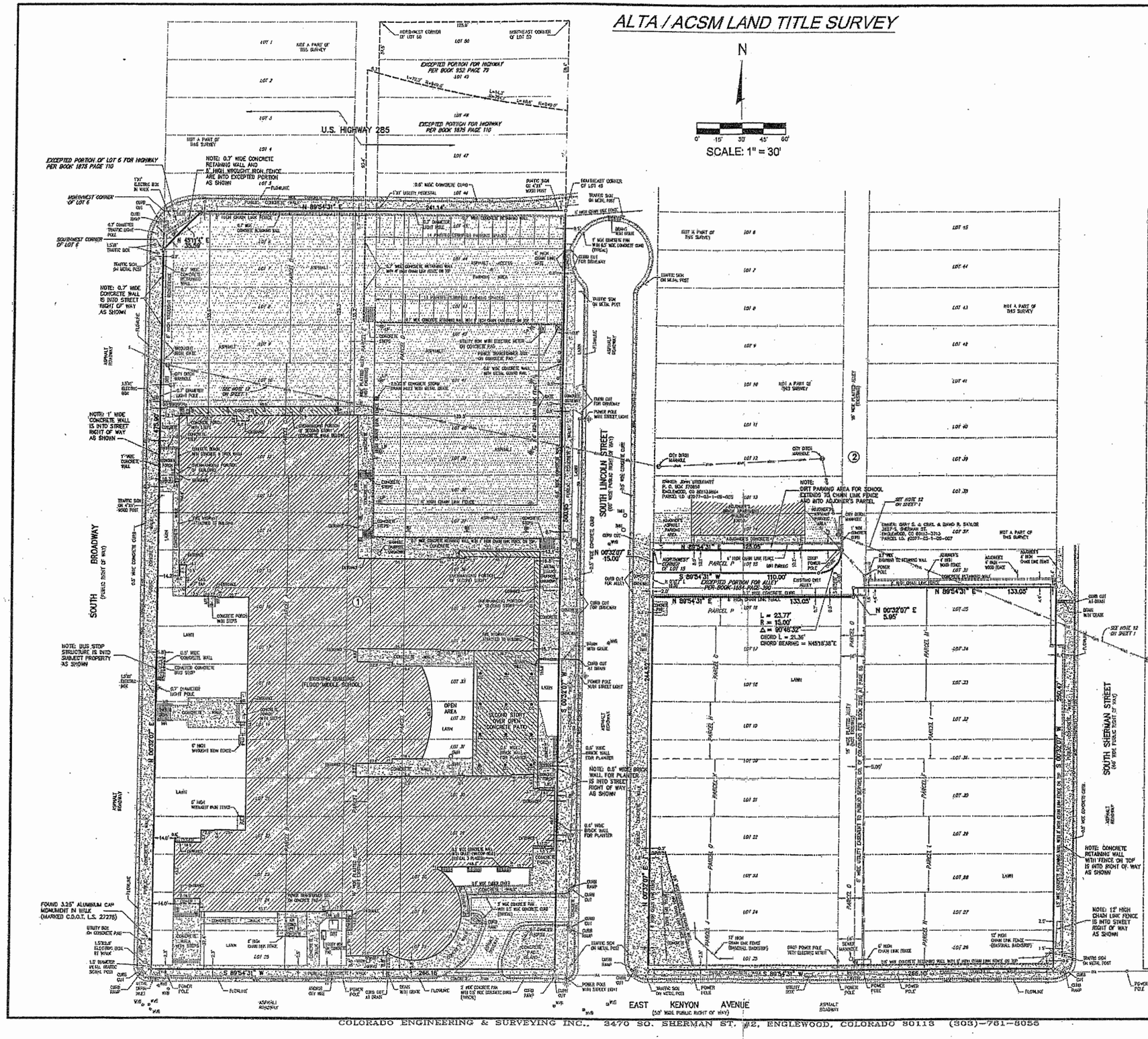
BEING ALSO A PART OF

BLOCKS 1 AND 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO

N

0' 15' 30' 45' 60'

SCALE: 1" = 30'



LEGEND

- INDICATES SUBJECT PROPERTY LINE.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES A LAND LINE
- INDICATES AN EXCEPTED PORTION WHICH IS NOT INCLUDED IN SUBJECT PROPERTY
- INDICATES OVERHEAD UTILITY LINES.
- INDICATES UNDERGROUND LOCATION OF ENGLEWOOD CITY DITCH (SEE NOTE 12 ON SHEET 1)
- INDICATES CENTERLINE OF 8' HIGH CHAIN LINK FENCE
- INDICATES CENTERLINE OF 4' HIGH CHAIN LINK FENCE
- INDICATES CENTERLINE OF 6' HIGH WROUGHT IRON FENCE
- INDICATES CENTERLINE OF 12' HIGH CHAIN LINK FENCE
- INDICATES FOUND EXISTING SURVEY MONUMENT AS STATED HEREON.
- INDICATES RECOVERED #5 REBAR 18" LONG WITH A RED PLASTIC CAP MARKED L.S. 26958
- INDICATES RECOVERED P.K. NAIL & WASHER TAG IN CONCRETE CURB MARKED L.S. 26958
- INDICATES RECOVERED CHISELED "+" WITH NAIL AND BRASS TAG IN CONCRETE MARKED L.S. 26958
- 0.7' DIAMETER LIGHT POLE WITH 1.0' DIAMETER CONCRETE BASE
- 0.8'X0.8' SUPPORTING I-BEAM COLUMN FOR OVERHANGING SECOND STORY OF BUILDING
- 1.5' DIAMETER SUPPORTING CONCRETE COLUMN FOR OVERHANGING SECOND STORY OF BUILDING
- 0.2' WIDE METAL RAILING FOR STEPS
- 2.3'X2.3 AIR CONDITIONER UNIT FOR OVERHANGING SECOND STORY OF BUILDING
- SIGN AT BUS STOP
- BENCH AT BUS STOP
- 2' DIAMETER TRASH BIN
- SEWER MANHOLE
- WATER VALVE BOX
- FIRE HYDRANT
- WATER MANHOLE
- METAL BOX (PURPOSE UNKNOWN)
- 0.3' DIAMETER METAL GUARD POST
- ELECTRIC METER
- TELEPHONE MANHOLE
- BASKET BALL BOARD ATTACHED TO FENCE OR WALL
- (1) CITY DITCH MANHOLE
- (D) DISTANCE PER DEED
- (A.M.) AS MEASURED DISTANCE

REVISED 7-2-2012 FOR CITY DITCH & EASEMENT

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

EXHIBIT B

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED WARRANTS THAT IT IS THE OWNER OF A PARCEL OF LAND LOCATED IN THE OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ALSO BEING PART OF CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 6 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

THE UNDERSIGNED OWNER HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF "ALTA CHERRY HILLS SUBDIVISION", AND DOES HEREBY DEDICATE TO THE PUBLIC ALL RIGHT-OF-WAYS AND EASEMENTS FOR THE PURPOSES SHOWN HEREON.

EXECUTED THIS_____DAY OF _____, A.D. 20__

OWNER _____
BY_____ AS _____
FOR SCHDOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

NOTARY PUBLIC

STATE OF COLORADO }
COUNTY OF ARAPAHOE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS___DAY OF_____, 20__ BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION
WITNESS MY HAND AND SEAL
MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

_____
_____
ADDRESS

APPROVALS

RECOMMENDED FOR APPROVAL BY THE CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

_____ _____
CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION DATE

ATTEST:

_____ _____
RECORDING SECRETARY OF THE PLANNING AND ZONING COMMISSION DATE

APPROVED BY THE CITY COUNCIL BY ORDINANCE NO._____, SERIES OF 20__.

_____ _____
MAYOR OF THE CITY OF ENGLEWOOD DATE

ATTEST:

_____ _____
CITY CLERK DATE

CLERK AND RECORDS CERTIFICATION

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO. AT_____O'CLOCK ___.M., ON THIS_____DAY OF _____;A.D., 20__; RECEPTION NO._____, BOOK NO. _____
PAGE NO(S)._____.

BY:_____ BY:_____
CLERK AND RECORDER DEPUTY

BENCHMARK

NGS BRASS DISK #V 409 IN THE ABUTMENT OF SOUTH BROADWAY BRIDGE AT HAMPDEN AVENUE, ELEVATION=5334.82 NAVD 88.

NOTE: EXISTING CONTOUR INFORMATION SHOWN HEREON WAS PROVIDED BY THE CITY OF ENGLEWOOD. CONTOUR ELEVATIONS SHOWN DO NOT MATCH ELEVATIONS ESTABLISHED USING THE ABOVE BENCHMARK. DATUM AND BENCHMARKS UTILIZED FOR EXISTING CONTOURS ARE UNKNOWN.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°31'50" EAST.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT FLOOD INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

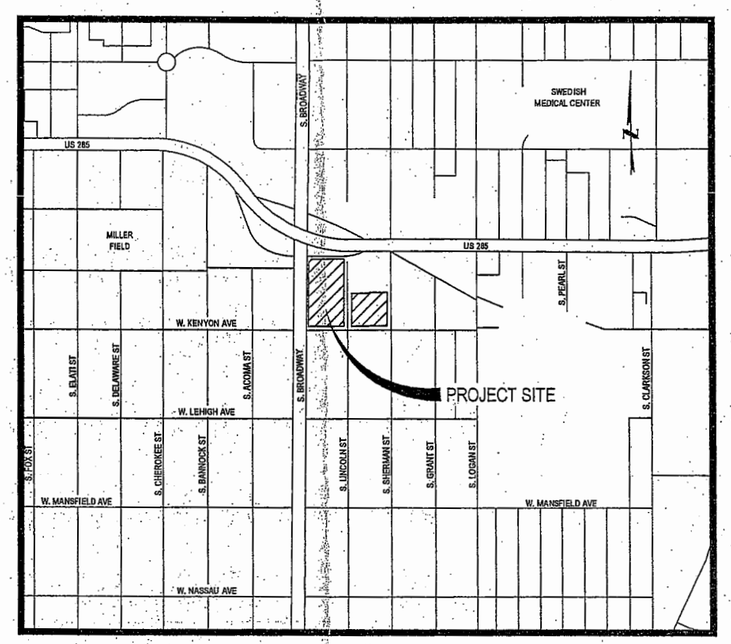
MAPS ARE DATED DECEMBER 17, 2010
COMMUNITY NO. 085074
PANEL NO. 0163K

LEGEND

- INDICATES SUBJECT PROPERTY LINE AS SHOWN.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES OFFSET LINE AS STATED.
- INDICATES CENTERLINE OF R.O.W. AS SHOWN.
- INDICATES A LAND LINE AS STATED HEREON.
- INDICATES EASEMENT LINE.
- INDICATES BOUNDARY OF AN EXCEPTED PORTION.
- FOUND CONC. NAIL WITH BRASS TAG PLS 26958 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
- SET #5x24" REBAR WITH BLUE PLASTIC CAP PLS 38162

STANDARD NOTES

1. DATE OF FIELD WORK: JUNE 28, 2011
2. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN. IT IS PART OF A SUBDIVISION PLAT OF "HIGGINS BROADWAY ADDITION" FILED WITH THE CLERK AND RECORDER OF ARAPAHOE COUNTY ON THE 3RD DAY OF APRIL, 1917 A.D. RECORDED IN PLAT BOOK 3, PAGE 23, RECEPTION NO. 44923.
3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. COLORADO STATE LAW CRS 9-1.5-101 STATES THAT ANYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY, RIGHT-OF-WAY, OR UTILITY EASEMENT IS TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, THREE (3) BUSINESS DAYS BEFORE YOU DIG. CALL 811 OR 303-534-6700 IN THE METRO DENVER AREA TO LOCATE BURIED LINES.
5. THE LINEAR UNITS FOR THIS PLAT ARE U.S. SURVEY FEET.
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. NCS-542989-HOU1 ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF MAY 1, 2012 AT 5:00 P.M.
7. MINIMUM EIGHT-FOOT (8') WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON. THESE EASEMENTS ARE DEDICATED TO THE CITY OF ENGLEWOOD FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEROF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS (PSCo) RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCo AN EASEMENT ON ITS STANDARD FORM.



VICINITY MAP
SCALE: 1" = 500'

Sheet Index

1 COVER SHEET
2 SITE PLAN - EXISTING & PROPOSED CONDITIONS
3 SITE PLAN - EXISTING CONDITION
4 SITE PLAN - PROPOSED CONDITION

SURVEYORS CERTIFICATION

I, AARON MURPHY, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY OF THE ALTA CHERRY HILLS SUBDIVISION, WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS THE SURVEY THEREOF.

AARON MURPHY LICENSE NUMBER 38162 DATE SIGNED
FOR AND ON BEHALF OF
HARRIS KOCHER SMITH
1391 SPEER BLVD, SUITE 390
DENVER, CO 80204

LAND PLANNER:
NORRIS DESIGN
Planning | Landscape Architecture
1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

CIVIL ENGINEER:
HARRIS KOCHER SMITH
engineers • land surveyors
1391 Speer Blvd., Suite 390
Denver, Colorado 80204
Phone (303) 623-6300
Fax (303) 623-5311

COVER SHEET
SHEET 1

ALTA CHERRY HILLS SUBDIVISION

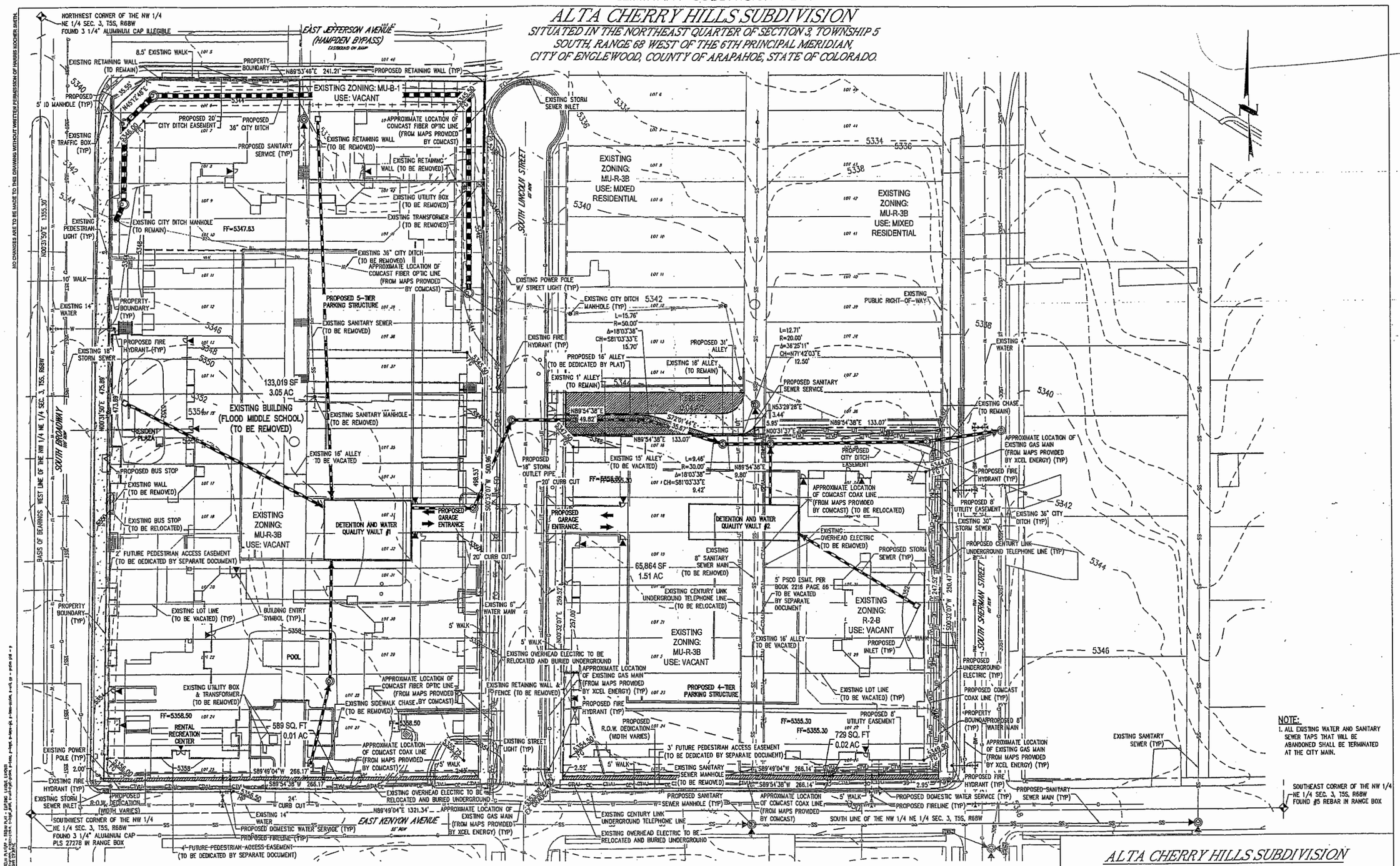
3650 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



NOTE:
1. ALL EXISTING WATER AND SANITARY SEWER TAPS THAT WILL BE ABANDONED SHALL BE TERMINATED AT THE CITY MAIN.

SITE PLAN - EXISTING & PROPOSED CONDITIONS

SHEET 2

ALTA CHERRY HILLS SUBDIVISION

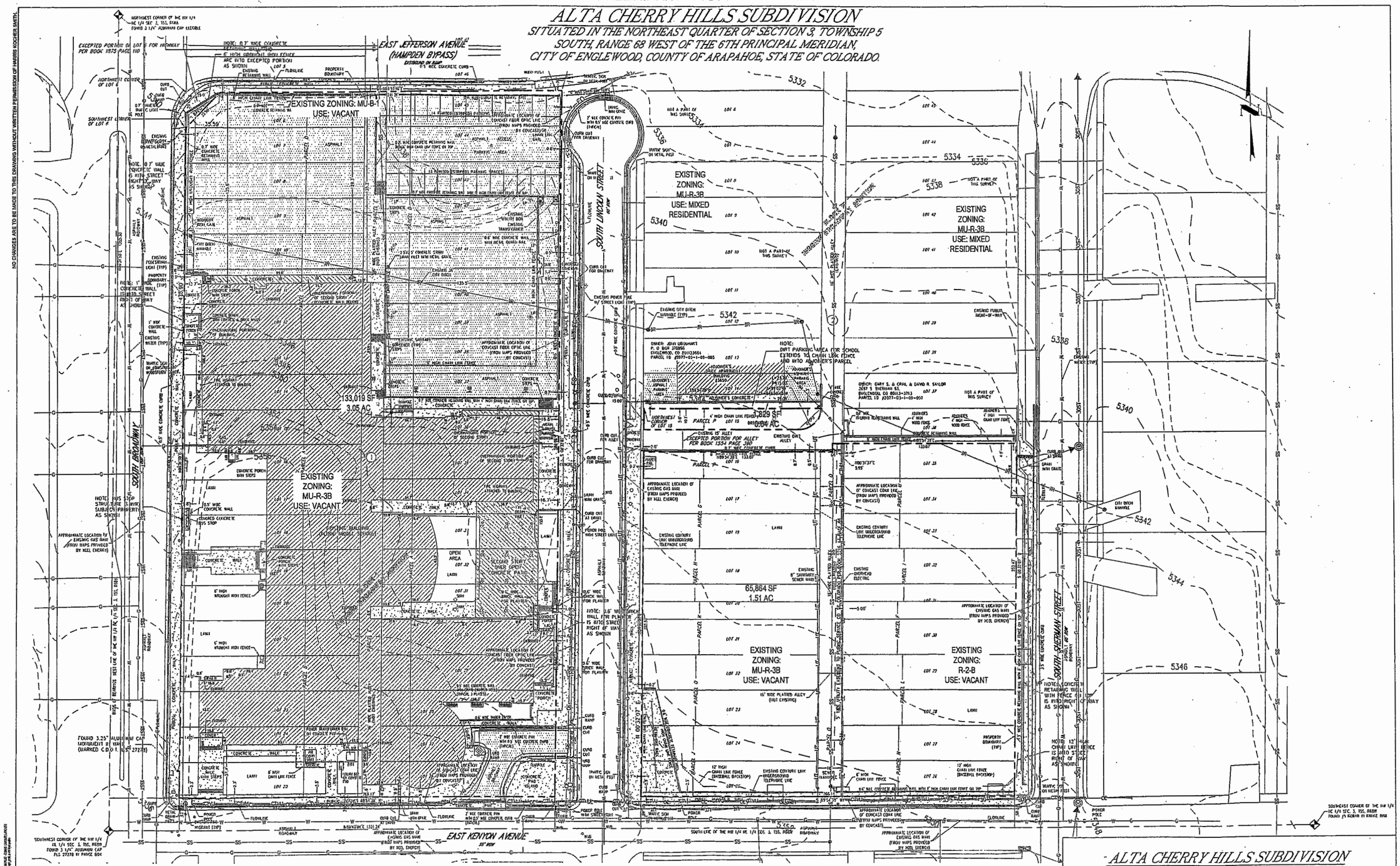
3650 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



SCALE: 1"=30'

SITE PLAN - EXISTING CONDITION

SHEET 3

ALTA CHERRY HILLS SUBDIVISION

3650 S BROADWAY & 3600 S LINCOLN ST

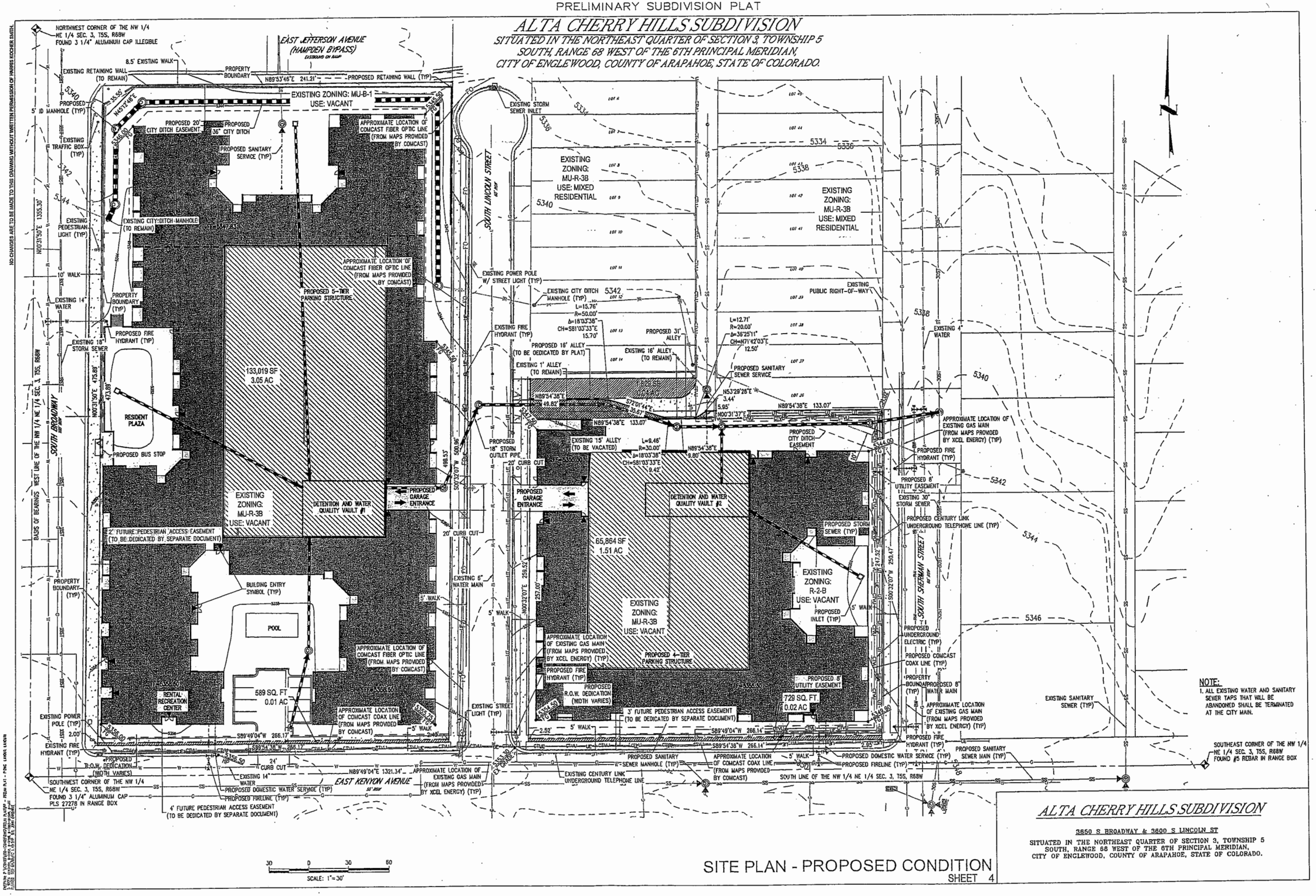
SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



SITE PLAN - PROPOSED CONDITION

SHEET 4

ALTA CHERRY HILLS SUBDIVISION

3850 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

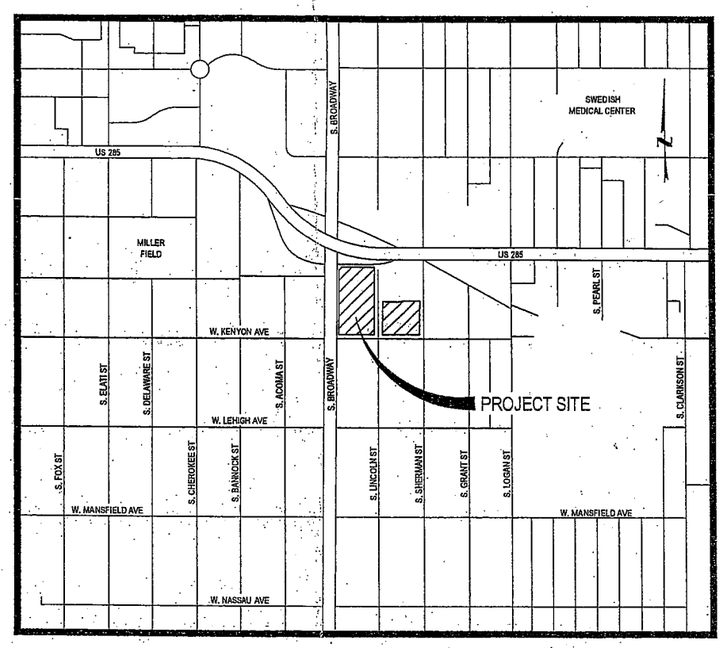
MAJOR SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

EXHIBIT C



VICINITY MAP
SCALE: 1" = 500'

Sheet Index

1 COVER SHEET
2 SITE

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS; THAT THE UNDERSIGNED WARRANTS THAT IT IS THE OWNER OF A PARCEL OF LAND LOCATED IN THE OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ALSO BEING PART OF CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 5 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BRDADWAY ADDITION,
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THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
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EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

THE UNDERSIGNED OWNER HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF "ALTA CHERRY HILLS SUBDIVISION", AND DOES HEREBY DEDICATE TO THE PUBLIC ALL RIGHT-OF-WAYS AND EASEMENTS FOR THE PURPOSES SHOWN HEREON.

EXECUTED THIS_____DAY OF _____, A.D. 20___

OWNER _____

BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

NOTARY PUBLIC

STATE OF COLORADO }
COUNTY OF ARAPAHOE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS___DAY OF_____, 20___ BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

WITNESS MY HAND AND SEAL

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

_____
_____
ADDRESS

APPROVALS

RECOMMENDED FOR APPROVAL BY THE CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

_____ _____
CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION DATE

ATTEST:

_____ _____
RECORDING SECRETARY OF THE PLANNING AND ZONING COMMISSION DATE

APPROVED BY THE CITY COUNCIL BY ORDINANCE NO._____, SERIES OF 20___.

_____ _____
MAYOR OF THE CITY OF ENGLEWOOD DATE

ATTEST:

_____ _____
CITY CLERK DATE

CLERK AND RECORDS CERTIFICATION

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO, AT_____O'CLOCK ___.M., ON THIS_____DAY OF _____,A.D., 20___, RECEPTION NO._____, BOOK NO. _____ PAGE NO(S)._____.

BY: _____ BY: _____
CLERK AND RECORDER DEPUTY

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°31'50" EAST.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

MAPS ARE DATED DECEMBER 17, 2010
COMMUNITY NO. 085074
PANEL NO. 0163K

LEGEND

- INDICATES SUBJECT PROPERTY LINE AS SHOWN.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES OFFSET LINE AS STATED.
- INDICATES CENTERLINE OF R.O.W. AS SHOWN.
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- INDICATES EASEMENT LINE.
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- FOUND CONC. NAIL WITH BRASS TAG PLS 26958 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
- SET #5x24" REBAR WITH BLUE PLASTIC CAP PLS 38162

STANDARD NOTES

1. DATE OF FIELD WORK: JUNE 28, 2011
2. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN. IT IS PART OF A SUBDIVISION PLAT OF "HIGGINS BROADWAY ADDITION" FILED WITH THE CLERK AND RECORDER OF ARAPAHOE COUNTY ON THE 3RD DAY OF APRIL, 1917 A.D. RECORDED IN PLAT BOOK 3, PAGE 23, RECEPTION NO. 44923.
3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. COLORADO STATE LAW CRS 9-1.5-101 STATES THAT ANYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY, RIGHT-OF-WAY, OR UTILITY EASEMENT IS TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, THREE (3) BUSINESS DAYS BEFORE YOU DIG. CALL 811 OR 303-534-6700 IN THE METRO DENVER AREA TO LOCATE BURIED LINES.
5. THE LINEAR UNITS FOR THIS PLAT ARE U.S. SURVEY FEET.
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. NCS-542989-HOU1 ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF MAY 1, 2012 AT 5:00 P.M.
7. MINIMUM EIGHT-FOOT (8') WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON. THESE EASEMENTS ARE DEDICATED TO THE CITY OF ENGLEWOOD FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEROF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS (PSCo) RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCo AN EASEMENT ON ITS STANDARD FORM.

SURVEYORS CERTIFICATION

I, AARON MURPHY,A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY OF THE ALTA CHERRY HILLS SUBDIVISION, WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS THE SURVEY THEREOF.

AARON MURPHY LICENSE NUMBER 38162 DATE SIGNED
FOR AND ON BEHALF OF
HARRIS KOCHER SMITH
1391 SPEER BLVD, SUITE 390
DENVER, CO 80204

COVER SHEET
SHEET 1

ALTA CHERRY HILLS SUBDIVISION

3650 S BROADWAY & 3600 S LINCOLN ST

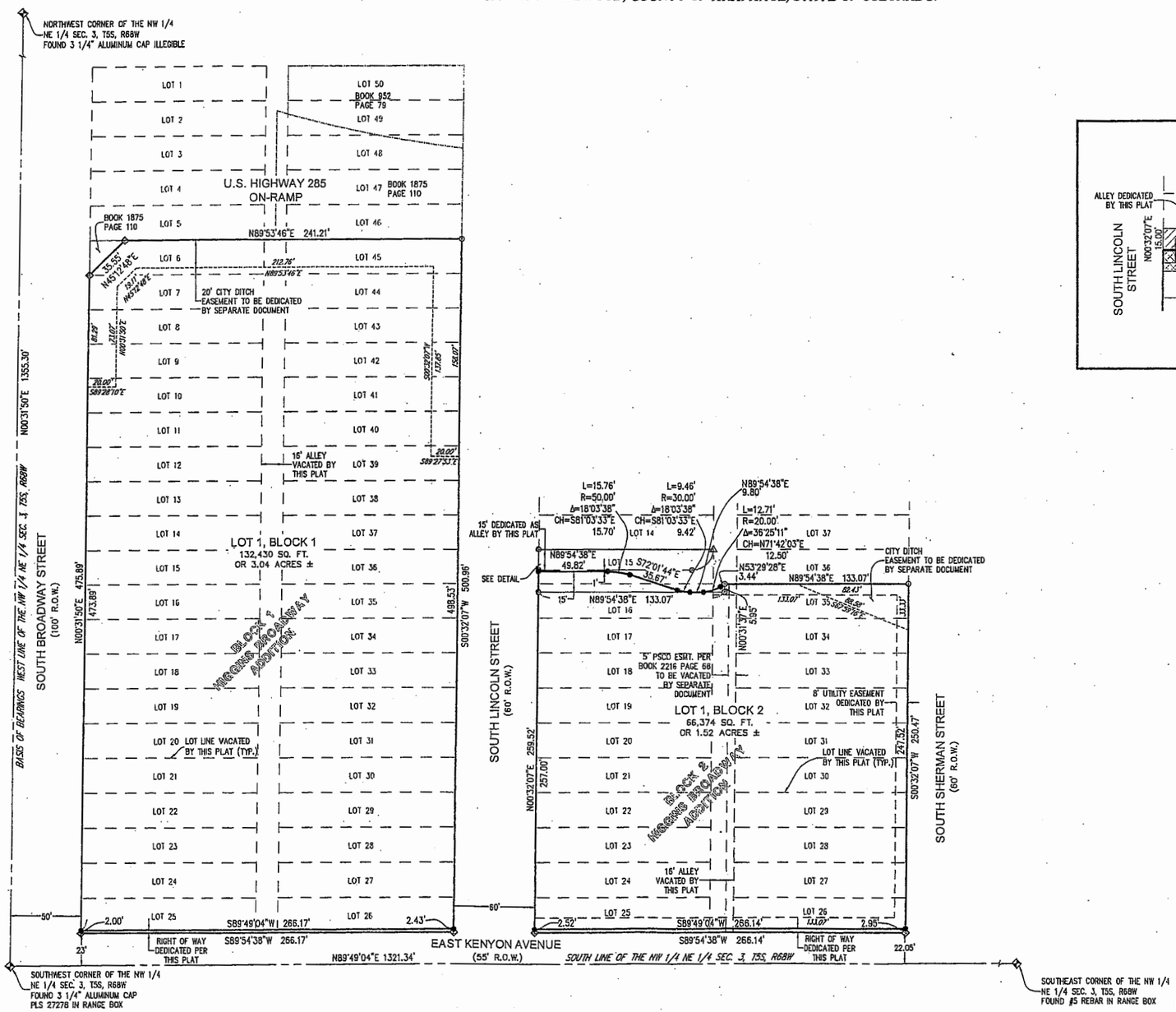
SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

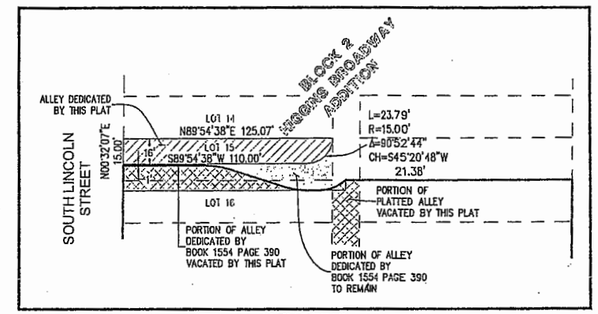
MAJOR SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.





ALLEY DETAIL

LEGEND

- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
- SET #5x24" REBAR WITH BLUE PLASTIC CAP PLS 38162

ALTA CHERRY HILLS SUBDIVISION

3650 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

SITE
SHEET 2

Flood Middle School PUD
Neighborhood Meeting
Unite Methodist Church – 3885 South Broadway
May 16, 2012

Attendees: Approximately 42 (see attached sign-in sheets)

Applicant Presentation

1. Edward Barsocchi of Barbury Holdings, LLC, stated that his company is under contract with the Englewood School District and is set to close on the property in the first quarter of 2013. He then provided information on the proposed developer, Wood Partners, which included the following:
   - Wood Partners is ranked as one of the top apartment builders in the country and has developed over 15,000 units.
   - Some recent projects in the metro area include the Alta project behind the Aspen Grove shopping center and a project at Alameda and Cherokee.
   - Wood Partners recently completed a Leed Certified building.

2. Wendi Birchler of Norris Design thanked everyone for coming and described the current zoning for the Flood Middle School property which includes R-2-B, MU-R-3-B, and MU-B-1. She describe the development as being a 300-350 unit apartment building in two buildings, with a maximum height of approximately 65 feet.

3. Robert Miller of PBA Architects presented his firm's existence since 1967 and his own tenure with the company over the last 15 years. He also went over the conceptual plan for the development which included:
   - The project will include an active corner on South Broadway and Kenyon. The grade steps down significantly at the northern portion of the site. There will be a buffer between the northern portion of the building and Highway 285.
   - At the southern portion of the larger parcel, there will be a small amount of off-street parking for prospective tenants to visit the leasing office.
   - On all the streets except Broadway, there will be a detached walk with a tree lawn.
   - The building will be 4 to 5 stories tall with an average height of 55 to 65 feet.

4. Public Comment
   The public asked questions and provided comments that are grouped in these notes by topic. The applicant responded to some of the questions and comments *(in italics)*. Key issues were:

   General:
   - Will there be 350 units total, or per building? *That would be the maximum total number of units.*
   - What would the current MU-R-3-B zone district allow in terms of density? *That has not been calculated, but we will have that as the process moves forward.*
   - What is the proposed landscape on Kenyon? *It will be a detached minimum 5 foot wide sidewalk with a tree lawn.*

- What is interactive along Broadway, there is no place for kids to play.
- Is there any retail proposed? *No, a recent retail study showed that additional residential was necessary to support existing retail and any new retail development. The best way to increase existing retail performance is to increase rooftops. We don't want to increase retail vacancy rates.*
- What is the red area in the concept plan? *It is the leasing area and the community center for the apartments.*
- In terms of infrastructure, who will pay for it? Are you asking the City for assistance? *Only for assistance in relocating the City Ditch that runs through the property.*
- What kind of demographics are you looking at? *Rents will be market rate and will range from $1,000 a month for a one bedroom to $2,200 - $2,500 for a three bedroom.*
- Will crime increase? *We do not have any supporting data on that.*
- What cost impact is there on the City in terms of needing a new middle school? *Flood Middle School was closed in 2006 because of declining enrollment, so there is not a need for another middle school. The City is a different entity than the Englewood School District.*
- Can you keep the green space east of Lincoln? *No, it is not economically feasible or the highest and best use of the land.*
- Was the retail study you refer to specific to Englewood? *Yes.*
- Is there any concept yet for the building, It should be unique to Englewood since it's a gateway location? *There is not a concept yet, but we will be working on that.*
- Would the developer consider a project that conformed to the current zoning density? *It's probably not economically feasible, if the project too small, then it's very difficult to find a developer. The school closed in 2007.*
- Whether or not us citizens like the specific project, its progress and I'm glad it's happening.

Traffic:

- There is a ten unit building on the southeast corner of Lincoln and Kenyon. There is a concern for traffic and kids playing.
- Will the signal timing be lengthened at Kenyon and Broadway? *We are doing a traffic study right now and that will be looked at.*
- Could all the traffic come into the project from Broadway? *It is unlikely, an entrance would likely be too close to the on-ramp to US 285 (Hampden).*
- Perhaps you could add an accel/decel lane and widen Broadway.

Parking:

- If the resident of the apartment buildings have visitors, where do they park? *The parking garage will be sized to accommodate visitor spaces.*
- Will the building wrap around the parking structure and how many spaces will there be? *Yes, the building will wrap around the parking structure. Right now we are looking at a parking ratio of approximately 1.7 spaces per unit.*
- 1.7 spaces per unit seems a little low.

Construction:

- How long would construction take? *It would take about 90 days to complete the demolition and environmental remediation for the school, then construction would take about 18 months.*
- How will construction hours and traffic restrictions be determined? *That has not been determined yet.*
- Will fences during construction impact the RTD bus stop on Broadway, there is a resident here who is blind? *We will have work with RTD to make sure that service is maintained.*

Process:

- This concept site plan does not articulate exactly what you are proposing in terms of density, setbacks, parking, and height. *We are asking for neighborhood input first, all those things will be articulated when we formally apply for the PUD.*
- How residents be notified of the Planning and Zoning Commission public hearing? *There will be a notice in the Englewood Herald, a notice on the City's website, a direct mailing to property owners and tenants within a 1,000 foot radius of the site, and the site will be posted. All of these notices will be a minimum of 10 days prior to the hearing.*
- Mayor Pro Tem Jim Woodward indicated that residents can also sign up for e-notifier on the City's website.
- Council Member Linda Olson, who represents the area, encouraged residents to compile emails to communicate with one another about the proposed Flood Middle School PUD. Council Member Jill Wilson indicated that she would leave some cards on the table if anyone wanted to contact her.

5. City staff outlined the PUD process and next steps. PUD frequently asked questions was provided.

6. Edward Barsocchi of Barbury Holdings made some closing remarks and the meeting was adjourned.

EXHIBIT E

June 28, 2012

Brook Bell
City of Englewood
Community Development Department
1000 Englewood Parkway
Englewood, Colorado 80110

RE: Flood Middle School PUD, ZON2012-003
TCHD Case No. 2732

Dear Mr. Bell:

Thank you for the opportunity to review and comment on the proposed Planned Unit Development (PUD) application for the Flood Middle School site for the development of 350 units of multifamily housing at 3695 South Lincoln Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental health regulations and potential recommendations for site improvements to encourage opportunities for healthy community design.

Healthy Community Design and Connectivity
Because chronic diseases related to physical inactivity and obesity now rank among the country's greatest public health risks, TCHD encourages community designs that make it easy for people to include regular physical activity, such as walking and bicycling, in their daily routines. At the project site level, TCHD encourages applicants to incorporate a well-connected system of pathways for pedestrians and bicyclists that support the use of a broader pedestrian and bicycle network off of the site.

The applicant's proposed minimum sidewalk width requirement of five feet found under PUD District Plan Development Standards is a great start to provide adequate space for more than one person to pass at one time. TCHD encourages the applicant to include more requirements to ensure an on-site system of good connectivity. While TCHD recognizes that the actual site design will be evaluated with a later land development application for the site plan review, it is essential to consider PUD requirements that foster a walkable design that incorporates direct connections to the broader circulation network. You may want to consider requirements for internal circulation that maximize direct pedestrian and bicycle connections from residential buildings to adjacent public streets, nearby parks and trail system and transit stops.

The design and orientation of buildings can encourage residents' use of sidewalks along streets improving the safety on the street by bringing more people to observe activities. The bulk standards listed under PUD District Plan Development Standards begin to articulate the building presence along the street. You may want to consider adding development standards that articulate the preferred location for entrances oriented toward the streets.

A common barrier to good circulation is the overuse of fences on multifamily developments. TCHD recommends that you add standards to the PUD to clarify the intent for the use of fencing on the property. It might be helpful to limit the use of fences along the street and along internal pedestrian sidewalks.

The Conceptual Landscape Plan includes street sections. However, there are not standards in the PUD standards. It is unclear if the streetscape standards are governed by the PUD standards or if they are determined by another regulatory document. TCHD supports the detached sidewalk design show on the conceptual plan with a minimum of five-foot wide sidewalks.

Lastly, the setback standards included under PUD District Plan Development Standards are not clear as to whether the setbacks are intended as minimum setback or maximum setback standards.

Healthy Community Design and Bicycle Amenities
As mentioned earlier in this letter, TCHD supports community design that makes it easy for residents to walk or use their bicycles. TCHD encourages you to add PUD Development Standards for bicycle facilities including bike parking for visitors and residents. While bicycle storage for residents could be accommodated internal to the building, it is important to include bicycle parking facilities that are easily accessible to visitors.

Sun Safety for Outdoor Common and Gathering Areas
Skin cancer is the most common cancer in the United States. Colorado has the 5th highest death rate from melanoma, the most deadly form of skin cancer. A leading risk factor for skin cancer is exposure to ultraviolet rays (UV) from the sun. Seeking shade when outside is one of the best ways to prevent overexposure to UV rays. TCHD recommends the use of shade in common areas like courtyards, patios and play areas through the planting of trees or physical shade structures. It is important that shade structures or appropriate landscaping is considered early in the design process so that it is incorporated well into the overall site plan and optimizes the opportunity for residents and visitors to shield themselves from the sun and reduce their risk of skin cancer.

Please feel free to contact me at (720) 200-1571 or if you have any questions on TCHD's comments.

Sincerely,

Sheila Lynch
Land Use Program Coordinator
Tri-County Health Department

CC: Warren Brown, Hope Dalton, Vanessa Richardson, Laura DeGolier, TCHD

EXHIBIT F

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 6 Traffic
Access/Utilities Permits
Roadside Advertising
2000 South Holly Street
Denver, Colorado 80222
303-512-4272 FAX 303-757-9886

August 31, 2012

City of Englewood
Attn: Brook Bell
Community development department
1000 Englewood Parkway
Englewood, Colorado 80110

Dear Brook:

RE: ZON2012-003 3695 SO. LINCOLN STREET SE QUADRANT OF BROADWAY BOULEVARD AND SH 285

Thank you for referring the proposal for our review. We have reviewed the site traffic study and we have no further comment on the site development proposal. Please note that to obtain permission to construct utilities within state highway right-of-way, a Utility/Special Use Permit is required. Please visit our website at http://www.dot.state.co.us/UtilityProgram/Process.cfm, or obtain the application through this office.

If you have any questions, please contact me at 303-512-4271.

Sincerely,
Bradley T. Sheehan, P.E.
Access Engineer

CC R6: Ref: 067912.docx File (SH 44)

EXHIBIT G

Xcel Energy℠
PUBLIC SERVICE COMPANY

Right-Of-Way & Permits
10001 W Hampden Ave
Lakewood, Colorado 80227
Telephone: 303.716.2043
Facsimile: 303.716.2046

August 22, 2012

Brook Bell
City of Englewood Community Development
1000 Englewood Parkway
Englewood, Colorado 80110

Re: Easement Vacation **S3 – T5S – R68W**
Flood Middle School Redevelopment (Alta Cherry Hills)

Dear Mr. Bell,

Per our conversation earlier this week this is to confirm that Public Service Company (PSCo) has no objections to vacating our interest in the proposed platted alley vacation between Lots 15 – 35, Block 2, Higgins Broadway Addition subdivision. We will maintain our PSCo easement for the existing facilities until such time they are relocated and then the easement will be vacated by a Quitclaimed Deed.

Additionally, we believe that the overall redevelopment plan as presented is something we will be able to work with. Although all easement and existing facility issues have not been complete resolved we are confident that we will be able to work directly with the developer to resolve any PSCo utility issue.

PSCo is supportive of the re-platting and general development plans that have been present to us by the City and the developer. We would have no objection to their approval by the City of Englewood.

Should you have any questions or need additional information do not hesitate to contact me.

Cordially,

Robyn Karm
Contract Right-Of-Way Agent
303.716.2043

cc: E. Barsocchi

EXHIBIT H

CenturyLink™

July 23, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: ZON2012-003
Subdivision Referral
Alta Cherry Hills Subdivision
3695 South Lincoln Street, Englewood, CO 80113

Dear Mr. Bell,

In a letter dated June 26, 2012, copy attached, Qwest Corporation d/b/a CenturyLink QC denied the referenced Case due to the Case's conflict with existing CenturyLink telecommunications facilities.

Since that date, we have met with representatives of Barbury Holdings, LLC to seek remedy to known conflicts.

As a result of agreements arrived at during that meeting, CenturyLink can approve the **Alta Cherry Hills Subdivision** contingent on Barbury Holdings, LLC providing a utility easement for CenturyLink use, compensating CenturyLink for relocating our existing facilities into the new easement and on the preservation and maintenance of all existing rights until CenturyLink's relocation is final.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

June 26, 2012

CenturyLink™

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: ZON2012-003
Subdivision Referral
Alta Cherry Hills Subdivision
3695 South Lincoln Street, Englewood, CO 80113

Dear Mr. Bell,

Please be advised that Qwest Corporation d/b/a CenturyLink QC has reviewed the materials provided by this proposal.

CenturyLink was not able to agree to proposed alley and utility easement vacations presented by associated Cases SUB2012-003 and SUB2012-004, respectively, due to conflicts with existing CenturyLink facilities.

Those unresolved conflicts encumber the proposed **Lot 1, Block 2, Alta Cherry Hills Subdivision.**

Therefore, CenturyLink cannot agree to the proposed platting, until such time as conflicts with our facilities are resolved.

Bradbury Holdings, LLC should contact CenturyLink Engineer Tim Styron, 303.792.1963, to discuss removing this conflict with Bradbury's proposed **Alta Cherry Hills Subdivision.**

Thank you for the opportunity to review the referenced Case.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

CenturyLink™

July 23, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: SUB2012-003
Alley Vacations
Block 1 & 2, Higgins Broadway Addition

Dear Mr. Bell,

In a letter dated June 26, 2012, copy attached, Qwest Corporation d/b/a CenturyLink QC denied the referenced Case due to the Case's conflict with existing CenturyLink telecommunications facilities.

Since that date, we have met with representatives of Barbury Holdings, LLC to seek remedy to known conflicts.

As a result of agreements arrived at during that meeting, CenturyLink can approve the requested alley vacations contingent on Barbury Holdings, LLC providing a replacement easement, compensating CenturyLink for relocating our facilities from the alley (at Block 2, Higgins Broadway Addition) into the new easement area and on the preservation and maintenance of all existing rights until CenturyLink's relocation is final.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

CenturyLink™

June 26, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: SUB2012-003
Alley Vacations
Blocks 1 & 2, Higgins Broadway Addition

Dear Mr. Bell,

Please be advised that Qwest Corporation d/b/a CenturyLink QC has reviewed the materials provided by this proposal.

CenturyLink cannot agree to the requested easement vacation at this time. Our records indicate we own, operate and maintain buried cable in the alley at Block 2, Higgins Broadway Addition. (We do not have cable in the alley at Block 1 and will be able to agree to that portion of the vacate request.)

Bradbury Holdings, LLC should contact CenturyLink Engineer Tim Styron , 303.792.1963, to discuss removing this conflict with Bradbury's proposed **Alta Cherry Hills Subdivision.**

Thank you for the opportunity to review the referenced Case.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

CenturyLink™

July 23, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: SUB2012-004
Utility Easement Vacation (Reception No. 1409544)
Block 2, Higgins Broadway Addition

Dear Mr. Bell,

In a letter dated June 26, 2012, copy attached, Qwest Corporation d/b/a CenturyLink QC denied the referenced Case due to the Case's conflict with existing CenturyLink telecommunications facilities.

Since that date, we have met with representatives of Barbury Holdings, LLC to seek remedy to known conflicts.

As a result of agreements arrived at during that meeting, CenturyLink can approve the requested Utility Easement Vacation (Reception No. 1409544) contingent on Barbury Holdings, LLC providing a replacement easement, compensating CenturyLink for relocating our facilities and on the preservation and maintenance of all existing rights until CenturyLink's relocation is final.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

CenturyLink™

June 26, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: SUB2012-004
Utility Easement Vacation (Reception No. 1409544)
Block 2, Higgins Broadway Addition

Dear Mr. Bell,

Please be advised that Qwest Corporation d/b/a CenturyLink QC has reviewed the materials provided by this proposal.

CenturyLink cannot agree to the requested easement vacation at this time. Our records indicate we own, operate and maintain buried cable in the easement area.

Bradbury Holdings, LLC should contact CenturyLink Engineer Tim Styron, 303.792.1963, tim.styron@centurylink.com, to discuss removing this conflict with Bradbury's proposed **Alta Cherry Hills Subdivision**.

Thank you for the opportunity to review the referenced Case.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

EXHIBIT I

From: Leigh Ann Hoffhines
Sent: Tuesday, August 28, 2012 8:18 AM
To: #City Council
Cc: Alan White; Darren Hollingsworth
Subject: FW: Mary L. Flood Park

FYI – This is Mayor Penn's response to the email Council received regarding the park near Flood Middle School.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Randy Penn
Sent: Tuesday, August 28, 2012 8:14 AM
To: Casey Hannen
Cc: Leigh Ann Hoffhines
Subject: RE: Mary L. Flood Park

Casey,
Thank you for your letter. This project is well on it's way and this info should have been brought forward at the community meetings. At this time the project is being developed by the Bradbury group along with Wood Partners.
The Flood property has never been designated at a park, but in the past was utilized by many citizens as a park. The City is always interested in maintaining their park system and at this time is not looking at the Flood properties as an addition to the system. The developers will be paying a "Park Fee" payment to the city to help continue the sustainability and upgrading of parks around the city and close to the Flood properties. The closest park setting for your area would then be Hosanna Park on Logan at the high school, two blocks from Flood.
My suggestion to you is to continue with your meetings, get in touch with the Bradbury group and share your concerns, and let Englewood Public Schools know of your concerns. I believe there will be council members at the meeting on Wednesday to listen and answer questions.
Thanks,
Randy Penn

From: Casey Hannen [
Sent: Monday, August 27, 2012 10:46 PM
To: Council; Randy Penn
Subject: Mary L. Flood Park

Hello Englewood City Council Members and Mayor Penn,

My name is Casey Hannen and I live at the corner of Sherman and Mansfield, within walking distance of the old Mary L. Flood middle school and adjacent open space. I'm concerned about the redevelopment plans proposed by Barbury Holdings for a number of reasons - however, my biggest concern is that this community will lose an important neighborhood park and recreation area.

Useable parks and open space are important for any community, and in this case Mary L. Flood park is essentially the only park available to our neighborhood. The Hosanna Athletic Complex is in use by team sports the majority of the time, the Little Dry Creek area is narrow and sloped, and Miller Field is not suitable walking distance across Broadway. I see children playing in the park on a daily basis - if the park was to be redeveloped into apartments,

what other options would they have for recreation?

There are too many people in this area who enjoy Mary L. Flood park - please consider this when working with the developers on future plans for our neighborhood. I'm not opposed to redevelopment of the area, but I believe that it's primary function as a community gathering place should be kept intact.

Thanks,
Casey Hannen
3894 S Sherman St
720.938.2273

Example design for Mary L. Flood Park:

EXHIBIT J

From: Leigh Ann Hoffhines **On Behalf Of** Council
Sent: Tuesday, August 28, 2012 2:28 PM
To: #City Council
Subject: FW: Flood Middle School Redevelopment

FYI – this message came in via the Council email.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Matt Blomstrom [
Sent: Tuesday, August 28, 2012 2:19 PM
To: Council
Subject: Flood Middle School Redevelopment

Dear Mayor Penn and City Council Members,

I am writing to ask you to preserve the athletic fields at the former Flood Middle School site as a future park site. There is already a shortage of parks and open space in Englewood and allowing public property to be developed as a high density residential complex will only worsen the situation.

To be clear, I support the redevelopment of the school site. I am not opposed to having a large apartment complex replace the Flood Middle School building, assuming traffic and other concerns can be dealt with. But I cannot under any circumstance support developing another large apartment complex on the only remaining open space in our neighborhood. The city has documented a need for park land in this area and if we allow this site to be developed there will not be another opportunity to address this need.

I strongly believe that preserving this space will benefit downtown Englewood far more than one more apartment building. There are many large complexes already in the area and there will undoubtedly be many more developed. Where are the children living in these complexes going to play? Where can people throw a ball around? If we want families in our neighborhoods, we need to make spaces for families to enjoy. I don't think we should all have to drive to Belleview Park or Harvard Gulch just to enjoy the outdoors. If Englewood is to become a walk-able community, we need to have things worth walking to.

I urge you to consider what kind of community we want Englewood to be like in twenty years. To keep our residential neighborhoods – both high density and single family – healthy and attractive we need open space

and recreational amenities. Once this open space is gone, we are not going to have an opportunity to meet these needs. Who is going to look back and think "I really wish we had built one more apartment building?" This is a public property and it should continue to provide benefits to the public.

Thank you for your time.

Sincerely,

Matt Blomstrom

3837 S. Lincoln St.

Brook Bell

From: Leigh Ann Hoffhines
Sent: Wednesday, August 29, 2012 2:24 PM
To: #City Council
Cc: Alan White
Subject: FW: Flood Middle School

FYI – here is Mayor Pro Tem Woodward's response to the email received earlier today regarding Flood Middle School.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Jim Woodward
Sent: Wednesday, August 29, 2012 1:55 PM
To: Skip Anthony
Cc: Leigh Ann Hoffhines
Subject: FW: Flood Middle School

Thank you for your e-mail.

First, the City of Englewood does not own Flood Middle School or any of the property associated with it. It is owned by the Englewood School District, which is an entirely different governmental entity than the City of Englewood.

It is my understanding that the Flood property is currently under contract for sale to a developer looking at developing the property into an upscale apartment community as described at a neighborhood meeting approximately one month ago. It is my belief that the proceeds from the sale will be utilized by the School District to enhance the schools within the Englewood School District to the benefit of our children. Additionally, the property would start generating tax revenue to the School District, City and County. Currently and in the past it has not generated any tax revenue.

In my opinion, the City is not in a financial position to consider purchasing the property, removing the building and constructing a park. Living in close proximity (Mansfield and Pearl) to the Flood property for the past 35 years, I believe we do have close options of open space, specifically the Little Dry Creek Greenway and trail; and Hosanna Athletic Complex. I do believe some enhancements are needed in our area of town, specifically play ground equipment for children. The City's Master Park Plan does address this need and the reorganization of the Miller Field Park on the west side of Broadway to include playground equipment. These upgrades and changes will be considered as funds are available.

Considering your suggestion from a real estate perspective of "highest and best use," removing the Flood Building and replacing it with a park would not meet the criteria for use in my opinion professional opinion. Coming from a quality of life perspective, what you suggest would be wonderful for the immediate area, however, very costly to all the taxpayers of Englewood.

Regards,

Jim Woodward,
Mayor Pro Tem
City of Englewood, CO

Sender and receiver(s) should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

From: Leigh Ann Hoffhines On Behalf Of Council
Sent: Wednesday, August 29, 2012 12:37 PM
To: #City Council
Cc: Alan White
Subject: FW: Flood Middle School

FYI – this message came in via the Council email.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Skip Anthony |
Sent: Tuesday, August 28, 2012 6:38 PM
To: Council
Subject: Flood Middle School

Dear Englewood City Council,

I'm curious to know what will be done with the ageing middle school on Kenyon and Broadway. I have heard talk of the public land being developed into apartments. Is this true? I'd hate to think the city ridding its self of open land. I myself find the park an enjoyable place to go. Id hate to see more concrete and walls put up.

Why don't we just tear down the un used school and make a nice park. I believe this is what every property owner and renter in the area would like. Please let me know.

Thanks for your time,
Skip Anthony

EXHIBIT L

Brook Bell

From: Leigh Ann Hoffhines **On Behalf Of** Council
Sent: Friday, August 31, 2012 2:16 PM
To: #City Council
Cc: Alan White
Subject: FW: Mary L. Flood Park
Importance: High

FYI – this message came in via the Council email.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: r [
Sent: Friday, August 31, 2012 1:41 PM
To: Council
Subject: Mary L. Flood Park
Importance: High

City of Englewood
Englewood Civic Center
1000 Englewood Parkway
Englewood, CO 80110

Dear Mayor Penn and City Council Members,

Parks and open spaces are a vital part of the community. They provide direct health, environmental, economic, and social benefits and help to strengthen our neighborhoods. Englewood has an opportunity to provide parkland to one of its least served areas, but not without action on your part. I urge you to preserve Mary L. Flood Park for future generations.

The City of Englewood has documented a shortage of park space in the neighborhoods surrounding the former Flood Middle School site and the downtown area. Furthermore, Englewood's Parks and Recreation Master Plan states that high density residential developments "have not been preferred by families, perhaps partly because of the lack of parks for outdoor recreation activities. If families are to be living in higher density housing, the city should seriously consider an aggressive approach to obtaining adequate parkland very near or within redevelopment projects." With the many large residential complexes in the area we cannot afford to waste the opportunity that this site provides. Mary

L. Flood Park can help alleviate the shortage of park space in our neighborhoods and support the city's desire to make high density living more attractive in the downtown area.

Clearly the former school building needs to be redeveloped. If the structure itself cannot be reused, then something new should be built on this prominent site. But this site is public property and any redevelopment should take the public's best interests into consideration. Protecting the existing open space (which is about one third of the total former school site) can improve the long-term quality and attractiveness of the redevelopment and continue to provide benefits to the public.

Preserving Mary L. Flood Park is in the best interests of our neighborhood and downtown Englewood. Someday it can provide badly needed amenities and help support a walkable city. Our downtown businesses need a strong and healthy residential community; we need to provide the basic amenities to support these residential neighborhoods. I urge you to protect this neighborhood park. Thank you.

Sincerely,

Laurie & Bert Mears

3742 S. Sherman St.

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
September 18, 2012

Minutes and audio are available at:
http://www.englewoodgov.org/Index.aspx?page=152

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 City Council Chambers of the Englewood Civic Center, Chair Brick presiding.

Present: Bleile (entered 7:12), Roth, King, Welker, Knoth, Fish, Brick, Kinton, Townley
Freemire (alternate)

Absent: None

Staff: Alan White, Community Development Director
Brook Bell, Planner II
Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES

September 5, 2012

Mr. Fish moved:
Mr. Knoth seconded: TO APPROVE THE SEPTEMBER 5, 2012 MINUTES

Chair Brick asked if there were any modifications or corrections.

There were none.

AYES: Bleile, Roth, Knoth, Fish, King, Brick, Kinton, Townley
NAYS: None
ABSTAIN: Welker
ABSENT: None

Motion carried.

Chair Brick announced that CASE #USE2012-015 Extension of Temporary Recycling Operation at 601 West Bates Avenue was withdrawn by the applicant and will not be heard tonight or in the future.

III. PUBLIC HEARING

CASE #ZON2012-003 and CASE #SUB2012-002

Chair Brick stated there are two cases to be heard tonight; they will be heard concurrently but each will require a motion and they will be voted on separately.

Mr. Roth moved:
Mr. King seconded: TO OPEN CASE #ZON2012-003 and CASE #SUB2012-002

AYES:	Bleile, Roth, Welker, Knoth, Fish, King, Brick, Kinton, Townley
NAYS:	None
ABSTAIN:	None
ABSENT:	None

Motion carried.

CASE #ZON2012-003

Mr. Bell was sworn in and presented the case. He reviewed the requirements for a PUD application and stated the applicant has met all of them. He provided a history of the Flood Middle School property since 2006.

Items discussed under the PUD overview included:

- Architectural Character
- Permitted Uses
- Dimensional Standards
- Residential Density
- Setbacks
- Building Height
- Bulk Plane
- Parking
- Traffic
- Signage
- Landscaping
- Screening and Fencing
- Drainage
- City Ditch
- Park Dedication
- Phasing

Mr. Bell said the PUD documents are complete and no additional conditions of approval are recommended at this time. Therefore, the Community Development Department recommends that the Planning and Zoning Commission review the Flood Middle School PUD request and forward a favorable recommendation for approval to City Council.

CASE #SUB2012-002

Mr. Bell presented the second case. He reviewed the issues included in the Alta Cherry Hills Subdivision. He stated if the Commission requires no changes from the Preliminary Plat to the Final Plat, Staff recommends that the Final Plat be forwarded to Council with a recommendation for approval.

The Commission had questions regarding:

- Adding retail to the Broadway side of the project
- New easement dedications
- Bulk plane on north side of parcel #2
- How many parking spaces and where located
- Will street parking be allowed and sight distance requirements
- Location of bicycle parking
- Setbacks
- Did Parks Department consider the land for a park
- Transparency requirements

Applicant Testimony

Numerous members of the development team were sworn in and presented testimony. A slide show of previous projects the developer has built and the proposed project was presented. Edward Barsocchi of Barbury Holdings, LLC stated the school was shuttered in 2007 and is deteriorating. In 2011, Barbury Holdings, LLC came forward with a proposal to purchase the property and build 300 to 310 residential apartments on the two parcels. The project would serve as a catalyst to enhance the Broadway area. Mr. Robert Miller of PBA went over the conceptual site plan and conceptual architectural rendering. Mr. Tim McEntee of Wood Partners discussed financing for the project. Reasoning for not including retail in the project was discussed; it does work economically.

Other discussion points included:

- Will a project go forward if the PUD is not approved
- How will the parking garages be regulated
- Landscaping
- Outdoor living spaces/patios
- Asbestos removal

- Visual impact
- Project meets the standards the City aspires to
- Safety issues for school children who walk to school
- Is the interior street private or public
- There is significant demand in the Denver area for this type of project

Public Testimony

Testimony was heard from 15 citizens. Comments included:

- Bulk plane along the eastern portion of the north side
- Make room for a park
- Concern regarding use of current alley
- Will redevelopment occur only on school property
- Needs to be change in the property
- Don't rezone; build according to current standards
- Glare from glass fronting Broadway
- Concerns about the development not providing enough parking
- Who pays to move City ditch
- Has property been purchased by developer
- Will residents in the area need parking permits to park on their street
- Concerns about height of property
- Englewood is a middle class community; don't see high-end people moving here
- Will have a profound impact on the neighborhood
- Traffic flow concerns
- Some residents will lose their views
- Amenities are all private; not open to the public
- Shadowing of buildings onto neighboring properties
- Snow storage and removal issues
- More opportunities for car accidents
- No benefit to neighbors
- Strain on utilities; electricity goes out a lot now
- Out of scale for the neighborhood
- Will increase crime in the neighborhood
- Project will reduce property values
- Need to decrease unit numbers and provide more entrances to project
- Find a way to ensure developer builds what he is showing in renderings

A short break was taken at 10:04. At 10:10 the meeting reconvened with all members of the Commission in attendance except for Mr. Freemire, the alternate member.

Mr. Welker moved:
Mr. Knoth seconded: TO CLOSE CASE #ZON2012-003 and CASE #SUB2012-002

AYES: Bleile, Roth, Welker, Knoth, Fish, King, Brick, Kinton, Townley
NAYS: None
ABSTAIN: None
ABSENT: None

Motion carried.

Mr. Bleile moved:
Mr. Fish seconded: TO CONTINUE THE PUBLIC HEARING FOR CASE #ZON2012-003 AND CASE #SUB2012-002 TO OCTOBER 2, 2012

AYES: Bleile, Roth, Welker, Fish, Townley
NAYS: Knoth, Kinton, King, Brick
ABSTAIN: None
ABSENT: None

Motion carried.

Ms. Reid reminded the commission that the Public Hearing is closed; the Commissioners should not be taking any more testimony nor having any discussion about this project until they are back here at the next meeting on October 2nd. She also said if one of the public calls a commission member they will not be able to discuss the issue. The testimony given tonight and the evidence that was in the Staff Report are all that the Commission will consider.

Chair Brick invited the public to attend the next meeting on October 2nd. He reminded them the Commission will not be taking any further testimony at that meeting.

IV. PUBLIC FORUM

There were no public comments.

V. ATTORNEY'S CHOICE

Ms. Reid had nothing further to report.

VI. STAFF'S CHOICE

Director White stated the next meeting will be on October 2nd; tonight's Public Hearing will continue and there will be a study session on breweries and distilleries if time allows.

VII. COMMISSIONER'S CHOICE

Mr. Kinton stated he will not be available to attend the October 2nd meeting.

Mr. Welker said he was happy to be back after missing several meetings due to illness.

Mr. Bleile apologized for being late to the meeting.

The meeting adjourned at 10:45 p.m.

Barbara Krecklow, Recording Secretary

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
October 2, 2012

Minutes and audio are available at:
http://www.englewoodgov.org/Index.aspx?page=152

I. CALL TO ORDER

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

Present: Bleile, Roth, King, Welker, Knoth, Fish, Brick, Townley
Freemire (alternate)

Absent: Kinton

Staff: Alan White, Community Development Director
Brook Bell, Planner II
Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES

September 18, 2012

Mr. Knoth moved:
Mr. Fish seconded: TO APPROVE THE SEPTEMBER 18, 2012 MINUTES

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

AYES: Bleile, Roth, Welker, Knoth, Fish, King, Brick, Townley
NAYS: None
ABSTAIN: None
ABSENT: Kinton

Motion carried.

III. CASE #ZON2012-003 FLOOD MIDDLE SCHOOL PLANNED UNIT DEVELOPMENT AND CASE #SUB2012-002 ALTA CHERRY HILLS SUBDIVISION CONTINUED FROM SEPTEMBER 18, 2012

Mr. Knoth moved:
Mr. Welker seconded: *THAT CASE #ZON2012-003 TO REZONE 3695 SOUTH LINCOLN STREET AKA PIN NUMBERS 2077-03-1-08-004 AND 2077-03-1-09-006 FROM MU-R-3-B, MU-B-1 AND R-2-B ZONE DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD) BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION AS WRITTEN*

Discussion points included:

- Generally in favor of the application; appropriate use for property
- Concerns regarding traffic
- No problem with height or proposed character of building
- City has no obligation or right to take land for a park unless they can pay for it. That would destroy the viability of the whole project
- From a Planning and Zoning standpoint the Parks and Recreation Commission handles park planning and they have their own Master Plan. Planning and Zoning has never been involved in that process. We have no authority to become involved in it; City Council may want to become involved.
- Can see why retail won't work at this location
- Property is a difficult piece of property to develop
- Number of units is too high; can't support 350 units
- Required landscape has been reduced too much; recommend 20%
- Need two entrances into the project
- Will bring business to the downtown area; grocery stores will benefit
- As a City we talk about how we want better projects and developers in this town; we have one here.
- There is no more greenfield space in Englewood to build out; future projects are going to be dense projects and traffic issues will be discussed. Experts in this field have said there are no issues with this project.
- Fee-in-lieu is too low; City Council should not have considered reducing it
- Hold to the setbacks and to the amenity zones as presented; don't take anything else away from the community
- Is high density; City needs rooftops to make retail work
- Disappointed the City of Englewood School Superintendent did not attend the meetings
- Disappointed business owners did not attend the meetings
- Sensitive to cost per unit; project needs to be dense to make it work
- Sensitive to impact on area; a retail development would be very challenging in regards to traffic

- There are areas along Big Dry Creek and by the high school that could be upgraded with amenities that would make it more family oriented to serve this neighborhood as park space. School district could step up and help the City with this in the future.
- Reservations regarding what has been shown and what will really get built

Mr. King moved:
Mr. Welker seconded: *TO AMEND THE ORIGINAL MOTION TO INCLUDE THE MAXIMUM NUMBER OF ALLOWED UNITS SHALL BE 310*

AYES: Roth, King, Brick, Welker, Fish, Townley
NAYS: Knoth, Bleile
ABSTAIN: None
ABSENT: Kinton

Motion carried.

Mr. Fish moved:
Mr. Brick seconded: *TO AMEND THE ORIGINAL MOTION TO INCLUDE A MINIMUM 20% OF THE PROPERTY SHALL BE LANDSCAPED*

AYES: Brick, Welker, Fish, Townley, Bleile
NAYS: Knoth, Roth, King
ABSTAIN: None
ABSENT: Kinton

Motion carried.

Mr. Bleile moved:
Mr. King seconded: *TO AMEND THE ORIGINAL MOTION TO INCLUDE THE PARK DEDICATION FEE-IN-LIEU SHALL NOT BE REDUCED FROM THE CITY COUNCIL ADOPTED FEE OF $20,000 PER REQUIRED ACRE AS REQUIRED BY THE UNIFIED DEVELOPMENT CODE [DIRECTOR'S NOTE: THE UNIFIED DEVELOPMENT CODE ESTABLISHES THE METHOD FOR CALCULATING THE REQUIRED ACREAGE. COUNCIL ADOPTED THE $20,000 PER ACRE AS A POLICY BY RESOLUTION]*

AYES: Roth, King, Brick, Welker, Fish, Townley, Bleile
NAYS: None
ABSTAIN: Knoth
ABSENT: Kinton

Motion carried.

Mr. Knoth moved:
Mr. Welker seconded: *THAT CASE #ZON2012-003 TO REZONE 3695 SOUTH LINCOLN STREET AKA PIN NUMBERS 2077-03-1-08-004 AND 2077-03-1-09-006 FROM MU-R-3-B, MU-B-1 AND R-2-B ZONE DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD) BE RECOMMENDED AS WRITTEN FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION WITH THE FOLLOWING AMENDMENTS:*

1. The *maximum number of allowed units shall be 310.*
2. *A minimum 20% of the property shall be landscaped*
3. *The Park Dedication Fee-in-lieu shall not be reduced from the City Council adopted fee of $20,000 per acre as required by the Unified Development Code [Director's Note: The Unified Development Code establishes the method for calculating the required acreage. Council adopted the $20,000 per acre as a policy by resolution.]*

AYES: Roth, Brick, Welker, Fish, Knoth, Townley
NAYS: Bleile, King
ABSTAIN: None
ABSENT: Kinton

Mr. Fish finds the development as proposed with the amendments is within the nature of the Comprehensive Plan. Overall, it is an exciting project and he supports it; it is good for the City as the property is an eyesore. His objections are that it is very dense and doesn't want the character of the area destroyed.

Mr. Knoth is discouraged about adding the amendments.

Mr. Welker said in keeping with the requirements and the vision of the Comprehensive Plan this takes a step in the same direction. The density along Broadway and a major highway intersection is fine. The Amendments are an attempt to address our concerns.

Ms. Townley said the project meets the City's mixed housing goals.

Mr. Bleile said the proposal meets Roadmap Englewood for densification. Not enough shown architecturally; voting no with the citizens.

Mr. King generally likes the concept of the project, but due to public comments voting no.

Chair Brick said the project will help businesses in the City and meets the criteria for a PUD.

Motion carried.

Mr. Roth moved:
Mr. Welker seconded: *THAT CASE #SUB2012-002 TO ALLOW A MAJOR SUBDIVISION KNOWN AS ALTA CHERRY HILLS SUBDIVISION WITHIN THE FLOOD MIDDLE SCHOOL PLANNED UNIT DEVELOPMENT (PUD) BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION.*

AYES: Roth, King, Brick, Welker, Fish, Knoth, Townley
NAYS: Bleile
ABSTAIN: None
ABSENT: Kinton

Motion carried.

FURTHER RECOMMENDATIONS FOR CITY COUNCIL:

1. The Park Dedication Fee-in-Lieu money collected from this project shall be used to benefit this neighborhood in terms of open space and parks.

Mr. Bleile moved:
Mr. Roth seconded: TO REQUIRE EVIDENCE AND TESTIMONY FROM THE CITY'S TRAFFIC ENGINEER TO VET OUT AND EITHER PROVE OR CONTRADICT THE TRAFFIC STUDY DONE BY THE APPLICANT.

AYES: Roth, Brick, Welker, Townley, Bleile
NAYS: Fish, Knoth, King
ABSTAIN: None
ABSENT: Kinton

Motion carried.

STUDY SESSION

Director White introduced Christina Kachur, an intern in the Community Development Department, who is assisting Staff in gathering information for the Breweries and Distilleries discussion.

Case #2012-05 Breweries and Distilleries

Director White stated after research the State Statutes do not provide much guidance in terms of production limits for various types of manufacturers engaged in producing beer, wine and hard liquor except for brewpubs and limited wineries. What that means is any limits that the Commission wants to set are up to our discretion. He provided information on licensing of various types of establishments. There is no local control except through zoning. He referenced options that were included in the Staff Memo. He asked the Commission if they would like to include some amendments in the Unified Development Code to address these uses.

Consensus from the Commission was to move forward with the discussion in the future.

Director White said there is one other topic on Staff's list for discussion; PUDs. What is the process? Staff would like to hold a Study Session to discuss PUDs. The Commission asked the topic be placed on a future agenda.

IV. PUBLIC FORUM

There was no public in attendance.

V. ATTORNEY'S CHOICE

Ms. Reid had nothing further to report.

VI. STAFF'S CHOICE

Director White stated at the October 16th study session Staff will provide a progress report on the Station Area Master Plan for the areas surrounding the Light Rail Stations.

VII. COMMISSIONER'S CHOICE

The Commissioners commented on tonight's discussion regarding the Flood Middle School PUD and Major Subdivision. They feel it is a good project.

Mr. Freemire noted he will not be available for the October 16th meeting.

Ms. Townley stated she will not be available for the November 6th meeting. She asked about the Oxford Station PUD. Director White updated the Commission on the project.

The meeting adjourned at 9:10 p.m.

/s/ Barbara Krecklow
Barbara Krecklow, Recording Secretary

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

IN THE MATTER OF CASE #ZON2012-003 FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS TO REZONE THE PROPERTY KNOWN AS 3695 S LINCOLN STREET FROM MU-R-3-B, MU-B-1 AND R-2-B ZONE DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD)	)	**FINDINGS OF FACT AND CONCLUSIONS OF THE CITY PLANNING AND ZONING COMMISSION**
INITIATED BY: **Barbury Holdings, LLC** **4725 South Monaco Street, Suite 205** **Denver, Colorado 80237**	)	

Commission Members Present: Brick, Bleile, Knoth, Fish, Roth, Welker, King, Townley

Commission Members Absent: Kinton

This matter was heard before the City Planning and Zoning Commission on September 18 and October 2, 2012, in the City Council Chambers of the Englewood Civic Center.

Testimony was received from Staff, from the applicant and from area residents. The Commission received notice of Public Hearing, Certification of Posting, Staff Report and supplemental information from Staff, which were incorporated into and made a part of the record of the Public Hearing.

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

FINDINGS OF FACT

1. **THAT** the request to rezone the property known as 3695 South Lincoln Street from MU-R-3-B, MU-B-1 and R-2-B to Planned Unit Development was filed by Barbury Holdings, LLC on June 4, 2012.

2. **THAT** Public Notice of the Public Hearing was given by publication in the Englewood Herald on September 7, 2012 and was on the City's website from September 6, 2012 through October 2, 2012.

3. **THAT** the property was posted as required, said posting setting forth the date, time, and place of the Public Hearing.

4. **THAT** Planner Bell testified the request is for approval to rezone the property from MU-R-3-B, MU-B-1 and R-2-B to Planned Unit Development. Mr. Bell testified to the criteria the Commission must consider when reviewing a rezoning application. Mr. Bell further testified that Staff recommends approval of the rezoning application.

5. **THAT** in 2006, Englewood Public School District made the decision to consolidate two middle schools and close the Flood Middle School site; the school closed in 2007.

6. **THAT** in 2011 Barbury Holdings, LLC came forward with a proposal to purchase the property consisting of two parcels totaling 4.56 acres.

7. **THAT** the property's existing zoning would not accommodate the proposed development.

8. **THAT** preliminary plans of the proposed Flood Middle School PUD was referred to Tri-County Health, the Colorado Department of Transportation (CDOT), RTD, Xcel Energy, Century Link, Comcast, and the City's list of trash haulers for review and comment.

9. **THAT** the Flood Middle School PUD was reviewed by the City's Development Review Team (DRT) on June 30th, August 10th, and August 30th of 2012.

10. **THAT** pursuant to the PUD procedure, the applicant conducted a neighborhood meeting on May 16, 2012.

11. **THAT** notice of the neighborhood meeting was mailed to property owners and occupants of property within 1000 feet of the site.

12. **THAT** the proposed Flood Middle School PUD would include a maximum of 350 residential apartment units contained within two buildings on Parcels 01 and 02.

13. **THAT** testimony was received from the applicant team.

14. **THAT** the applicant has requested and Council has preliminarily agreed to a park fee-in-lieu of $57,780 based on a development containing 300 units.

15. **THAT** the City has received comments from citizens requesting that the existing green space be preserved as a park.

16. **THAT** testimony, both supportive and in opposition, was received from residents regarding the proposed redevelopment of the site. Concerns were voiced about impacts anticipated from traffic, loss of green space, building heights, property values, is rezoning necessary, impact on neighborhood, snow storage, City ditch, utilities and shadowing.

17. **THAT** the application is in conformance with the Comprehensive Plan and the Unified Development Code.

18. **THAT** the application meets the Housing Goals and Objectives of Roadmap Englewood: 2003 Englewood Comprehensive Plan.

19. **THAT** the application is consistent with adopted and generally accepted standards of development in the City.

20. **THAT** the application is consistent with the goals, objectives, design guidelines, policies and other ordinances, laws, or requirements of the City.

21. **THAT** the resulting rezoned property will not have a significant negative impact on those properties surrounding the rezoned area and that the general public health, safety and welfare of the community are protected.

CONCLUSIONS

1. **THAT** the application was filed by Barbury Holdings, LLC seeking approval to rezone the property from MU-R-3-B, MU-B-1 and R-2-B to Planned Unit Development.

2. **THAT** proper notification of the date, time, and place of the Public Hearing was given by publication in the official City newspaper, and by posting of the property for the required length of time.

3. **THAT** all testimony received from staff members, applicant team members, and the general public has been made part of the record of the Public Hearing.

4. **THAT** the application is in conformance with the Comprehensive Plan and the Unified Development Code.

5. **THAT** the application is consistent with adopted and generally accepted standards of development in the City.

6. **THAT** the application is consistent with the goals, objectives, design guidelines, policies and other ordinances, laws, or requirements of the City.

7. **THAT** the property cannot be developed under the existing zoning.

8. **THAT** the resulting rezoned property will not have a significant negative impact on those properties surrounding the rezoned area and that the general public health, safety and welfare of the community are protected.

DECISION

THEREFORE, it is the decision of the City Planning and Zoning Commission that the application filed by Barbury Holdings, LLC to rezone the property known as 3695 South Lincoln Street from MU-R-3-B, MU-B-1 and R-2-B to Planned Unit Development be recommended to City Council for approval.

The decision was reached upon a vote on a motion made at the meeting of the City Planning and Zoning Commission on October 2, 2012, by Mr. Knoth, seconded by Mr. Welker, which motion states:

> *THAT CASE #ZON2012-003 TO REZONE 3695 SOUTH LINCOLN STREET AKA PIN NUMBERS 2077-03-1-08-004 AND 2077-03-1-09-006 FROM MU-R-3-B, MU-B-1 AND R-2-B ZONE DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD) BE RECOMMENDED AS WRITTEN FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION WITH THE FOLLOWING AMENDMENTS:*
>
> 1. *The maximum number of allowed units shall be 310.*
> 2. *A minimum 20% of the property shall be landscaped.*
> 3. *The Park Dedication Fee-in-lieu shall not be reduced from the City Council adopted fee of $20,000 per required acre as required by the Unified Development Code [Director's Note: The Unified Development Code establishes the method for calculating the required acreage. Council adopted the $20,000 per acre as a policy by resolution.]*

AYES:	Brick, Knoth, Fish, Roth, Welker, Townley
NAYS:	Bleile, King
ABSTAIN:	None
ABSENT:	Kinton

The motion carried.

These Findings and Conclusions are effective as of the meeting on October 2, 2012.

BY ORDER OF THE CITY PLANNING & ZONING COMMISSION

John Brick, Chair

EXHIBIT M

Brook Bell

From: Barbara Krecklow on behalf of Community Development
Sent: Tuesday, September 25, 2012 7:51 AM
To: Alan White; Brook Bell
Subject: FW: Flood Middle School property

-----Original Message-----
From: Frank Forney [
Sent: Monday, September 24, 2012 8:47 PM
To: Council; Community Development
Cc: Randy Penn; Jim Woodward; Jill Wilson
Subject: Flood Middle School property

Greetings fellow Englewood residents and City Officials!

Regarding the redevelopment of the Flood Middle School property, I believe that it is important that the City and all Applicants publicly acknowledge that something good for Englewood already exists on this location: an open space, a green grass playing field and a (generally defined) neighborhood park. This is a quiet oasis nestled against the busy traffic corridors of South Broadway and Hampden/285.

This currently existing public good needs to be acknowledged! Then, any proposed development need to demonstrate how it will be an improvement on the good which already exists!

Please consider the following negative factors which argue against the proposed development:

•The proposed apartment and parking structures (which build out to the very perimeter of the properties and to a height of 50 feet and more) are not in keeping with the character of the neighborhood.

•The proposed development does not add amenities to the neighborhood. On the contrary, it removes valuable open space and creates instead an insulated community within a community.

•One single vehicular access in and out of the compound, as proposed, creates a traffic bottle-neck at Kenyon and Broadway. This only multiplies the problems created by adding hundreds of new commuters to the neighborhood.

The positive factors in favor, as I heard them, are:

•All properties at the location will be settled. Troublesome maintenance problems will be resolved.

•Money will flow directly into school district coffers. New Englewood residents will shop, spend money, and pay taxes.

•The proposed development will serve as the "Gateway to South Broadway."

As an aside I would ask: Is Englewood a city in need of more housing in order to meet the needs of a growing population? Or is Englewood a city in need of more population in order to raise money for the city?

At any rate, we are considering the disposition of neighborhood public property. Yes, I understand that the Planning and Zoning Commission must consider applications on their merits as they are presented. Yes, I understand that there is no currently existing Englewood city park at the location. Yes, I understand that the Planning Department has not stepped up to offer alternatives for consideration.

And yes, in these troubled times, I understand that the School District and the City find themselves between a rock and a hard place concerning on-going expenses at Mary Flood Middle School and Playing Field. Any reasonable offer to relieve the financial burdens must be considered.

But I am disappointed that as this matter comes before the public there is apparently only one plan and vision being considered by the City. Naturally the Planning and Zoning Commission has a narrow focus when it considers a particular application. I am hoping the City Council will sit back and take a bigger view of the matter.

An obvious alternative to the proposed development would be to demolish and rebuild on the Middle School site proper (Broadway to
Lincoln) and preserve and maintain the playing field.

It's what I would call a compromise.

Is this obvioous alternative plan under consideration at all? Point out all of the problems in it, but at least give it consideration!

Thank you for your time,

Frank Forney
3929 S. Sherman ST.
Englewood, CO 80113
303-761-2609

EXHIBIT N

3929 S Sherman St
Englewood, CO 80113
September 25, 2012

Dear Mayor Penn and Council Members:

Re: REZONING OF MARY FLOOD MIDDLE SCHOOL

My name is Colleen McGovern and my husband and I have lived for 13 years at 3929 S. Sherman Street-- just three blocks from the proposed rezoning. We love our neighborhood & care very deeply about this place. We moved here because we were very impressed with what Englewood has done with the Civic Center area, we like being a "first ring suburb" close to downtown Denver, and we fell in love with our historic 1930s house and our neighborhood. My husband & I ride our bikes to the train station to get to our jobs, we shop first and foremost at Englewood shops and we take our friends to all the local restaurants. We have wonderful neighbors, have invested a lot to preserve and enhance the character of our modest home, and are champions to our friends in the region of just all that the city of Englewood has to offer.

The Mary-Flood rezoning proposal will have a profound impact on our neighborhood and on the city of Englewood in general. I have not had an opportunity to review the plans for the site, as it requires going to the city offices, which are closed when I get off work. I did attend a neighborhood meeting, but it wasn't the one required by the city's regulations. For some reason, I did not receive notice of that meeting, though I live within the distance I believe is legally required to receive notice. Instead I got a flyer from a neighbor who hosted another meeting that I thought was very informative. After that meeting, I looked at the city website and reviewed the staff memo to try to find out as much as I could.

After waking up to the fact that the lovely school-site and Mary Flood neighborhood park could be completely demolished and transformed into an apartment complex with no public access, the biggest question I was left with was--how does the city decide these kinds of questions? What are the criteria upon which you are supposed to base your decision? Logic would tell me that

since you are reviewing a proposal that asks for a change in zoning on the property, you would only do this if it would result in something that is better for the city of Englewood and the immediate neighborhood than what the current zoning allows. I didn't see any mention of this in the staff memo, so I looked at the city's regulations on-line as best I could, and lo and behold, it appears that the city's regulations match what simple logic would suggest: That is, the regulations say that the city can only recommend approval of this proposal if it finds that,

> "the proposed development will exceed the development quality standards, levels of public amenities, or levels of design innovation otherwise applicable under this Title, and would not be possible or practicable under a standard zone district". I got this from Section 16-2-7H(2) of the city's code. In this section, it says that the only other way you can recommend approval is if you find "That the property cannot be developed, or that no reasonable economic use of the property can be achieved, under the existing zoning" etc, but that certainly wouldn't be the case here, since the applicant (Banburry LLC) doesn't even own the property & hasn't done the analysis of what they could do under the current zoning. They are just proposing something that they think will be good for Englewood, and make them a profit-- a perfectly reasonable thing to do.

If I am correct, the basis of your decision is whether this proposal would be better than a project that would be designed under the existing zoning. I am no expert, but just trying to understand all of this, here's what I see: This proposal would allow for almost twice the amount of development that is allowed under the current regulations, with significantly lower quality-- not even close to meeting the legally required criteria. Just as an example:

The proposal is for more than twice the density allowed under the UDC (current regulations)-- they are proposing 310 units, where 156 units would be allowed under current zoning--and they are proposing to <u>reduce</u> some of the standards rather than exceed them. For example, page 7 of the staff memo says the UDC requires 25% landscaping of which 75% has to be live and the Banburry PUD proposes 15% landscaping with 50% of it being living. Further, and this one is very confusing to me, since the proposed project would take away a park and the city has said that they don't have money for more parks: they request to pay only $57,780 in park land dedication fees where the regulations require $20,000 per acre, or $134,800 (and the staff memo

says that "council has preliminarily agreed..." to this??). What is the justification for this reduction in parkland dedication fee reduction, especially since the development will be removing what today is de-facto parkland for the neighborhood, and will add about 600 people or more to the area, which will most certainly put a strain on existing parks?

Since the City Council represents the larger community interests of Englewood, I do hope that you will NOT approve this change unless and until the applicant shows how their proposal benefits our community. As I see it, it provides them more units and presumably more profit, but significantly LESS in the way of "development quality standards, levels of public amenities, or levels of design innovation" as required in the city regulations.

There are other models in the Denver/ Metro region of re-developed school/ park sites that have become amenities to their surrounding neighborhoods. It appears that the apartment-complex proposal is not one such example, so I urge you to deny this rezoning.

Thank you for considering my comments and for the public service you provide being on the City Council.

Respectfully,
Colleen McGovern

EXHIBIT O

Brook Bell

From: Alan White
Sent: Friday, September 28, 2012 12:04 PM
To: Brook Bell; Ed Barsocchi (ebarsocchi@barsocchi.com)
Subject: FW: Flood Middle School PUD Proposal

FYI.

Alan White

From: Leigh Ann Hoffhines **On Behalf Of** Council
Sent: Friday, September 28, 2012 11:52 AM
To: Linda Olson
Cc: Mike Flaherty; Alan White
Subject: FW: Flood Middle School PUD Proposal

Hi Linda – This message came in via the Council email for you.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Anisa Schell |
Sent: Thursday, September 27, 2012 5:35 PM
To: Council
Cc: Rick Schell; Doug Mitchell
Subject: Flood Middle School PUD Proposal

Ms. Olsen,

I am writing to express my concern over the planned PUD Case #ZON2012-003. I was unable to attend the Public Hearing on September 18, 2012.

As an Englewood homeowner of nine years I wish to express that I do NOT want a 350 unit residential apartment in our neighborhood or even a smaller apartment complex. The traffic alone would be horrendous. I can't imagine how congested and dangerous the intersection of S. Lincoln and Kenyon will become with as many as 500 cars or more in one city block.

Additionally, I wish to encourage home-ownership in our neighborhood, not more rental units. I'm sure that you are aware that homeowners tend to invest more in both their neighborhood and communities than renters do. Home owners help create safer and more beautiful neighborhoods. When there are many rentals in a neighborhood, property values suffer. Furthermore, studies have suggested that crime rates escalate in areas with more rental properties.
http://www.equotient.net/papers/rental.pdf

There are many children in our neighborhood and I wish our streets to stay safe for them and all of our residents, both in terms of traffic and crime. And, I wish to maintain property values and increase them, not sink them. I am certain that I am not alone in these concerns. I hope as my City Council

representative, you are fighting on our behalf to prevent this risky decision for our neighborhood.

Thank you,

Anisa Schell
3650 S. Grant Street
Englewood, CO 80113
303-286-6777

BY AUTHORITY

ORDINANCE NO. ____
SERIES OF 2012

COUNCIL BILL NO. 58
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE APPROVING THE FLOOD MS PLANNED UNIT DEVELOPMENT (PUD), BY BARBURY HOLDINGS, LLC LOCATED AT THE NORTHEAST CORNER OF SOUTH BROADWAY AND KENYON AVENUE ALSO KNOWN AS 3695 SOUTH LINCOLN STREET, IN THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, Englewood School District #1 are the owners of the property at the Northeast corner of South Broadway and Kenyon Avenue, also known as 3695 South Lincoln Street, Englewood, Colorado; and

WHEREAS, the former Flood Middle School site consists of two parcels totaling 4.56 acres; and

WHEREAS, this property is the former Flood Middle School site and has been vacant since 2007; and

WHEREAS, the Englewood School District issued a request for proposals to redevelop the Flood Middle School property however, no viable development proposals has come forward except for Barbury PUD application; and

WHEREAS, in 2011 Barbury Holdings, LLC submitted a proposal to purchase the property and proposed development of the property to include a 350 maximum residential apartment units contained within two buildings, a multi-level parking structure which would be accessed off of South Lincoln Street, several courtyards, perimeter landscaping, and minimum 5 foot wide sidewalks, and all new and existing utilities within the property and abutting Right-of-Way would be placed underground; and

WHEREAS, the former Flood Middle School site existing Zone Districts are MU-R-3-B, MU-B-1, and R-2-B, all of which include multi-unit dwellings as permitted uses; and

WHEREAS, Barbury Holdings, LLC submitted an application to rezone the property to a Planned Unit Development (PUD) because the existing zoning designation would not accommodate the proposed development; and

WHEREAS, the proposed Flood MS Planned Unit Development will exceed the development quality standards required by the Englewood Unified Development Code for residential development; and

WHEREAS, the property cannot be developed, or no reasonable economic use of the property can be achieved, under the existing zoning, even through the use of conditional uses or a reasonable number of Zoning Variances or Administrative Adjustments; and

WHEREAS, the Planning and Zoning Commission held Public Hearing on September 18, 2012; and

WHEREAS, the Planning and Zoning Commission made the following findings:

1. The proposed rezoning is consistent with the Comprehensive Plan and the Unified Development Code.
2. The application is consistent with adopted and generally accepted standards of development in the City.
3. The application is consistent with the goals, objectives, design guidelines, policies and other ordinances, laws, or requirements of the City.
4. The resulting rezoned property will not have a significant negative impact on those properties surrounding the rezoned area and that the general public health, safety and welfare of the community are protected; and

WHEREAS, the Planning and Zoning Commission recommends approval of the Flood MS Planned Unit Development with the following conditions:

1. The maximum number of allowed units shall be 310.
2. A minimum 20% of the property shall be landscaped.

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

Section 1. The Flood MS Planned Unit Development (PUD), for property located at the northeast corner of South Broadway and Kenyon Avenue, in the City of Englewood, Colorado, attached hereto as Exhibit A, is hereby approved with the conditions noted above.

Introduced, read in full, and passed on first reading on the 5th day of November, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 9th day of November, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 7th day of November, 2012 for thirty (30) days.

Randy P. Penn, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 5th day of November, 2012.

_____
Loucrishia A. Ellis

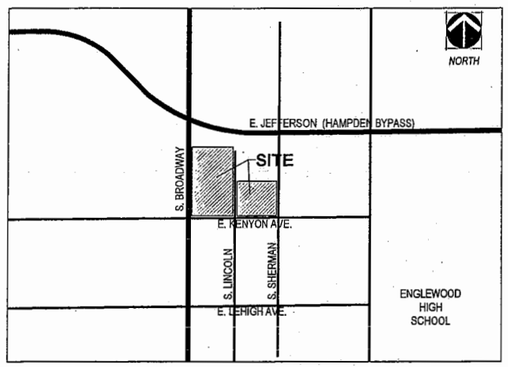
FLOOD MS PLANNED UNIT DEVELOPMENT

ENGLEWOOD, COLORADO

EXHIBIT A

VICINITY MAP

NOT TO SCALE



LEGAL DESCRIPTION

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 6 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,
EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

PROJECT BACKGROUND

THIS PROJECT AT 3650 S. BROADWAY IS COMPRISED OF 2 PARCELS (PARCEL I.D #2077-03-1-08-004 & #2077-03-1-09-006) TOTALING APPROXIMATELY 4.6 ACRES. THE FIRST (WEST) PARCEL (KNOWN HEREIN AS PARCEL 01) IS LOCATED AT THE NORTHEAST CORNER OF S. BROADWAY AND E. KENYON. THE SECOND (EAST) PARCEL (KNOWN HEREIN AS PARCEL 02) IS LOCATED DIRECTLY EAST OF THE WEST PARCEL AT THE NORTHEAST CORNER OF S. LINCOLN AND E. KENYON. PRESENTLY THE WEST PARCEL CONTAINS, THE NOW CLOSED, FLOOD MIDDLE SCHOOL WHICH WILL BE DEMOLISHED AS A PART OF THIS PROPOSED DEVELOPMENT. THE EAST PARCEL IS VACANT. THE CURRENT ZONING OF THE WEST PARCEL IS MU-R-3-B WITH THE NORTHERNMOST MOST PORTION BEING ZONED MU-B-1. THE WEST HALF OF THE EAST PARCEL IS MU-R-3-B AND THE EAST HALF OF THE EAST PARCEL ZONED R-2-B. THIS PUD WILL BRING ALL PARCELS UNDER THE SAME ZONING DESIGNATION AS OUTLINED WITHIN THIS PUD DOCUMENT. THE PLANNED UNIT DEVELOPMENT WILL BE PROCESSED PURSUANT TO THE APPLICABLE CITY REGULATIONS.

CONSTRUCTION/PHASING PLAN

INITIAL DEMOLITION OF THE EXISTING BUILDINGS ON-SITE SHALL TAKE APPROXIMATELY 3 MONTHS. ONCE DEMOLITION IS COMPLETE NEW CONSTRUCTION SHALL TAKE APPROXIMATELY 22 MONTHS. IT IS ANTICIPATED THAT THE FIRST RESIDENTIAL UNITS WILL BE READY FOR OCCUPANCY APPROXIMATELY 12 MONTHS AFTER NEW CONSTRUCTION BEGINS.

PUD DEVELOPMENT SUMMARY

THE APPLICANT PROPOSES TO DEVELOP A MAXIMUM OF 350 RESIDENTIAL 'FOR-RENT' APARTMENT UNITS CONTAINED WITHIN TWO BUILDINGS DEVELOPED ON PARCEL 01 AND PARCEL 02. PARKING SHALL MOSTLY BE PROVIDED IN A PARKING STRUCTURE THAT WILL PREDOMINANTLY BE WRAPPED/SCREENED BY THE APARTMENT BUILDING. VEHICULAR AND BICYCLE PARKING SHALL BE PROVIDED BASED ON MINIMUM CITY CODE REQUIREMENTS. SEVERAL COURTYARD/AMENITY AREAS ARE INCORPORATED INTO THE DESIGN THAT WILL ALSO INCLUDE LANDSCAPING.

THE PROPOSED PROJECT ADDRESSES THE CITY'S 3-PART STRATEGY OUTLINED IN THE 2003 ENGLEWOOD COMPREHENSIVE PLAN FOR GROWTH AND DEVELOPMENT IN THE CITY; REVITALIZATION, REDEVELOPMENT AND REINVENTION. THE ABANDONED FLOOD MIDDLE SCHOOL CURRENTLY OCCUPIES THIS SITE. THE PROPOSED PROJECT WILL REDEVELOP THIS SITE INTO A VIBRANT, HIGH QUALITY RESIDENTIAL COMMUNITY THAT FITS INTO THE EXISTING MIX OF USES THAT SURROUND THE SITE THAT INCLUDE A MIX OF SINGLE FAMILY, DUPLEX AND MULTI-FAMILY RESIDENCES, AS WELL AS COMMERCIAL/RETAIL USES. THIS PROJECT WILL REVITALIZE THIS ESTABLISHED NEIGHBORHOOD AREA AND PROVIDE A UNIQUE HOUSING OPTION FOR RESIDENTS IN THIS LOCATION. THIS PROJECT TAKES ADVANTAGE OF EXISTING COMMUNITY INFRASTRUCTURE AND TRANSPORTATION OPTIONS WHILE REINVESTING IN AN EXISTING ESTABLISHED NEIGHBORHOOD. THE ADDITIONAL RESIDENTS WILL TAKE ADVANTAGE OF THE EXISTING RETAIL IN THE NEIGHBORHOOD AND GENERATE TAX REVENUE THAT WILL BENEFIT PROGRAMS AND SERVICES PROVIDED BY THE CITY OF ENGLEWOOD.

PUD PLAN NOTES

1. THIS PROPERTY DOES NOT LIE WITHIN A 100-YEAR FLOODPLAIN.
2. ALL NEW AND EXISTING UTILITIES WITHIN THE PROPERTY AND ABUTTING RIGHT-OF-WAY SHALL BE PLACED UNDERGROUND.
3. ALL CONCRETE WORK DONE IN THE PUBLIC RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH CONSTRUCTION STANDARDS AND CONCRETE SPECIFICATIONS FOR THE CITY OF ENGLEWOOD, COLORADO.
4. ANY NEW FIRE HYDRANTS SHALL BE TO THE CITY OF ENGLEWOOD REQUIREMENTS.
5. SUBDIVISION OF THE SITE SHALL BE COMPLETED UNDER SEPARATE DOCUMENT.
6. ALL STRUCTURES AND PROJECTIONS (UNLESS OTHERWISE NOTED WITHIN THIS PUD) SHALL BE CONSTRUCTED WITHIN BUILDING ENVELOPES AND BUILDING HEIGHT LIMITS.
7. THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE CITY CODES, REGULATIONS, AND STANDARDS NOT SPECIFICALLY ADDRESSED WITHIN THIS PUD.
8. IN THE EVENT OF A CONFLICT BETWEEN THE SPECIFIC PROVISIONS OF THIS PUD AND TITLE 16, THE SPECIFIC PROVISIONS OF THIS PUD SHALL CONTROL.
9. THE EXISTING CITY DITCH MAY BE REALIGNED AS PART OF FUTURE DEVELOPMENT.

CONTACT LIST

OWNER:
ENGLEWOOD SCHOOL DISTRICT #1
ATTN: BRIAN EWERT
4101 SOUTH BANNOCK STREET
ENGLEWOOD, COLORADO 80110
303.761.7050
BRIAN_EWERT@ENGLEWOOD.K12.CO.US

APPLICANT:
BARBURY HOLDINGS, LLC
ATTN: EDWARD BARSOCCHI
4725 SOUTH MONACO ROAD, SUITE. 205
DENVER, COLORADO 80237
303.827.9570
EBARSOCCHI@BARSOCCHI.COM

PLANNER/APPLICANT REPRESENTATIVE:
NORRIS DESIGN
ATTN: WENDI BIRCHLER
1101 BANNOCK STREET
DENVER, COLORADO 80204
303.892.1166
WBIRCHLER@NORRIS-DESIGN.COM

ARCHITECT:
PBA
ATTN: ROBERT MILLER
1633 YORK STREET
DENVER, COLORADO 80206
303.592.2904
RMILLER@PTBARC.COM

CIVIL ENGINEER:
HARRIS KOCHER SMITH
ATTN: BILLY HARRIS
1391 SPEER BOULEVARD, SUITE 390
DENVER, COLORADO 80204
303-623-6300
BHARRIS@HKSENG.COM

TRAFFIC ENGINEER:
HARRIS KOCHER SMITH
ATTN: MIKE KIBBEE
1391 SPEER BOULEVARD, SUITE 390
DENVER, COLORADO 80204
303-623-6300
MKIBBEE@HKSENG.COM

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SIGNATURE BLOCKS

APPROVED FOR ENGLEWOOD SCHOOL DISTRICT

_____ _____
SIGNATURE DATE

STATE OF COLORADO
COUNTY OF _____
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20___ BY _____, AS _____ OF _____.

MY COMMISSION EXPIRES _____.

_____
NOTARY PUBLIC

_____
ADDRESS

APPROVED FOR THE CITY OF ENGLEWOOD

_____ _____
PLANNING AND ZONING COMMISSION CHAIRPERSON DATE

_____ _____
PLANNING AND ZONING COMMISSION RECORDING SECRETARY DATE

_____ _____
MAYOR OF ENGLEWOOD DATE

ATTESTED
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20___ BY _____, AS _____ OF _____.

_____
CITY CLERK

CLERK AND RECORDER'S OFFICE

THIS PLANNED UNIT DEVELOPMENT IS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, COLORADO AT _____ O'CLOCK, ____. M. THIS_____ DAY OF _____, 20____.
RECEPTION NUMBER _____ BOOK NUMBER _____ PAGE NUMBER_____

_____ _____
CLERK AND RECORDER BY: DEPUTY

SHEET TITLE:
COVER SHEET

SHEET #:
01 of 08

SUBMITTAL: 06/04/12
REVISION #/DATE: #01 07/23/12
REVISION #/DATE: #02 08/20/12
REVISION #/DATE: #03 09/07/12
REVISION #/DATE:
REVISION #/DATE:

PBA
PAUL T. BARSHEMKY / AIA / ARCHITECT / PC
1633 York Street
Denver, CO 80206
ph: 303 592-2904
fx: 303 592-2357
eml: pb@ptbarc.com

HARRIS KOCHER SMITH
engineers • land surveyors

NORRIS DESIGN
Planning | Landscape Architecture
1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

FLOOD MS
PLANNED UNIT DEVELOPMENT
ENGLEWOOD, COLORADO

FLOOD MS PLANNED UNIT DEVELOPMENT

ENGLEWOOD, COLORADO

ARCHITECTURAL CHARACTER

THE ARCHITECTURAL CHARACTER OF THIS DEVELOPMENT SHALL BE URBAN IN CHARACTER AND WILL PROVIDE FOR A PEDESTRIAN SCALE ALONG THE STREET LEVEL. DESIGN SHALL INCLUDE THE FOLLOWING:

a. A MINIMUM OF ONE 5' BUILDING PLANE CHANGE EVERY 45 LINEAR FEET. THIS MAY BE ACCOMPLISHED IN A NUMBER OF WAYS INCLUDING RECESSED BALCONIES OR PORCHES, BUT SHALL NOT INCLUDE CANTILEVERED BALCONIES OR PORCHES. PARKING GARAGES ARE EXCLUDED FROM THIS BUILDING PLANE CHANGE REQUIREMENT.
b. A MINIMUM OF 3 DIFFERENT MATERIAL PATTERNS AND COLOR CHANGES SHALL BE INCORPORATED INTO THE BUILDING DESIGN. IT IS ENCOURAGED THAT THESE MATERIALS ARE DISTRIBUTED AS EVENLY AS POSSIBLE THROUGHOUT THE BUILDING DESIGN. AT LEAST ONE ADDITIONAL COLOR AND/OR MATERIAL WILL BE USED TO DIFFERENTIATE IMPORTANT ARCHITECTURAL ELEMENTS SUCH AS CORNERS, ENTRIES, AND COMMON USE AREAS.
c. AN AVERAGE OF 30% OF THE BUILDING FAÇADE SHALL CONSIST OF MASONRY, WHICH MAY INCLUDE BRICK, STONE, AND/OR CMU. NO ELEVATION FACING A PUBLIC STREET SHALL HAVE LESS THAN 20% MASONRY.
d. STUCCO, STONE, CMU, BRICK, CEMENTITIOUS (INCLUDING JAMES HARDIE & SIMILAR), AND METAL SIDING ARE PERMISSIBLE BUILDING MATERIALS.
e. AT THE CORNER OF S. BROADWAY AND KENYON THE BUILDING FAÇADE SHALL BE 80% TRANSPARENT FOR A HEIGHT OF AT LEAST 20', ACTIVATING THE STREET WITH THE ACTIVITY OF THE AMENITY AREAS WITHIN THE CLUBHOUSE.
f. PREDOMINANT BUILDING ENTRIES SHALL BE CLEARLY DEFINED AND MAY CONSIST OF ELEMENTS SUCH AS; CANOPIES, OVERHANGS, PEAKED ROOFS, ARCHES, AND/OR OUTDOOR AMENITIES (I.E. BENCHES, BOLLARDS, PEDESTRIAN LIGHTS, AND SIMILAR).
g. ROOFS MAY BE SLOPED AND/OR FLAT WITH SLOPED ROOFS RANGING FROM A MINIMUM 4:12 TO A MAXIMUM OF 6:12.

FUTURE DEVELOPMENT SHALL INCORPORATE THE AFOREMENTIONED FEATURES TO CREATE AESTHETICALLY PLEASING BUILDINGS THAT HAVE STRONG ARCHITECTURAL CHARACTER WITH HIGH QUALITY FINISHES.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS

A. GENERAL REGULATIONS: UNLESS OTHERWISE PROVIDED FOR IN THIS PUD OR SUBSEQUENT AMENDMENTS, THE PROVISIONS, STANDARDS, REGULATIONS AND PROCEDURES PERTINENT TO AN APPLICATION FOR THE DEVELOPMENT OF LAND WITHIN THIS PUD ZONE DISTRICT SHALL COMPLY WITH THE MU-R-3-B ZONE DISTRICT OF THE CITY OF ENGLEWOOD AND RELATED ZONING REGULATIONS IN EFFECT AT THE TIME ANY FUTURE APPLICATION IS FILED WITH THE CITY.

B. PERMITTED LAND USES:
1. MULTI UNIT DWELLING (INCLUDING ANCILLARY USES SUCH AS LEASING OFFICE, PRIVATE RECREATION FACILITIES, ETC.)
2. SURFACE PARKING
3. PARKING GARAGE

ACCESSORY USE:
1. HOME OCCUPATION AS DEFINED IN THE UNIFIED DEVELOPMENT CODE (UDC)

PERMITTED ACCESSORY STRUCTURES:
1. POOL EQUIPMENT/MAINTENANCE BUILDING - 1 PERMITTED AT 250 SF EACH
2. TRELLIS - MAXIMUM 3 PERMITTED AT 250 SF EACH
3. GAZEBO - MAXIMUM 3 PERMITTED AT 250 SF EACH

C. UNLISTED USES
PROCEDURES FOR APPROVAL OF USES NOT LISTED IN THE ABOVE PERMITTED USES SHALL BE GOVERNED BY TITLE 16 PROVISIONS FOR UNLISTED USES.

D. DEVELOPMENT STANDARDS
THE FOLLOWING STANDARDS APPLY TO PARCEL 01 AND PARCEL 02 UNLESS OTHERWISE NOTED.
1. MAXIMUM BUILDING HEIGHT:
   a. PARCEL 01 - APPROXIMATELY 60' TO 78' ABOVE GRADE OF ADJACENT RIGHT-OF-WAY (MAXIMUM U.S.G.S ELEVATION OF 5,416')
   b. PARCEL 02 - APPROXIMATELY 60' TO 70' ABOVE GRADE OF ADJACENT RIGHT-OF-WAY (MAXIMUM U.S.G.S ELEVATION OF 5,414')
   c. ANTENNAS, MECHANICAL EQUIPMENT, ELEVATOR PENTHOUSES, CHIMNEYS, AND SIMILAR ARE EXCLUDED FROM THIS LIMITATION.
2. MAXIMUM PERMITTED RESIDENTIAL UNITS:
   a. 76.75 DU/AC OR 350 UNITS (TOTAL COMBINED FOR PARCELS 01 & 02)
   b. PROJECTED UNIT SCHEDULE:
      - 1-BEDROOM - ~65%
      - 2-BEDROOM - ~30%
      - 3-BEDROOM - ~5%

      * NOTE: UNIT SCHEDULE SUBJECT TO CHANGE BASED ON CURRENT MARKET CONDITIONS AT TIME OF CONSTRUCTION. FINAL BREAKDOWN WILL BE PROVIDED AT TIME OF BUILDING PERMIT.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS (CONT.)

3. SETBACKS

BUILDING (INCLUDES PARKING STRUCTURES)	PARCEL 01	PARCEL 02
FROM S. BROADWAY ROW	0'	N/A
FROM E. KENYON ROW	10'	10'
FROM S. LINCOLN ROW	5'	5'
FROM S. SHERMAN ROW	N/A	10'
FROM NORTH BOUNDARY (PARCEL 01)	10'	N/A
FROM NORTH BOUNDARY ADJACENT TO ALLEY	N/A	5'
FROM NORTH BOUNDARY ADJACENT TO EXISTING RESIDENTIAL	N/A	10'
FROM INTERNAL LOT LINE	0'	0'

SURFACE PARKING	PARCEL 01	PARCEL 02
FROM BUILDINGS	0'	0'
FROM PUBLIC ROW	5'	5'

4. BULK STANDARDS:
   a. MAXIMUM LOT COVERAGE: PARCEL 01 - 75%, PARCEL 02 - 80%
   b. BUILD TO LINE - AT LEAST 33% OF THE BUILDING FRONTAGE ALONG S. BROADWAY SHALL BE BUILT NO FURTHER BACK THAN 5' FROM THE PROPERTY LINE.
   c. BUILD TO LINE - NO MORE THAN 33% OF BUILDING WILL BE SETBACK GREATER THAN 25' FROM S. BROADWAY.
   d. STANDARD BULK PLANE REQUIREMENTS AS DEFINED BY THE CITY OF ENGLEWOOD SHALL ONLY APPLY TO THE EASTERN HALF OF THE NORTHERN BOUNDARY OF PARCEL 02, WHERE THE BUILDING IS DIRECTLY ADJACENT TO EXISTING RESIDENTIAL AND NOT THE PORTION OF THE NORTHERN BOUNDARY THAT IS DIRECTLY ADJACENT TO THE ALLEYWAY.

5. PARKING STANDARDS:
   a. PARKING REQUIREMENTS SHALL BE MET PER CITY OF ENGLEWOOD REQUIREMENTS AS SPECIFIED IN SECTION 16-6-4 AND OUTLINED IN TABLE 16-6-4.1 *"MINIMUM OFF-STREET PARKING REQUIREMENTS."*
   b. ADEQUATE AREA FOR SNOW STORAGE SHALL BE PROVIDED ON-SITE AND SHALL BE IDENTIFIED AT TIME OF BUILDING PERMIT.

6. SIGNAGE STANDARDS:
   a. SIGNAGE STANDARDS SHALL MEET STANDARDS AS AMENDED FOR THE MU-B-1 ZONE DISTRICT WITH THE FOLLOWING EXCEPTION:
      a.a. PROJECTING SIGNS ARE PERMITTED A MAXIMUM HEIGHT OF 50' ABOVE GRADE.

7. LANDSCAPE STANDARDS:
   a. A COMPLETE LANDSCAPE PLAN SHALL BE PROVIDED AT TIME OF BUILDING PERMIT.
   b. 15% OF THE TOTAL COMBINED AREA OF PARCELS 01 & 02 IS REQUIRED FOR PUBLIC AND/OR PRIVATE LANDSCAPE AREA. DUE TO ITS URBAN NATURE, UP TO 50% OF THE PROVIDED COURTYARDS/PLAZAS, ENHANCED PAVING WITHIN THE STREETSCAPE ZONE, BUFFER LANDSCAPE ZONE, AND INTERIOR LANDSCAPE ZONES 01 & 02 MAY COUNT TOWARDS THIS REQUIREMENT, THIS INCLUDES IMPROVEMENTS MADE WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, BUT EXCLUDES THE 5' SIDEWALKS ALONG, BROADWAY, KENYON, SHERMAN, AND LINCOLN. A MINIMUM OF 50% OF THE REQUIRED LANDSCAPE SHALL BE LIVING LANDSCAPE.
   c. MINIMUM LANDSCAPE SIZE AND QUANTITIES SHALL BE PROVIDED PER CITY OF ENGLEWOOD REQUIREMENTS.

8. PUBLIC LAND DEDICATIONS REQUIREMENTS:
   a. PARKS, TRAILS, AND OPEN SPACE LAND DEDICATION SHALL BE DETERMINED BY SEPARATE AGREEMENT.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS (CONT.)

9. SCREENING:
   a. A MAXIMUM 8' TALL, FULLY OPAQUE SCREEN WALL/FENCE MAY BE USED ON THE NORTHERN BOUNDARY OF PARCEL 02 TO SCREEN BETWEEN EXISTING AND PROPOSED USES. MATERIALS SHALL BE CONSISTENT WITH THE OVERALL BUILDING DESIGN AND WILL BE DETERMINED AT TIME OF BUILDING PERMIT. LANDSCAPE THAT INCLUDES A MIX OF DECIDUOUS AND EVERGREEN SHRUBS, ORNAMENTAL GRASSES AND/OR PERENNIALS WILL BE INCORPORATED ADJACENT TO THE FENCE WHERE ADEQUATE LANDSCAPE AREA IS PROVIDED. (AREAS MORE THAN 5' AWAY FROM BUILDING FOUNDATION). QUANTITIES SHALL BE PER CITY OF ENGLEWOOD REQUIREMENTS. ALL OTHER PROJECT AREAS MUST MEET SCREENING STANDARDS AS REQUIRED BY THE CITY OF ENGLEWOOD.

10. LIGHTING:
   a. ALL ON-SITE LIGHTING SHALL USE FULL CUT-OFF LIGHT FIXTURES AND NOT EXCEED 0.5 FOOT CANDLES AT THE PROPERTY LINE.

11. MISC. ADDITIONAL STANDARDS:
   a. WASTE AND RECYCLE COLLECTION: ALL FACILITIES FOR WASTE AND RECYCLE COLLECTION WILL BE INTERNAL TO THE BUILDING. NO FACILITIES WILL BE VISIBLE FROM THE PUBLIC WAY OR ADJACENT PROPERTIES. NO STORAGE WILL BE EXTERNAL TO THE BUILDING, EXCEPT FOR TEMPORARY STAGING DURING WASTE AND RECYCLE REMOVAL TIMES.
   b. SIDEWALKS SHALL BE A MINIMUM OF 5' IN WIDTH.

E. MODIFICATIONS
THE FOLLOWING MODIFICATION PROCEDURES ARE CONSISTENT WITH THE PUD MODIFICATION PROCEDURES OF THE CITY OF ENGLEWOOD TITLE 16, ZONING REGULATIONS, AS MODIFIED BELOW:

1. DISTRICT PLAN - THE TERMS, CONDITIONS, THE ADOPTED PUD DISTRICT PLAN AND DOCUMENTS MAY BE CHANGED AND/OR AMENDED IN WHOLE OR IN PART AS FOLLOWS -
   a. MINOR MODIFICATIONS TO THE PUD DISTRICT PLAN: THE CITY MANAGER OR HIS DESIGNEE MAY APPROVE MINOR MODIFICATIONS IN THE LOCATION, SIZING, AND HEIGHT OF STRUCTURES OR FACILITIES IF REQUIRED BY ENGINEERING OR OTHER CIRCUMSTANCES NOT FORESEEN AT THE TIME THE PUD DISTRICT PLAN WAS APPROVED. MINOR MODIFICATIONS SHALL NOT BE PERMITTED IF THE MODIFICATION RESULTS IN ANY OF THE CIRCUMSTANCES LISTED IN E.2.a OF THIS PUD.
   b. MAJOR MODIFICATIONS TO THE PUD DISTRICT PLAN: MAJOR MODIFICATIONS MAY BE MADE TO THE APPROVED PUD DISTRICT PLAN PURSUANT TO THE SAME LIMITATIONS AND REQUIREMENTS BY WHICH SUCH PLANS AND DOCUMENTS WERE ORIGINALLY APPROVED.

2. SITE PLAN -
   a. MINOR MODIFICATIONS TO THE PUD SITE PLAN: THE CITY, THROUGH THE DEVELOPMENT REVIEW TEAM, MAY AUTHORIZE MINOR DEVIATIONS FROM THE PUD SITE PLAN WHEN SUCH DEVIATIONS APPEAR NECESSARY IN LIGHT OF TECHNICAL OR ENGINEERING CONSIDERATIONS. MINOR DEVIATIONS SHALL NOT BE PERMITTED IF ANY OF THE FOLLOWING CIRCUMSTANCES RESULT:
      a.a. A CHANGE IN THE CHARACTER OF THE DEVELOPMENT; OR
      a.b. A CHANGE IN THE PERMITTED LAND USES; OR
      a.c. A CHANGE IN THE GENERAL LOCATION OF LAND USES; OR
      a.d. AN INCREASE IN THE MAXIMUM HEIGHT OF ANY BUILDING OF MORE THAN 5%; OR
      a.e. AN INCREASE IN THE NUMBER OF DWELLING UNITS, OR IN THE RATIO OF THE GROSS FLOOR AREA OF STRUCTURES TO THE LAND AREA, OR INCREASES IN THE PROPOSED GROSS FLOOR AREA WITHIN ANY PARTICULAR LAND USE OF MORE THAN 2%;
      a.f. A REDUCTION IN THE SETBACKS FROM PROPERTY LINES MORE THAN 10%; OR
      a.g. AN INCREASE OF MORE THAN 10%, IN GROUND COVERAGE BY STRUCTURES OR SURFACE PARKING; OR
      a.h. A REDUCTION BY MORE THAN 5% IN THE LAND AREA DESIGNATION FOR LANDSCAPING; OR
      a.i. A REDUCTION IN THE RATIO OF OFF-STREET PARKING AND LOADING SPACE TO GROSS FLOOR AREA OR NUMBER OF DWELLING UNITS.
   b. SITE PLAN AMENDMENTS NOT MEETING THE ABOVE REQUIREMENTS: ALL PUD SITE PLANS APPROVED AND RECORDED MAY ONLY BE AMENDED PURSUANT TO THE SAME PROCEDURE AND SUBJECT TO THE SAME LIMITATION AND REQUIREMENTS BY WHICH SUCH PLANS WERE APPROVED.

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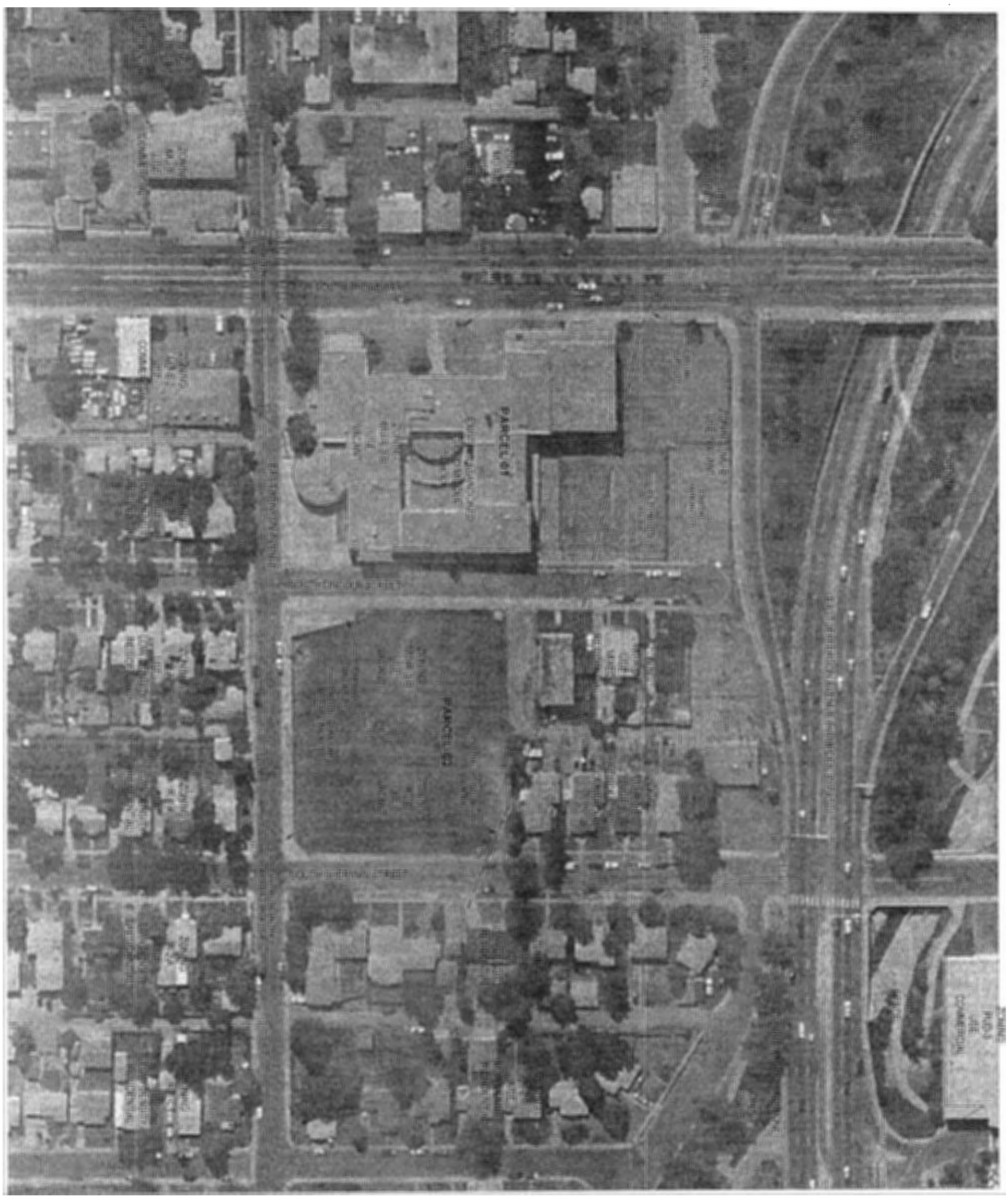
SHEET TITLE:
DISTRICT PLAN



ZONING BOUNDARY

NORTH

SCALE - 1" = 50'

0 25' 50' 100'

SHEET TITLE:
EXISTING SITE PLAN

SHEET #:
03 of 08

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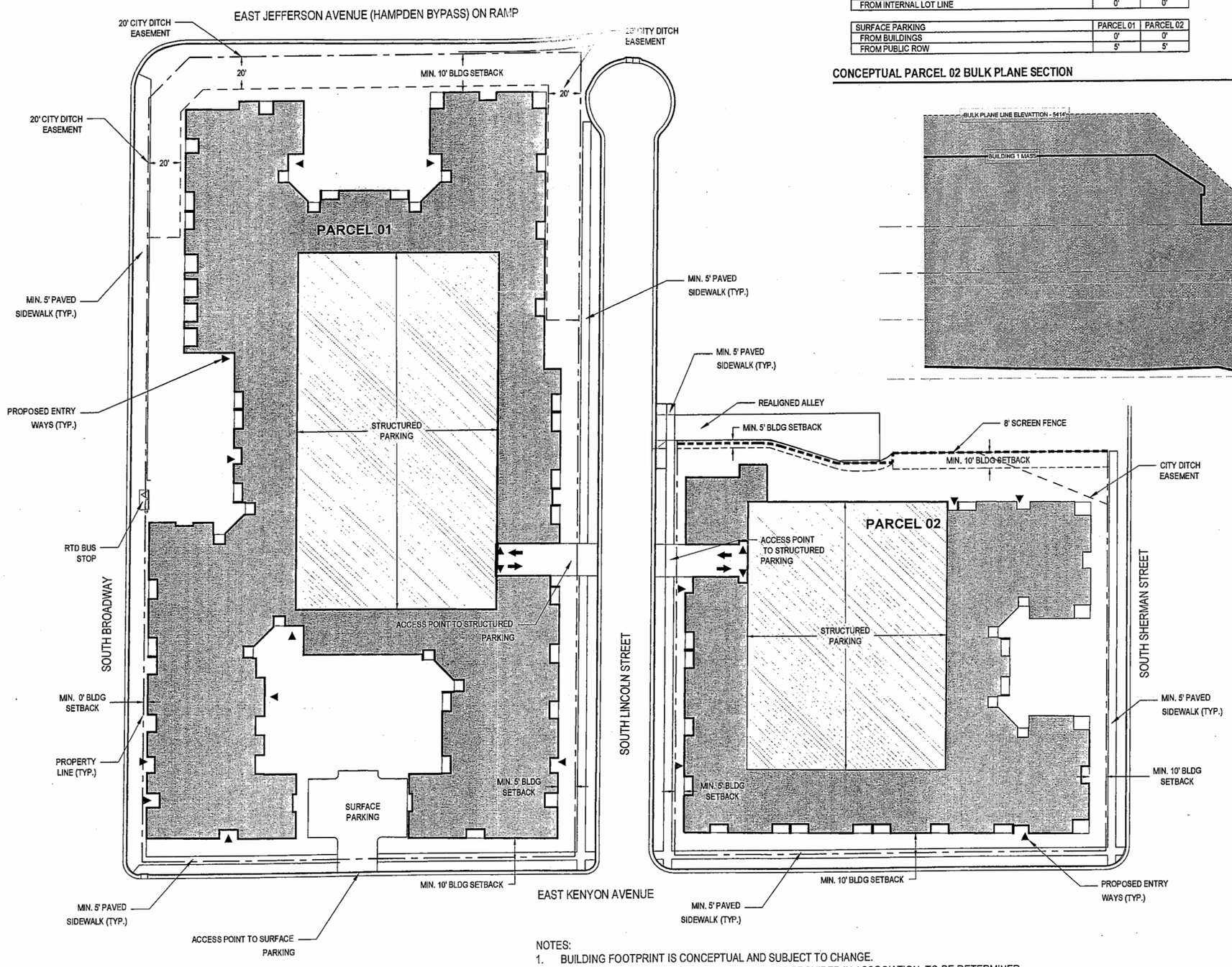


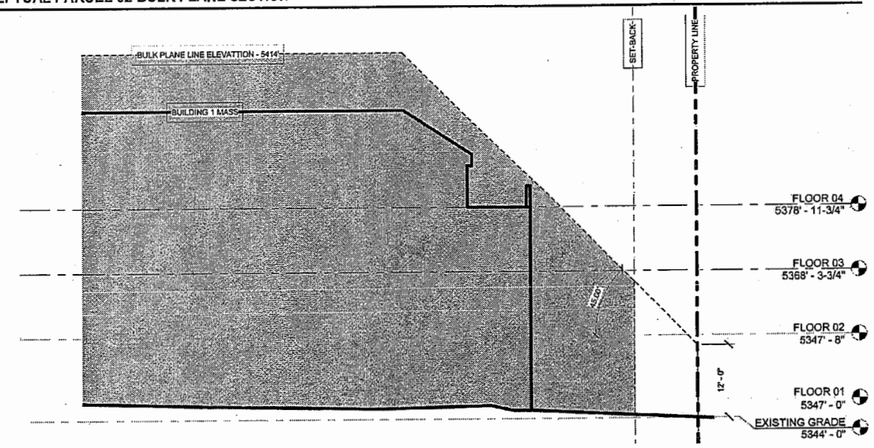
SETBACKS

BUILDING (INCLUDES PARKING STRUCTURES)	PARCEL 01	PARCEL 02
FROM S. BROADWAY ROW	0'	N/A
FROM E. KENYON ROW	10'	10'
FROM S. LINCOLN ROW	5'	5'
FROM S. SHERMAN ROW	N/A	10'
FROM NORTH BOUNDARY (PARCEL 01)	10'	N/A
FROM NORTH BOUNDARY ADJACENT TO ALLEY	N/A	5'
FROM NORTH BOUNDARY ADJACENT TO EXISTING RESIDENTIAL	N/A	10'
FROM INTERNAL LOT LINE	0'	0'

SURFACE PARKING	PARCEL 01	PARCEL 02
FROM BUILDINGS	0'	0'
FROM PUBLIC ROW	5'	5'

CONCEPTUAL PARCEL 02 BULK PLANE SECTION

NTS



NORTH

0 15' 30' 60'

SCALE - 1" = 30'

NOTES:
1. BUILDING FOOTPRINT IS CONCEPTUAL AND SUBJECT TO CHANGE.
2. FINAL RTD STOP LOCATION AND THE AMENITIES PROVIDED IN ASSOCIATION, TO BE DETERMINED BY RTD.

SHEET TITLE:
PROPOSED SITE PLAN

SHEET #:
04 of 08

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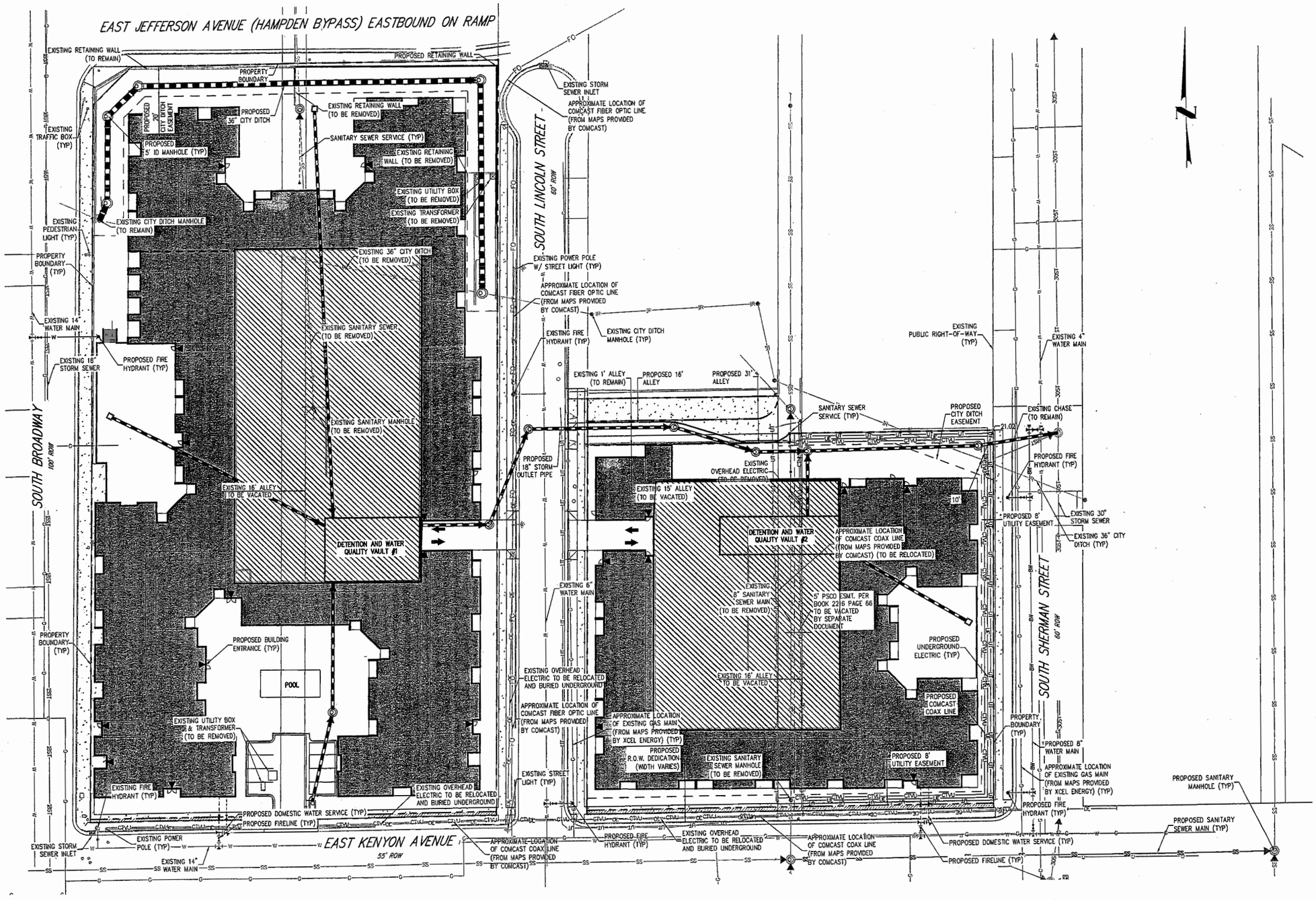

NOTES:

1. UTILITY SERVICE LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE DURING THE SITE DESIGN AND CIVIL CONSTRUCTION PLAN PROCESS. FINAL LOCATION TO BE DETERMINED AT TIME OF BUILDING PERMIT.
2. EXISTING UTILITY LOCATIONS ARE APPROXIMATE AND WERE LOCATED FROM UTILITY MAPS.

30 0 30 60
SCALE: 1"=30'

SHEET TITLE:
PROPOSED UTILITY PLAN

SHEET #:
05 OF 08

SUBMITTAL:	06/04/12
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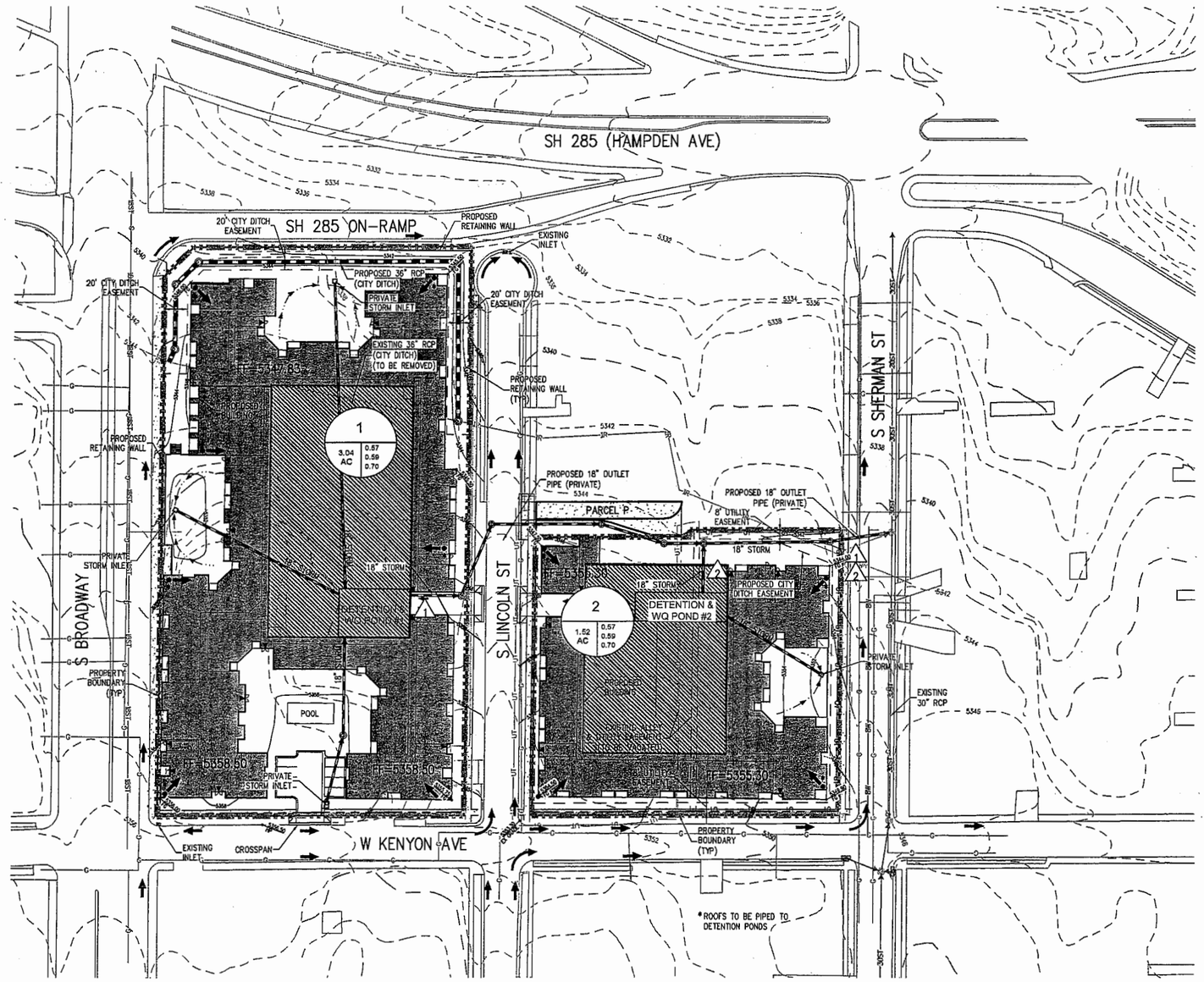

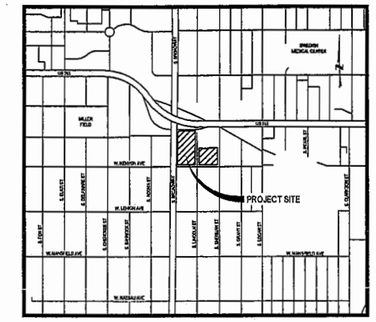

VICINITY MAP
SCALE: 1"=1000'

LEGEND:

DESIGN POINT

BASIN LIMITS

DRAINAGE FLOW

BASIN DESIGNATION — 1

BASIN AREA IN ACRES — 2.0 AC

0.30 — 2-YR "C" COEFFIENT
0.40 — 5-YR "C" COEFFIENT
0.50 — 100-YR "C" COEFFIENT

RUNOFF SUMMARY								
BASIN	AREA (AC)	IMPERVIOUS (%)	C_2	C_5	C_{100}	Q_2 (cfs)	Q_5 (cfs)	Q_{100} (cfs)
1	3.04	80	0.57	0.59	0.70	4.5	6.6	15.0
2	1.52	80	0.57	0.59	0.70	2.2	3.3	7.4
1+2*	4.56	-	-	-	-	-	0.9**	4.5**

*AFTER DETENTION **ALLOWABLE RELEASE

DETENTION & WQ SUMMARY		
BASIN	1	2
REQ'D 5-YR DETENTION VOLUME	0.20 AC-FT	0.10 AC-FT
REQ'D 100-YR DETENTION VOLUME	0.37 AC-FT	0.18 AC-FT
ALLOWABLE 5-YR DISCHARGE	0.6 CFS	0.3 CFS
ALLOWABLE 100-YR DISCHARGE	3.0 CFS	1.5 CFS
WQ VOLUME (SAND FILTER)	3,271 CUBIC FT	1,620 CUBIC FT

NOTE:
PRIVATE COMBINATION DETENTION/WQ PONDS WILL BE CONSTRUCTED WITHIN THE PARKING GARAGES FOR EACH PARCEL.

50 0 50 100
SCALE: 1"=50'

BENCHMARK:
NGS BRASS DISK #V 409 IN THE ABUTMENT OF SOUTH BROADWAY BRIDGE AT HAMPDEN AVENUE, ELEVATION=5334.82 NAVD 88.

NOTE: EXISTING CONTOUR INFORMATION SHOWN HEREON WAS PROVIDED BY THE CITY OF ENGLEWOOD. CONTOUR ELEVATIONS SHOWN DO NOT MATCH ELEVATIONS ESTABLISHED USING THE ABOVE BENCHMARK. DATUM AND BENCHMARKS UTILIZED FOR EXISTING CONTOURS ARE UNKNOWN.

SHEET TITLE:
PROPOSED DRAINAGE PLAN

SHEET #:
06 OF 08

SUBMITTAL: 06/04/12
REVISION #/DATE: #01 07/23/12
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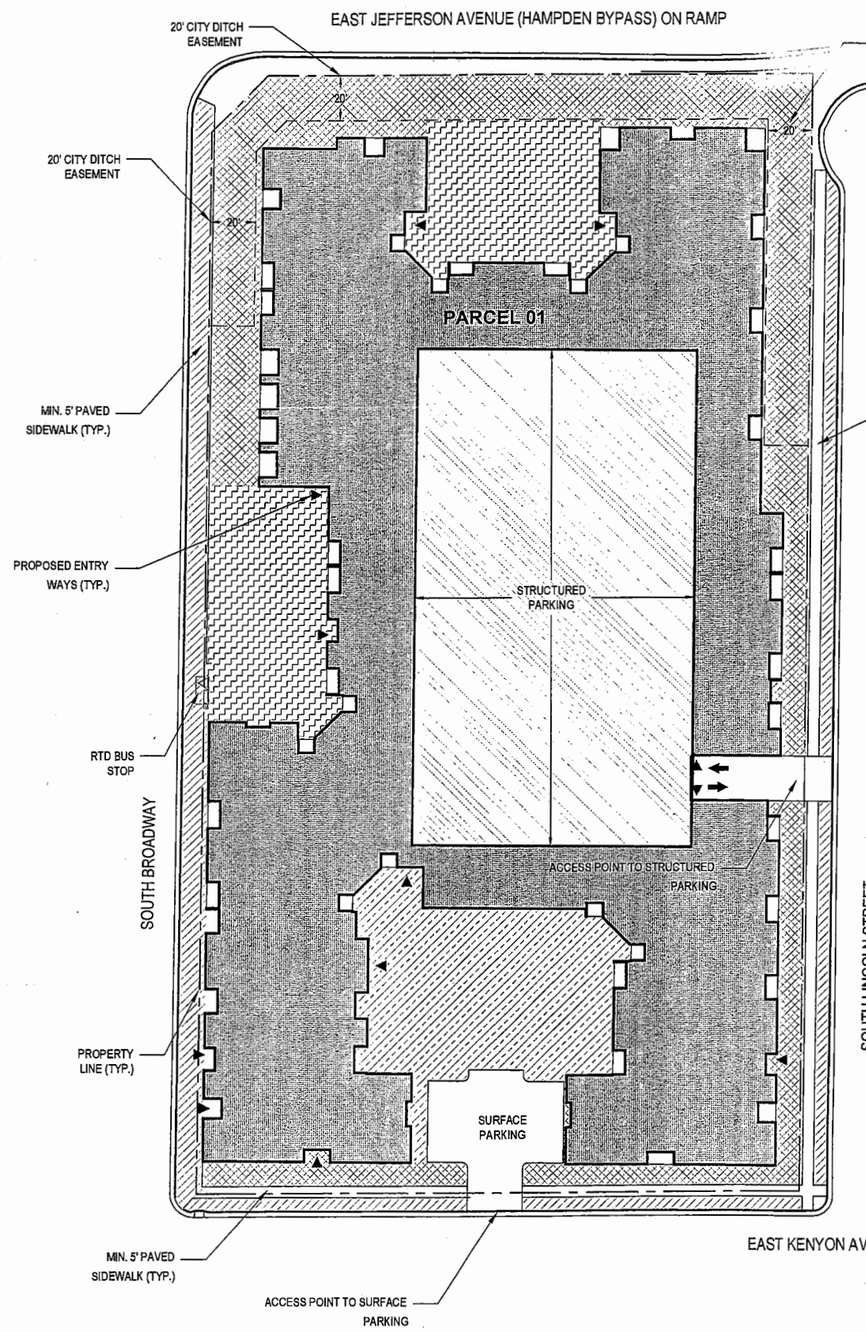

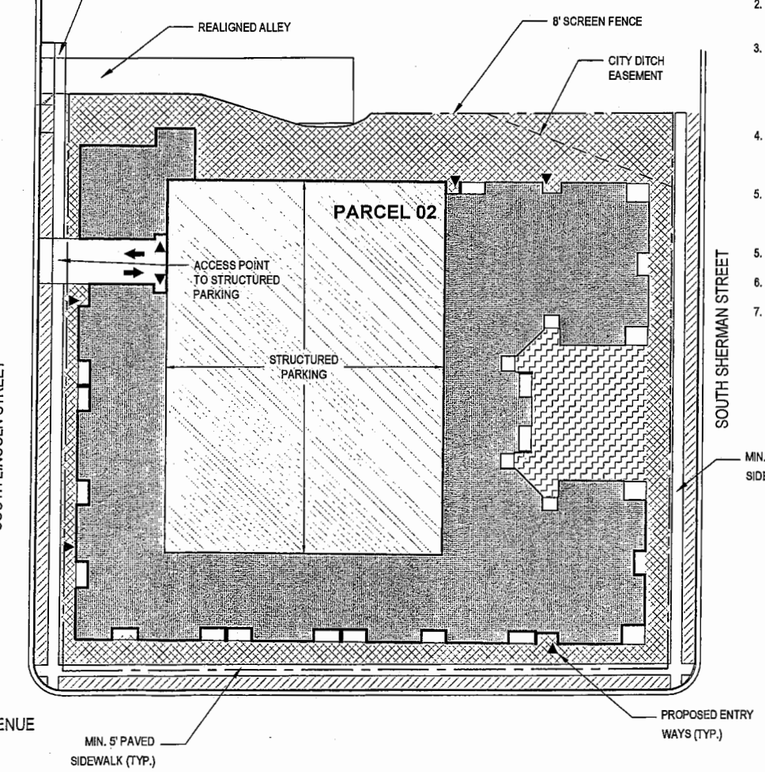

LANDSCAPE LEGEND	SYMBOL	DESCRIPTION (MAY CONTAIN THE FOLLOWING:)	AREA (SF) (1)
STREETSCAPE ZONE		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS AND SIMILAR.	13,614 (2)
BUFFER LANDSCAPE ZONE		SOD, PAVING, ENHANCED PAVING, TREES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS AND SIMILAR.	33,879
INTERIOR LANDSCAPE ZONE 01		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS, GAZEBOS, TRELLIS, SWIMMING POOL,GRILLS, OUTDOOR RECREATION, PLANTERS AND SIMILAR.	9,096
INTERIOR LANDSCAPE ZONE 02		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS, GAZEBOS, TRELLIS, WATER FEATURES,GRILLS, OUTDOOR RECREATION, PLANTERS AND SIMILAR.	14,692
		TOTAL SF	71,281

NOTE:
1. PUD AREA CALCULATIONS ARE BASED ON CONCEPTUAL SITE PLANS. FINAL AREA NUMBERS WILL BE DETERMINED AT TIME OF FINAL DESIGN.
2. TOTAL EXCLUDES 5' PUBLIC SIDEWALK ALONG BROADWAY

LANDSCAPE AREAS					
	TOTAL PROJECT AREA	MINIMUM REQUIRED LANDSCAPE AREA (RLA)	MAXIMUM NON-LIVING LANDSCAPE AREA THAT COUNTS TOWARDS RLA (50%)	MINIMUM LIVING LANDSCAPE AREA	TOTAL PROVIDED LIVING/ NON-LIVING LANDSCAPE AREA
TOTALS	198,804 SF	29,821 SF	14,910 SF	14,910 SF	71,281 SF

MINIMUM REQUIRED LANDSCAPE QUANTITIES			
	MINIMUM LANDSCAPE AREA	MINIMUM # TREES (1 PER 625 SF)	MINIMUM # SHRUBS (1 PER 100 SF)
TOTALS	29,821 SF	48	299

LANDSCAPE PLAN NOTES

1. TOTAL PROVIDED LANDSCAPE AREA CALCULATIONS ARE BASED ON CONCEPTUAL SITE PLANS. FINAL PROVIDED LANDSCAPE AREA NUMBERS WILL BE DETERMINED AT TIME OF FINAL DESIGN. AT NO TIME SHALL LESS THAN 15% OF THE TOTAL AREA BE PROVIDED AS LANDSCAPE AREA AS DEFINED WITHIN THIS PUD.
2. EXACT DESIGN INCLUDING LOCATIONS OF TREES, SHRUBS/PERENNIAL BEDS, PLAZA AREAS, SITE FURNISHINGS, ETC., SHALL BE DETERMINED AT THE TIME OF FINAL DESIGN.
3. FINAL LANDSCAPE QUANTITIES (I.E. NUMBERS OF TREES AND SHRUBS PROVIDED) SHALL BE DETERMINED AT TIME OF FINAL DESIGN AND PROVIDED AT THE RATES AND MINIMUM SIZES AS REQUIRED PER CITY OF ENGLEWOOD CODE. EACH PARCEL SHALL MEET THE REQUIRED LANDSCAPE AREA AND REQUIRED TREE AND SHRUB QUANTITIES BASED UPON IT'S INDIVIDUAL LAND AREA.
4. LANDSCAPE PLANS SHOW PRELIMINARY CONCEPT AND PLANTS MAY BE PLACED ANY PLACE WITHIN BOUNDARY OF PROPERTY WITH THE EXCEPTION THAT A MINIMUM OF 50% OF THE REQUIRED TREES SHALL BE LOCATED WITHIN THE STREETSCAPE AND/OR BUFFER LANDSCAPE ZONES.
5. PLANTS SHALL BE USED THAT ARE WELL ADAPTED TO COLORADO'S CLIMATE. THE USE OF NATIVE, DROUGHT-TOLERANT PLANT MATERIALS IS ENCOURAGED. IT IS ENCOURAGED TO USE TREES AS RECOMMENDED BY THE CITY OF ENGLEWOOD LANDSCAPE MANUAL.
5. PROHIBITED TREES AS DEFINED BY THE CITY OF ENGLEWOOD SHALL NOT BE USED.
6. ALL LIVING LANDSCAPE AREAS SHALL BE IRRIGATED BY 100% AUTOMATIC UNDERGROUND SPRAY AND DRIP SYSTEM.
7. TREES LOCATED WITHIN THE STREETSCAPE ZONE SHALL BE SPACED A MINIMUM OF 30' APART.

NORTH

0 15' 30' 60'
SCALE - 1" = 30'

NOTES:
1. BUILDING FOOTPRINT IS CONCEPTUAL AND SUBJECT TO CHANGE.
2. FINAL RTD STOP LOCATION AND THE AMENITIES PROVIDED IN ASSOCIATION, TO BE DETERMINED BY RTD.

SHEET TITLE:
CONCEPTUAL LANDSCAPE PLAN

SHEET #:
07 of 08

SUBMITTAL: 06/04/12
REVISION #/DATE: #01 07/23/12
REVISION #/DATE: #02 08/20/12
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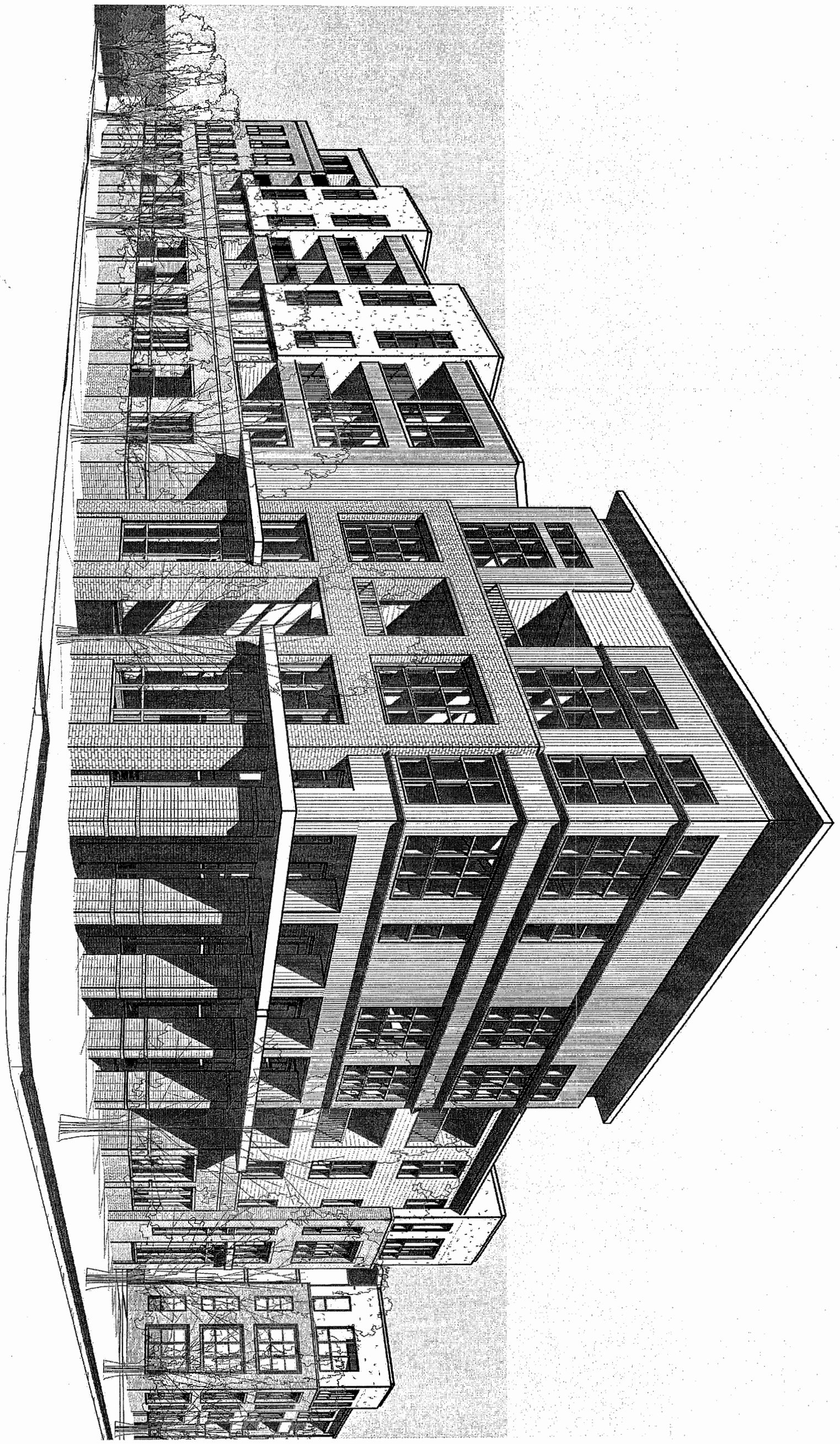

NOTE: THIS ARCHITECTURAL DEPICTION IS CONCEPTUAL AND SUBJECT TO CHANGE.

NOT TO SCALE

SHEET TITLE:
CONCEPTUAL ARCHITECTURE

SHEET #:
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REVISION #/DATE:	#02 08/20/12
REVISION #/DATE:	#03 09/07/12
REVISION #/DATE:	
REVISION #/DATE:	

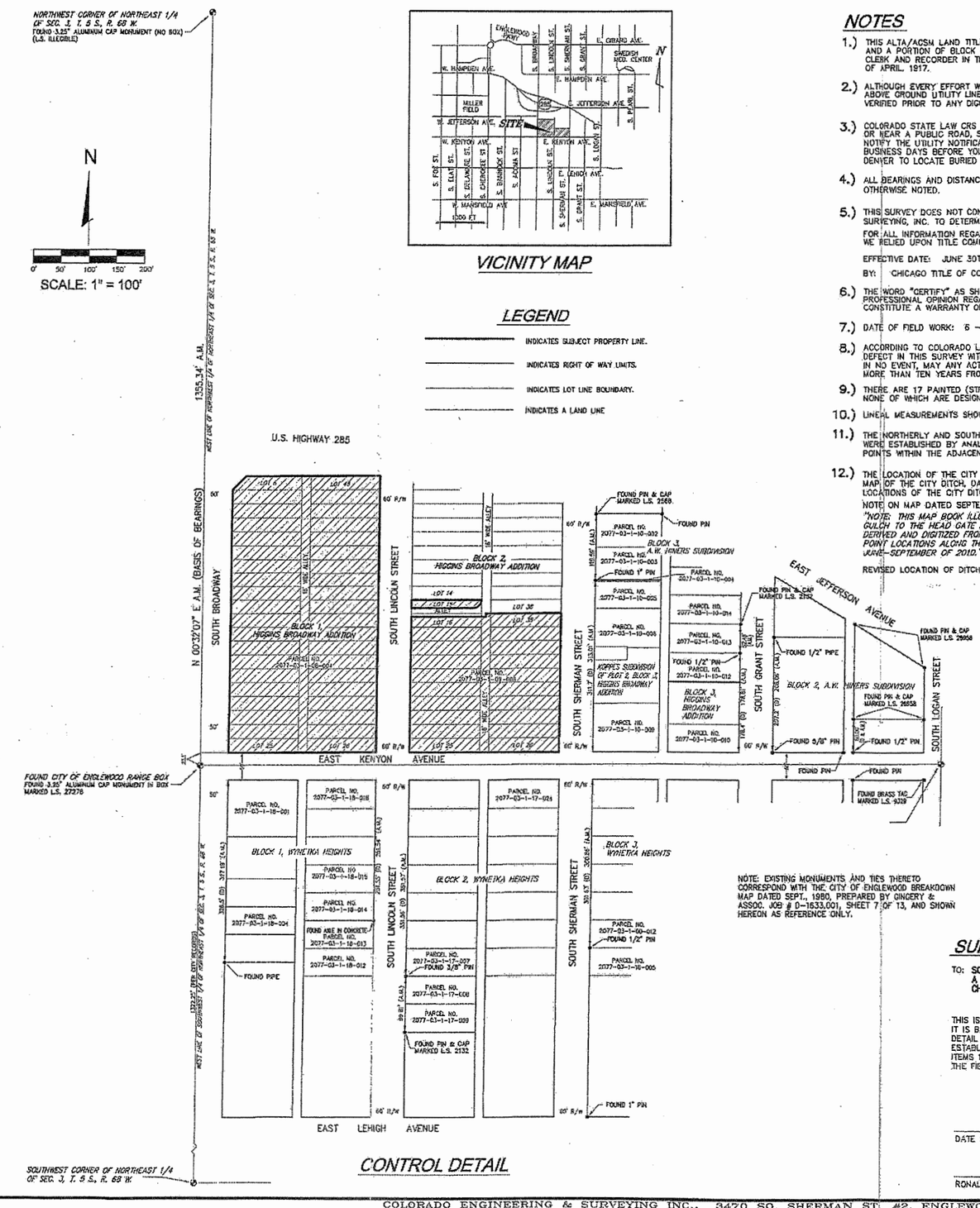
ALTA / ACSM LAND TITLE SURVEY

PART OF

THE NORTHEAST 1 / 4 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST, OF THE 6TH. P.M.

BEING ALSO A PART OF

BLOCKS 1 AND 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO



NOTE: EXISTING MONUMENTS AND TIES THERETO CORRESPOND WITH THE CITY OF ENGLEWOOD BREAKDOWN MAP DATED SEPT., 1980, PREPARED BY GINGERY & ASSOC. JOB # D-1533.001, SHEET 7 OF 13, AND SHOWN HEREON AS REFERENCE ONLY.

NOTES

1.) THIS ALTA/ACSM LAND TITLE SURVEY IS A RESURVEY OF A PORTION OF BLOCK 1 AND A PORTION OF BLOCK 2, HIGGINS BROADWAY ADDITION, AS RECORDED AT THE CLERK AND RECORDER IN THE COUNTY OF ARAPAHOE ON THE 3RD DAY OF APRIL, 1917.

2.) ALTHOUGH EVERY EFFORT WAS MADE TO ACCURATELY LOCATE ALL INDICATION OF ABOVE GROUND UTILITY LINES AND ALL UTILITY EASEMENTS, THE LOCATION MUST BE VERIFIED PRIOR TO ANY DIGGING OR CONSTRUCTION.

3.) COLORADO STATE LAW CRS 9-1.5-101 STATES THAT EVERYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY RIGHT-OF-WAY, OR UTILITY EASEMENT TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, TWO (2) BUSINESS DAYS BEFORE YOU DIG – CALL 1-800-922-1987 OR 534-6700 IN METRO DENVER TO LOCATE BURIED LINES.

4.) ALL BEARINGS AND DISTANCES SHOWN ARE ACTUAL MEASUREMENTS UNLESS OTHERWISE NOTED.

5.) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY COLORADO ENGINEERING AND SURVEYING, INC. TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.

FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY AND TITLE OF RECORD WE RELIED UPON TITLE COMMITMENT NO. 1482108

EFFECTIVE DATE: JUNE 30TH, 2011 AT 7:30 A.M.

BY: CHICAGO TITLE OF COLORADO, INC.

6.) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

7.) DATE OF FIELD WORK: 6 – 28 – 2011

8.) ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON A DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE CERTIFICATION SHOWN HEREON.

9.) THERE ARE 17 PAINTED (STRIPED) PARKING SPACES ON SUBJECT PROPERTY, NONE OF WHICH ARE DESIGNATED AS HANDICAP PARKING SPACES.

10.) LINEAL MEASUREMENTS SHOWN AND STATED HEREON ARE IN U. S. SURVEY FEET.

11.) THE NORTHERLY AND SOUTHERLY RIGHT OF WAY LINES FOR E. KENYON AVE. WERE ESTABLISHED BY ANALYSIS AND BREAKDOWN OF EXISTING SURVEY CONTROL POINTS WITHIN THE ADJACENT SUBDIVISIONS.

12.) THE LOCATION OF THE CITY DITCH AS SHOWN HEREON WAS DETERMINED BY THE MAP OF THE CITY DITCH, DATED SEPTEMBER 24TH, 2010 AND BY SURFACE LOCATIONS OF THE CITY DITCH MANHOLES.

NOTE ON MAP DATED SEPTEMBER 24TH, 2010 STATES:

"NOTE: THIS MAP BOOK ILLUSTRATES THE ENGLEWOOD CITY DITCH PATH FROM HARVARD GULCH TO THE HEAD GATE AT CHATFIELD DAM. THE GENERAL LINE OF THE DITCH IS DERIVED AND DIGITIZED FROM CITY DITCH AS BUILTS DATED MARCH 7, 1939. PRECISE POINT LOCATIONS ALONG THE ENGLEWOOD CITY DITCH WERE OBTAINED BY GPS SURVEY JUNE–SEPTEMBER OF 2010."

REVISED LOCATION OF DITCH 7-2-2012 PER INFORMATION SUPPLIED BY THE CLIENT

BASIS OF BEARINGS

THE WEST LINE OF THE NORTHWEST 1/4 OF NORTHEAST 1/4 OF SEC. 3, T. 5 S., R. 68 W. ASSUMED A BEARING OF N00°32'07"E BETWEEN THE FOUND MONUMENTS AS SHOWN.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT FLOOD INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

MAPS ARE DATED DECEMBER 17TH., 2010
COMMUNITY NO. 085074
PANEL NO. 0163K

ZONE: "X"

SURVEYORS CERTIFICATION

TO: SCHOOL DISTRICT NO. 1, COUNTY OF ARAPAHOE, STATE OF COLORADO, A QUASI-MUNICIPAL CORPORATION AND CHICAGO TITLE OF COLORADO, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, 9, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 28TH, 2011.

DATE SIGNED

(SEAL)

RONALD W. FLANAGAN RPLS 26958

LEGAL DESCRIPTION

PER TITLE COMMITMENT NO. 1482108 (SEE NOTE NO. 5):

PARCEL A:

LOTS 13 THROUGH 19, INCLUSIVE, AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO

PARCEL B:

LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL C:

LOTS 10, 11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL D:

LOTS 6 THROUGH 9, INCLUSIVE, AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROAD WAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 852 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO IN DEED RECORDED JULY 21, 1970 IN BOOK 1875 AT PAGE 110.

PARCEL E:

THE ALLEYWAY IN BLOCK 1 ADJOINING LOTS 6 THROUGH 45, INCLUSIVE, HIGGINS BROADWAY ADDITION, AS SHOWN ON THE PLAT THEREOF RECORDED APRIL 3, 1917 UNDER RECEPTION NO. 44923, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL F:

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL G:

LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL H:

LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL I:

THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL J:

LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL K:

THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL L:

LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL M:

LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL N:

LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL O:

LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL P:

LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

PARCEL Q:

THE ALLEYWAY IN BLOCK 2 ADJOINING LOTS 15 THROUGH 35, INCLUSIVE, HIGGINS BROADWAY ADDITION, EXCEPT THAT PORTION OF WEST HALF OF ALLEY ADJACENT TO LOTS 15 AND 16 CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

PROPERTY ADDRESS:

3650 SOUTH BROADWAY – ARAPAHOE COUNTY PARCEL I.D. #2077-03-1-08-004
3600 SOUTH LINCOLN STREET – ARAPAHOE COUNTY PARCEL I.D. #2077-03-1-09-005

TOTAL AREA OF SUBJECT PROPERTY IS 200,693 SQUARE FEET OR 4.6073 ACRES.

REVISED 7-2-2012 FOR CITY DITCH & EASEMENT

COUNCIL COMMUNICATION

DATE: November 5, 2012	**AGENDA ITEM:** 11 a iii	**SUBJECT**: Ordinance Approving the Alta Cherry Hills Major Subdivision
INITIATED BY: Barbury Holdings, LLC. 4725 South Monaco Street, Suite 205 Denver, Colorado 80237	**STAFF SOURCE**: Brook Bell, Planner II	

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

There has been no previous Council action concerning the proposed Alta Cherry Hills Major Subdivision.

PREVIOUS PLANNING COMMISSION ACTION

The Planning and Zoning Commission considered the proposed Alta Cherry Hills Major Subdivision at the Public Hearing conducted on September 18, 2012. The Commission considered testimony and voted 7-1 to forward the Alta Cherry Hills Major Subdivision to City Council with a favorable recommendation for adoption.

RECOMMENDED ACTION

Staff recommends adoption of a proposed bill for an ordinance approving the Alta Cherry Hills Major Subdivision and setting November 19, 2012 as the date for Public Hearing to consider public testimony on the Major Subdivision.

BACKGROUND

The former Flood Middle School site is a property consisting of two parcels totaling 4.56 acres located at the northeast corner of South Broadway and Kenyon Avenue. In 2006, Englewood Public School District made the decision to consolidate two middle schools and close the Flood Middle School site. Subsequently, the district issued a request for proposals to redevelop the Flood Middle School property. In 2011, Barbury Holdings, LLC came forward with a proposal to purchase the property. The Barbury Holdings development proposal included a maximum of 350 residential apartment units contained within two buildings. The property's dedicated alleys, utility easement, and City Ditch easement will not accommodate the proposed development; therefore, Barbury Holdings has requested approval of a Major Subdivision in conjunction with a rezoning request to a PUD.

SUBDIVISION OVERVIEW:

The proposed Preliminary Plat and Final Plat of the Alta Cherry Hills Subdivision have been reviewed by the appropriate outside agencies, the City's Development Review Team (DRT) and the Planning and Zoning Commission. The Alta Cherry Hills Subdivision includes:

- The vacation of alleys on Parcel 01 and 02.
- The vacation of platted lot lines.
- The relocation/dedication of a portion of the east-west leg of the alley on Parcel 02.

- The dedication of public right-of-way on north edge of East Kenyon Avenue.
- The dedication of utility easements on Parcel 02 along South Sherman Street and East Kenyon Avenue.
- A utility easement on Parcel 02 to be vacated by separate document.
- A city ditch easement to be dedicated by separate document.
- A pedestrian access easement to be dedicated by separate document.

Issues identified by the DRT were addressed by the applicant and there were no objections from the outside agencies provided that the applicant continues working with the agencies' individual processes. The Commission did not suggest any changes from the Preliminary Plat to the Final Plat and recommended that the Final Plat be forwarded to Council for approval.

SUBDIVISION CONSIDERATIONS

When considering the Alta Cherry Hills Major Subdivision, Council shall only approve the final plat based upon findings that the final plat conforms to the preliminary plat approved by the Commission and all Colorado statutory requirements for subdivision plats. The approval, conditional approval, or denial of the final plat shall be in writing. The Planning and Zoning Commission's decision on the Alta Cherry Hills Major Subdivision states:

- That case #SUB2012-002 for a Major Subdivision Known as Alta Cherry Hills Subdivision be recommended for approval to City Council with a favorable recommendation for adoption.

FINANCIAL IMPACT

The proposed Flood Middle School redevelopment will generate a one-time building use tax of $600,000 to $700,000 based on a construction cost of $35 to $40 million. If Council concurs with the previously adopted park dedication fee, the project would also generate a one-time park dedication fee-in-lieu of approximately $120,000 based on 310 residential units.

As the site transitions from school property to a private residential development, additional property tax revenues are estimated at $11,000 to $14,000 per year. Residents of the project will also spend part of their disposable income in the City, generating sales tax revenue.

If the incentive request submitted by the developer receives approval, the one-time building use tax would be reduced by $170,000 and the park fee-in-lieu would be reduced by 50%. There are also costs associated with providing services such as police and fire; it is difficult to estimate what these projected costs will be.

LIST OF ATTACHMENTS

Staff Report including Exhibits A – L (September 18, 2012)
Planning Commission Minutes (September 18 and October 2, 2012)
Planning Commission Findings of Fact
Exhibit M: Email from Mr. Forney - Dated September 24, 2012
Exhibit N: Letter from Mrs. McGovern - Dated September 26, 2012
Exhibit O: Email from Mrs. Schell - Dated September 27, 2012
Bill for Ordinance

CITY OF ENGLEWOOD
COMMUNITY DEVELOPMENT

TO: Planning and Zoning Commission
THRU: Alan White, Community Development Director
FROM: Brook Bell, Planner II
DATE: September 18, 2012

SUBJECT: **Case ZON2012-003** - Public Hearing
Flood Middle School Planned Unit Development

Case SUB2012-002 - Public Hearing
Alta Cherry Hills Subdivision

APPLICANT:
Barbury Holdings, LLC.
4725 South Monaco Street, Suite 205
Denver, Colorado 80237

PROPERTY OWNER:
Englewood School District #1
4101 South Bannock Street
Englewood, Colorado 80110

PROPERTY ADDRESS:
3695 South Lincoln Street
PIN#'s: 2077-03-1-08-004 and 2077-03-1-09-006

REQUEST:
The applicant has submitted an application to rezone the parcels above from MU-R-3-B, MU-B-1, and R-2-B Zone Districts to Planned Unit Development (PUD). The proposed PUD would allow a maximum of 350 residential apartment units contained within two buildings. The applicant has also submitted an application for a Major Subdivision for the property contained in the PUD.

RECOMMENDATION:
Case ZON2012-003: The Department of Community Development recommends that the Planning and Zoning Commission review the Flood Middle School PUD request and forward a favorable recommendation for approval to City Council.

Case SUB2012-002: The Community Development Department recommends approval of the Preliminary Plat of the Alta Cherry Hills Subdivision. If the Commission requires no changes from the Preliminary Plat to the Final Plat, staff recommends that the Final Plat be forwarded to Council with a recommendation for approval.

LEGAL DESCRIPTIONS:

PIN#: 2077-03-1-08-004 Lots 6-45 except a 25 Foot x 25 Foot Parcel Deeded for Roadway in Northwest Corner of Block 1 Higgins Broadway Addition.

PIN#: 2077-03-1-09-006 Lots 15-35 Block 2 Higgins Broadway Addition except Alley between Lots 15 & 16.

EXISTING ZONE DISTRICTS:

MU-R-3-B Mixed-Use High Density Residential and Limited Office District, MU-B-1 Mixed-Use Central Business District, and R-2-B Medium Density Single and Multi-Dwelling Unit Residential District.

PROPERTY LOCATION AND SURROUNDING LAND USE:

The subject property of this PUD is located on two parcels (see Sheet 3 and 4 of PUD).

Parcel 01 is located at the northeast corner of South Broadway and East Kenyon Avenue. Land to the north of Parcel 01 is zoned MU-B-1 Mixed-Use Central Business District and contains the US 265/South Broadway interchange and open space. Land to the west of Parcel 01 is zoned MU-B-2 Mixed-Use General Arterial Business District and contains commercial uses. Land to the south of Parcel 01 and west of the alley is zoned MU-B-2 and contains commercial uses. Land south of Parcel 01 and east of the alley is zoned R-2-A and contains low density single and multi-unit dwellings.

Parcel 02 is located at the northeast corner of South Lincoln Street and East Kenyon Avenue. Land to the north of Parcel 02 is zoned MU-R-3-B Mixed-Use High Density Residential and Limited Office District, and contains multi-unit dwellings. Land to the east of Parcel 02 is zoned R-2-B Medium Density Single and Multi-Dwelling Unit Residential District., and contains multi-unit dwellings. Land south of Parcel 02 is zoned R-2-A and contains low density single and multi-unit dwellings.

PUD AND SUBDIVISION PROCEDURE:

Rezoning to a PUD requires the applicant to have a pre-application meeting with staff, a neighborhood meeting with owners and tenants located within 1,000 feet of the proposed PUD. After the neighborhood meeting a formal application is made to the City and reviewed by City departments and other affected outside agencies. A public hearing is held before the Planning and Zoning Commission and City Council. If the PUD is approved there is a 30 day referendum time period before becoming effective.

Since the information required and testimony necessary for both the PUD and Subdivision cases are parallel, the requests are being considered within a single hearing; however, each case will require a separate motion from the Planning Commission.

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

In 2006, Englewood Public School District made the decision to consolidate two middle schools and close the Flood Middle School site. The school then closed in 2007. Subsequently, the district issued a request for proposals to redevelop the Flood Middle School property. In 2011, Barbury Holdings, LLC. came forward with a proposal to purchase the property consisting of two parcels totaling 4.56 acres. Barbury Holdings development proposal included a maximum of 350 residential apartment units contained within two buildings. The property's existing zoning designation would not accommodate the proposed development; therefore, Barbury Holdings began the process of requesting a rezoning to a PUD. A preliminary subdivision plat, based on the PUD, was also submitted.

NEIGHBORHOOD MEETING SUMMARY:
Pursuant to the PUD procedure, the applicant conducted a neighborhood meeting on May 16, 2012, prior to submitting the application for a PUD rezoning on June 4, 2012. Notice of the pre-application meeting was mailed to property owners and occupants of property within 1000 feet of the site. Neighborhood meeting notes are attached to this report (See Exhibit D).

CITY DEPARTMENT AND DIVISION REVIEW:
The Flood Middle School PUD, Alta Cherry Hills Subdivision, and subsequent revisions were reviewed by the City's Development Review Team (DRT) on June 30th, August 10th, and August 30th of 2012. Identified issues were addressed by the applicant and the final Flood Middle School PUD and Alta Cherry Hills Subdivision were submitted on September 7, 2012.

OUTSIDE AGENCY COMMENTS:
Preliminary plans of the proposed Flood Middle School PUD and Alta Cherry Hills Subdivision were referred to Tri-County Health, the Colorado Department of Transportation (CDOT), RTD, Xcel Energy, Century Link, Comcast, and the City's list of trash haulers for review and comment. Tri-County Health, CDOT, Xcel Energy, and Century Link provided written comments that are attached as Exhibits E-H. There were no objections in the comments received provided that the applicant continues working with the agencies' individual processes. If any other formal comments are received before the public hearing, Staff will present them during the hearing. RTD and the trash haulers did not provide comments.

PUD OVERVIEW:
The proposed Flood Middle School PUD would include a maximum of 350 residential apartment units contained within two buildings on Parcels 01 and 02. The majority of the parking would be in a multi-level structure accessed off of South Lincoln Street that would be predominantly screened or wrapped by the apartment building. The Site Plan includes

several courtyards, perimeter landscaping, and minimum 5 foot wide sidewalks. All new and existing utilities within the property and abutting right-of-way would be placed underground.

Architectural Character: The proposed PUD contains Architectural Character standards that require building plane changes every 45 feet, a mix of pattern and color changes, a minimum 30 percent masonry requirement, and a building transparency requirement at the corner of Broadway and Kenyon. It should be noted that the conceptual building footprint shown on the Site Plan and the Conceptual Architecture are subject to change; however, any changes would have to meet the Development Standards and Architectural Character provisions of the PUD.

Permitted Uses: The Flood Middle School property lies within the following existing Zone Districts: MU-R-3-B, MU-B-1, and R-2-B; each of these zone districts has a list of permitted uses, including multi-unit dwellings. The proposed Flood Middle School PUD would allow multi-unit dwellings, surface parking, and parking garage as permitted uses regulated by the standards of the PUD. For all other uses, the proposed PUD would be regulated by the standards and provisions of the MU-R-3-B Zone District.

Dimensional Standards: The following table provides a comparison between the property's existing zone classifications and the proposed PUD.

COMPARISON OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES								
	Min Lot Area (sq ft)	Max FAR	Max Lot Coverage (%)	Min Lot Width (ft)	Max Height (ft)	Minimum Setbacks (ft)		
						Front	Each Side	Rear
R-2-B District (Parcel 02)								
One-Unit Dwelling	6,000	None	40	50	32	25	5	20
Multi-Unit Dwelling (Maximum Units Based on Lot Area & Lot Width)	3,000 per unit	None	60	25 per unit	32	25	5	20
All Other Allowed Uses	24,000	None	60	200	32	25	25	25

COMPARISON OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES								
	Min Lot Area (sq ft)	Max FAR	Max Lot Coverage (%)	Min Lot Width (ft)	Max Height (ft)	Minimum Setbacks (ft)		
						Front	Each Side	Rear
MU-R-3-B District (most of Parcel 01)								
One-Unit Dwelling	6,000	None	40	50	32	15	5	20
Multi-Unit -Dwelling (Maximum Units Based on Lot Area & Lot Width)	2-4 units: 3,000 per unit; Each additional unit over 4 units: 1,000 per unit; for properties over 1 acre: 1,089 per unit or 40 units per acre	None	75	None	2-4 units: 32 More than 4 units: 60	15	2-4 units: 5 More than 4 units: 15	25
Office, Limited	24,000	1.5 (Excluding the area of parking structures)	75	None	60	15	15	25
All Other Allowed Uses	24,000	None	75	None	60	15	15	25
MU-B-1 District (a portion of Parcel 01)								
Live/Work Dwelling	None	None	None	None	100	Max of 0 to 5 feet	0	5
Multi-Unit Dwelling	None	None	None	None	100	Max of 0 to 5 feet	0	5
All Other Allowed Uses	None	None	None	None	100	Max of 0 to 5 feet	0	5
Proposed Flood Middle School PUD								
Multi-Unit Dwelling and Parking Structure	567 per unit or 76.75 units per acre for Parcels 01 and 02 combined	None	Parcel 01: 75 Parcel 02: 80	None	Parcel 01: +/-60-78; Parcel 02: +/-60-78	Varies depending on street frontage: 0 to 10 feet, see PUD		
Surface Parking	None	None	Same as above	None	NA	From Buildings: 0 From Public ROW: 5		

Residential Density: Without rezoning, the existing Zone Districts occupied by the Flood Middle School property would permit the following amount of dwelling units based on minimum lot area and where applicable, lot width:

Zone District	Total Lot Area	Total Lot Width (Frontage)	# of Dwelling Units
R-2-B (Parcel 02)	33,187 SF	250 LF	10
MU-R-3-B (Parcel 02)	33,187 SF	N/A	33
MU-R-3-B (Parcel 01)	119,243 SF	N/A	109
MU-B-1 (Parcel 01)	13,187 SF	N/A	12
Note: MU-B-1 figured at one unit per 1,089 SF		TOTAL	164 Units

The proposed Flood Middle School PUD would permit a maximum of 350 units between Parcels 01 and 02; this represents a density of 76.75 dwelling units per acre.

Setbacks: A setback is the minimum distance a structure must be located from a property line. The proposed PUD's setbacks are as follows:
From Broadway - 0 feet
From Kenyon – 10 feet
From Lincoln – 5 feet
From Sherman – 10 feet
From the northern property lines – 10 feet except where Parcel 02 meets alley - 5 feet

Building Height: The maximum building heights in the PUD are based on United States Geological Survey (USGS) elevations. The maximum building height on Parcel 01 is U.S.G.S. elevation 5,416' (approximately 60' at the south property line, to 78' at the north property line). The maximum building height on Parcel 02 is U.S.G.S. elevation 5,414' (approximately 60' at the south property line to 70' at the north property line).

Bulk Plane: The R-2-B and MU-R-3-B zone districts have a bulk plane that regulates building mass on side lot lines. The bulk plane is figured from the midway point along the side lot line, measured 12' vertically, and then at a 45 degree angle towards the center of the property. The Flood Middle School property is bounded by streets or an alley on all sides except for the eastern half of northern boundary of Parcel 02. The proposed PUD complies with the standard bulk plane on the eastern half of northern boundary of Parcel 02 but excludes the remainder of the side lot lines from the bulk plane requirement.

Parking: The proposed Flood Middle School PUD will follow the parking regulations outlined in 16-6-4 of the Unified Development Code (UDC). These requirements are 1.5 spaces for each studio, 1 bedroom, or 2 bedroom unit; and 2 spaces for each 3 bedroom unit; plus 1 guest space for every 5 units. With the current unit mix, this would amount to approximately 604 required parking spaces. The majority of these spaces would be in the parking structure wrapped by the apartment building. Bicycle parking will be required at a rate of one bicycle space for every two units.

Traffic: A traffic impact study was performed for the proposed Flood Middle School PUD. The traffic study shows an increase in overall traffic volume; however, the development can be accommodated by the existing study area roadways and intersections without modification and without creating significant impacts to the study area through 2030. The traffic impact study was reviewed by the Public Works Traffic Division and CDOT who both concurred with its findings.

Signage: The proposed PUD will follow the signage regulations outlined in 16-6-13 of the UDC as amended except that the PUD would permit the maximum height a projecting sign to be 50 feet high rather than the UDC's maximum height limit of 25 feet.

Landscaping: The UDC requires that a minimum of 25% of the property be landscaped for multi-unit dwellings in the R-2-B and MU-R-3-B zone districts and 20% in the MU-B-1 zone district. The Flood Middle School PUD proposes a minimum of 15% of the property be landscaped. Additionally, the UDC requires that a minimum of 70% of the required landscape be "living" landscape. The Flood Middle School PUD proposes that a minimum of 50% of the landscape be "living". This is due in part to the urban nature of the project that may include specialty paving, plazas, water features, etc. as "non-living" landscape. The PUD will meet the requirements of the UDC in terms of plant quantities and sizes; additionally, 50% of the required trees must be located between the building and street which will result in street trees for the project.

Screening and Fencing: The PUD proposes an 8 foot high fence/wall between the apartment building and existing residential uses at the northern boundary of Parcel 02. The fence/wall must be consistent with the overall building design. All other screening or fencing must comply with the requirements of the UDC.

Drainage: The proposed Drainage Plan and Preliminary Drainage Report were reviewed and approved by the City's Public Works Department.

City Ditch: The existing City Ditch runs through Parcel 01 and the northeast corner of Parcel 02. The proposed development will require the relocation of the City Ditch and the dedication of associated easements by separate document.

Park Dedication: The subdivision regulations of the UDC require the dedication of park land or payment of a fee in lieu of dedication for all residential developments. The UDC provides a method for determining the amount of land to be dedicated based on the number of units and the number of new residents that will be generated. Based on a maximum of 350 multi-unit dwellings, the proposed Flood Middle School PUD would require a park dedication of 6.74 acres of land or payment of a fee in lieu of land dedication.

On September 4, 2012 City Council adopted a fee to be paid in lieu of dedication amount of $20,000 per required acre. Credit towards the dedication requirements for recreational amenities provided on-site by the developer and waivers of all or a portion of the remaining fee-in-lieu may be requested. Requests are considered on a case-by-case basis at the discretion of Council. Council will be considering the final fee-in-lieu of dedication amount concurrently or shortly after approval of the PUD. The applicant has requested and Council has preliminarily agreed to a fee of $57,780 based on a development containing 300 units.

The City has received comments from citizens requesting that the existing green space on Parcel 02 be preserved as a park rather than be developed. The Flood Middle School property is owned by the Englewood School District and is not a City of Englewood dedicated park. The citizen comments and replies from the Mayor and Mayor Pro Tem are attached as Exhibits I-L. The Park Master Plan does not recognize this area as being underserved or unserved, and no recommendations were made for developing a park at this location. The Park Master Plan also notes that the acquisition of new park land must be

balanced with park development costs and ongoing maintenance costs. Since the Master Plan was adopted, the City has decided to invest in enhancing and improving access to existing parks.

Phasing: The initial demolition of the existing school demolition and environmental remediation will take approximately 3 months. This will be followed by approximately 22 months of new construction for the apartment buildings.

PUD SUMMARY:

The proposed Flood Middle School PUD has been reviewed by the City's Development Review Team (DRT) and the appropriate outside agencies. Issues identified by the DRT were addressed by the applicant and there were no objections from the outside agencies provided that the applicant continues working with the agencies' individual processes. The PUD documents are complete and no additional conditions of approval are recommended at this time. Therefore, the Community Development Department recommends that the Planning and Zoning Commission review the Flood Middle School PUD request and forward a favorable recommendation for approval to City Council.

PLANNED UNIT DEVELOPMENT CONSIDERATIONS:

The Planning and Zoning Commission is to review the Flood Middle School PUD request, and following the public hearing, may recommend that the Council approve, deny, or approve the rezoning with conditions. In its review of the application, the Commission's recommendations should include findings on each of the following points:

1. *The application is or is not in conformance with the Comprehensive Plan and this Title (UDC).*

   The Flood Middle School PUD conforms to the Comprehensive Plan strategy of redevelopment. The Comprehensive Plan states, "Englewood residents will benefit from the new opportunities for housing, shopping, and entertainment these new developments will bring to the City". The proposed PUD supports the following Comprehensive Plan Housing Goal #1: "Promote a balance mix of housing opportunities serving the needs of all current and future Englewood citizens."

   Additionally the PUD documents states: "The proposed project addresses the City's 3-part strategy outlined in the 2003 Englewood Comprehensive Plan for Growth and Development in the City; Revitalization, Redevelopment and Reinvention. The abandoned Flood Middle School currently occupies this site. The proposed project will redevelop this site into a vibrant, high quality residential community that fits into the existing mix of uses that surround the site that include a mix of single family, duplex and multi-family residences, as well as commercial/retail uses. This project will revitalize this established neighborhood area and provide a unique housing option for residents in this location. This project takes advantage of existing community infrastructure and transportation options while reinvesting in an existing established neighborhood. The additional residents will take advantage of the

existing retail in the neighborhood and generate tax revenue that will benefit programs and services provided by the City of Englewood."

The increased tax revenue will also benefit other taxing entities, most notably the School District.

2. *The application is or is not consistent with adopted and generally accepted standards of development in the City.*

   The Flood Middle School PUD is consistent with adopted and generally accepted development standards established by the City of Englewood. The application was reviewed by the City's Development Review Team (DRT) and the appropriate outside agencies. All comments were addressed by the applicant.

3. *The application is or is not substantially consistent with the goals, objectives, design guidelines, policies and any other ordinance, law, or requirement of the City.*

   The Flood Middle School PUD is substantially consistent with the goals, objectives, design guidelines, policies, and other ordinances, laws and requirements of the City.

SUBDIVISION SUMMARY:

The proposed Preliminary Plat of the Alta Cherry Hills Subdivision has been reviewed by the City's Development Review Team (DRT) and the appropriate outside agencies. The Alta Cherry Hills Subdivision includes:

- The vacation of alleys on Parcel 01 and 02.
- The vacation of platted lot lines.
- The relocation/dedication of a portion of the east-west leg of the alley on Parcel 02.
- The dedication of public right-of-way on north edge of East Kenyon Avenue.
- The dedication of utility easements on Parcel 02 along South Sherman Street and East Kenyon Avenue.
- A utility easement on Parcel 02 to be vacated by separate document.
- A city ditch easement to be dedicated by separate document.
- A pedestrian access easement to be dedicated by separate document.

Issues identified by the DRT were addressed by the applicant and there were no objections from the outside agencies provided that the applicant continues working with the agencies' individual processes. Therefore, the Community Development Department recommends approval of the Preliminary Plat of the Alta Cherry Hills Subdivision. If the Commission requires no changes from the Preliminary Plat to the Final Plat, staff recommends that the Final Plat be forwarded to Council with a recommendation for approval.

SUBDIVISION CONSIDERATIONS:

When considering a subdivision plat, the Commission must consider the following:

1. The zoning of the property proposed for subdivision, together with the zoning of the areas immediately adjacent thereto.

The proposed Flood Middle School PUD use is multi-unit dwelling with a wrapped parking garage and limited surface parking; these uses are compatible with adjacent City of Englewood R-2-B, MU-R-3-B, and MU-B-1 zone district uses.

2. *The proposed layout of lots and blocks and the proposed dimensions thereof to demonstrate compliance with yard area requirements.*

The proposed lots are compatible with dimensions established by the Flood Middle School PUD.

3. *The availability of all utilities, and the proximity thereof to the area proposed for subdivision.*

Public water and sewer along with electric, gas, and communication utilities are available to the subject property.

4. *Topography and natural features of the land with special reference to flood plains.*

The subject property is not located within an identified flood plain zone.

5. *The continuity of streets and alleys within the area proposed for subdivision, and the design and location of such streets and alleys, with relation to existing streets and alleys, both within and without the area proposed for subdivision, and the Master Street Plan.*

The relocation of a portion of the public alley proposed within this subdivision provides the necessary access to the lots adjacent to the subdivision.

6. *All rights-of-way to be designated and located to facilitate the safe movement of pedestrians and bicyclists.*

Minimum 5 foot wide sidewalks are provided.

7. *All bicycle and pedestrian facilities shall be selected, located and designed in accordance with current City standards.*

No bicycle facilities are required for this proposed subdivision. Sidewalks are provided.

8. *The location of utility and other easements.*

See Preliminary Plat.

9. *The location of, and provision for, public areas, including land reserved for parks, schools and other public uses.*

Council will be considering a final fee-in-lieu of land dedication amount once the PUD process is completed. The easements necessary for public uses and utilities are either dedicated on the subdivision plat or are to be dedicated by separate document.

10. *The method of handling drainage and surface water.*

A drainage study has been completed as part of the proposed Planned Unit Development application. Drainage issues have been addressed and will be monitored in the development permit process.

ATTACHMENTS:

Exhibit A: Flood Middle School PUD
Exhibit B: Preliminary Plat of the Alta Cherry Hills Subdivision
Exhibit C: Final Plat of the Alta Cherry Hills Subdivision
Exhibit D: Neighborhood Meeting Summary – May 16, 2012
Exhibit E: Tri-County Health Department – Letter dated June 28, 2012
Exhibit F: CDOT Region 6 – Letter dated August 31, 2012
Exhibit G: Xcel - Letter dated August 22, 2012
Exhibit H: Century Link – Letters dated July 23 and June 26, 2012
Exhibit I: Email from Mr. Hannen and Mayor's response - Dated August 28, 2012
Exhibit J: Email from Mr. Blomstrom - Dated August 28, 2012
Exhibit K: Email from Mr. Anthony and Mayor Pro Tem's response - Dated August 29, 2012
Exhibit L: Email from Mr. and Mrs. Mears - Dated August 31, 2012

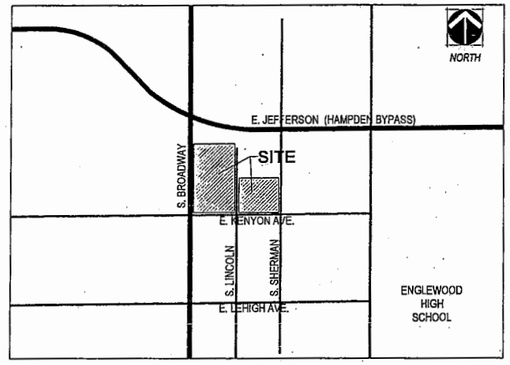
FLOOD MS PLANNED UNIT DEVELOPMENT

ENGLEWOOD, COLORADO

EXHIBIT A

VICINITY MAP

NOT TO SCALE



LEGAL DESCRIPTION

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 6 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,
EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

PROJECT BACKGROUND

THIS PROJECT AT 3650 S. BROADWAY IS COMPRISED OF 2 PARCELS (PARCEL I.D #2077-03-1-08-004 & #2077-03-1-09-008) TOTALING APPROXIMATELY 4.6 ACRES. THE FIRST (WEST) PARCEL (KNOWN HEREIN AS PARCEL 01) IS LOCATED AT THE NORTHEAST CORNER OF S. BROADWAY AND E. KENYON. THE SECOND (EAST) PARCEL (KNOWN HEREIN AS PARCEL 02) IS LOCATED DIRECTLY EAST OF THE WEST PARCEL AT THE NORTHEAST CORNER OF S. LINCOLN AND E. KENYON. PRESENTLY THE WEST PARCEL CONTAINS, THE NOW CLOSED, FLOOD MIDDLE SCHOOL WHICH WILL BE DEMOLISHED AS A PART OF THIS PROPOSED DEVELOPMENT. THE EAST PARCEL IS VACANT. THE CURRENT ZONING OF THE WEST PARCEL IS MU-R-3-B WITH THE NORTHERNMOST MOST PORTION BEING ZONED MU-B-1. THE WEST HALF OF THE EAST PARCEL IS MU-R-3-B AND THE EAST HALF OF THE EAST PARCEL ZONED R-2-B. THIS PUD WILL BRING ALL PARCELS UNDER THE SAME ZONING DESIGNATION AS OUTLINED WITHIN THIS PUD DOCUMENT. THE PLANNED UNIT DEVELOPMENT WILL BE PROCESSED PURSUANT TO THE APPLICABLE CITY REGULATIONS.

CONSTRUCTION/PHASING PLAN

INITIAL DEMOLITION OF THE EXISTING BUILDINGS ON-SITE SHALL TAKE APPROXIMATELY 3 MONTHS. ONCE DEMOLITION IS COMPLETE NEW CONSTRUCTION SHALL TAKE APPROXIMATELY 22 MONTHS. IT IS ANTICIPATED THAT THE FIRST RESIDENTIAL UNITS WILL BE READY FOR OCCUPANCY APPROXIMATELY 12 MONTHS AFTER NEW CONSTRUCTION BEGINS.

PUD DEVELOPMENT SUMMARY

THE APPLICANT PROPOSES TO DEVELOP A MAXIMUM OF 350 RESIDENTIAL 'FOR-RENT' APARTMENT UNITS CONTAINED WITHIN TWO BUILDINGS DEVELOPED ON PARCEL 01 AND PARCEL 02. PARKING SHALL MOSTLY BE PROVIDED IN A PARKING STRUCTURE THAT WILL PREDOMINANTLY BE WRAPPED/SCREENED BY THE APARTMENT BUILDING. VEHICULAR AND BICYCLE PARKING SHALL BE PROVIDED BASED ON MINIMUM CITY CODE REQUIREMENTS. SEVERAL COURTYARD/AMENITY AREAS ARE INCORPORATED INTO THE DESIGN THAT WILL ALSO INCLUDE LANDSCAPING.

THE PROPOSED PROJECT ADDRESSES THE CITY'S 3-PART STRATEGY OUTLINED IN THE 2003 ENGLEWOOD COMPREHENSIVE PLAN FOR GROWTH AND DEVELOPMENT IN THE CITY; REVITALIZATION, REDEVELOPMENT AND REINVENTION. THE ABANDONED FLOOD MIDDLE SCHOOL CURRENTLY OCCUPIES THIS SITE. THE PROPOSED PROJECT WILL REDEVELOP THIS SITE INTO A VIBRANT, HIGH QUALITY RESIDENTIAL COMMUNITY THAT FITS INTO THE EXISTING MIX OF USES THAT SURROUND THE SITE THAT INCLUDE A MIX OF SINGLE FAMILY, DUPLEX AND MULTI-FAMILY RESIDENCES, AS WELL AS COMMERCIAL/RETAIL USES. THIS PROJECT WILL REVITALIZE THIS ESTABLISHED NEIGHBORHOOD AREA AND PROVIDE A UNIQUE HOUSING OPTION FOR RESIDENTS IN THIS LOCATION. THIS PROJECT TAKES ADVANTAGE OF EXISTING COMMUNITY INFRASTRUCTURE AND TRANSPORTATION OPTIONS WHILE REINVESTING IN AN EXISTING ESTABLISHED NEIGHBORHOOD. THE ADDITIONAL RESIDENTS WILL TAKE ADVANTAGE OF THE EXISTING RETAIL IN THE NEIGHBORHOOD AND GENERATE TAX REVENUE THAT WILL BENEFIT PROGRAMS AND SERVICES PROVIDED BY THE CITY OF ENGLEWOOD.

PUD PLAN NOTES

1. THIS PROPERTY DOES NOT LIE WITHIN A 100-YEAR FLOODPLAIN.
2. ALL NEW AND EXISTING UTILITIES WITHIN THE PROPERTY AND ABUTTING RIGHT-OF-WAY SHALL BE PLACED UNDERGROUND.
3. ALL CONCRETE WORK DONE IN THE PUBLIC RIGHT-OF-WAY SHALL BE IN CONFORMANCE WITH CONSTRUCTION STANDARDS AND CONCRETE SPECIFICATIONS FOR THE CITY OF ENGLEWOOD, COLORADO.
4. ANY NEW FIRE HYDRANTS SHALL BE TO THE CITY OF ENGLEWOOD REQUIREMENTS.
5. SUBDIVISION OF THE SITE SHALL BE COMPLETED UNDER SEPARATE DOCUMENT.
6. ALL STRUCTURES AND PROJECTIONS (UNLESS OTHERWISE NOTED WITHIN THIS PUD) SHALL BE CONSTRUCTED WITHIN BUILDING ENVELOPES AND BUILDING HEIGHT LIMITS.
7. THE DEVELOPER SHALL COMPLY WITH ALL APPLICABLE CITY CODES, REGULATIONS, AND STANDARDS NOT SPECIFICALLY ADDRESSED WITHIN THIS PUD.
8. IN THE EVENT OF A CONFLICT BETWEEN THE SPECIFIC PROVISIONS OF THIS PUD AND TITLE 16, THE SPECIFIC PROVISIONS OF THIS PUD SHALL CONTROL.
9. THE EXISTING CITY DITCH MAY BE REALIGNED AS PART OF FUTURE DEVELOPMENT.

CONTACT LIST

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CIVIL ENGINEER:
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TRAFFIC ENGINEER:
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303-623-6300
MKIBBEE@HKSENG.COM

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SIGNATURE BLOCKS

APPROVED FOR ENGLEWOOD SCHOOL DISTRICT

_____ _____
SIGNATURE DATE

STATE OF COLORADO
COUNTY OF _____
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20___ BY _____, AS _____ OF _____.

MY COMMISSION EXPIRES _____.

_____
NOTARY PUBLIC

_____
ADDRESS

APPROVED FOR THE CITY OF ENGLEWOOD

_____ _____
PLANNING AND ZONING COMMISSION CHAIRPERSON DATE

_____ _____
PLANNING AND ZONING COMMISSION RECORDING SECRETARY DATE

_____ _____
MAYOR OF ENGLEWOOD DATE

ATTESTED
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ A.D., 20___ BY _____, AS _____ OF _____.

_____
CITY CLERK

CLERK AND RECORDER'S OFFICE

THIS PLANNED UNIT DEVELOPMENT IS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, COLORADO AT _____ O'CLOCK, ____. M. THIS_____ DAY OF _____, 20____.
RECEPTION NUMBER _____ BOOK NUMBER _____ PAGE NUMBER_____

_____ _____
CLERK AND RECORDER BY: DEPUTY

SHEET TITLE:
COVER SHEET

SHEET #:
01 of 08

SUBMITTAL: 06/04/12
REVISION #/DATE: #01 07/23/12
REVISION #/DATE: #02 08/20/12
REVISION #/DATE: #03 09/07/12
REVISION #/DATE:
REVISION #/DATE:

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FLOOD MS
PLANNED UNIT DEVELOPMENT
ENGLEWOOD, COLORADO

FLOOD MS PLANNED UNIT DEVELOPMENT

ENGLEWOOD, COLORADO

ARCHITECTURAL CHARACTER

THE ARCHITECTURAL CHARACTER OF THIS DEVELOPMENT SHALL BE URBAN IN CHARACTER AND WILL PROVIDE FOR A PEDESTRIAN SCALE ALONG THE STREET LEVEL. DESIGN SHALL INCLUDE THE FOLLOWING:

a. A MINIMUM OF ONE 5' BUILDING PLANE CHANGE EVERY 45 LINEAR FEET. THIS MAY BE ACCOMPLISHED IN A NUMBER OF WAYS INCLUDING RECESSED BALCONIES OR PORCHES, BUT SHALL NOT INCLUDE CANTILEVERED BALCONIES OR PORCHES. PARKING GARAGES ARE EXCLUDED FROM THIS BUILDING PLANE CHANGE REQUIREMENT.
b. A MINIMUM OF 3 DIFFERENT MATERIAL PATTERNS AND COLOR CHANGES SHALL BE INCORPORATED INTO THE BUILDING DESIGN. IT IS ENCOURAGED THAT THESE MATERIALS ARE DISTRIBUTED AS EVENLY AS POSSIBLE THROUGHOUT THE BUILDING DESIGN. AT LEAST ONE ADDITIONAL COLOR AND/OR MATERIAL WILL BE USED TO DIFFERENTIATE IMPORTANT ARCHITECTURAL ELEMENTS SUCH AS CORNERS, ENTRIES, AND COMMON USE AREAS.
c. AN AVERAGE OF 30% OF THE BUILDING FAÇADE SHALL CONSIST OF MASONRY, WHICH MAY INCLUDE BRICK, STONE, AND/OR CMU. NO ELEVATION FACING A PUBLIC STREET SHALL HAVE LESS THAN 20% MASONRY.
d. STUCCO, STONE, CMU, BRICK, CEMENTITIOUS (INCLUDING JAMES HARDIE & SIMILAR), AND METAL SIDING ARE PERMISSIBLE BUILDING MATERIALS.
e. AT THE CORNER OF S. BROADWAY AND KENYON THE BUILDING FAÇADE SHALL BE 80% TRANSPARENT FOR A HEIGHT OF AT LEAST 20', ACTIVATING THE STREET WITH THE ACTIVITY OF THE AMENITY AREAS WITHIN THE CLUBHOUSE.
f. PREDOMINANT BUILDING ENTRIES SHALL BE CLEARLY DEFINED AND MAY CONSIST OF ELEMENTS SUCH AS; CANOPIES, OVERHANGS, PEAKED ROOFS, ARCHES, AND/OR OUTDOOR AMENITIES (I.E. BENCHES, BOLLARDS, PEDESTRIAN LIGHTS, AND SIMILAR).
g. ROOFS MAY BE SLOPED AND/OR FLAT WITH SLOPED ROOFS RANGING FROM A MINIMUM 4:12 TO A MAXIMUM OF 6:12.

FUTURE DEVELOPMENT SHALL INCORPORATE THE AFOREMENTIONED FEATURES TO CREATE AESTHETICALLY PLEASING BUILDINGS THAT HAVE STRONG ARCHITECTURAL CHARACTER WITH HIGH QUALITY FINISHES.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS

A. GENERAL REGULATIONS: UNLESS OTHERWISE PROVIDED FOR IN THIS PUD OR SUBSEQUENT AMENDMENTS, THE PROVISIONS, STANDARDS, REGULATIONS AND PROCEDURES PERTINENT TO AN APPLICATION FOR THE DEVELOPMENT OF LAND WITHIN THIS PUD ZONE DISTRICT SHALL COMPLY WITH THE MU-R-3-B ZONE DISTRICT OF THE CITY OF ENGLEWOOD AND RELATED ZONING REGULATIONS IN EFFECT AT THE TIME ANY FUTURE APPLICATION IS FILED WITH THE CITY.

B. PERMITTED LAND USES:
1. MULTI UNIT DWELLING (INCLUDING ANCILLARY USES SUCH AS LEASING OFFICE, PRIVATE RECREATION FACILITIES, ETC.)
2. SURFACE PARKING
3. PARKING GARAGE

ACCESSORY USE:
1. HOME OCCUPATION AS DEFINED IN THE UNIFIED DEVELOPMENT CODE (UDC)

PERMITTED ACCESSORY STRUCTURES:
1. POOL EQUIPMENT/MAINTENANCE BUILDING - 1 PERMITTED AT 250 SF EACH
2. TRELLIS - MAXIMUM 3 PERMITTED AT 250 SF EACH
3. GAZEBO - MAXIMUM 3 PERMITTED AT 250 SF EACH

C. UNLISTED USES
PROCEDURES FOR APPROVAL OF USES NOT LISTED IN THE ABOVE PERMITTED USES SHALL BE GOVERNED BY TITLE 16 PROVISIONS FOR UNLISTED USES.

D. DEVELOPMENT STANDARDS
THE FOLLOWING STANDARDS APPLY TO PARCEL 01 AND PARCEL 02 UNLESS OTHERWISE NOTED.
1. MAXIMUM BUILDING HEIGHT:
   a. PARCEL 01 - APPROXIMATELY 60' TO 78' ABOVE GRADE OF ADJACENT RIGHT-OF-WAY (MAXIMUM U.S.G.S ELEVATION OF 5,416')
   b. PARCEL 02 - APPROXIMATELY 60' TO 70' ABOVE GRADE OF ADJACENT RIGHT-OF-WAY (MAXIMUM U.S.G.S ELEVATION OF 5,414')
   c. ANTENNAS, MECHANICAL EQUIPMENT, ELEVATOR PENTHOUSES, CHIMNEYS, AND SIMILAR ARE EXCLUDED FROM THIS LIMITATION.
2. MAXIMUM PERMITTED RESIDENTIAL UNITS:
   a. 76.75 DU/AC OR 350 UNITS (TOTAL COMBINED FOR PARCELS 01 & 02)
   b. PROJECTED UNIT SCHEDULE:
      - 1-BEDROOM - ~65%
      - 2-BEDROOM - ~30%
      - 3-BEDROOM - ~5%

      * NOTE: UNIT SCHEDULE SUBJECT TO CHANGE BASED ON CURRENT MARKET CONDITIONS AT TIME OF CONSTRUCTION. FINAL BREAKDOWN WILL BE PROVIDED AT TIME OF BUILDING PERMIT.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS (CONT.)

3. SETBACKS

BUILDING (INCLUDES PARKING STRUCTURES)	PARCEL 01	PARCEL 02
FROM S. BROADWAY ROW	0'	N/A
FROM E. KENYON ROW	10'	10'
FROM S. LINCOLN ROW	5'	5'
FROM S. SHERMAN ROW	N/A	10'
FROM NORTH BOUNDARY (PARCEL 01)	10'	N/A
FROM NORTH BOUNDARY ADJACENT TO ALLEY	N/A	5'
FROM NORTH BOUNDARY ADJACENT TO EXISTING RESIDENTIAL	N/A	10'
FROM INTERNAL LOT LINE	0'	0'

SURFACE PARKING	PARCEL 01	PARCEL 02
FROM BUILDINGS	0'	0'
FROM PUBLIC ROW	5'	5'

4. BULK STANDARDS:
   a. MAXIMUM LOT COVERAGE: PARCEL 01 - 75%, PARCEL 02 - 80%
   b. BUILD TO LINE - AT LEAST 33% OF THE BUILDING FRONTAGE ALONG S. BROADWAY SHALL BE BUILT NO FURTHER BACK THAN 5' FROM THE PROPERTY LINE.
   c. BUILD TO LINE - NO MORE THAN 33% OF BUILDING WILL BE SETBACK GREATER THAN 25' FROM S. BROADWAY.
   d. STANDARD BULK PLANE REQUIREMENTS AS DEFINED BY THE CITY OF ENGLEWOOD SHALL ONLY APPLY TO THE EASTERN HALF OF THE NORTHERN BOUNDARY OF PARCEL 02, WHERE THE BUILDING IS DIRECTLY ADJACENT TO EXISTING RESIDENTIAL AND NOT THE PORTION OF THE NORTHERN BOUNDARY THAT IS DIRECTLY ADJACENT TO THE ALLEYWAY.
5. PARKING STANDARDS:
   a. PARKING REQUIREMENTS SHALL BE MET PER CITY OF ENGLEWOOD REQUIREMENTS AS SPECIFIED IN SECTION 16-6-4 AND OUTLINED IN TABLE 16-6-4.1 *"MINIMUM OFF-STREET PARKING REQUIREMENTS."*
   b. ADEQUATE AREA FOR SNOW STORAGE SHALL BE PROVIDED ON-SITE AND SHALL BE IDENTIFIED AT TIME OF BUILDING PERMIT.
6. SIGNAGE STANDARDS:
   a. SIGNAGE STANDARDS SHALL MEET STANDARDS AS AMENDED FOR THE MU-B-1 ZONE DISTRICT WITH THE FOLLOWING EXCEPTION:
      a.a. PROJECTING SIGNS ARE PERMITTED A MAXIMUM HEIGHT OF 50' ABOVE GRADE.
7. LANDSCAPE STANDARDS:
   a. A COMPLETE LANDSCAPE PLAN SHALL BE PROVIDED AT TIME OF BUILDING PERMIT.
   b. 15% OF THE TOTAL COMBINED AREA OF PARCELS 01 & 02 IS REQUIRED FOR PUBLIC AND/OR PRIVATE LANDSCAPE AREA. DUE TO ITS URBAN NATURE, UP TO 50% OF THE PROVIDED COURTYARDS/PLAZAS, ENHANCED PAVING WITHIN THE STREETSCAPE ZONE, BUFFER LANDSCAPE ZONE, AND INTERIOR LANDSCAPE ZONES 01 & 02 MAY COUNT TOWARDS THIS REQUIREMENT, THIS INCLUDES IMPROVEMENTS MADE WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, BUT EXCLUDES THE 5' SIDEWALKS ALONG, BROADWAY, KENYON, SHERMAN, AND LINCOLN. A MINIMUM OF 50% OF THE REQUIRED LANDSCAPE SHALL BE LIVING LANDSCAPE.
   c. MINIMUM LANDSCAPE SIZE AND QUANTITIES SHALL BE PROVIDED PER CITY OF ENGLEWOOD REQUIREMENTS.
8. PUBLIC LAND DEDICATIONS REQUIREMENTS:
   a. PARKS, TRAILS, AND OPEN SPACE LAND DEDICATION SHALL BE DETERMINED BY SEPARATE AGREEMENT.

PUD DISTRICT PLAN DEVELOPMENT STANDARDS (CONT.)

9. SCREENING:
   a. A MAXIMUM 8' TALL, FULLY OPAQUE SCREEN WALL/FENCE MAY BE USED ON THE NORTHERN BOUNDARY OF PARCEL 02 TO SCREEN BETWEEN EXISTING AND PROPOSED USES. MATERIALS SHALL BE CONSISTENT WITH THE OVERALL BUILDING DESIGN AND WILL BE DETERMINED AT TIME OF BUILDING PERMIT. LANDSCAPE THAT INCLUDES A MIX OF DECIDUOUS AND EVERGREEN SHRUBS, ORNAMENTAL GRASSES AND/OR PERENNIALS WILL BE INCORPORATED ADJACENT TO THE FENCE WHERE ADEQUATE LANDSCAPE AREA IS PROVIDED. (AREAS MORE THAN 5' AWAY FROM BUILDING FOUNDATION). QUANTITIES SHALL BE PER CITY OF ENGLEWOOD REQUIREMENTS. ALL OTHER PROJECT AREAS MUST MEET SCREENING STANDARDS AS REQUIRED BY THE CITY OF ENGLEWOOD.
10. LIGHTING:
   a. ALL ON-SITE LIGHTING SHALL USE FULL CUT-OFF LIGHT FIXTURES AND NOT EXCEED 0.5 FOOT CANDLES AT THE PROPERTY LINE.
11. MISC. ADDITIONAL STANDARDS:
   a. WASTE AND RECYCLE COLLECTION: ALL FACILITIES FOR WASTE AND RECYCLE COLLECTION WILL BE INTERNAL TO THE BUILDING. NO FACILITIES WILL BE VISIBLE FROM THE PUBLIC WAY OR ADJACENT PROPERTIES. NO STORAGE WILL BE EXTERNAL TO THE BUILDING, EXCEPT FOR TEMPORARY STAGING DURING WASTE AND RECYCLE REMOVAL TIMES.
   b. SIDEWALKS SHALL BE A MINIMUM OF 5' IN WIDTH.

E. MODIFICATIONS
THE FOLLOWING MODIFICATION PROCEDURES ARE CONSISTENT WITH THE PUD MODIFICATION PROCEDURES OF THE CITY OF ENGLEWOOD TITLE 16, ZONING REGULATIONS, AS MODIFIED BELOW:

1. DISTRICT PLAN - THE TERMS, CONDITIONS, THE ADOPTED PUD DISTRICT PLAN AND DOCUMENTS MAY BE CHANGED AND/OR AMENDED IN WHOLE OR IN PART AS FOLLOWS -
   a. MINOR MODIFICATIONS TO THE PUD DISTRICT PLAN: THE CITY MANAGER OR HIS DESIGNEE MAY APPROVE MINOR MODIFICATIONS IN THE LOCATION, SIZING, AND HEIGHT OF STRUCTURES OR FACILITIES IF REQUIRED BY ENGINEERING OR OTHER CIRCUMSTANCES NOT FORESEEN AT THE TIME THE PUD DISTRICT PLAN WAS APPROVED . MINOR MODIFICATIONS SHALL NOT BE PERMITTED IF THE MODIFICATION RESULTS IN ANY OF THE CIRCUMSTANCES LISTED IN E.2.a OF THIS PUD.
   b. MAJOR MODIFICATIONS TO THE PUD DISTRICT PLAN: MAJOR MODIFICATIONS MAY BE MADE TO THE APPROVED PUD DISTRICT PLAN PURSUANT TO THE SAME LIMITATIONS AND REQUIREMENTS BY WHICH SUCH PLANS AND DOCUMENTS WERE ORIGINALLY APPROVED.
2. SITE PLAN -
   a. MINOR MODIFICATIONS TO THE PUD SITE PLAN: THE CITY, THROUGH THE DEVELOPMENT REVIEW TEAM, MAY AUTHORIZE MINOR DEVIATIONS FROM THE PUD SITE PLAN WHEN SUCH DEVIATIONS APPEAR NECESSARY IN LIGHT OF TECHNICAL OR ENGINEERING CONSIDERATIONS. MINOR DEVIATIONS SHALL NOT BE PERMITTED IF ANY OF THE FOLLOWING CIRCUMSTANCES RESULT:
      a.a. A CHANGE IN THE CHARACTER OF THE DEVELOPMENT; OR
      a.b. A CHANGE IN THE PERMITTED LAND USES; OR
      a.c. A CHANGE IN THE GENERAL LOCATION OF LAND USES; OR
      a.d. AN INCREASE IN THE MAXIMUM HEIGHT OF ANY BUILDING OF MORE THAN 5%; OR
      a.e. AN INCREASE IN THE NUMBER OF DWELLING UNITS, OR IN THE RATIO OF THE GROSS FLOOR AREA OF STRUCTURES TO THE LAND AREA, OR INCREASES IN THE PROPOSED GROSS FLOOR AREA WITHIN ANY PARTICULAR LAND USE OF MORE THAN 2%;
      a.f. A REDUCTION IN THE SETBACKS FROM PROPERTY LINES MORE THAN 10%; OR
      a.g. AN INCREASE OF MORE THAN 10%, IN GROUND COVERAGE BY STRUCTURES OR SURFACE PARKING; OR
      a.h. A REDUCTION BY MORE THAN 5% IN THE LAND AREA DESIGNATION FOR LANDSCAPING; OR
      a.i. A REDUCTION IN THE RATIO OF OFF-STREET PARKING AND LOADING SPACE TO GROSS FLOOR AREA OR NUMBER OF DWELLING UNITS.
   b. SITE PLAN AMENDMENTS NOT MEETING THE ABOVE REQUIREMENTS: ALL PUD SITE PLANS APPROVED AND RECORDED MAY ONLY BE AMENDED PURSUANT TO THE SAME PROCEDURE AND SUBJECT TO THE SAME LIMITATION AND REQUIREMENTS BY WHICH SUCH PLANS WERE APPROVED.

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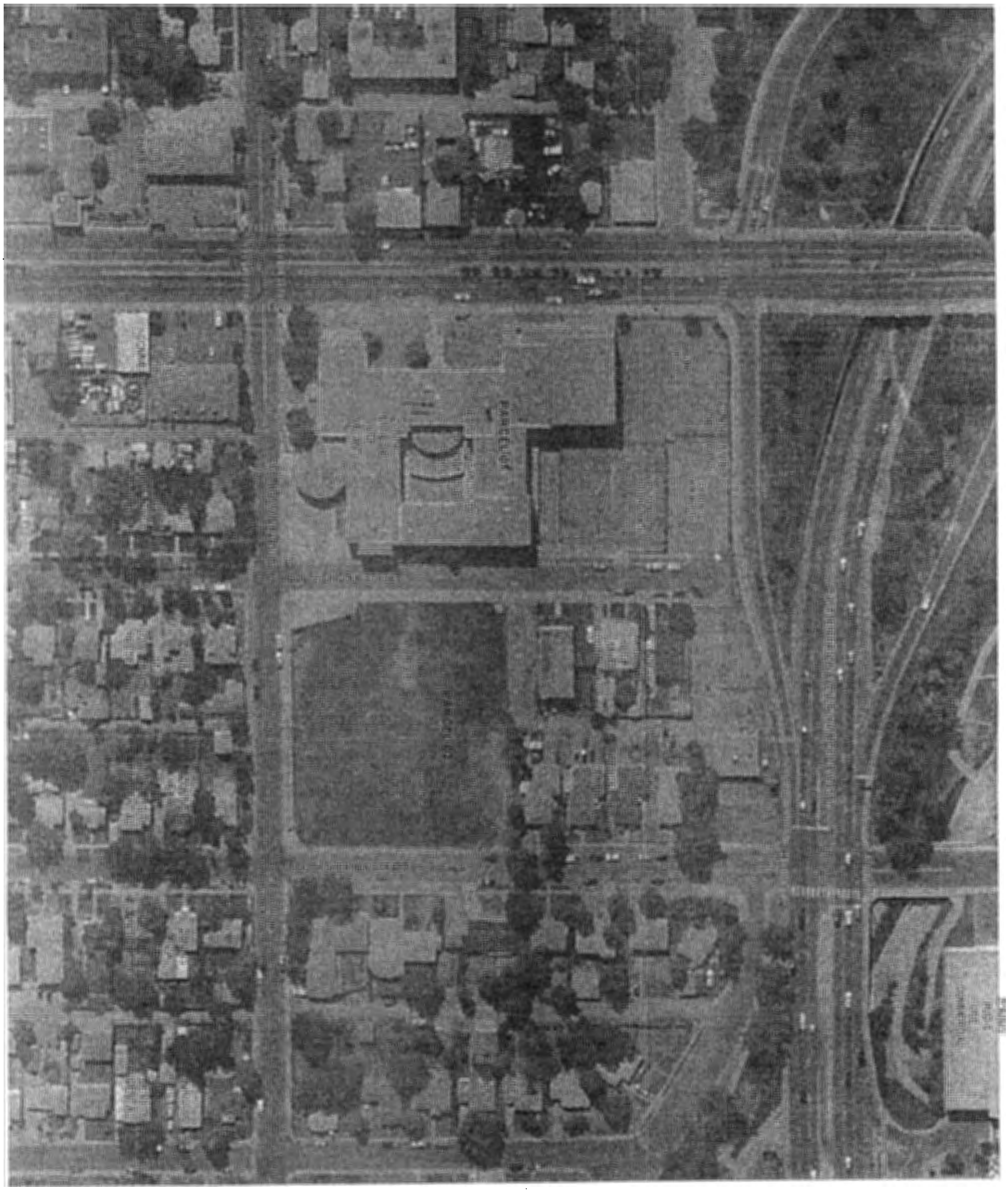
ENGLEWOOD, COLORADO

SHEET TITLE:
DISTRICT PLAN



ZONING BOUNDARY

NORTH

0 25' 50' 100'

SCALE - 1" = 50'

SHEET TITLE:
EXISTING SITE PLAN

SHEET #:
03 of 08

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REVISION #/DATE:	
REVISION #/DATE:	

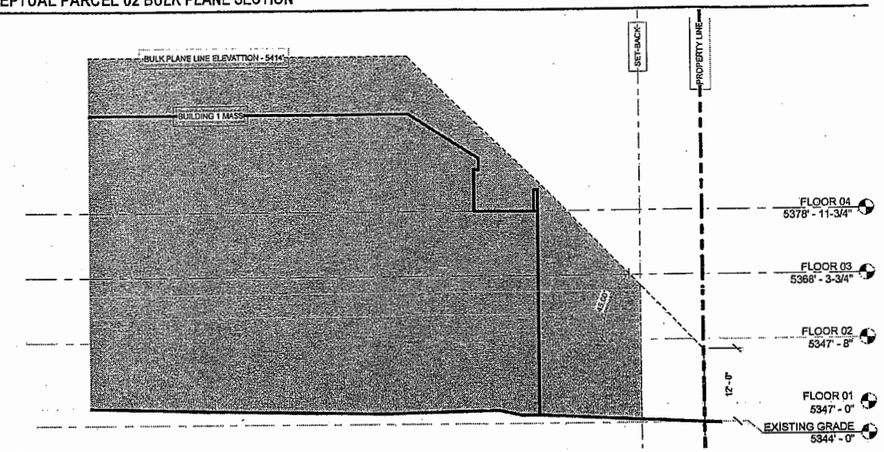
SETBACKS

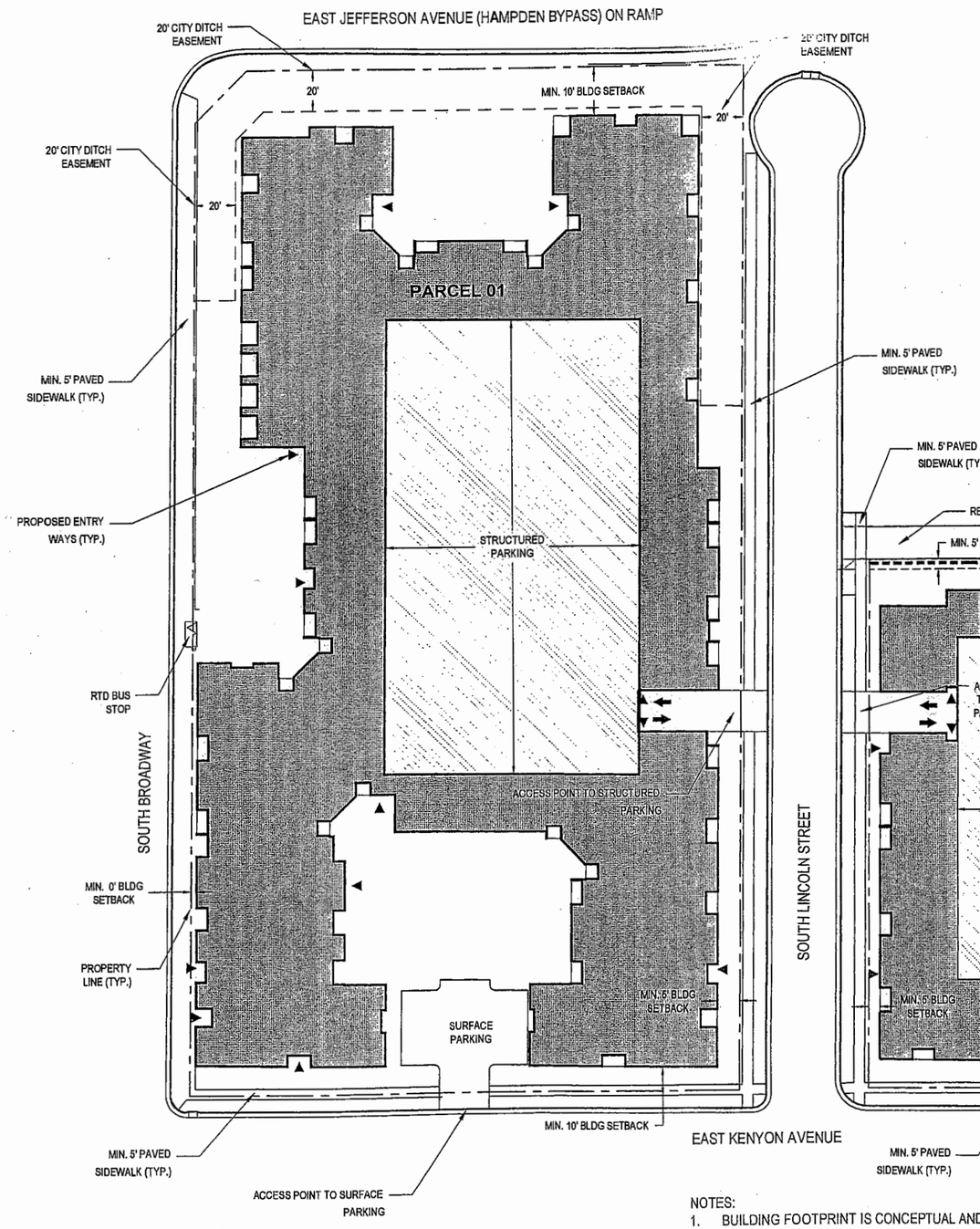
BUILDING (INCLUDES PARKING STRUCTURES)	PARCEL 01	PARCEL 02
FROM S. BROADWAY ROW	0'	N/A
FROM E. KENYON ROW	10'	10'
FROM S. LINCOLN ROW	5'	5'
FROM S. SHERMAN ROW	N/A	10'
FROM NORTH BOUNDARY (PARCEL 01)	10'	N/A
FROM NORTH BOUNDARY ADJACENT TO ALLEY	N/A	5'
FROM NORTH BOUNDARY ADJACENT TO EXISTING RESIDENTIAL	N/A	10'
FROM INTERNAL LOT LINE	0'	0'

SURFACE PARKING	PARCEL 01	PARCEL 02
FROM BUILDINGS	0'	0'
FROM PUBLIC ROW	5'	5'

CONCEPTUAL PARCEL 02 BULK PLANE SECTION

NTS





NORTH

0 15' 30' 60'
SCALE - 1" = 30'

NOTES:
1. BUILDING FOOTPRINT IS CONCEPTUAL AND SUBJECT TO CHANGE.
2. FINAL RTD STOP LOCATION AND THE AMENITIES PROVIDED IN ASSOCIATION, TO BE DETERMINED BY RTD.

SHEET TITLE:
PROPOSED SITE PLAN

SHEET #:
04 of 08

SUBMITTAL:	06/04/12
REVISION #/DATE:	#01 07/23/12
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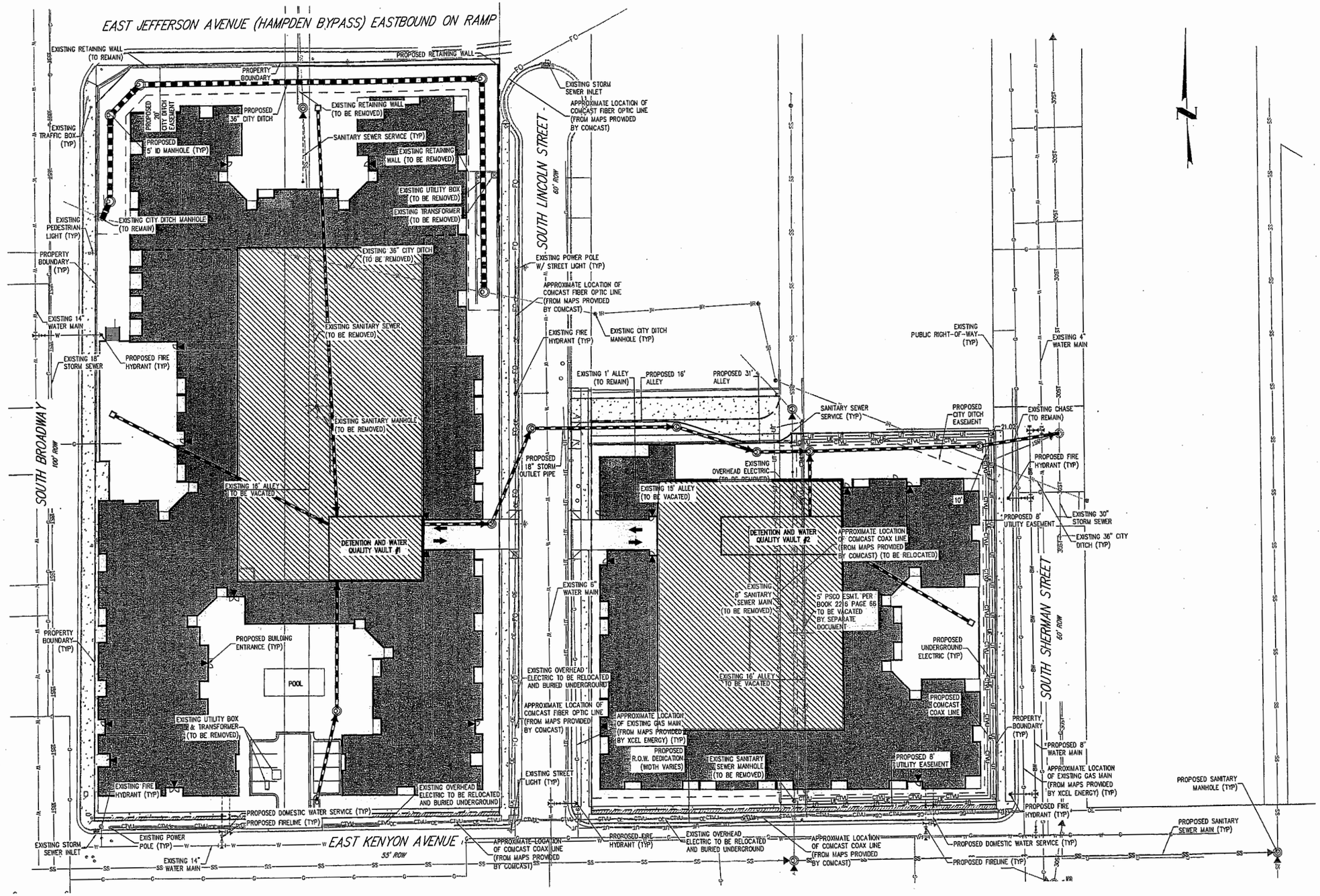

30 0 30 60

SCALE: 1"=30'

NOTES:

1. UTILITY SERVICE LOCATIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE DURING THE SITE DESIGN AND CIVIL CONSTRUCTION PLAN PROCESS. FINAL LOCATION TO BE DETERMINED AT TIME OF BUILDING PERMIT.
2. EXISTING UTILITY LOCATIONS ARE APPROXIMATE AND WERE LOCATED FROM UTILITY MAPS.

SHEET TITLE:
PROPOSED UTILITY PLAN

SHEET #:
05 OF 08

SUBMITTAL:	06/04/12
REVISION #/DATE:	#01 07/23/12
REVISION #/DATE:	#02 08/20/12
REVISION #/DATE:	#03 09/07/12
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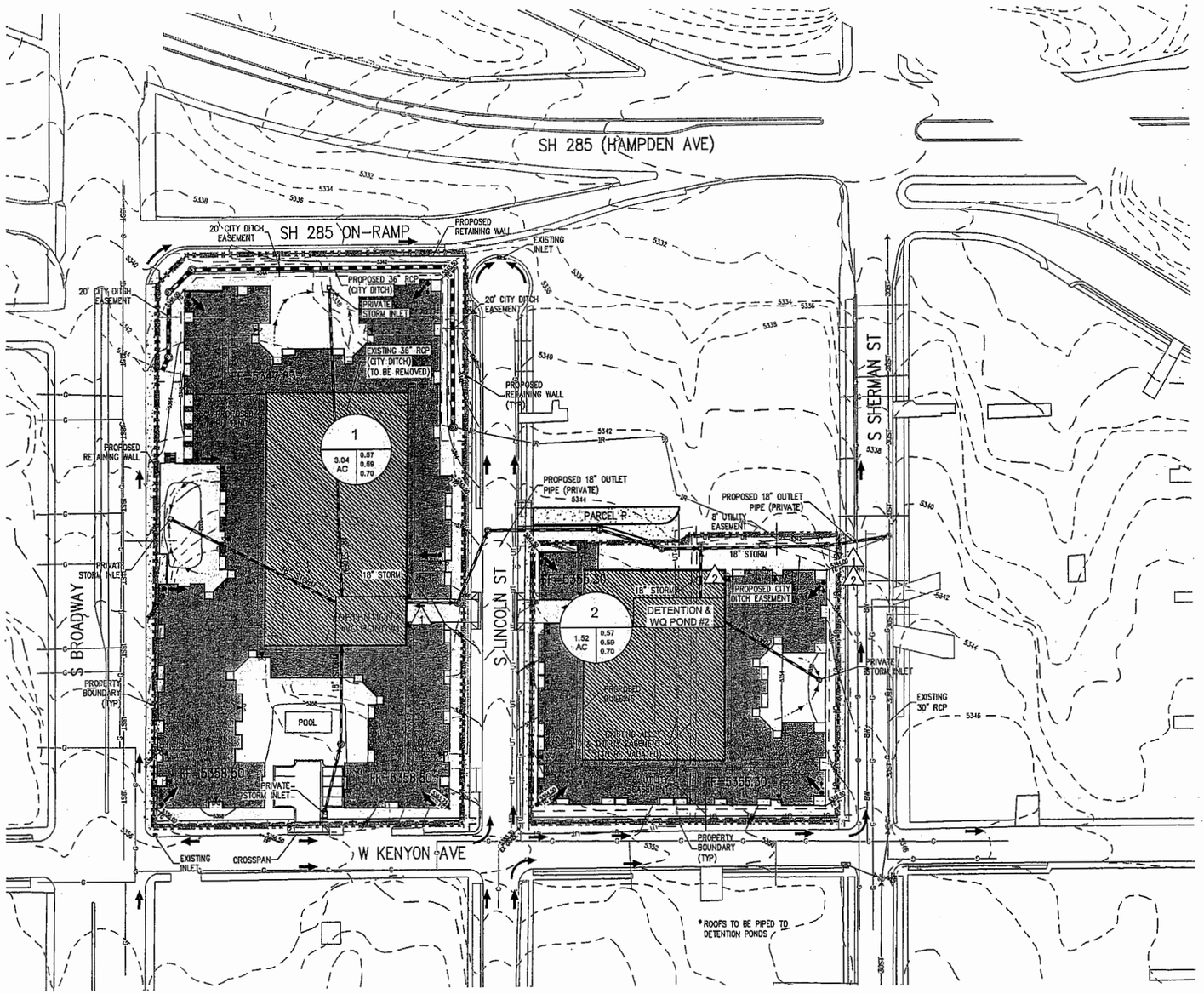

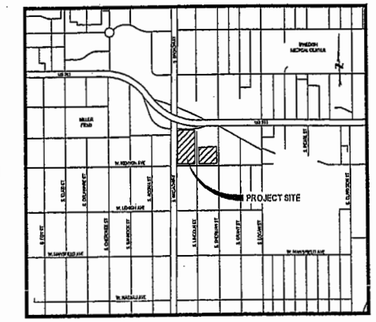

VICINITY MAP

SCALE: 1"=1000'

LEGEND:

DESIGN POINT

BASIN LIMITS

DRAINAGE FLOW

BASIN DESIGNATION — 1

BASIN AREA IN ACRES — 2.0 AC

0.30 — 2-YR "C" COEFFIENT

0.40 — 5-YR "C" COEFFIENT

0.60 — 100-YR "C" COEFFIENT

RUNOFF SUMMARY								
BASIN	AREA (AC)	IMPERVIOUS (%)	C_2	C_5	C_{100}	Q_2 (cfs)	Q_5 (cfs)	Q_{100} (cfs)
1	3.04	80	0.57	0.59	0.70	4.5	6.6	15.0
2	1.52	80	0.57	0.59	0.70	2.2	3.3	7.4
1+2*	4.56	-	-	-	-	-	0.9**	4.5**

*AFTER DETENTION **ALLOWABLE RELEASE

DETENTION & WQ SUMMARY		
BASIN	1	2
REQ'D 5-YR DETENTION VOLUME	0.20 AC-FT	0.10 AC-FT
REQ'D 100-YR DETENTION VOLUME	0.37 AC-FT	0.18 AC-FT
ALLOWABLE 5-YR DISCHARGE	0.6 CFS	0.3 CFS
ALLOWABLE 100-YR DISCHARGE	3.0 CFS	1.5 CFS
WQ VOLUME (SAND FILTER)	3,271 CUBIC FT	1,620 CUBIC FT

NOTE:

PRIVATE COMBINATION DETENTION/WQ PONDS WILL BE CONSTRUCTED WITHIN THE PARKING GARAGES FOR EACH PARCEL.

BENCHMARK:

NGS BRASS DISK #V 409 IN THE ABUTMENT OF SOUTH BROADWAY BRIDGE AT HAMPDEN AVENUE, ELEVATION=5334.82 NAVD 88.

NOTE: EXISTING CONTOUR INFORMATION SHOWN HEREON WAS PROVIDED BY THE CITY OF ENGLEWOOD. CONTOUR ELEVATIONS SHOWN DO NOT MATCH ELEVATIONS ESTABLISHED USING THE ABOVE BENCHMARK. DATUM AND BENCHMARKS UTILIZED FOR EXISTING CONTOURS ARE UNKNOWN.

SHEET TITLE:
PROPOSED DRAINAGE PLAN

SHEET #:
06 OF 08

SUBMITTAL:	06/04/12
REVISION #/DATE:	#01 07/23/12
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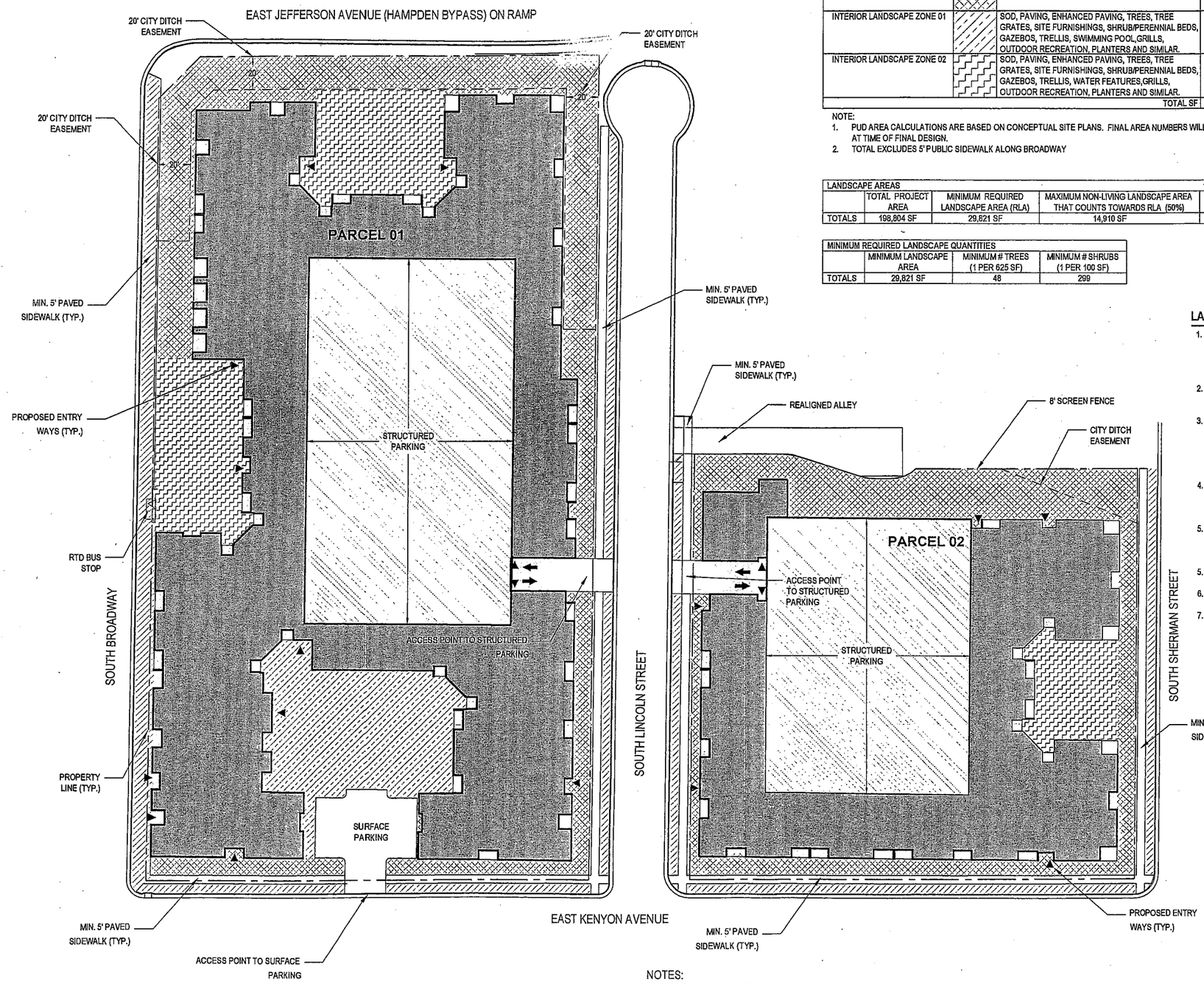

LANDSCAPE LEGEND	SYMBOL	DESCRIPTION (MAY CONTAIN THE FOLLOWING:)	AREA (SF) (1)
STREETSCAPE ZONE		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS AND SIMILAR.	13,614 (2)
BUFFER LANDSCAPE ZONE		SOD, PAVING, ENHANCED PAVING, TREES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS AND SIMILAR.	33,879
INTERIOR LANDSCAPE ZONE 01		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS, GAZEBOS, TRELLIS, SWIMMING POOL,GRILLS, OUTDOOR RECREATION, PLANTERS AND SIMILAR.	9,096
INTERIOR LANDSCAPE ZONE 02		SOD, PAVING, ENHANCED PAVING, TREES, TREE GRATES, SITE FURNISHINGS, SHRUB/PERENNIAL BEDS, GAZEBOS, TRELLIS, WATER FEATURES,GRILLS, OUTDOOR RECREATION, PLANTERS AND SIMILAR.	14,692
		TOTAL SF	71,281

NOTE:
1. PUD AREA CALCULATIONS ARE BASED ON CONCEPTUAL SITE PLANS. FINAL AREA NUMBERS WILL BE DETERMINED AT TIME OF FINAL DESIGN.
2. TOTAL EXCLUDES 5' PUBLIC SIDEWALK ALONG BROADWAY

LANDSCAPE AREAS					
	TOTAL PROJECT AREA	MINIMUM REQUIRED LANDSCAPE AREA (RLA)	MAXIMUM NON-LIVING LANDSCAPE AREA THAT COUNTS TOWARDS RLA (50%)	MINIMUM LIVING LANDSCAPE AREA	TOTAL PROVIDED LIVING/ NON-LIVING LANDSCAPE AREA
TOTALS	198,804 SF	29,821 SF	14,910 SF	14,910 SF	71,281 SF

MINIMUM REQUIRED LANDSCAPE QUANTITIES			
	MINIMUM LANDSCAPE AREA	MINIMUM # TREES (1 PER 625 SF)	MINIMUM # SHRUBS (1 PER 100 SF)
TOTALS	29,821 SF	48	299

LANDSCAPE PLAN NOTES

1. TOTAL PROVIDED LANDSCAPE AREA CALCULATIONS ARE BASED ON CONCEPTUAL SITE PLANS. FINAL PROVIDED LANDSCAPE AREA NUMBERS WILL BE DETERMINED AT TIME OF FINAL DESIGN. AT NO TIME SHALL LESS THAN 15% OF THE TOTAL AREA BE PROVIDED AS LANDSCAPE AREA AS DEFINED WITHIN THIS PUD.
2. EXACT DESIGN INCLUDING LOCATIONS OF TREES, SHRUBS/PERENNIAL BEDS, PLAZA AREAS, SITE FURNISHINGS, ETC., SHALL BE DETERMINED AT THE TIME OF FINAL DESIGN.
3. FINAL LANDSCAPE QUANTITIES (I.E. NUMBERS OF TREES AND SHRUBS PROVIDED) SHALL BE DETERMINED AT TIME OF FINAL DESIGN AND PROVIDED AT THE RATES AND MINIMUM SIZES AS REQUIRED PER CITY OF ENGLEWOOD CODE. EACH PARCEL SHALL MEET THE REQUIRED LANDSCAPE AREA AND REQUIRED TREE AND SHRUB QUANTITIES BASED UPON IT'S INDIVIDUAL LAND AREA.
4. LANDSCAPE PLANS SHOW PRELIMINARY CONCEPT AND PLANTS MAY BE PLACED ANY PLACE WITHIN BOUNDARY OF PROPERTY WITH THE EXCEPTION THAT A MINIMUM OF 50% OF THE REQUIRED TREES SHALL BE LOCATED WITHIN THE STREETSCAPE AND/OR BUFFER LANDSCAPE ZONES.
5. PLANTS SHALL BE USED THAT ARE WELL ADAPTED TO COLORADO'S CLIMATE. THE USE OF NATIVE, DROUGHT-TOLERANT PLANT MATERIALS IS ENCOURAGED. IT IS ENCOURAGED TO USE TREES AS RECOMMENDED BY THE CITY OF ENGLEWOOD LANDSCAPE MANUAL.
5. PROHIBITED TREES AS DEFINED BY THE CITY OF ENGLEWOOD SHALL NOT BE USED.
6. ALL LIVING LANDSCAPE AREAS SHALL BE IRRIGATED BY 100% AUTOMATIC UNDERGROUND SPRAY AND DRIP SYSTEM.
7. TREES LOCATED WITHIN THE STREETSCAPE ZONE SHALL BE SPACED A MINIMUM OF 30' APART.

NORTH

0 15' 30' 60'
SCALE - 1" = 30'

NOTES:
1. BUILDING FOOTPRINT IS CONCEPTUAL AND SUBJECT TO CHANGE.
2. FINAL RTD STOP LOCATION AND THE AMENITIES PROVIDED IN ASSOCIATION, TO BE DETERMINED BY RTD.

SHEET TITLE:
CONCEPTUAL LANDSCAPE PLAN

SHEET #:
07 of 08

SUBMITTAL: 06/04/12
REVISION #/DATE: #01 07/23/12
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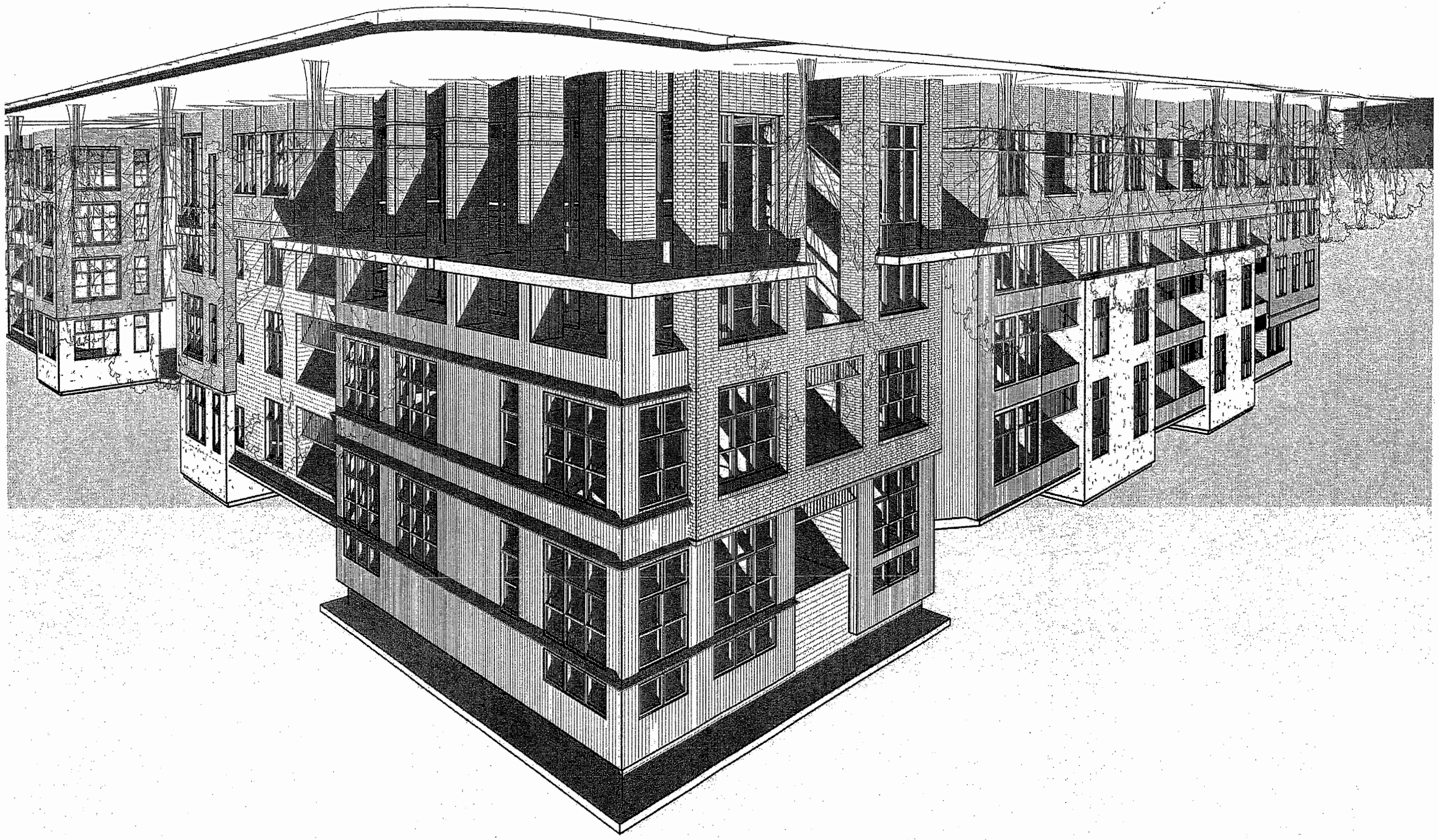
NOTE: THIS ARCHITECTURAL DEPICTION IS CONCEPTUAL AND SUBJECT TO CHANGE.

NOT TO SCALE



SHEET TITLE:
CONCEPTUAL ARCHITECTURE

SHEET #:
08 of 08

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REVISION #/DATE:	

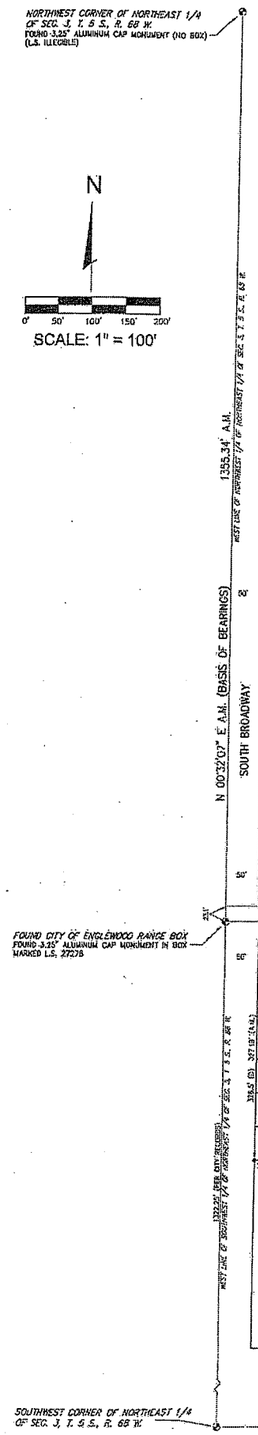
ALTA / ACSM LAND TITLE SURVEY

PART OF

THE NORTHEAST 1 / 4 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST, OF THE 6TH. P.M.

BEING ALSO A PART OF

BLOCKS 1 AND 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO



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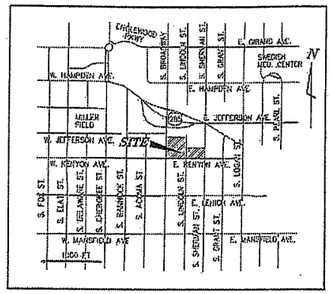


VICINITY MAP

LEGEND

- INDICATES SUBJECT PROPERTY LINE.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES A LAND LINE

NOTES

1.) THIS ALTA/ACSM LAND TITLE SURVEY IS A RESURVEY OF A PORTION OF BLOCK 1 AND A PORTION OF BLOCK 2, HIGGINS BROADWAY ADDITION, AS RECORDED AT THE CLERK AND RECORDER IN THE COUNTY OF ARAPAHOE ON THE 3RD DAY OF APRIL, 1917.

2.) ALTHOUGH EVERY EFFORT WAS MADE TO ACCURATELY LOCATE ALL INDICATION OF ABOVE GROUND UTILITY LINES AND ALL UTILITY EASEMENTS, THE LOCATION MUST BE VERIFIED PRIOR TO ANY DIGGING OR CONSTRUCTION.

3.) COLORADO STATE LAW CRS 9-1.5-101 STATES THAT EVERYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY RIGHT-OF-WAY, OR UTILITY EASEMENT TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, TWO (2) BUSINESS DAYS BEFORE YOU DIG -- CALL 1-800-922-1987 OR 534-6700 IN METRO DENVER TO LOCATE BURIED LINES.

4.) ALL BEARINGS AND DISTANCES SHOWN ARE ACTUAL MEASUREMENTS UNLESS OTHERWISE NOTED.

5.) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY COLORADO ENGINEERING AND SURVEYING, INC. TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.
FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY AND TITLE OF RECORD WE RELIED UPON TITLE COMMITMENT NO. 1482108
EFFECTIVE DATE: JUNE 30TH, 2011 AT 7:30 A.M.
BY: CHICAGO TITLE OF COLORADO, INC.

6.) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

7.) DATE OF FIELD WORK: 6 - 28 - 2011

8.) ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON A DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE CERTIFICATION SHOWN HEREON.

9.) THERE ARE 17 PAINTED (STRIPED) PARKING SPACES ON SUBJECT PROPERTY, NONE OF WHICH ARE DESIGNATED AS HANDICAP PARKING SPACES.

10.) LINEAL MEASUREMENTS SHOWN AND STATED HEREON ARE IN U. S. SURVEY FEET.

11.) THE NORTHERLY AND SOUTHERLY RIGHT OF WAY LINES FOR E. KENYON AVE. WERE ESTABLISHED BY ANALYSIS AND BREAKDOWN OF EXISTING SURVEY CONTROL POINTS WITHIN THE ADJACENT SUBDIVISIONS.

12.) THE LOCATION OF THE CITY DITCH AS SHOWN HEREON WAS DETERMINED BY THE MAP OF THE CITY DITCH, DATED SEPTEMBER 24TH, 2010 AND BY SURFACE LOCATIONS OF THE CITY DITCH MANHOLES.
NOTE ON MAP DATED SEPTEMBER 24TH, 2010 STATES:
"NOTE: THIS MAP BOOK ILLUSTRATES THE ENGLEWOOD CITY DITCH PATH FROM HARVARD GULCH TO THE HEAD GATE AT CHATFIELD DAM. THE GENERAL LINE OF THE DITCH IS DERIVED AND DIGITIZED FROM CITY DITCH AS BUILTS DATED MARCH 7, 1939. PRECISE POINT LOCATIONS ALONG THE ENGLEWOOD CITY DITCH WERE OBTAINED BY GPS SURVEY JUNE-SEPTEMBER OF 2010."
REVISED LOCATION OF DITCH 7-2-2012 PER INFORMATION SUPPLIED BY THE CLIENT

BASIS OF BEARINGS

THE WEST LINE OF THE NORTHWEST 1/4 OF NORTHEAST 1/4 OF SEC. 3, T. 5 S., R. 68 W. ASSUMED A BEARING OF N00°32'07"E BETWEEN THE FOUND MONUMENTS AS SHOWN.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT FLOOD INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

MAPS ARE DATED DECEMBER 17TH., 2010
COMMUNITY NO. 085074
PANEL NO. 0163K
ZONE: "X"

SURVEYORS CERTIFICATION

TO: SCHOOL DISTRICT NO. 1, COUNTY OF ARAPAHOE, STATE OF COLORADO, A QUASI-MUNICIPAL CORPORATION AND CHICAGO TITLE OF COLORADO, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, 9, 11(a), AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 28TH, 2011.

DATE SIGNED

RONALD W. FLANAGAN RPLS 26958

LEGAL DESCRIPTION

PER TITLE COMMITMENT NO. 1482108 (SEE NOTE NO. 5):

PARCEL A:

LOTS 13 THROUGH 19, INCLUSIVE, AND 28 THROUGH 36, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO

PARCEL B:

LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL C:

LOTS 10, 11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL D:

LOTS 6 THROUGH 9, INCLUSIVE, AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROAD WAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO IN DEED RECORDED JULY 21, 1970 IN BOOK 1876 AT PAGE 110.

PARCEL E:

THE ALLEYWAY IN BLOCK 1 ADJOINING LOTS 6 THROUGH 45, INCLUSIVE, HIGGINS BROADWAY ADDITION, AS SHOWN ON THE PLAT THEREOF RECORDED APRIL 3, 1917 UNDER RECEPTION NO. 44923, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL F:

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL G:

LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL H:

LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL I:

THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL J:

LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL K:

THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL L:

LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL M:

LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL N:

LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL O:

LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PARCEL P:

LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 396.

PARCEL Q:

THE ALLEYWAY IN BLOCK 2 ADJOINING LOTS 15 THROUGH 35, INCLUSIVE, HIGGINS BROADWAY ADDITION, EXCEPT THAT PORTION OF WEST HALF OF ALLEY ADJACENT TO LOTS 15 AND 16 CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 396.

PROPERTY ADDRESS:
3650 SOUTH BROADWAY - ARAPAHOE COUNTY PARCEL I.D. #2077-03-1-08-004
3600 SOUTH LINCOLN STREET - ARAPAHOE COUNTY PARCEL I.D. #2077-03-1-09-006

TOTAL AREA OF SUBJECT PROPERTY IS 200,693 SQUARE FEET OR 4.6073 ACRES.

REVISED 7-2-2012 FOR CITY DITCH & EASEMENT

ALTA / ACSM LAND TITLE SURVEY

PART OF

THE NORTHEAST 1 / 4 OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST, OF THE 6TH. P.M.

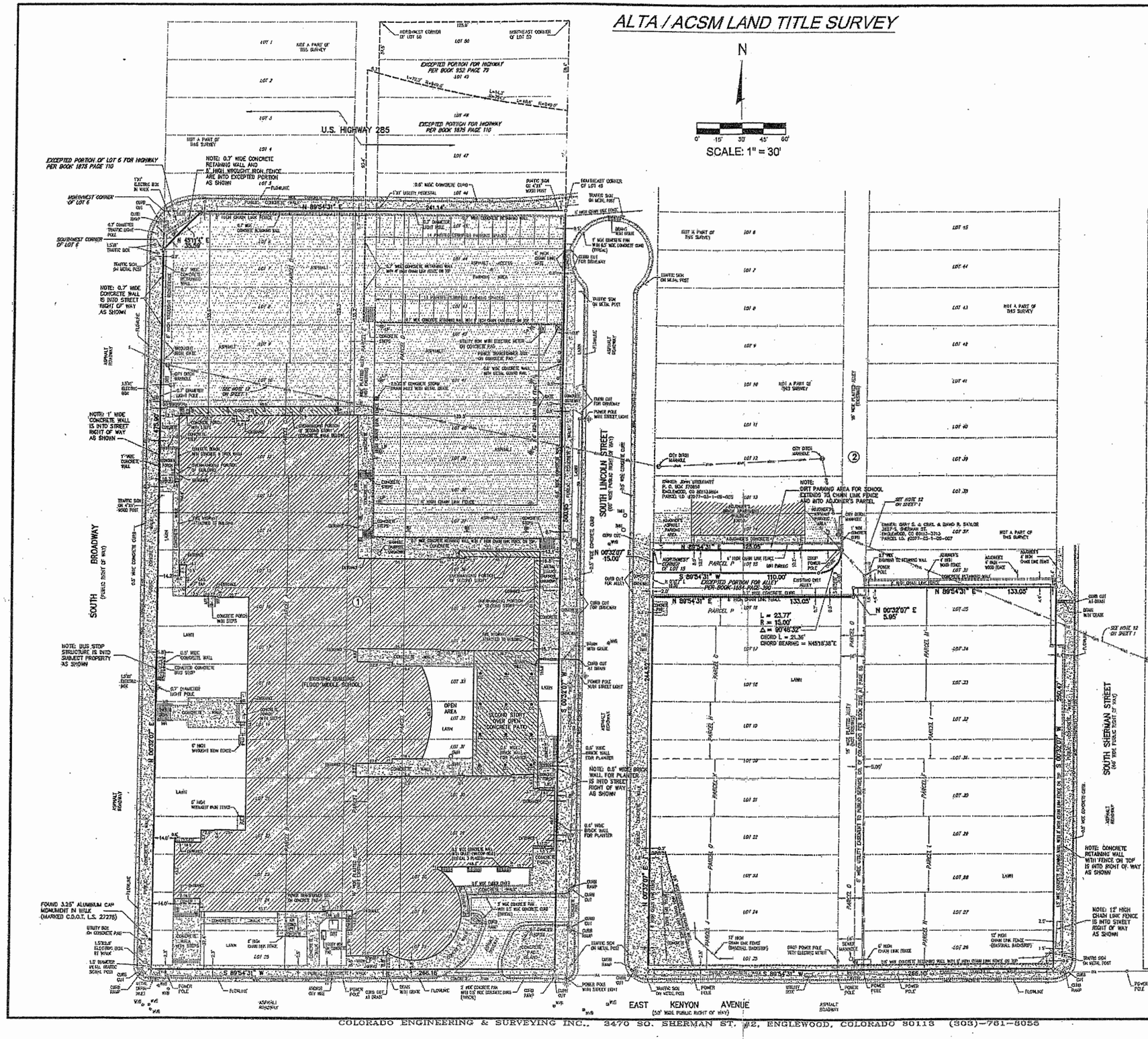
BEING ALSO A PART OF

BLOCKS 1 AND 2, HIGGINS BROADWAY ADDITION, COUNTY OF ARAPAHOE, STATE OF COLORADO

N

0' 15' 30' 45' 60'

SCALE: 1" = 30'



LEGEND

- INDICATES SUBJECT PROPERTY LINE.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES A LAND LINE
- INDICATES AN EXCEPTED PORTION WHICH IS NOT INCLUDED IN SUBJECT PROPERTY
- INDICATES OVERHEAD UTILITY LINES.
- INDICATES UNDERGROUND LOCATION OF ENGLEWOOD CITY DITCH (SEE NOTE 12 ON SHEET 1)
- INDICATES CENTERLINE OF 8' HIGH CHAIN LINK FENCE
- INDICATES CENTERLINE OF 4' HIGH CHAIN LINK FENCE
- INDICATES CENTERLINE OF 6' HIGH WROUGHT IRON FENCE
- INDICATES CENTERLINE OF 12' HIGH CHAIN LINK FENCE
- ● INDICATES FOUND EXISTING SURVEY MONUMENT AS STATED HEREON.
- ○ INDICATES RECOVERED #5 REBAR 18" LONG WITH A RED PLASTIC CAP MARKED L.S. 26958
- ◎ INDICATES RECOVERED P.K. NAIL & WASHER TAG IN CONCRETE CURB MARKED L.S. 26958
- ✧ INDICATES RECOVERED CHISELED "+" WITH NAIL AND BRASS TAG IN CONCRETE MARKED L.S. 26958
- LP 0.7' DIAMETER LIGHT POLE WITH 1.0' DIAMETER CONCRETE BASE
- 8"x8" SUPPORTING 1-BEAM COLUMN FOR OVERHANGING SECOND STORY OF BUILDING
- 1.5' DIAMETER SUPPORTING CONCRETE COLUMN FOR OVERHANGING SECOND STORY OF BUILDING
- 0.2' WIDE METAL RAILING FOR STEPS
- 2.3'x2.3' AIR CONDITIONER UNIT FOR OVERHANGING SECOND STORY OF BUILDING
- SIGN AT BUS STOP
- BENCH AT BUS STOP
- 2' DIAMETER TRASH BIN
- SEWER MANHOLE
- WATER VALVE BOX
- FIRE HYDRANT
- WATER MANHOLE
- METAL BOX (PURPOSE UNKNOWN)
- 0.3' DIAMETER METAL GUARD POST
- ELECTRIC METER
- TELEPHONE MANHOLE
- BASKET BALL BOARD ATTACHED TO FENCE OR WALL
- (1) CITY DITCH MANHOLE
- (D) DISTANCE PER DEED
- (A.M.) AS MEASURED DISTANCE

REVISED 7-2-2012 FOR CITY DITCH & EASEMENT

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

EXHIBIT B

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED WARRANTS THAT IT IS THE OWNER OF A PARCEL OF LAND LOCATED IN THE OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ALSO BEING PART OF CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 6 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

THE UNDERSIGNED OWNER HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF "ALTA CHERRY HILLS SUBDIVISION", AND DOES HEREBY DEDICATE TO THE PUBLIC ALL RIGHT-OF-WAYS AND EASEMENTS FOR THE PURPOSES SHOWN HEREON.

EXECUTED THIS_____DAY OF _____, A.D. 20__

OWNER _____
BY_____ AS _____
FOR SCHDOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

NOTARY PUBLIC

STATE OF COLORADO }
COUNTY OF ARAPAHOE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS___DAY OF_____, 20__ BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION
WITNESS MY HAND AND SEAL
MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

_____
_____
ADDRESS

APPROVALS

RECOMMENDED FOR APPROVAL BY THE CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

_____ _____
CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION DATE

ATTEST:

_____ _____
RECORDING SECRETARY OF THE PLANNING AND ZONING COMMISSION DATE

APPROVED BY THE CITY COUNCIL BY ORDINANCE NO._____, SERIES OF 20__.

_____ _____
MAYOR OF THE CITY OF ENGLEWOOD DATE

ATTEST:

_____ _____
CITY CLERK DATE

CLERK AND RECORDS CERTIFICATION

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO. AT_____O'CLOCK ___.M., ON THIS_____DAY OF _____;A.D., 20__; RECEPTION NO._____, BOOK NO. _____
PAGE NO(S)._____.

BY:_____ BY:_____
CLERK AND RECORDER DEPUTY

BENCHMARK

NGS BRASS DISK #V 409 IN THE ABUTMENT OF SOUTH BROADWAY BRIDGE AT HAMPDEN AVENUE, ELEVATION=5334.82 NAVD 88.

NOTE: EXISTING CONTOUR INFORMATION SHOWN HEREON WAS PROVIDED BY THE CITY OF ENGLEWOOD. CONTOUR ELEVATIONS SHOWN DO NOT MATCH ELEVATIONS ESTABLISHED USING THE ABOVE BENCHMARK. DATUM AND BENCHMARKS UTILIZED FOR EXISTING CONTOURS ARE UNKNOWN.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°31'50" EAST.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT FLOOD INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

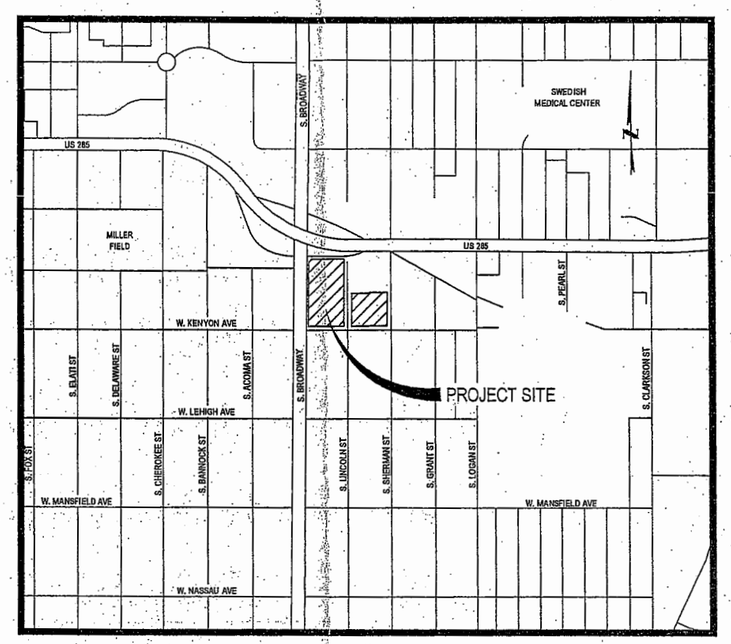
MAPS ARE DATED DECEMBER 17, 2010
COMMUNITY NO. 085074
PANEL NO. 0163K

LEGEND

- INDICATES SUBJECT PROPERTY LINE AS SHOWN.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES OFFSET LINE AS STATED.
- INDICATES CENTERLINE OF R.O.W. AS SHOWN.
- INDICATES A LAND LINE AS STATED HEREON.
- INDICATES EASEMENT LINE.
- INDICATES BOUNDARY OF AN EXCEPTED PORTION.
- FOUND CONC. NAIL WITH BRASS TAG PLS 26958 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
- SET #5x24" REBAR WITH BLUE PLASTIC CAP PLS 38162

STANDARD NOTES

1. DATE OF FIELD WORK: JUNE 28, 2011
2. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN. IT IS PART OF A SUBDIVISION PLAT OF "HIGGINS BROADWAY ADDITION" FILED WITH THE CLERK AND RECORDER OF ARAPAHOE COUNTY ON THE 3RD DAY OF APRIL, 1917 A.D. RECORDED IN PLAT BOOK 3, PAGE 23, RECEPTION NO. 44923.
3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. COLORADO STATE LAW CRS 9-1.5-101 STATES THAT ANYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY, RIGHT-OF-WAY, OR UTILITY EASEMENT IS TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, THREE (3) BUSINESS DAYS BEFORE YOU DIG. CALL 811 OR 303-534-6700 IN THE METRO DENVER AREA TO LOCATE BURIED LINES.
5. THE LINEAR UNITS FOR THIS PLAT ARE U.S. SURVEY FEET.
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. NCS-542989-HOU1 ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF MAY 1, 2012 AT 5:00 P.M.
7. MINIMUM EIGHT-FOOT (8') WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON. THESE EASEMENTS ARE DEDICATED TO THE CITY OF ENGLEWOOD FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEROF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS (PSCo) RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCo AN EASEMENT ON ITS STANDARD FORM.



VICINITY MAP
SCALE: 1" = 500'

Sheet Index

1 COVER SHEET
2 SITE PLAN - EXISTING & PROPOSED CONDITIONS
3 SITE PLAN - EXISTING CONDITION
4 SITE PLAN - PROPOSED CONDITION

SURVEYORS CERTIFICATION

I, AARON MURPHY, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY OF THE ALTA CHERRY HILLS SUBDIVISION, WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS THE SURVEY THEREOF.

AARON MURPHY LICENSE NUMBER 38162 DATE SIGNED
FOR AND ON BEHALF OF
HARRIS KOCHER SMITH
1391 SPEER BLVD, SUITE 390
DENVER, CO 80204

LAND PLANNER:
NORRIS DESIGN
Planning | Landscape Architecture
1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

CIVIL ENGINEER:
HARRIS KOCHER SMITH
engineers • land surveyors
1391 Speer Blvd., Suite 390
Denver, Colorado 80204
Phone (303) 623-6300
Fax (303) 623-5311

COVER SHEET
SHEET 1

ALTA CHERRY HILLS SUBDIVISION

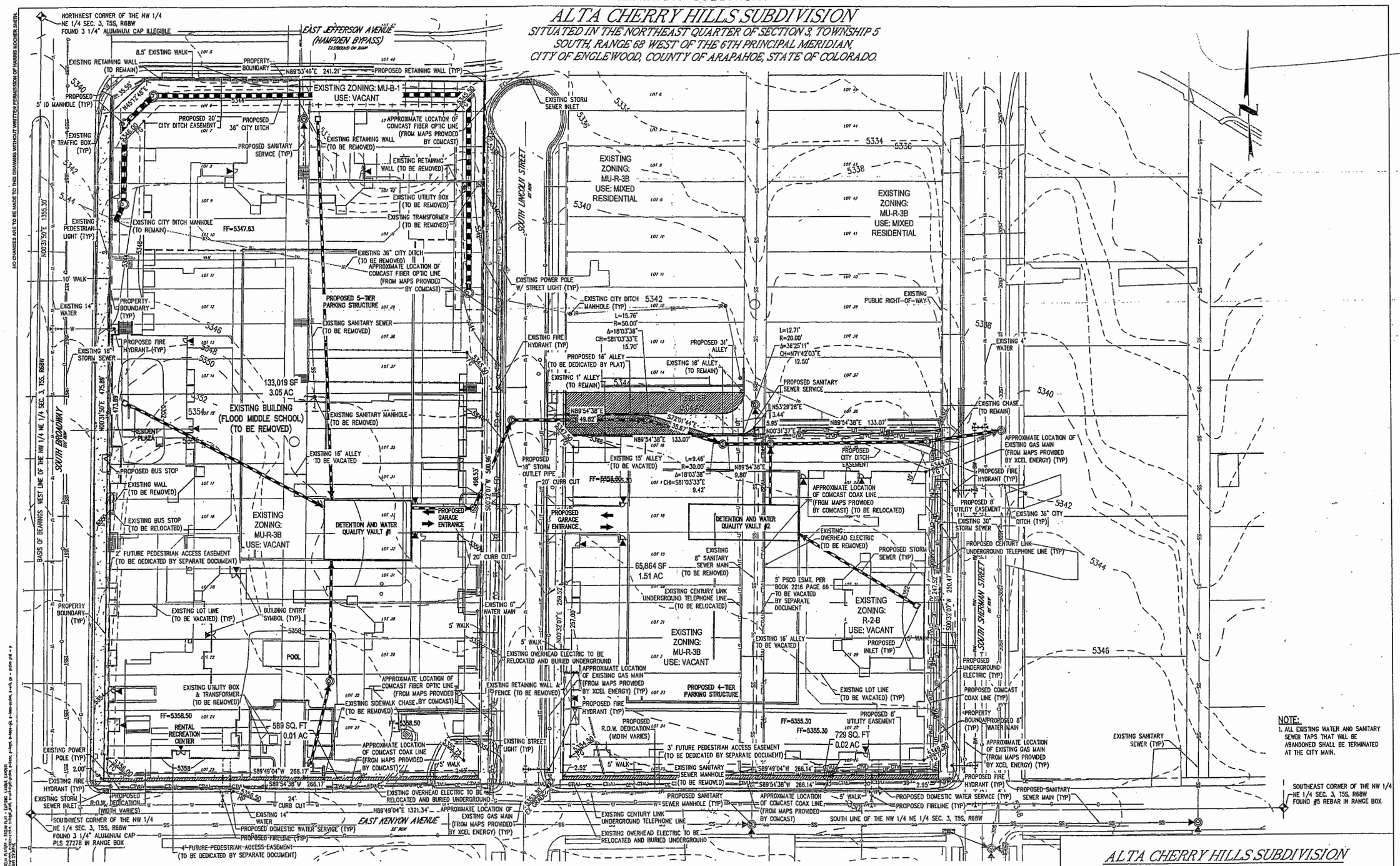
3650 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



NOTE:
1. ALL EXISTING WATER AND SANITARY SEWER TAPS THAT WILL BE ABANDONED SHALL BE TERMINATED AT THE CITY MAIN.

SITE PLAN - EXISTING & PROPOSED CONDITIONS

SHEET 2

ALTA CHERRY HILLS SUBDIVISION

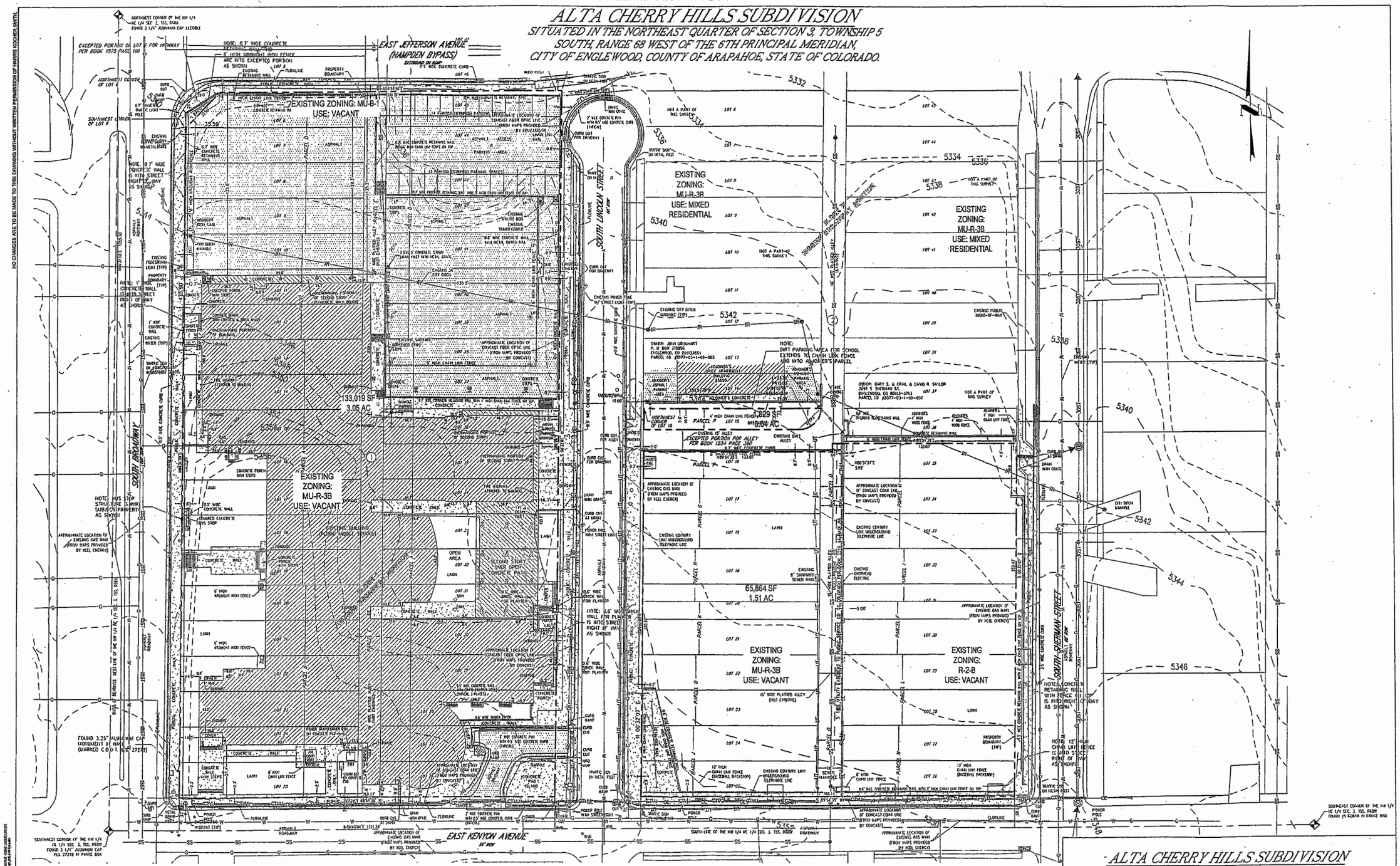
3650 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



SCALE: 1"=30'

SITE PLAN - EXISTING CONDITION

SHEET 3

ALTA CHERRY HILLS SUBDIVISION

3650 S BROADWAY & 3600 S LINCOLN ST

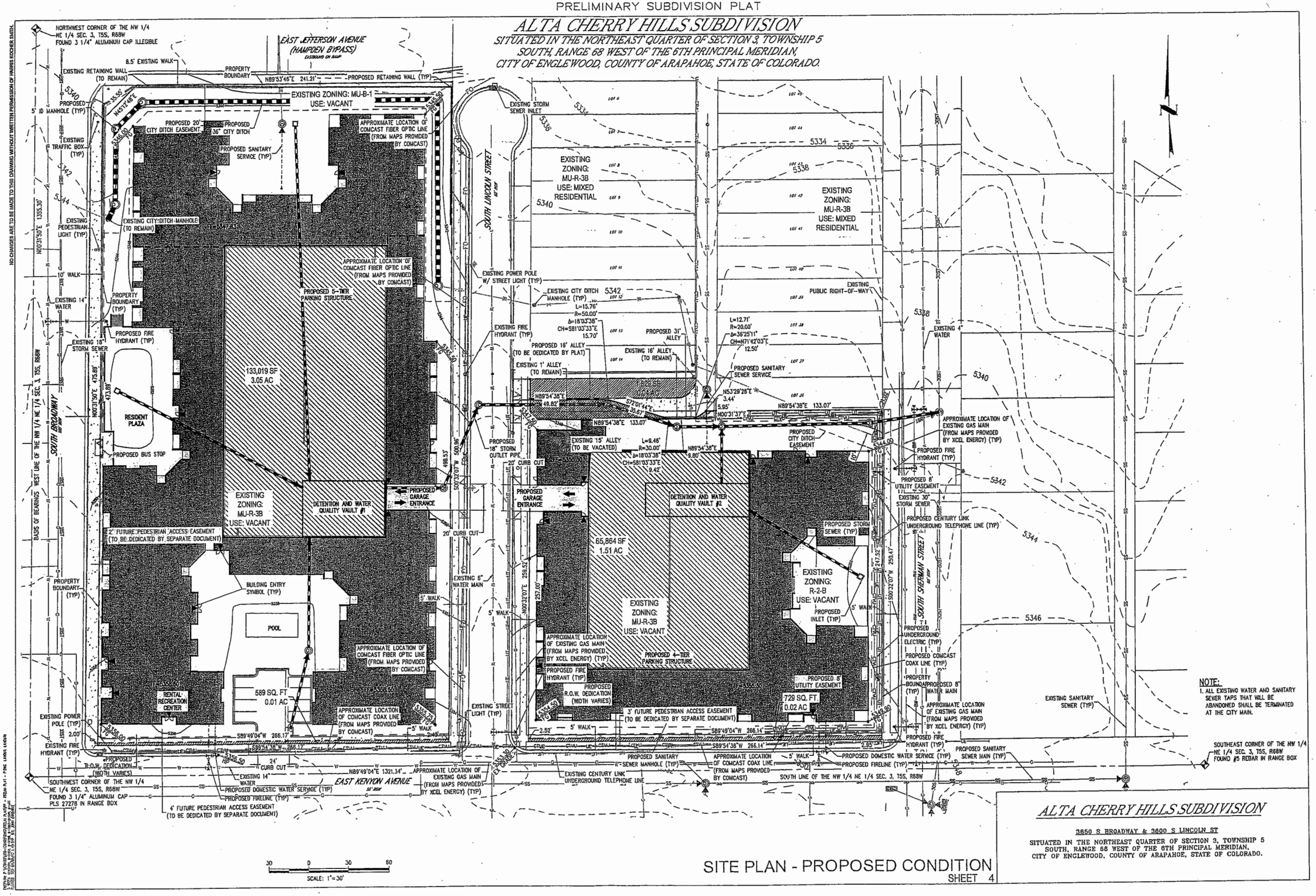
SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



SITE PLAN - PROPOSED CONDITION

SHEET 4

ALTA CHERRY HILLS SUBDIVISION

3850 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

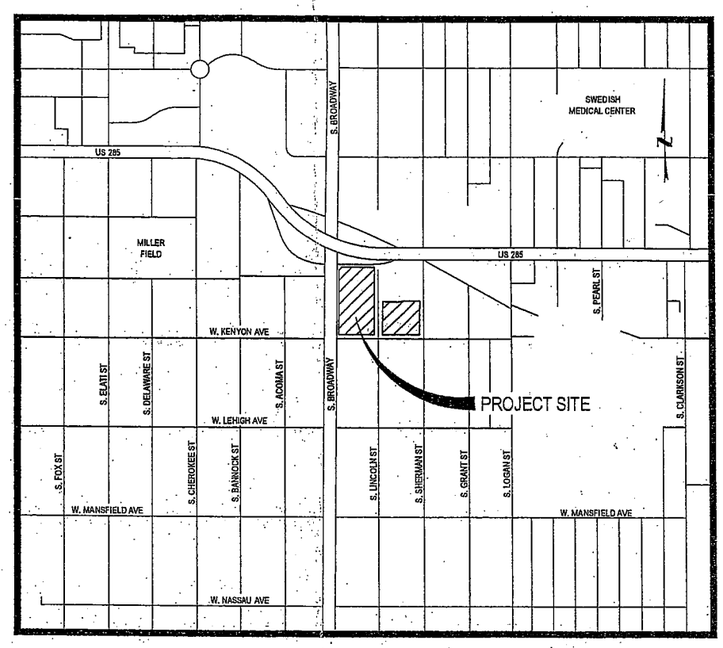
MAJOR SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

EXHIBIT C



VICINITY MAP
SCALE: 1" = 500'

Sheet Index

1 COVER SHEET
2 SITE

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS; THAT THE UNDERSIGNED WARRANTS THAT IT IS THE OWNER OF A PARCEL OF LAND LOCATED IN THE OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ALSO BEING PART OF CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 5 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BRDADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

THE UNDERSIGNED OWNER HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF "ALTA CHERRY HILLS SUBDIVISION", AND DOES HEREBY DEDICATE TO THE PUBLIC ALL RIGHT-OF-WAYS AND EASEMENTS FOR THE PURPOSES SHOWN HEREON.

EXECUTED THIS_____DAY OF _____, A.D. 20___

OWNER _____

BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

NOTARY PUBLIC

STATE OF COLORADO }
COUNTY OF ARAPAHOE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS___DAY OF_____, 20___ BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

WITNESS MY HAND AND SEAL

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

_____
_____
ADDRESS

APPROVALS

RECOMMENDED FOR APPROVAL BY THE CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

_____ _____
CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION DATE

ATTEST:

_____ _____
RECORDING SECRETARY OF THE PLANNING AND ZONING COMMISSION DATE

APPROVED BY THE CITY COUNCIL BY ORDINANCE NO._____, SERIES OF 20___.

_____ _____
MAYOR OF THE CITY OF ENGLEWOOD DATE

ATTEST:

_____ _____
CITY CLERK DATE

CLERK AND RECORDS CERTIFICATION

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO, AT_____O'CLOCK ___.M., ON THIS_____DAY OF _____,A.D., 20___, RECEPTION NO._____, BOOK NO. _____ PAGE NO(S)._____.

BY: _____ BY: _____
CLERK AND RECORDER DEPUTY

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°31'50" EAST.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

MAPS ARE DATED DECEMBER 17, 2010
COMMUNITY NO. 085074
PANEL NO. 0163K

LEGEND

- INDICATES SUBJECT PROPERTY LINE AS SHOWN.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES OFFSET LINE AS STATED.
- INDICATES CENTERLINE OF R.O.W. AS SHOWN.
- INDICATES A LAND LINE AS STATED HEREON.
- INDICATES EASEMENT LINE.
- INDICATES BOUNDARY OF AN EXCEPTED PORTION.
- FOUND CONC. NAIL WITH BRASS TAG PLS 26958 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
- SET #5x24" REBAR WITH BLUE PLASTIC CAP PLS 38162

STANDARD NOTES

1. DATE OF FIELD WORK: JUNE 28, 2011
2. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN. IT IS PART OF A SUBDIVISION PLAT OF "HIGGINS BROADWAY ADDITION" FILED WITH THE CLERK AND RECORDER OF ARAPAHOE COUNTY ON THE 3RD DAY OF APRIL, 1917 A.D. RECORDED IN PLAT BOOK 3, PAGE 23, RECEPTION NO. 44923.
3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. COLORADO STATE LAW CRS 9-1.5-101 STATES THAT ANYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY, RIGHT-OF-WAY, OR UTILITY EASEMENT IS TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, THREE (3) BUSINESS DAYS BEFORE YOU DIG. CALL 811 OR 303-534-6700 IN THE METRO DENVER AREA TO LOCATE BURIED LINES.
5. THE LINEAR UNITS FOR THIS PLAT ARE U.S. SURVEY FEET.
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. NCS-542989-HOU1 ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF MAY 1, 2012 AT 5:00 P.M.
7. MINIMUM EIGHT-FOOT (8') WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON. THESE EASEMENTS ARE DEDICATED TO THE CITY OF ENGLEWOOD FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEROF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS (PSCo) RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCo AN EASEMENT ON ITS STANDARD FORM.

SURVEYORS CERTIFICATION

I, AARON MURPHY,A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY OF THE ALTA CHERRY HILLS SUBDIVISION, WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS THE SURVEY THEREOF.

AARON MURPHY LICENSE NUMBER 38162 DATE SIGNED
FOR AND ON BEHALF OF
HARRIS KOCHER SMITH
1391 SPEER BLVD, SUITE 390
DENVER, CO 80204

COVER SHEET
SHEET 1

ALTA CHERRY HILLS SUBDIVISION

3650 S BROADWAY & 3600 S LINCOLN ST

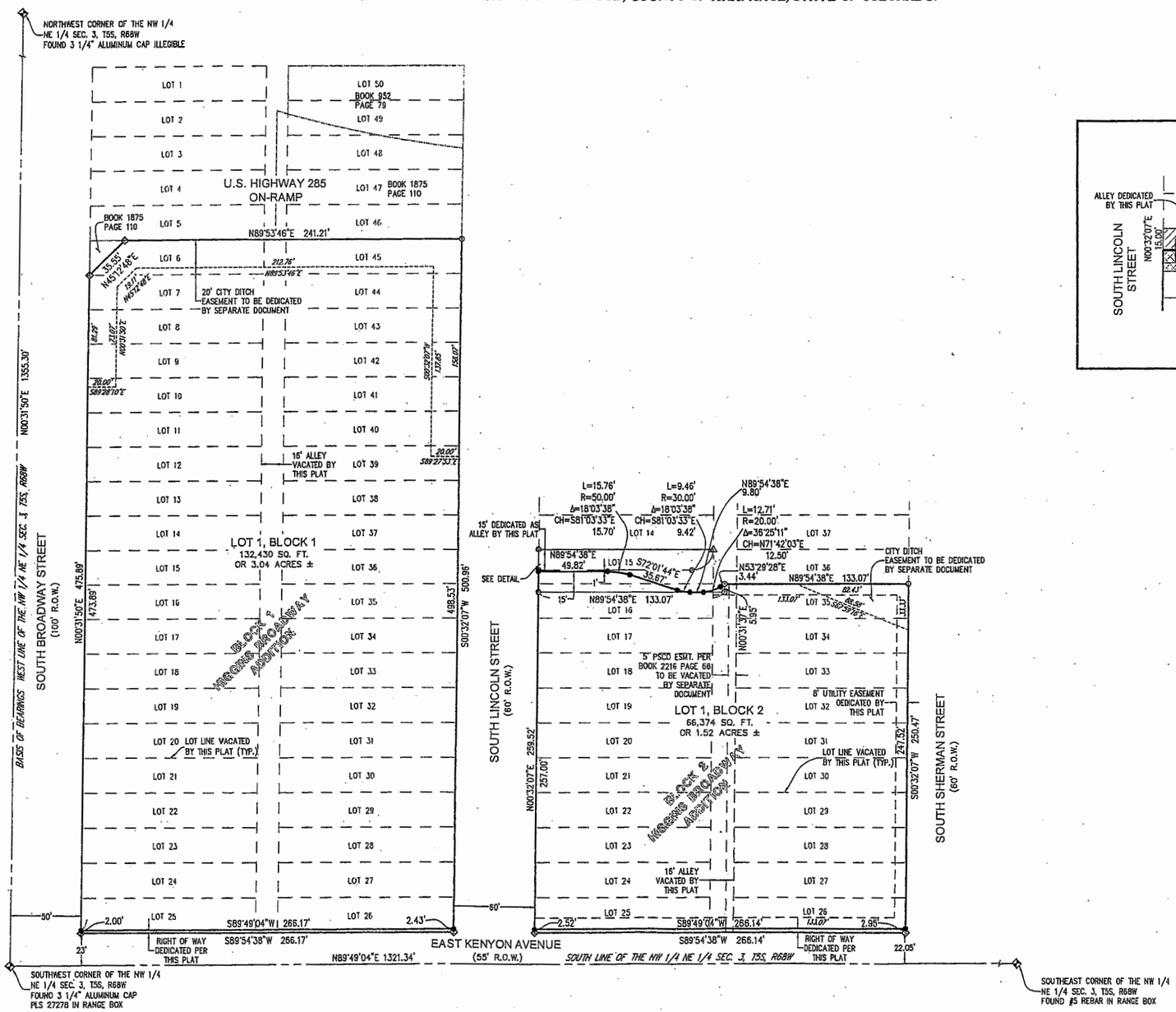
SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

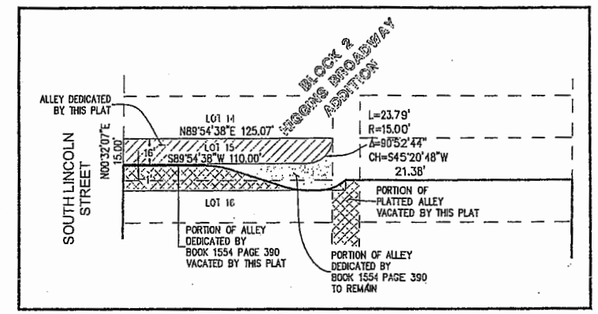
MAJOR SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.





ALLEY DETAIL

LEGEND

- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
- SET #5x24" REBAR WITH BLUE PLASTIC CAP PLS 38162

ALTA CHERRY HILLS SUBDIVISION

3650 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

SITE
SHEET 2

Flood Middle School PUD
Neighborhood Meeting
Unite Methodist Church – 3885 South Broadway
May 16, 2012

Attendees: Approximately 42 (see attached sign-in sheets)

Applicant Presentation

1. Edward Barsocchi of Barbury Holdings, LLC, stated that his company is under contract with the Englewood School District and is set to close on the property in the first quarter of 2013. He then provided information on the proposed developer, Wood Partners, which included the following:
   - Wood Partners is ranked as one of the top apartment builders in the country and has developed over 15,000 units.
   - Some recent projects in the metro area include the Alta project behind the Aspen Grove shopping center and a project at Alameda and Cherokee.
   - Wood Partners recently completed a Leed Certified building.

2. Wendi Birchler of Norris Design thanked everyone for coming and described the current zoning for the Flood Middle School property which includes R-2-B, MU-R-3-B, and MU-B-1. She describe the development as being a 300-350 unit apartment building in two buildings, with a maximum height of approximately 65 feet.

3. Robert Miller of PBA Architects presented his firm's existence since 1967 and his own tenure with the company over the last 15 years. He also went over the conceptual plan for the development which included:
   - The project will include an active corner on South Broadway and Kenyon. The grade steps down significantly at the northern portion of the site. There will be a buffer between the northern portion of the building and Highway 285.
   - At the southern portion of the larger parcel, there will be a small amount of off-street parking for prospective tenants to visit the leasing office.
   - On all the streets except Broadway, there will be a detached walk with a tree lawn.
   - The building will be 4 to 5 stories tall with an average height of 55 to 65 feet.

4. Public Comment
   The public asked questions and provided comments that are grouped in these notes by topic. The applicant responded to some of the questions and comments *(in italics)*. Key issues were:

   General:
   - Will there be 350 units total, or per building? *That would be the maximum total number of units.*
   - What would the current MU-R-3-B zone district allow in terms of density? *That has not been calculated, but we will have that as the process moves forward.*
   - What is the proposed landscape on Kenyon? *It will be a detached minimum 5 foot wide sidewalk with a tree lawn.*

- What is interactive along Broadway, there is no place for kids to play.
- Is there any retail proposed? *No, a recent retail study showed that additional residential was necessary to support existing retail and any new retail development. The best way to increase existing retail performance is to increase rooftops. We don't want to increase retail vacancy rates.*
- What is the red area in the concept plan? *It is the leasing area and the community center for the apartments.*
- In terms of infrastructure, who will pay for it? Are you asking the City for assistance? *Only for assistance in relocating the City Ditch that runs through the property.*
- What kind of demographics are you looking at? *Rents will be market rate and will range from $1,000 a month for a one bedroom to $2,200 - $2,500 for a three bedroom.*
- Will crime increase? *We do not have any supporting data on that.*
- What cost impact is there on the City in terms of needing a new middle school? *Flood Middle School was closed in 2006 because of declining enrollment, so there is not a need for another middle school. The City is a different entity than the Englewood School District.*
- Can you keep the green space east of Lincoln? *No, it is not economically feasible or the highest and best use of the land.*
- Was the retail study you refer to specific to Englewood? *Yes.*
- Is there any concept yet for the building, It should be unique to Englewood since it's a gateway location? *There is not a concept yet, but we will be working on that.*
- Would the developer consider a project that conformed to the current zoning density? *It's probably not economically feasible, if the project too small, then it's very difficult to find a developer. The school closed in 2007.*
- Whether or not us citizens like the specific project, its progress and I'm glad it's happening.

Traffic:

- There is a ten unit building on the southeast corner of Lincoln and Kenyon. There is a concern for traffic and kids playing.
- Will the signal timing be lengthened at Kenyon and Broadway? *We are doing a traffic study right now and that will be looked at.*
- Could all the traffic come into the project from Broadway? *It is unlikely, an entrance would likely be too close to the on-ramp to US 285 (Hampden).*
- Perhaps you could add an accel/decel lane and widen Broadway.

Parking:

- If the resident of the apartment buildings have visitors, where do they park? *The parking garage will be sized to accommodate visitor spaces.*
- Will the building wrap around the parking structure and how many spaces will there be? *Yes, the building will wrap around the parking structure. Right now we are looking at a parking ratio of approximately 1.7 spaces per unit.*
- 1.7 spaces per unit seems a little low.

Construction:

- How long would construction take? *It would take about 90 days to complete the demolition and environmental remediation for the school, then construction would take about 18 months.*
- How will construction hours and traffic restrictions be determined? *That has not been determined yet.*
- Will fences during construction impact the RTD bus stop on Broadway, there is a resident here who is blind? *We will have work with RTD to make sure that service is maintained.*

Process:

- This concept site plan does not articulate exactly what you are proposing in terms of density, setbacks, parking, and height. *We are asking for neighborhood input first, all those things will be articulated when we formally apply for the PUD.*
- How residents be notified of the Planning and Zoning Commission public hearing? *There will be a notice in the Englewood Herald, a notice on the City's website, a direct mailing to property owners and tenants within a 1,000 foot radius of the site, and the site will be posted. All of these notices will be a minimum of 10 days prior to the hearing.*
- Mayor Pro Tem Jim Woodward indicated that residents can also sign up for e-notifier on the City's website.
- Council Member Linda Olson, who represents the area, encouraged residents to compile emails to communicate with one another about the proposed Flood Middle School PUD. Council Member Jill Wilson indicated that she would leave some cards on the table if anyone wanted to contact her.

5. City staff outlined the PUD process and next steps. PUD frequently asked questions was provided.

6. Edward Barsocchi of Barbury Holdings made some closing remarks and the meeting was adjourned.

EXHIBIT E

June 28, 2012

Brook Bell
City of Englewood
Community Development Department
1000 Englewood Parkway
Englewood, Colorado 80110

RE: Flood Middle School PUD, ZON2012-003
TCHD Case No. 2732

Dear Mr. Bell:

Thank you for the opportunity to review and comment on the proposed Planned Unit Development (PUD) application for the Flood Middle School site for the development of 350 units of multifamily housing at 3695 South Lincoln Street. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental health regulations and potential recommendations for site improvements to encourage opportunities for healthy community design.

Healthy Community Design and Connectivity
Because chronic diseases related to physical inactivity and obesity now rank among the country's greatest public health risks, TCHD encourages community designs that make it easy for people to include regular physical activity, such as walking and bicycling, in their daily routines. At the project site level, TCHD encourages applicants to incorporate a well-connected system of pathways for pedestrians and bicyclists that support the use of a broader pedestrian and bicycle network off of the site.

The applicant's proposed minimum sidewalk width requirement of five feet found under PUD District Plan Development Standards is a great start to provide adequate space for more than one person to pass at one time. TCHD encourages the applicant to include more requirements to ensure an on-site system of good connectivity. While TCHD recognizes that the actual site design will be evaluated with a later land development application for the site plan review, it is essential to consider PUD requirements that foster a walkable design that incorporates direct connections to the broader circulation network. You may want to consider requirements for internal circulation that maximize direct pedestrian and bicycle connections from residential buildings to adjacent public streets, nearby parks and trail system and transit stops.

The design and orientation of buildings can encourage residents' use of sidewalks along streets improving the safety on the street by bringing more people to observe activities. The bulk standards listed under PUD District Plan Development Standards begin to articulate the building presence along the street. You may want to consider adding development standards that articulate the preferred location for entrances oriented toward the streets.

A common barrier to good circulation is the overuse of fences on multifamily developments. TCHD recommends that you add standards to the PUD to clarify the intent for the use of fencing on the property. It might be helpful to limit the use of fences along the street and along internal pedestrian sidewalks.

The Conceptual Landscape Plan includes street sections. However, there are not standards in the PUD standards. It is unclear if the streetscape standards are governed by the PUD standards or if they are determined by another regulatory document. TCHD supports the detached sidewalk design show on the conceptual plan with a minimum of five-foot wide sidewalks.

Lastly, the setback standards included under PUD District Plan Development Standards are not clear as to whether the setbacks are intended as minimum setback or maximum setback standards.

Healthy Community Design and Bicycle Amenities
As mentioned earlier in this letter, TCHD supports community design that makes it easy for residents to walk or use their bicycles. TCHD encourages you to add PUD Development Standards for bicycle facilities including bike parking for visitors and residents. While bicycle storage for residents could be accommodated internal to the building, it is important to include bicycle parking facilities that are easily accessible to visitors.

Sun Safety for Outdoor Common and Gathering Areas
Skin cancer is the most common cancer in the United States. Colorado has the 5th highest death rate from melanoma, the most deadly form of skin cancer. A leading risk factor for skin cancer is exposure to ultraviolet rays (UV) from the sun. Seeking shade when outside is one of the best ways to prevent overexposure to UV rays. TCHD recommends the use of shade in common areas like courtyards, patios and play areas through the planting of trees or physical shade structures. It is important that shade structures or appropriate landscaping is considered early in the design process so that it is incorporated well into the overall site plan and optimizes the opportunity for residents and visitors to shield themselves from the sun and reduce their risk of skin cancer.

Please feel free to contact me at (720) 200-1571 or slynch@tchd.org if you have any questions on TCHD's comments.

Sincerely,

Sheila Lynch
Land Use Program Coordinator
Tri-County Health Department

CC: Warren Brown, Hope Dalton, Vanessa Richardson, Laura DeGolier, TCHD

EXHIBIT F

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Region 6 Traffic
Access/Utilities Permits
Roadside Advertising
2000 South Holly Street
Denver, Colorado 80222
303-512-4272 FAX 303-757-9886

August 31, 2012

City of Englewood
Attn: Brook Bell
Community development department
1000 Englewood Parkway
Englewood, Colorado 80110

Dear Brook:

RE: ZON2012-003 3695 SO. LINCOLN STREET SE QUADRANT OF BROADWAY BOULEVARD AND SH 285

Thank you for referring the proposal for our review. We have reviewed the site traffic study and we have no further comment on the site development proposal. Please note that to obtain permission to construct utilities within state highway right-of-way, a Utility/Special Use Permit is required. Please visit our website at http://www.dot.state.co.us/UtilityProgram/Process.cfm, or obtain the application through this office.

If you have any questions, please contact me at 303-512-4271.

Sincerely,
Bradley T. Sheehan, P.E.
Access Engineer

CC R6: Ref: 067912.docx File (SH 44)

EXHIBIT G

Xcel Energy℠
PUBLIC SERVICE COMPANY

Right-Of-Way & Permits
10001 W Hampden Ave
Lakewood, Colorado 80227
Telephone: 303.716.2043
Facsimile: 303.716.2046

August 22, 2012

Brook Bell
City of Englewood Community Development
1000 Englewood Parkway
Englewood, Colorado 80110

Re: Easement Vacation **S3 – T5S – R68W**
Flood Middle School Redevelopment (Alta Cherry Hills)

Dear Mr. Bell,

Per our conversation earlier this week this is to confirm that Public Service Company (PSCo) has no objections to vacating our interest in the proposed platted alley vacation between Lots 15 – 35, Block 2, Higgins Broadway Addition subdivision. We will maintain our PSCo easement for the existing facilities until such time they are relocated and then the easement will be vacated by a Quitclaimed Deed.

Additionally, we believe that the overall redevelopment plan as presented is something we will be able to work with. Although all easement and existing facility issues have not been complete resolved we are confident that we will be able to work directly with the developer to resolve any PSCo utility issue.

PSCo is supportive of the re-platting and general development plans that have been present to us by the City and the developer. We would have no objection to their approval by the City of Englewood.

Should you have any questions or need additional information do not hesitate to contact me.

Cordially,

Robyn Larm
Contract Right-Of-Way Agent
303.716.2043

cc: E. Barsocchi

EXHIBIT H

CenturyLink™

July 23, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: ZON2012-003
Subdivision Referral
Alta Cherry Hills Subdivision
3695 South Lincoln Street, Englewood, CO 80113

Dear Mr. Bell,

In a letter dated June 26, 2012, copy attached, Qwest Corporation d/b/a CenturyLink QC denied the referenced Case due to the Case's conflict with existing CenturyLink telecommunications facilities.

Since that date, we have met with representatives of Barbury Holdings, LLC to seek remedy to known conflicts.

As a result of agreements arrived at during that meeting, CenturyLink can approve the **Alta Cherry Hills Subdivision** contingent on Barbury Holdings, LLC providing a utility easement for CenturyLink use, compensating CenturyLink for relocating our existing facilities into the new easement and on the preservation and maintenance of all existing rights until CenturyLink's relocation is final.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

June 26, 2012

CenturyLink™

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: ZON2012-003
Subdivision Referral
Alta Cherry Hills Subdivision
3695 South Lincoln Street, Englewood, CO 80113

Dear Mr. Bell,

Please be advised that Qwest Corporation d/b/a CenturyLink QC has reviewed the materials provided by this proposal.

CenturyLink was not able to agree to proposed alley and utility easement vacations presented by associated Cases SUB2012-003 and SUB2012-004, respectively, due to conflicts with existing CenturyLink facilities.

Those unresolved conflicts encumber the proposed **Lot 1, Block 2, Alta Cherry Hills Subdivision.**

Therefore, CenturyLink cannot agree to the proposed platting, until such time as conflicts with our facilities are resolved.

Bradbury Holdings, LLC should contact CenturyLink Engineer Tim Styron, 303.792.1963, to discuss removing this conflict with Bradbury's proposed **Alta Cherry Hills Subdivision**.

Thank you for the opportunity to review the referenced Case.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

CenturyLink™

July 23, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: SUB2012-003
Alley Vacations
Block 1 & 2, Higgins Broadway Addition

Dear Mr. Bell,

In a letter dated June 26, 2012, copy attached, Qwest Corporation d/b/a CenturyLink QC denied the referenced Case due to the Case's conflict with existing CenturyLink telecommunications facilities.

Since that date, we have met with representatives of Barbury Holdings, LLC to seek remedy to known conflicts.

As a result of agreements arrived at during that meeting, CenturyLink can approve the requested alley vacations contingent on Barbury Holdings, LLC providing a replacement easement, compensating CenturyLink for relocating our facilities from the alley (at Block 2, Higgins Broadway Addition) into the new easement area and on the preservation and maintenance of all existing rights until CenturyLink's relocation is final.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

CenturyLink™

June 26, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: SUB2012-003
Alley Vacations
Blocks 1 & 2, Higgins Broadway Addition

Dear Mr. Bell,

Please be advised that Qwest Corporation d/b/a CenturyLink QC has reviewed the materials provided by this proposal.

CenturyLink cannot agree to the requested easement vacation at this time. Our records indicate we own, operate and maintain buried cable in the alley at Block 2, Higgins Broadway Addition. (We do not have cable in the alley at Block 1 and will be able to agree to that portion of the vacate request.)

Bradbury Holdings, LLC should contact CenturyLink Engineer Tim Styron , 303.792.1963, to discuss removing this conflict with Bradbury's proposed **Alta Cherry Hills Subdivision.**

Thank you for the opportunity to review the referenced Case.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

CenturyLink™

July 23, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: SUB2012-004
Utility Easement Vacation (Reception No. 1409544)
Block 2, Higgins Broadway Addition

Dear Mr. Bell,

In a letter dated June 26, 2012, copy attached, Qwest Corporation d/b/a CenturyLink QC denied the referenced Case due to the Case's conflict with existing CenturyLink telecommunications facilities.

Since that date, we have met with representatives of Barbury Holdings, LLC to seek remedy to known conflicts.

As a result of agreements arrived at during that meeting, CenturyLink can approve the requested Utility Easement Vacation (Reception No. 1409544) contingent on Barbury Holdings, LLC providing a replacement easement, compensating CenturyLink for relocating our facilities and on the preservation and maintenance of all existing rights until CenturyLink's relocation is final.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217

CenturyLink™

June 26, 2012

City of Englewood
Community Development Department
Mr. Brook Bell
1000 Englewood Parkway
Englewood, CO 80110

RE: Case No.: SUB2012-004
Utility Easement Vacation (Reception No. 1409544)
Block 2, Higgins Broadway Addition

Dear Mr. Bell,

Please be advised that Qwest Corporation d/b/a CenturyLink QC has reviewed the materials provided by this proposal.

CenturyLink cannot agree to the requested easement vacation at this time. Our records indicate we own, operate and maintain buried cable in the easement area.

Bradbury Holdings, LLC should contact CenturyLink Engineer Tim Styron, 303.792.1963, to discuss removing this conflict with Bradbury's proposed **Alta Cherry Hills Subdivision**.

Thank you for the opportunity to review the referenced Case.

Sincerely,

Charles Place
Engineer II / Right of Way Manager
CenturyLink
9750 E. Costilla Ave.
Englewood, CO 80112

303.784.0217
cl

EXHIBIT I

Brook Bell

From: Leigh Ann Hoffhines
Sent: Tuesday, August 28, 2012 8:18 AM
To: #City Council
Cc: Alan White; Darren Hollingsworth
Subject: FW: Mary L. Flood Park

FYI – This is Mayor Penn's response to the email Council received regarding the park near Flood Middle School.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Randy Penn
Sent: Tuesday, August 28, 2012 8:14 AM
To: Casey Hannen
Cc: Leigh Ann Hoffhines
Subject: RE: Mary L. Flood Park

Casey,
Thank you for your letter. This project is well on it's way and this info should have been brought forward at the community meetings. At this time the project is being developed by the Bradbury group along with Wood Partners.
The Flood property has never been designated at a park, but in the past was utilized by many citizens as a park. The City is always interested in maintaining their park system and at this time is not looking at the Flood properties as an addition to the system. The developers will be paying a "Park Fee" payment to the city to help continue the sustainability and upgrading of parks around the city and close to the Flood properties. The closest park setting for your area would then be Hosanna Park on Logan at the high school, two blocks from Flood.
My suggestion to you is to continue with your meetings, get in touch with the Bradbury group and share your concerns, and let Englewood Public Schools know of your concerns. I believe there will be council members at the meeting on Wednesday to listen and answer questions.
Thanks,
Randy Penn

From: Casey Hannen
Sent: Monday, August 27, 2012 10:46 PM
To: Council; Randy Penn
Subject: Mary L. Flood Park

Hello Englewood City Council Members and Mayor Penn,

My name is Casey Hannen and I live at the corner of Sherman and Mansfield, within walking distance of the old Mary L. Flood middle school and adjacent open space. I'm concerned about the redevelopment plans proposed by Barbury Holdings for a number of reasons - however, my biggest concern is that this community will lose an important neighborhood park and recreation area.

Useable parks and open space are important for any community, and in this case Mary L. Flood park is essentially the only park available to our neighborhood. The Hosanna Athletic Complex is in use by team sports the majority of the time, the Little Dry Creek area is narrow and sloped, and Miller Field is not suitable walking distance across Broadway. I see children playing in the park on a daily basis - if the park was to be redeveloped into apartments,

what other options would they have for recreation?

There are too many people in this area who enjoy Mary L. Flood park - please consider this when working with the developers on future plans for our neighborhood. I'm not opposed to redevelopment of the area, but I believe that it's primary function as a community gathering place should be kept intact.

Thanks,
Casey Hannen
3894 S Sherman St
720.938.2273

Example design for Mary L. Flood Park:

EXHIBIT J

Brook Bell

From: Leigh Ann Hoffhines **On Behalf Of** Council
Sent: Tuesday, August 28, 2012 2:28 PM
To: #City Council
Subject: FW: Flood Middle School Redevelopment

FYI – this message came in via the Council email.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Matt Blomstrom
Sent: Tuesday, August 28, 2012 2:19 PM
To: Council
Subject: Flood Middle School Redevelopment

Dear Mayor Penn and City Council Members,

I am writing to ask you to preserve the athletic fields at the former Flood Middle School site as a future park site. There is already a shortage of parks and open space in Englewood and allowing public property to be developed as a high density residential complex will only worsen the situation.

To be clear, I support the redevelopment of the school site. I am not opposed to having a large apartment complex replace the Flood Middle School building, assuming traffic and other concerns can be dealt with. But I cannot under any circumstance support developing another large apartment complex on the only remaining open space in our neighborhood. The city has documented a need for park land in this area and if we allow this site to be developed there will not be another opportunity to address this need.

I strongly believe that preserving this space will benefit downtown Englewood far more than one more apartment building. There are many large complexes already in the area and there will undoubtedly be many more developed. Where are the children living in these complexes going to play? Where can people throw a ball around? If we want families in our neighborhoods, we need to make spaces for families to enjoy. I don't think we should all have to drive to Belleview Park or Harvard Gulch just to enjoy the outdoors. If Englewood is to become a walk-able community, we need to have things worth walking to.

I urge you to consider what kind of community we want Englewood to be like in twenty years. To keep our residential neighborhoods – both high density and single family – healthy and attractive we need open space

and recreational amenities. Once this open space is gone, we are not going to have an opportunity to meet these needs. Who is going to look back and think "I really wish we had built one more apartment building?" This is a public property and it should continue to provide benefits to the public.

Thank you for your time.

Sincerely,

Matt Blomstrom

3837 S. Lincoln St.

EXHIBIT K

Brook Bell

From: Leigh Ann Hoffhines
Sent: Wednesday, August 29, 2012 2:24 PM
To: #City Council
Cc: Alan White
Subject: FW: Flood Middle School

FYI – here is Mayor Pro Tem Woodward's response to the email received earlier today regarding Flood Middle School.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Jim Woodward
Sent: Wednesday, August 29, 2012 1:55 PM
To: Skip Anthony
Cc: Leigh Ann Hoffhines
Subject: FW: Flood Middle School

Thank you for your e-mail.

First, the City of Englewood does not own Flood Middle School or any of the property associated with it. It is owned by the Englewood School District, which is an entirely different governmental entity than the City of Englewood.

It is my understanding that the Flood property is currently under contract for sale to a developer looking at developing the property into an upscale apartment community as described at a neighborhood meeting approximately one month ago. It is my belief that the proceeds from the sale will be utilized by the School District to enhance the schools within the Englewood School District to the benefit of our children. Additionally, the property would start generating tax revenue to the School District, City and County. Currently and in the past it has not generated any tax revenue.

In my opinion, the City is not in a financial position to consider purchasing the property, removing the building and constructing a park. Living in close proximity (Mansfield and Pearl) to the Flood property for the past 35 years, I believe we do have close options of open space, specifically the Little Dry Creek Greenway and trail; and Hosanna Athletic Complex. I do believe some enhancements are needed in our area of town, specifically play ground equipment for children. The City's Master Park Plan does address this need and the reorganization of the Miller Field Park on the west side of Broadway to include playground equipment. These upgrades and changes will be considered as funds are available.

Considering your suggestion from a real estate perspective of "highest and best use," removing the Flood Building and replacing it with a park would not meet the criteria for use in my opinion professional opinion. Coming from a quality of life perspective, what you suggest would be wonderful for the immediate area, however, very costly to all the taxpayers of Englewood.

Regards,

Jim Woodward,
Mayor Pro Tem
City of Englewood, CO

Sender and receiver(s) should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-100.1, et seq.

From: Leigh Ann Hoffhines On Behalf Of Council
Sent: Wednesday, August 29, 2012 12:37 PM
To: #City Council
Cc: Alan White
Subject: FW: Flood Middle School

FYI – this message came in via the Council email.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Skip Anthony [
Sent: Tuesday, August 28, 2012 6:38 PM
To: Council
Subject: Flood Middle School

Dear Englewood City Council,

I'm curious to know what will be done with the ageing middle school on Kenyon and Broadway. I have heard talk of the public land being developed into apartments. Is this true? I'd hate to think the city ridding its self of open land. I myself find the park an enjoyable place to go. Id hate to see more concrete and walls put up.

Why don't we just tear down the un used school and make a nice park. I believe this is what every property owner and renter in the area would like. Please let me know.

Thanks for your time,
Skip Anthony

EXHIBIT L

Brook Bell

From: Leigh Ann Hoffhines **On Behalf Of** Council
Sent: Friday, August 31, 2012 2:16 PM
To: #City Council
Cc: Alan White
Subject: FW: Mary L. Flood Park
Importance: High

FYI – this message came in via the Council email.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: rubysfolks@q.com [
Sent: Friday, August 31, 2012 1:41 PM
To: Council
Subject: Mary L. Flood Park
Importance: High

City of Englewood
Englewood Civic Center
1000 Englewood Parkway
Englewood, CO 80110

Dear Mayor Penn and City Council Members,

Parks and open spaces are a vital part of the community. They provide direct health, environmental, economic, and social benefits and help to strengthen our neighborhoods. Englewood has an opportunity to provide parkland to one of its least served areas, but not without action on your part. I urge you to preserve Mary L. Flood Park for future generations.

The City of Englewood has documented a shortage of park space in the neighborhoods surrounding the former Flood Middle School site and the downtown area. Furthermore, Englewood's Parks and Recreation Master Plan states that high density residential developments "have not been preferred by families, perhaps partly because of the lack of parks for outdoor recreation activities. If families are to be living in higher density housing, the city should seriously consider an aggressive approach to obtaining adequate parkland very near or within redevelopment projects." With the many large residential complexes in the area we cannot afford to waste the opportunity that this site provides. Mary

L. Flood Park can help alleviate the shortage of park space in our neighborhoods and support the city's desire to make high density living more attractive in the downtown area.

Clearly the former school building needs to be redeveloped. If the structure itself cannot be reused, then something new should be built on this prominent site. But this site is public property and any redevelopment should take the public's best interests into consideration. Protecting the existing open space (which is about one third of the total former school site) can improve the long-term quality and attractiveness of the redevelopment and continue to provide benefits to the public.

Preserving Mary L. Flood Park is in the best interests of our neighborhood and downtown Englewood. Someday it can provide badly needed amenities and help support a walkable city. Our downtown businesses need a strong and healthy residential community; we need to provide the basic amenities to support these residential neighborhoods. I urge you to protect this neighborhood park. Thank you.

Sincerely,

Laurie & Bert Mears

3742 S. Sherman St.

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
September 18, 2012

Minutes and audio are available at:
http://www.englewoodgov.org/Index.aspx?page=152

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 City Council Chambers of the Englewood Civic Center, Chair Brick presiding.

Present: Bleile (entered 7:12), Roth, King, Welker, Knoth, Fish, Brick, Kinton, Townley
Freemire (alternate)

Absent: None

Staff: Alan White, Community Development Director
Brook Bell, Planner II
Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES

September 5, 2012

Mr. Fish moved:
Mr. Knoth seconded: TO APPROVE THE SEPTEMBER 5, 2012 MINUTES

Chair Brick asked if there were any modifications or corrections.

There were none.

AYES: Bleile, Roth, Knoth, Fish, King, Brick, Kinton, Townley
NAYS: None
ABSTAIN: Welker
ABSENT: None

Motion carried.

Chair Brick announced that CASE #USE2012-015 Extension of Temporary Recycling Operation at 601 West Bates Avenue was withdrawn by the applicant and will not be heard tonight or in the future.

III. PUBLIC HEARING

CASE #ZON2012-003 and CASE #SUB2012-002

Chair Brick stated there are two cases to be heard tonight; they will be heard concurrently but each will require a motion and they will be voted on separately.

Mr. Roth moved:
Mr. King seconded: TO OPEN CASE #ZON2012-003 and CASE #SUB2012-002

AYES:	Bleile, Roth, Welker, Knoth, Fish, King, Brick, Kinton, Townley
NAYS:	None
ABSTAIN:	None
ABSENT:	None

Motion carried.

CASE #ZON2012-003

Mr. Bell was sworn in and presented the case. He reviewed the requirements for a PUD application and stated the applicant has met all of them. He provided a history of the Flood Middle School property since 2006.

Items discussed under the PUD overview included:

- Architectural Character
- Permitted Uses
- Dimensional Standards
- Residential Density
- Setbacks
- Building Height
- Bulk Plane
- Parking
- Traffic
- Signage
- Landscaping
- Screening and Fencing
- Drainage
- City Ditch
- Park Dedication
- Phasing

Mr. Bell said the PUD documents are complete and no additional conditions of approval are recommended at this time. Therefore, the Community Development Department recommends that the Planning and Zoning Commission review the Flood Middle School PUD request and forward a favorable recommendation for approval to City Council.

CASE #SUB2012-002

Mr. Bell presented the second case. He reviewed the issues included in the Alta Cherry Hills Subdivision. He stated if the Commission requires no changes from the Preliminary Plat to the Final Plat, Staff recommends that the Final Plat be forwarded to Council with a recommendation for approval.

The Commission had questions regarding:

- Adding retail to the Broadway side of the project
- New easement dedications
- Bulk plane on north side of parcel #2
- How many parking spaces and where located
- Will street parking be allowed and sight distance requirements
- Location of bicycle parking
- Setbacks
- Did Parks Department consider the land for a park
- Transparency requirements

Applicant Testimony

Numerous members of the development team were sworn in and presented testimony. A slide show of previous projects the developer has built and the proposed project was presented. Edward Barsocchi of Barbury Holdings, LLC stated the school was shuttered in 2007 and is deteriorating. In 2011, Barbury Holdings, LLC came forward with a proposal to purchase the property and build 300 to 310 residential apartments on the two parcels. The project would serve as a catalyst to enhance the Broadway area. Mr. Robert Miller of PBA went over the conceptual site plan and conceptual architectural rendering. Mr. Tim McEntee of Wood Partners discussed financing for the project. Reasoning for not including retail in the project was discussed; it does work economically.

Other discussion points included:

- Will a project go forward if the PUD is not approved
- How will the parking garages be regulated
- Landscaping
- Outdoor living spaces/patios
- Asbestos removal

- Visual impact
- Project meets the standards the City aspires to
- Safety issues for school children who walk to school
- Is the interior street private or public
- There is significant demand in the Denver area for this type of project

Public Testimony

Testimony was heard from 15 citizens. Comments included:

- Bulk plane along the eastern portion of the north side
- Make room for a park
- Concern regarding use of current alley
- Will redevelopment occur only on school property
- Needs to be change in the property
- Don't rezone; build according to current standards
- Glare from glass fronting Broadway
- Concerns about the development not providing enough parking
- Who pays to move City ditch
- Has property been purchased by developer
- Will residents in the area need parking permits to park on their street
- Concerns about height of property
- Englewood is a middle class community; don't see high-end people moving here
- Will have a profound impact on the neighborhood
- Traffic flow concerns
- Some residents will lose their views
- Amenities are all private; not open to the public
- Shadowing of buildings onto neighboring properties
- Snow storage and removal issues
- More opportunities for car accidents
- No benefit to neighbors
- Strain on utilities; electricity goes out a lot now
- Out of scale for the neighborhood
- Will increase crime in the neighborhood
- Project will reduce property values
- Need to decrease unit numbers and provide more entrances to project
- Find a way to ensure developer builds what he is showing in renderings

A short break was taken at 10:04. At 10:10 the meeting reconvened with all members of the Commission in attendance except for Mr. Freemire, the alternate member.

Mr. Welker moved:
Mr. Knoth seconded: TO CLOSE CASE #ZON2012-003 and CASE #SUB2012-002

AYES: Bleile, Roth, Welker, Knoth, Fish, King, Brick, Kinton, Townley
NAYS: None
ABSTAIN: None
ABSENT: None

Motion carried.

Mr. Bleile moved:
Mr. Fish seconded: TO CONTINUE THE PUBLIC HEARING FOR CASE #ZON2012-003 AND CASE #SUB2012-002 TO OCTOBER 2, 2012

AYES: Bleile, Roth, Welker, Fish, Townley
NAYS: Knoth, Kinton, King, Brick
ABSTAIN: None
ABSENT: None

Motion carried.

Ms. Reid reminded the commission that the Public Hearing is closed; the Commissioners should not be taking any more testimony nor having any discussion about this project until they are back here at the next meeting on October 2nd. She also said if one of the public calls a commission member they will not be able to discuss the issue. The testimony given tonight and the evidence that was in the Staff Report are all that the Commission will consider.

Chair Brick invited the public to attend the next meeting on October 2nd. He reminded them the Commission will not be taking any further testimony at that meeting.

IV. PUBLIC FORUM

There were no public comments.

V. ATTORNEY'S CHOICE

Ms. Reid had nothing further to report.

VI. STAFF'S CHOICE

Director White stated the next meeting will be on October 2nd; tonight's Public Hearing will continue and there will be a study session on breweries and distilleries if time allows.

VII. COMMISSIONER'S CHOICE

Mr. Kinton stated he will not be available to attend the October 2nd meeting.

Mr. Welker said he was happy to be back after missing several meetings due to illness.

Mr. Bleile apologized for being late to the meeting.

The meeting adjourned at 10:45 p.m.

Barbara Krecklow, Recording Secretary

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
October 2, 2012

Minutes and audio are available at:
http://www.englewoodgov.org/Index.aspx?page=152

I. CALL TO ORDER

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

Present: Bleile, Roth, King, Welker, Knoth, Fish, Brick, Townley
Freemire (alternate)

Absent: Kinton

Staff: Alan White, Community Development Director
Brook Bell, Planner II
Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES

September 18, 2012

Mr. Knoth moved:
Mr. Fish seconded: TO APPROVE THE SEPTEMBER 18, 2012 MINUTES

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

AYES: Bleile, Roth, Welker, Knoth, Fish, King, Brick, Townley
NAYS: None
ABSTAIN: None
ABSENT: Kinton

Motion carried.

III. CASE #ZON2012-003 FLOOD MIDDLE SCHOOL PLANNED UNIT DEVELOPMENT AND CASE #SUB2012-002 ALTA CHERRY HILLS SUBDIVISION CONTINUED FROM SEPTEMBER 18, 2012

Mr. Knoth moved:
Mr. Welker seconded: *THAT CASE #ZON2012-003 TO REZONE 3695 SOUTH LINCOLN STREET AKA PIN NUMBERS 2077-03-1-08-004 AND 2077-03-1-09-006 FROM MU-R-3-B, MU-B-1 AND R-2-B ZONE DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD) BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION AS WRITTEN*

Discussion points included:

- Generally in favor of the application; appropriate use for property
- Concerns regarding traffic
- No problem with height or proposed character of building
- City has no obligation or right to take land for a park unless they can pay for it. That would destroy the viability of the whole project
- From a Planning and Zoning standpoint the Parks and Recreation Commission handles park planning and they have their own Master Plan. Planning and Zoning has never been involved in that process. We have no authority to become involved in it; City Council may want to become involved.
- Can see why retail won't work at this location
- Property is a difficult piece of property to develop
- Number of units is too high; can't support 350 units
- Required landscape has been reduced too much; recommend 20%
- Need two entrances into the project
- Will bring business to the downtown area; grocery stores will benefit
- As a City we talk about how we want better projects and developers in this town; we have one here.
- There is no more greenfield space in Englewood to build out; future projects are going to be dense projects and traffic issues will be discussed. Experts in this field have said there are no issues with this project.
- Fee-in-lieu is too low; City Council should not have considered reducing it
- Hold to the setbacks and to the amenity zones as presented; don't take anything else away from the community
- Is high density; City needs rooftops to make retail work
- Disappointed the City of Englewood School Superintendent did not attend the meetings
- Disappointed business owners did not attend the meetings
- Sensitive to cost per unit; project needs to be dense to make it work
- Sensitive to impact on area; a retail development would be very challenging in regards to traffic

- There are areas along Big Dry Creek and by the high school that could be upgraded with amenities that would make it more family oriented to serve this neighborhood as park space. School district could step up and help the City with this in the future.
- Reservations regarding what has been shown and what will really get built

Mr. King moved:
Mr. Welker seconded: *TO AMEND THE ORIGINAL MOTION TO INCLUDE THE MAXIMUM NUMBER OF ALLOWED UNITS SHALL BE 310*

AYES: Roth, King, Brick, Welker, Fish, Townley
NAYS: Knoth, Bleile
ABSTAIN: None
ABSENT: Kinton

Motion carried.

Mr. Fish moved:
Mr. Brick seconded: *TO AMEND THE ORIGINAL MOTION TO INCLUDE A MINIMUM 20% OF THE PROPERTY SHALL BE LANDSCAPED*

AYES: Brick, Welker, Fish, Townley, Bleile
NAYS: Knoth, Roth, King
ABSTAIN: None
ABSENT: Kinton

Motion carried.

Mr. Bleile moved:
Mr. King seconded: *TO AMEND THE ORIGINAL MOTION TO INCLUDE THE PARK DEDICATION FEE-IN-LIEU SHALL NOT BE REDUCED FROM THE CITY COUNCIL ADOPTED FEE OF $20,000 PER REQUIRED ACRE AS REQUIRED BY THE UNIFIED DEVELOPMENT CODE [DIRECTOR'S NOTE: THE UNIFIED DEVELOPMENT CODE ESTABLISHES THE METHOD FOR CALCULATING THE REQUIRED ACREAGE. COUNCIL ADOPTED THE $20,000 PER ACRE AS A POLICY BY RESOLUTION]*

AYES: Roth, King, Brick, Welker, Fish, Townley, Bleile
NAYS: None
ABSTAIN: Knoth
ABSENT: Kinton

Motion carried.

Mr. Knoth moved:
Mr. Welker seconded: *THAT CASE #ZON2012-003 TO REZONE 3695 SOUTH LINCOLN STREET AKA PIN NUMBERS 2077-03-1-08-004 AND 2077-03-1-09-006 FROM MU-R-3-B, MU-B-1 AND R-2-B ZONE DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD) BE RECOMMENDED AS WRITTEN FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION WITH THE FOLLOWING AMENDMENTS:*

1. The *maximum number of allowed units shall be 310.*
2. *A minimum 20% of the property shall be landscaped*
3. *The Park Dedication Fee-in-lieu shall not be reduced from the City Council adopted fee of $20,000 per acre as required by the Unified Development Code [Director's Note: The Unified Development Code establishes the method for calculating the required acreage. Council adopted the $20,000 per acre as a policy by resolution.]*

AYES: Roth, Brick, Welker, Fish, Knoth, Townley
NAYS: Bleile, King
ABSTAIN: None
ABSENT: Kinton

Mr. Fish finds the development as proposed with the amendments is within the nature of the Comprehensive Plan. Overall, it is an exciting project and he supports it; it is good for the City as the property is an eyesore. His objections are that it is very dense and doesn't want the character of the area destroyed.

Mr. Knoth is discouraged about adding the amendments.

Mr. Welker said in keeping with the requirements and the vision of the Comprehensive Plan this takes a step in the same direction. The density along Broadway and a major highway intersection is fine. The Amendments are an attempt to address our concerns.

Ms. Townley said the project meets the City's mixed housing goals.

Mr. Bleile said the proposal meets Roadmap Englewood for densification. Not enough shown architecturally; voting no with the citizens.

Mr. King generally likes the concept of the project, but due to public comments voting no.

Chair Brick said the project will help businesses in the City and meets the criteria for a PUD.

Motion carried.

Mr. Roth moved:
Mr. Welker seconded: *THAT CASE #SUB2012-002 TO ALLOW A MAJOR SUBDIVISION KNOWN AS ALTA CHERRY HILLS SUBDIVISION WITHIN THE FLOOD MIDDLE SCHOOL PLANNED UNIT DEVELOPMENT (PUD) BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION.*

AYES: Roth, King, Brick, Welker, Fish, Knoth, Townley
NAYS: Bleile
ABSTAIN: None
ABSENT: Kinton

Motion carried.

FURTHER RECOMMENDATIONS FOR CITY COUNCIL:

1. The Park Dedication Fee-in-Lieu money collected from this project shall be used to benefit this neighborhood in terms of open space and parks.

Mr. Bleile moved:
Mr. Roth seconded: TO REQUIRE EVIDENCE AND TESTIMONY FROM THE CITY'S TRAFFIC ENGINEER TO VET OUT AND EITHER PROVE OR CONTRADICT THE TRAFFIC STUDY DONE BY THE APPLICANT.

AYES: Roth, Brick, Welker, Townley, Bleile
NAYS: Fish, Knoth, King
ABSTAIN: None
ABSENT: Kinton

Motion carried.

STUDY SESSION

Director White introduced Christina Kachur, an intern in the Community Development Department, who is assisting Staff in gathering information for the Breweries and Distilleries discussion.

Case #2012-05 Breweries and Distilleries

Director White stated after research the State Statutes do not provide much guidance in terms of production limits for various types of manufacturers engaged in producing beer, wine and hard liquor except for brewpubs and limited wineries. What that means is any limits that the Commission wants to set are up to our discretion. He provided information on licensing of various types of establishments. There is no local control except through zoning. He referenced options that were included in the Staff Memo. He asked the Commission if they would like to include some amendments in the Unified Development Code to address these uses.

Consensus from the Commission was to move forward with the discussion in the future.

Director White said there is one other topic on Staff's list for discussion; PUDs. What is the process? Staff would like to hold a Study Session to discuss PUDs. The Commission asked the topic be placed on a future agenda.

IV. PUBLIC FORUM

There was no public in attendance.

V. ATTORNEY'S CHOICE

Ms. Reid had nothing further to report.

VI. STAFF'S CHOICE

Director White stated at the October 16th study session Staff will provide a progress report on the Station Area Master Plan for the areas surrounding the Light Rail Stations.

VII. COMMISSIONER'S CHOICE

The Commissioners commented on tonight's discussion regarding the Flood Middle School PUD and Major Subdivision. They feel it is a good project.

Mr. Freemire noted he will not be available for the October 16th meeting.

Ms. Townley stated she will not be available for the November 6th meeting. She asked about the Oxford Station PUD. Director White updated the Commission on the project.

The meeting adjourned at 9:10 p.m.

/s/ Barbara Krecklow
Barbara Krecklow, Recording Secretary

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

IN THE MATTER OF CASE #SUB2012-002 FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS FOR A MAJOR SUBDIVISION AT 3695 SOUTH LINCOLN STREET	)	**FINDINGS OF FACT AND CONCLUSIONS OF THE CITY PLANNING AND ZONING COMMISSION**
INITIATED BY: **Barbury Holdings, LLC** **4725 South Monaco Street, Suite 205** **Denver, Colorado 80237**	)	

Commission Members Present: Brick, Bleile, Fish, Roth, Welker, King, Kinton, Townley

Commission Members Absent: Kinton

This matter was heard before the City Planning and Zoning Commission on September 18 and October 2, 2012, in the City Council Chambers of the Englewood Civic Center.

Testimony was received from Staff, from the applicant and from area residents. The Commission received notice of Public Hearing, Certification of Posting, Staff Report and supplemental information from Staff, which were incorporated into and made a part of the record of the Public Hearing.

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

FINDINGS OF FACT

1. **THAT** the request for a Major Subdivision was filed by Barbury Holdings, LLC on June 4, 2012.

2. **THAT** Public Notice of the Public Hearing was given by publication in the Englewood Herald on September 7, 2012 and was on the City's website from September 6, 2012 through October 2, 2012.

3. **THAT** the property was posted as required, said posting setting forth the date, time, and place of the Public Hearing.

4. **THAT** Planner Bell testified the request is for approval of a Major Subdivision. Mr. Bell testified to the criteria the Commission must consider when reviewing a

subdivision plat application. Mr. Bell further testified that Staff recommends approval of the subdivision plat application.

5. **THAT** in 2006, Englewood Public School District made the decision to consolidate two middle schools and close the Flood Middle School site; the school closed in 2007.

6. **THAT** in 2011 Barbury Holdings, LLC came forward with a proposal to purchase the property consisting of two parcels totaling 4.56 acres.

7. **THAT** preliminary plans of the proposed subdivision plat was referred to Tri-County Health, the Colorado Department of Transportation (CDOT), RTD, Xcel Energy, Century Link, Comcast, and the City's list of trash haulers for review and comment.

8. **THAT** the subdivision plat was reviewed by the City's Development Review Team (DRT) on June 30th, August 10th, and August 30th of 2012.

CONCLUSIONS

1. **THAT** the application was filed by Barbury Holdings, LLC seeking approval for a Major Subdivision for the property located in the Flood Middle School Planned Unit Development.

2. **THAT** proper notification of the date, time, and place of the Public Hearing was given by publication in the official City newspaper, and by posting of the property for the required length of time.

3. **THAT** all testimony received from staff members, applicant team members, and the general public has been made part of the record of the Public Hearing.

4. **THAT** the proposed Flood Middle School PUD use is multi-unit dwelling with a wrapped parking garage and limited surface parking; these uses are compatible with adjacent City of Englewood R-2-B, MU-R-3-B and MU-B-1 zone district uses.

5. **THAT** the proposed lots are compatible with dimensions established by the Flood Middle School PUD.

6. **THAT** public water and sewer along with electric, gas, and communication utilities are available to the subject property.

7. **THAT** the subject property is not located within an identified flood plain zone.

8. **THAT** the relocation of a portion of the public alley proposed within this subdivision provides the necessary access to the lots adjacent to the subdivision.

9. **THAT** minimum 5 foot wide sidewalks are provided.

10. **THAT** no bicycle facilities are required for this proposed subdivision. Sidewalks are provided.

11. **THAT** Council will be considering a final fee-in-lieu of land dedication amount once the PUD process is completed. The easements necessary for public uses and utilities are either dedicated on the subdivision plat or are to be dedicated by separate document.

12. **THAT** a drainage study has been completed as part of the proposed Planned Unit Development application. Drainage issues have been addressed and will be monitored in the development permit process.

DECISION

THEREFORE, it is the decision of the City Planning and Zoning Commission that the application filed by Barbury Holdings, LLC for a Major Subdivision known as Alta Cherry Hills Subdivision be recommended to City Council for approval.

The decision was reached upon a vote on a motion made at the meeting of the City Planning and Zoning Commission on October 2, 2012, by Mr. Roth, seconded by Mr. Welker, which motion states:

> *THAT CASE #SUB2012-002 FOR A MAJOR SUBDIVISION KNOWN AS ALTA CHERRY HILLS SUBDIVISION BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION.*

AYES:	Brick, Knoth, Fish, Roth, Welker, King, Townley
NAYS:	Bleile
ABSTAIN:	None
ABSENT:	Kinton

The motion carried.

These Findings and Conclusions are effective as of the meeting on October 2, 2012.

BY ORDER OF THE CITY PLANNING & ZONING COMMISSION

John Brick, Chair

EXHIBIT M

Brook Bell

From: Barbara Krecklow on behalf of Community Development
Sent: Tuesday, September 25, 2012 7:51 AM
To: Alan White; Brook Bell
Subject: FW: Flood Middle School property

-----Original Message-----
From: Frank Forney [r
Sent: Monday, September 24, 2012 8:47 PM
To: Council; Community Development
Cc: Randy Penn; Jim Woodward; Jill Wilson
Subject: Flood Middle School property

Greetings fellow Englewood residents and City Officials!

Regarding the redevelopment of the Flood Middle School property, I believe that it is important that the City and all Applicants publicly acknowledge that something good for Englewood already exists on this location: an open space, a green grass playing field and a (generally defined) neighborhood park. This is a quiet oasis nestled against the busy traffic corridors of South Broadway and Hampden/285.

This currently existing public good needs to be acknowledged! Then, any proposed development need to demonstrate how it will be an improvement on the good which already exists!

Please consider the following negative factors which argue against the proposed development:

•The proposed apartment and parking structures (which build out to the very perimeter of the properties and to a height of 50 feet and more) are not in keeping with the character of the neighborhood.

•The proposed development does not add amenities to the neighborhood. On the contrary, it removes valuable open space and creates instead an insulated community within a community.

•One single vehicular access in and out of the compound, as proposed, creates a traffic bottle-neck at Kenyon and Broadway. This only multiplies the problems created by adding hundreds of new commuters to the neighborhood.

The positive factors in favor, as I heard them, are:

•All properties at the location will be settled. Troublesome maintenance problems will be resolved.

•Money will flow directly into school district coffers. New Englewood residents will shop, spend money, and pay taxes.

•The proposed development will serve as the "Gateway to South Broadway."

As an aside I would ask: Is Englewood a city in need of more housing in order to meet the needs of a growing population? Or is Englewood a city in need of more population in order to raise money for the city?

At any rate, we are considering the disposition of neighborhood public property. Yes, I understand that the Planning and Zoning Commission must consider applications on their merits as they are presented. Yes, I understand that there is no currently existing Englewood city park at the location. Yes, I understand that the Planning Department has not stepped up to offer alternatives for consideration.

And yes, in these troubled times, I understand that the School District and the City find themselves between a rock and a hard place concerning on-going expenses at Mary Flood Middle School and Playing Field. Any reasonable offer to relieve the financial burdens must be considered.

But I am disappointed that as this matter comes before the public there is apparently only one plan and vision being considered by the City. Naturally the Planning and Zoning Commission has a narrow focus when it considers a particular application. I am hoping the City Council will sit back and take a bigger view of the matter.

An obvious alternative to the proposed development would be to demolish and rebuild on the Middle School site proper (Broadway to
Lincoln) and preserve and maintain the playing field.

It's what I would call a compromise.

Is this obvioous alternative plan under consideration at all? Point out all of the problems in it, but at least give it consideration!

Thank you for your time,

Frank Forney
3929 S. Sherman ST.
Englewood, CO 80113
303-761-2609

EXHIBIT N

3929 S Sherman St
Englewood, CO 80113
September 25, 2012

Dear Mayor Penn and Council Members:

Re: REZONING OF MARY FLOOD MIDDLE SCHOOL

My name is Colleen McGovern and my husband and I have lived for 13 years at 3929 S. Sherman Street-- just three blocks from the proposed rezoning. We love our neighborhood & care very deeply about this place. We moved here because we were very impressed with what Englewood has done with the Civic Center area, we like being a "first ring suburb" close to downtown Denver, and we fell in love with our historic 1930s house and our neighborhood. My husband & I ride our bikes to the train station to get to our jobs, we shop first and foremost at Englewood shops and we take our friends to all the local restaurants. We have wonderful neighbors, have invested a lot to preserve and enhance the character of our modest home, and are champions to our friends in the region of just all that the city of Englewood has to offer.

The Mary-Flood rezoning proposal will have a profound impact on our neighborhood and on the city of Englewood in general. I have not had an opportunity to review the plans for the site, as it requires going to the city offices, which are closed when I get off work. I did attend a neighborhood meeting, but it wasn't the one required by the city's regulations. For some reason, I did not receive notice of that meeting, though I live within the distance I believe is legally required to receive notice. Instead I got a flyer from a neighbor who hosted another meeting that I thought was very informative. After that meeting, I looked at the city website and reviewed the staff memo to try to find out as much as I could.

After waking up to the fact that the lovely school-site and Mary Flood neighborhood park could be completely demolished and transformed into an apartment complex with no public access, the biggest question I was left with was--how does the city decide these kinds of questions? What are the criteria upon which you are supposed to base your decision? Logic would tell me that

since you are reviewing a proposal that asks for a change in zoning on the property, you would only do this if it would result in something that is better for the city of Englewood and the immediate neighborhood than what the current zoning allows. I didn't see any mention of this in the staff memo, so I looked at the city's regulations on-line as best I could, and lo and behold, it appears that the city's regulations match what simple logic would suggest: That is, the regulations say that the city can only recommend approval of this proposal if it finds that,

> "the proposed development will exceed the development quality standards, levels of public amenities, or levels of design innovation otherwise applicable under this Title, and would not be possible or practicable under a standard zone district". I got this from Section 16-2-7H(2) of the city's code. In this section, it says that the only other way you can recommend approval is if you find "That the property cannot be developed, or that no reasonable economic use of the property can be achieved, under the existing zoning" etc, but that certainly wouldn't be the case here, since the applicant (Banburry LLC) doesn't even own the property & hasn't done the analysis of what they could do under the current zoning. They are just proposing something that they think will be good for Englewood, and make them a profit-- a perfectly reasonable thing to do.

If I am correct, the basis of your decision is whether this proposal would be better than a project that would be designed under the existing zoning. I am no expert, but just trying to understand all of this, here's what I see: This proposal would allow for almost twice the amount of development that is allowed under the current regulations, with significantly lower quality-- not even close to meeting the legally required criteria. Just as an example:

The proposal is for more than twice the density allowed under the UDC (current regulations)--they are proposing 310 units, where 156 units would be allowed under current zoning--and they are proposing to <u>reduce</u> some of the standards rather than exceed them. For example, page 7 of the staff memo says the UDC requires 25% landscaping of which 75% has to be live and the Banburry PUD proposes 15% landscaping with 50% of it being living. Further, and this one is very confusing to me, since the proposed project would take away a park and the city has said that they don't have money for more parks: they request to pay only $57,780 in park land dedication fees where the regulations require $20,000 per acre, or $134,800 (and the staff memo

says that "council has preliminarily agreed..." to this??). What is the justification for this reduction in parkland dedication fee reduction, especially since the development will be removing what today is de-facto parkland for the neighborhood, and will add about 600 people or more to the area, which will most certainly put a strain on existing parks?

Since the City Council represents the larger community interests of Englewood, I do hope that you will NOT approve this change unless and until the applicant shows how their proposal benefits our community. As I see it, it provides them more units and presumably more profit, but significantly LESS in the way of "development quality standards, levels of public amenities, or levels of design innovation" as required in the city regulations.

There are other models in the Denver/ Metro region of re-developed school/ park sites that have become amenities to their surrounding neighborhoods. It appears that the apartment-complex proposal is not one such example, so I urge you to deny this rezoning.

Thank you for considering my comments and for the public service you provide being on the City Council.

Respectfully,
Colleen McGovern

EXHIBIT O

Brook Bell

From: Alan White
Sent: Friday, September 28, 2012 12:04 PM
To: Brook Bell; Ed Barsocchi
Subject: FW: Flood Middle School PUD Proposal

FYI.

Alan White

From: Leigh Ann Hoffhines **On Behalf Of** Council
Sent: Friday, September 28, 2012 11:52 AM
To: Linda Olson
Cc: Mike Flaherty; Alan White
Subject: FW: Flood Middle School PUD Proposal

Hi Linda – This message came in via the Council email for you.

Leigh Ann

Leigh Ann Hoffhines
Englewood City Manager's Office

From: Anisa Schell
Sent: Thursday, September 27, 2012 5:35 PM
To: Council
Cc: Rick Schell; Doug Mitchell
Subject: Flood Middle School PUD Proposal

Ms. Olsen,

I am writing to express my concern over the planned PUD Case #ZON2012-003. I was unable to attend the Public Hearing on September 18, 2012.

As an Englewood homeowner of nine years I wish to express that I do NOT want a 350 unit residential apartment in our neighborhood or even a smaller apartment complex. The traffic alone would be horrendous. I can't imagine how congested and dangerous the intersection of S. Lincoln and Kenyon will become with as many as 500 cars or more in one city block.

Additionally, I wish to encourage home-ownership in our neighborhood, not more rental units. I'm sure that you are aware that homeowners tend to invest more in both their neighborhood and communities than renters do. Home owners help create safer and more beautiful neighborhoods. When there are many rentals in a neighborhood, property values suffer. Furthermore, studies have suggested that crime rates escalate in areas with more rental properties.
http://www.equotient.net/papers/rental.pdf

There are many children in our neighborhood and I wish our streets to stay safe for them and all of our residents, both in terms of traffic and crime. And, I wish to maintain property values and increase them, not sink them. I am certain that I am not alone in these concerns. I hope as my City Council

representative, you are fighting on our behalf to prevent this risky decision for our neighborhood.

Thank you,

Anisa Schell
3650 S. Grant Street
Englewood, CO 80113
303-286-6777

BY AUTHORITY

ORDINANCE NO. ____
SERIES OF 2012

COUNCIL BILL NO. 59
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE APPROVING THE ALTA CHERRY HILLS SUBDIVISION LOCATED AT THE NORTHEAST CORNER OF SOUTH BROADWAY AND KENYON AVENUE ALSO KNOWN AS 3695 SOUTH LINCOLN IN THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the former Flood Middle School site consists of two parcels totaling 4.56 acres located at the Northeast corner of South Broadway and Kenyon Avenue; and

WHEREAS, this property is the former Flood Middle School site and has been vacant since 2007; and

WHEREAS, the Englewood School District issued a request for proposals to redevelop the Flood Middle School property however, no viable development proposals has come forward except for Barbury PUD application; and

WHEREAS, in 2011 Barbury Holdings, LLC submitted a proposal to purchase the property and proposed development of the property to include a 350 maximum residential apartment units contained within two buildings, a multi-level parking structure which would be accessed off of South Lincoln Street, several courtyards, perimeter landscaping, and minimum 5 foot wide sidewalks, and all new and existing utilities within the property and abutting Right-of-Way would be placed underground; and

WHEREAS, the property's dedicated alleys, utility easement, and City Ditch easement will not accommodate the proposed development; and

WHEREAS, Barbury Holdings, LLC submitted a request for approval of a Major Subdivision in conjunction with a rezoning request to a Planned Unit Development (PUD); and

WHEREAS, the proposed Preliminary Plat and the Final Plat of the ALTA Cherry Hills Subdivision have been reviewed by the appropriate outside agencies, i.e. Tri-County Health, the Colorado Department of Transportation (CDOT), RTD, Xcel Energy, Century Link, Comcast, and the City's list of trash haulers; and

WHEREAS, the proposed Preliminary Plat and the Final Plat of the ALTA Cherry Hills Subdivision have been reviewed by the City's Development Review Team (DRT) and the Planning and Zoning Commission; and

WHEREAS, issues identified by the DRT were addressed by the applicant and there were no objections from the outside agencies provided that the applicant continues working with the agencies individual processes; and

WHEREAS, the ALTA Cherry Hills Subdivision includes:

The vacation of alleys on Parcel 01 and 02.
The vacation of platted lot lines.
The relocation/dedication of a portion of the East-West leg of the alley on Parcel 02.
The dedication of Public Right-of-Way on north edge of East Kenyon Avenue.
The dedication of Utility Easements on Parcel 02 along South Sherman Street and East Kenyon Avenue.
A Utility Easement on Parcel 02 to be vacated by separate document.
A City Ditch Easement to be dedicated by separate document.
A Pedestrian Access Easement to be dedicated by separate document.

WHEREAS, the ALTA Cherry Hills Subdivision meets the requirements and standards for subdivisions under Section 16, Chapter 8, of the Unified Development Code; and

WHEREAS, the Planning and Zoning Commission held Public Hearing on September 18, 2012; and

WHEREAS, the Planning and Zoning Commission made the following conclusions regarding the subdivision:

1. The proposed lots are compatible with dimensions established by the Flood Middle School PUD.
2. Public water and sewer along with electric, gas, and communications utilities are available to the subject property.
3. The subject property is not located within an identified flood plain zone.
4. The relocation of a portion of the public alley proposed within this subdivision provides the necessary access to the lots adjacent to the subdivision.

WHEREAS, the Planning and Zoning Commission recommends approval of the ALTA Cherry Hills Subdivision.

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

Section 1. The City Council of the City of Englewood hereby approves the ALTA Cherry Hills Subdivision for the property located at the northeast corner of South Broadway and Kenyon Avenue, in the City of Englewood, Colorado, attached hereto as Exhibits A and B.

Introduced, read in full, and passed on first reading on the 5th day of November, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 9th day of November, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 7th day of November, 2012 for thirty (30) days.

Randy P. Penn, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 5th day of November, 2012.

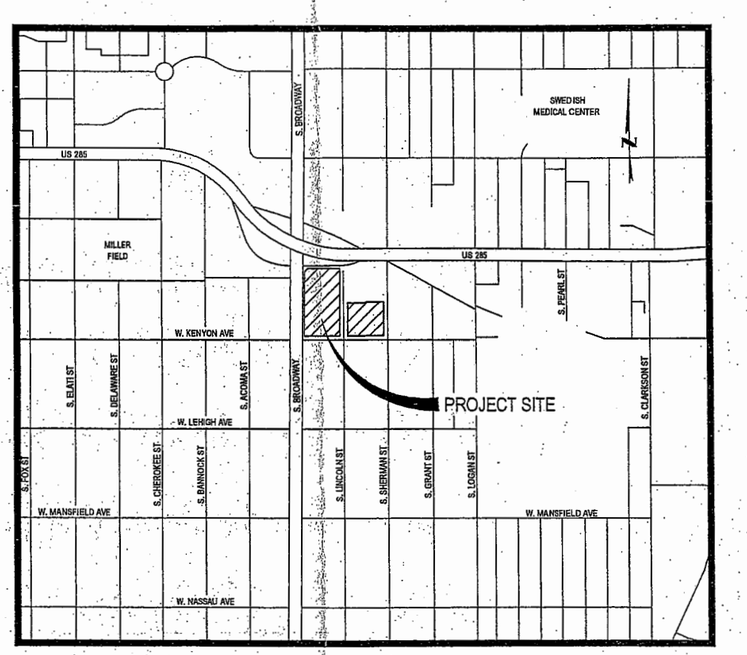
Loucrishia A. Ellis

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.



VICINITY MAP
SCALE: 1" = 500'

BENCHMARK

NGS BRASS DISK #V 409 IN THE ABUTMENT OF SOUTH BROADWAY BRIDGE AT HAMPDEN AVENUE, ELEVATION=5334.82 NAVD 88.

NOTE: EXISTING CONTOUR INFORMATION SHOWN HEREON WAS PROVIDED BY THE CITY OF ENGLEWOOD. CONTOUR ELEVATIONS SHOWN DO NOT MATCH ELEVATIONS ESTABLISHED USING THE ABOVE BENCHMARK. DATUM AND BENCHMARKS UTILIZED FOR EXISTING CONTOURS ARE UNKNOWN.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°31'50" EAST.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT FLOOD INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

MAPS ARE DATED DECEMBER 17, 2010
COMMUNITY NO. 085074
PANEL NO. 0163K

LEGEND

- INDICATES SUBJECT PROPERTY LINE AS SHOWN.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES OFFSET LINE AS STATED.
- INDICATES CENTERLINE OF R.O.W. AS SHOWN.
- INDICATES A LAND LINE AS STATED HEREON.
- INDICATES EASEMENT LINE.
- INDICATES BOUNDARY OF AN EXCEPTED PORTION.
- FOUND CONC. NAIL WITH BRASS TAG PLS 26956 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
- SET #5x24" REBAR WITH BLUE PLASTIC CAP PLS 38162

STANDARD NOTES

1. DATE OF FIELD WORK: JUNE 28, 2011
2. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN. IT IS PART OF A SUBDIVISION PLAT OF "HIGGINS BROADWAY ADDITION" FILED WITH THE CLERK AND RECORDER OF ARAPAHOE COUNTY ON THE 3RD DAY OF APRIL, 1917 A.D. RECORDED IN PLAT BOOK 3, PAGE 23, RECEPTION NO. 44923.
3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. COLORADO STATE LAW CRS 9-1.5-101 STATES THAT ANYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY, RIGHT-OF-WAY, OR UTILITY EASEMENT IS TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, THREE (3) BUSINESS DAYS BEFORE YOU DIG. CALL 811 OR 303-534-6700 IN THE METRO DENVER AREA TO LOCATE BURIED LINES.
5. THE LINEAR UNITS FOR THIS PLAT ARE U.S. SURVEY FEET.
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. NCS-542989-HOU1 ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF MAY 1, 2012 AT 5:00 P.M.
7. MINIMUM EIGHT-FOOT (8') WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON. THESE EASEMENTS ARE DEDICATED TO THE CITY OF ENGLEWOOD FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE; AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS (PSCo) RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCo AN EASEMENT ON ITS STANDARD FORM.

Sheet Index

1 COVER SHEET
2 SITE PLAN - EXISTING & PROPOSED CONDITIONS
3 SITE PLAN - EXISTING CONDITION
4 SITE PLAN - PROPOSED CONDITION

LAND PLANNER:

NORRIS DESIGN
Planning | Landscape Architecture
1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

CIVIL ENGINEER:

HARRIS KOCHER SMITH
engineers • land surveyors
1391 Speer Blvd., Suite 390
Denver, Colorado 80204
Phone (303) 623-6300
Fax (303) 623-6311

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS; THAT THE UNDERSIGNED WARRANTS THAT IT IS THE OWNER OF A PARCEL OF LAND LOCATED IN THE OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ALSO BEING PART OF CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 6 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

THE UNDERSIGNED OWNER HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF "ALTA CHERRY HILLS SUBDIVISION", AND DOES HEREBY DEDICATE TO THE PUBLIC ALL RIGHT-OF-WAYS AND EASEMENTS FOR THE PURPOSES SHOWN HEREON.

EXECUTED THIS_____DAY OF _____, A.D. 20__

OWNER _____
BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

NOTARY PUBLIC

STATE OF COLORADO }
COUNTY OF ARAPAHOE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS___DAY OF_____, 20__ BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION
WITNESS MY HAND AND SEAL
MY COMMISSION EXPIRES: _____

_____
NOTARY PUBLIC

_____
_____
ADDRESS

APPROVALS

RECOMMENDED FOR APPROVAL BY THE CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

_____ _____
CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION DATE

ATTEST:

_____ _____
RECORDING SECRETARY OF THE PLANNING AND ZONING COMMISSION DATE

APPROVED BY THE CITY COUNCIL BY ORDINANCE NO. _____, SERIES OF 20__.

_____ _____
MAYOR OF THE CITY OF ENGLEWOOD DATE

ATTEST:

_____ _____
CITY CLERK DATE

SURVEYORS CERTIFICATION

I, AARON MURPHY,A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY OF THE ALTA CHERRY HILLS SUBDIVISION, WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS THE SURVEY THEREOF.

_____ _____ _____
AARON MURPHY LICENSE NUMBER 38162 DATE SIGNED
FOR AND ON BEHALF OF
HARRIS KOCHER SMITH
1391 SPEER BLVD, SUITE 390
DENVER, CO 80204

CLERK AND RECORDS CERTIFICATION

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO. AT_____O'CLOCK ___.M., ON THIS_____DAY OF _____,A.D., 20___, RECEPTION NO._____, BOOK NO. _____
PAGE NO(S)._____.

BY: _____ BY: _____
CLERK AND RECORDER DEPUTY

COVER SHEET
SHEET 1

ALTA CHERRY HILLS SUBDIVISION

3650 S BROADWAY & 3600 S LINCOLN ST

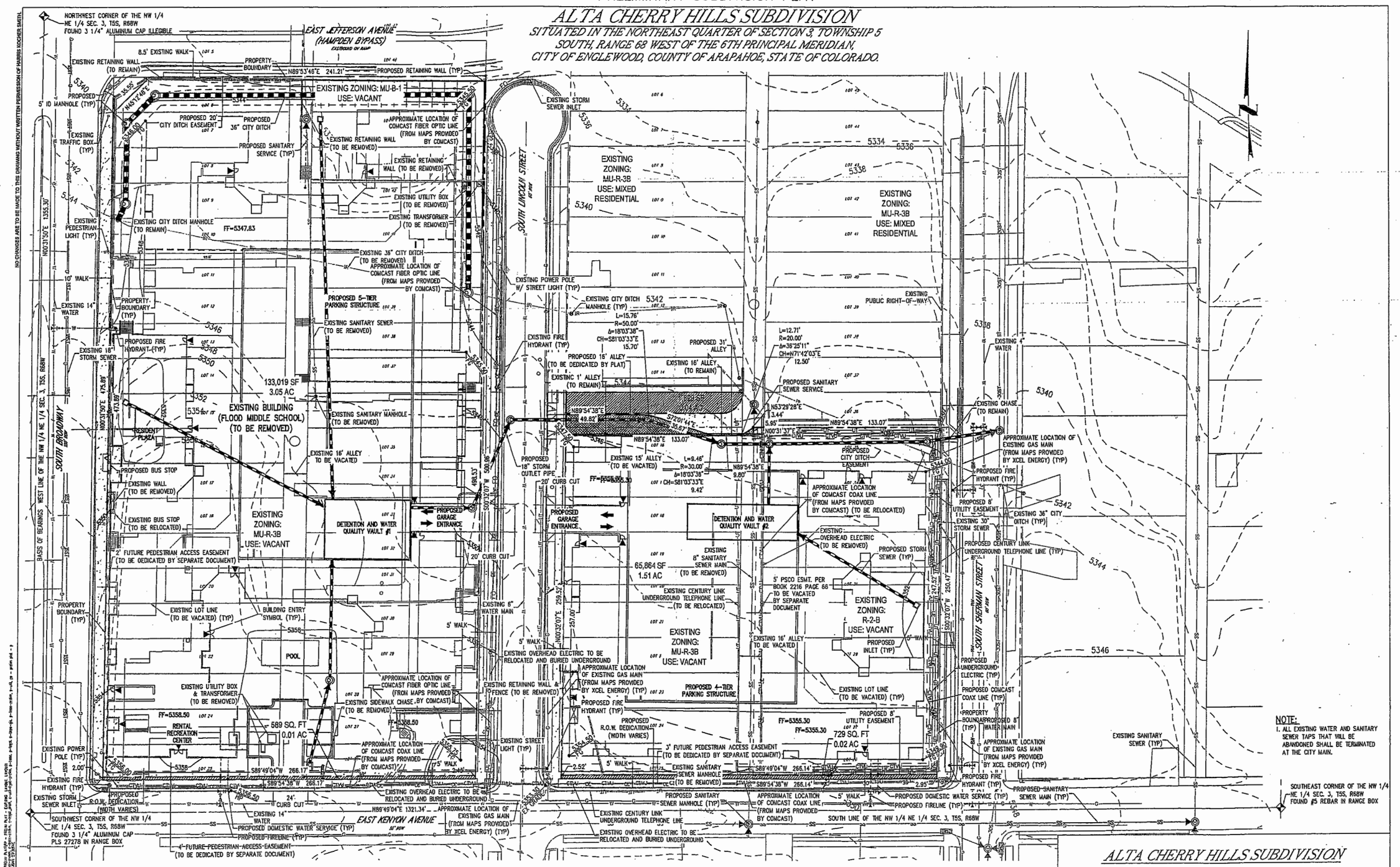
SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

EXHIBIT A

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



NOTE:
1. ALL EXISTING WATER AND SANITARY SEWER TAPS THAT WILL BE ABANDONED SHALL BE TERMINATED AT THE CITY MAIN.

SITE PLAN - EXISTING & PROPOSED CONDITIONS

SHEET 2

ALTA CHERRY HILLS SUBDIVISION

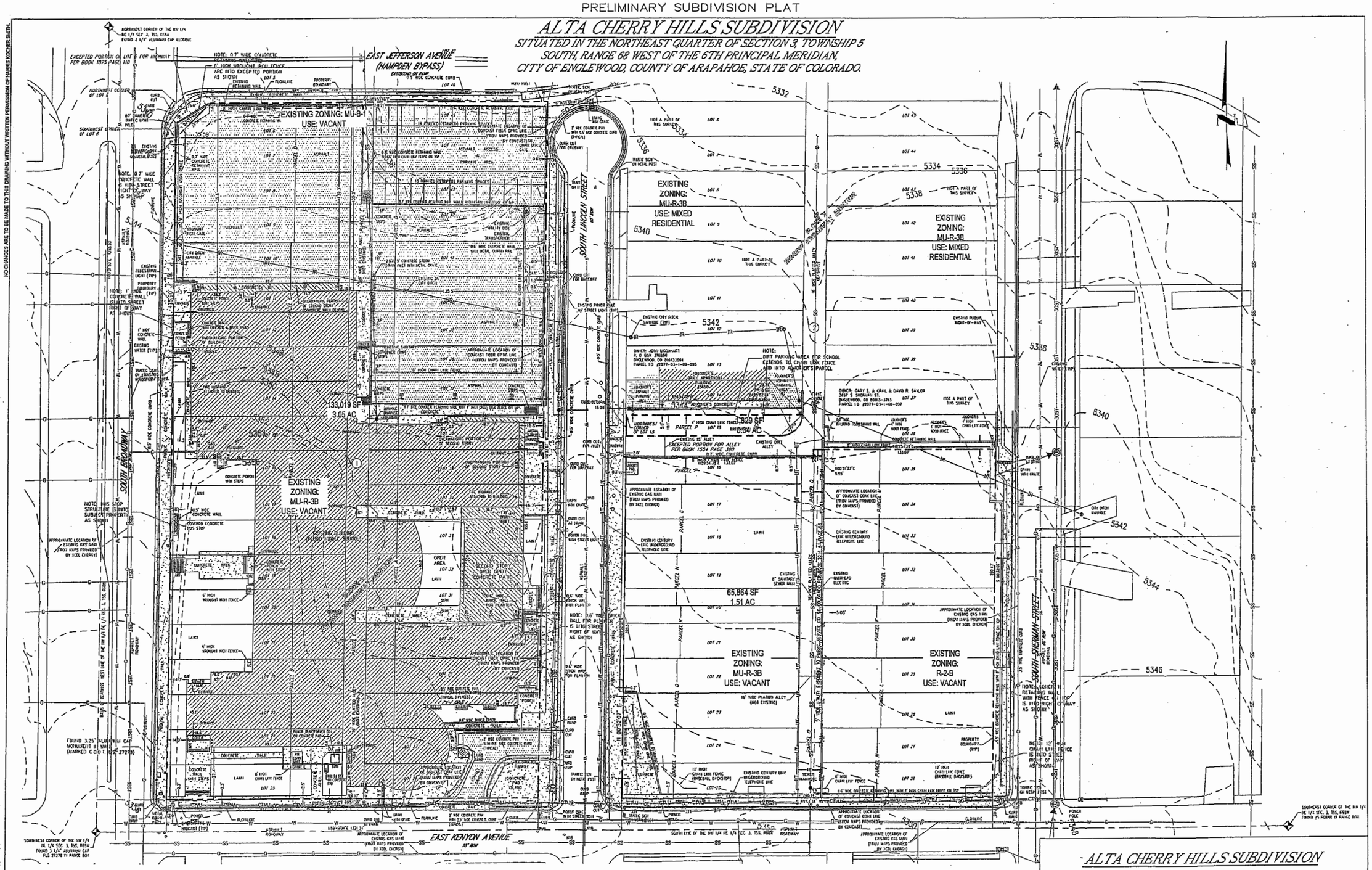
3850 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



SITE PLAN - EXISTING CONDITION

SHEET 3

ALTA CHERRY HILLS SUBDIVISION

3650 S BROADWAY & 3600 S LINCOLN ST

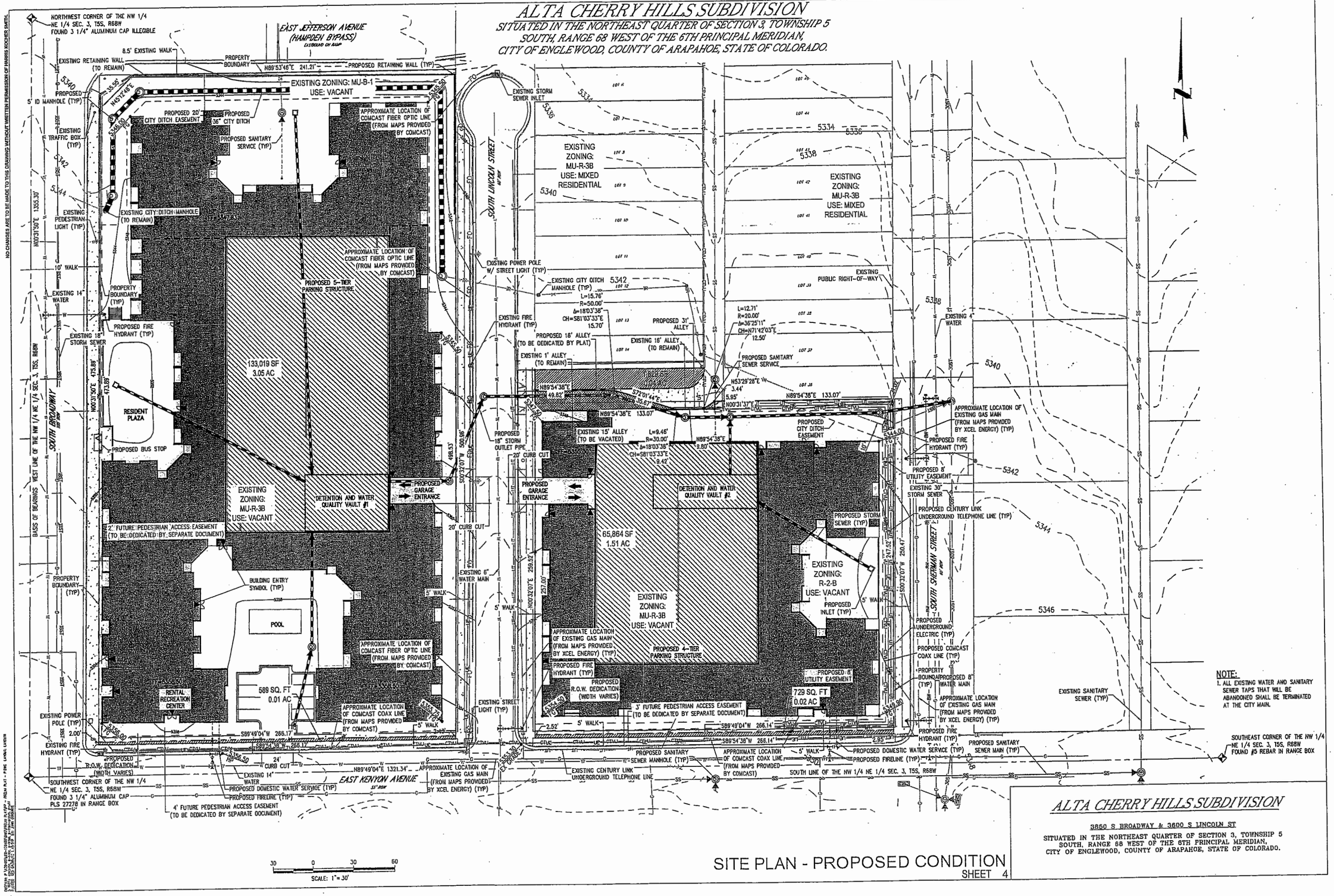
SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH

PRELIMINARY SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.



NOTE:
1. ALL EXISTING WATER AND SANITARY SEWER TAPS THAT WILL BE ABANDONED SHALL BE TERMINATED AT THE CITY MAIN.

ALTA CHERRY HILLS SUBDIVISION

3850 S BROADWAY & 3600 S LINCOLN ST

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

SITE PLAN - PROPOSED CONDITION

SHEET 4

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

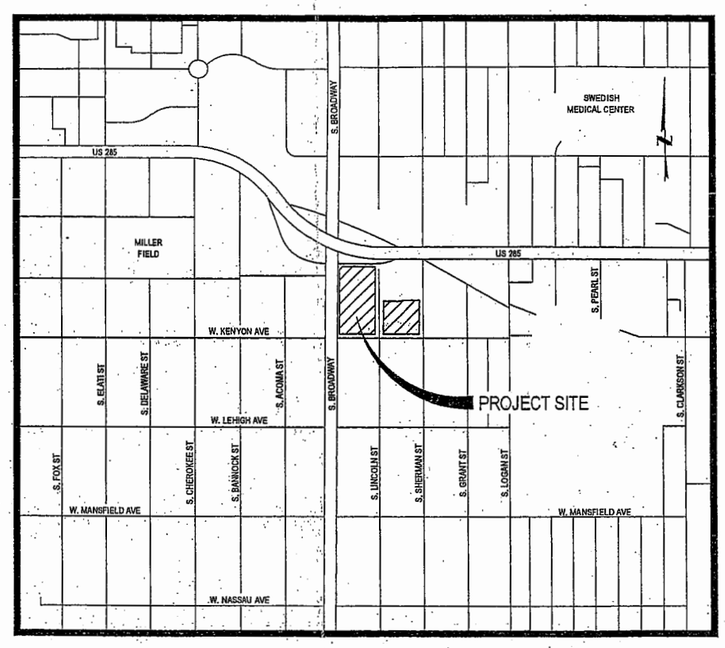
MAJOR SUBDIVISION PLAT

ALTA CHERRY HILLS SUBDIVISION

SITUATED IN THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

EXHIBIT B



VICINITY MAP
SCALE: 1" = 500'

Sheet Index

1 COVER SHEET
2 SITE

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°31'50" EAST.

FLOOD CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A 100 YEAR FLOOD PLAIN, ACCORDING TO THE MOST CURRENT INSURANCE RATE MAP (FIRM), PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

MAPS ARE DATED DECEMBER 17, 2010
COMMUNITY NO. 085074
PANEL NO. 0163K

LEGEND

- INDICATES SUBJECT PROPERTY LINE AS SHOWN.
- INDICATES RIGHT OF WAY LIMITS.
- INDICATES LOT LINE BOUNDARY.
- INDICATES OFFSET LINE AS STATED.
- INDICATES CENTERLINE OF R.O.W. AS SHOWN.
- INDICATES A LAND LINE AS STATED HEREON.
- INDICATES EASEMENT LINE.
- INDICATES BOUNDARY OF AN EXCEPTED PORTION.
- FOUND CONC. NAIL WITH BRASS TAG PLS 26958 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
- SET #5x24" REBAR WITH BLUE PLASTIC CAP PLS 38162

STANDARD NOTES

1. DATE OF FIELD WORK: JUNE 28, 2011
2. THIS PLAT REPRESENTS A BOUNDARY SURVEY OF THE PARCEL SHOWN. IT IS PART OF A SUBDIVISION PLAT OF "HIGGINS BROADWAY ADDITION" FILED WITH THE CLERK AND RECORDER OF ARAPAHOE COUNTY ON THE 3RD DAY OF APRIL, 1917 A.D. RECORDED IN PLAT BOOK 3, PAGE 23, RECEPTION NO. 44923.
3. ACCORDING TO COLORADO LAW YOU MUST COMMENCE LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. COLORADO STATE LAW CRS 9-1.5-101 STATES THAT ANYONE PLANNING TO DIG IN OR NEAR A PUBLIC ROAD, STREET, ALLEY, RIGHT-OF-WAY, OR UTILITY EASEMENT IS TO NOTIFY THE UTILITY NOTIFICATION CENTER OF COLORADO OF YOUR INTENT, THREE (3) BUSINESS DAYS BEFORE YOU DIG. CALL 811 OR 303-534-6700 IN THE METRO DENVER AREA TO LOCATE BURIED LINES.
5. THE LINEAR UNITS FOR THIS PLAT ARE U.S. SURVEY FEET.
6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, HARRIS KOCHER SMITH RELIED UPON COMMITMENT FOR TITLE INSURANCE, COMMITMENT NO. NCS-542989-HOU1 ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF MAY 1, 2012 AT 5:00 P.M.
7. MINIMUM EIGHT-FOOT (8') WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AS SHOWN HEREON. THESE EASEMENTS ARE DEDICATED TO THE CITY OF ENGLEWOOD FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION, CABLE, AND TELECOMMUNICATIONS FACILITIES (DRY UTILITIES). UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO AND ITS SUCCESSORS (PSCo) RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCo AN EASEMENT ON ITS STANDARD FORM.

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS; THAT THE UNDERSIGNED WARRANTS THAT IT IS THE OWNER OF A PARCEL OF LAND LOCATED IN THE OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ALSO BEING PART OF CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 13 THROUGH 19, INCLUSIVE AND 26 THROUGH 38, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 20 THROUGH 25, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 10,11 AND 12, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 6 THROUGH 9, INCLUSIVE AND 39 THROUGH 50, INCLUSIVE, BLOCK 1, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 24, 1958 IN BOOK 952 AT PAGE 79 AND THAT PORTION CONVEYED TO THE STATE DEPARTMENT HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF
COLORADO IN DEED RECORDED JULY 21,1970 IN BOOK 1875 AT PAGE 110.

TOGETHER WITH

LOT 30 AND THE SOUTH ONE HALF OF LOT 31, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 17 AND 18, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOT 19 AND THE NORTH ONE HALF OF LOT 20, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE NORTH ONE HALF OF LOT 31 AND ALL OF LOT 32, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 24 AND 25, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
THE SOUTH ONE HALF OF LOT 20 AND ALL OF LOT 21, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 28 AND 29, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 33, 34 AND 35, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 26 AND 27, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 22 AND 23, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO; AND
LOTS 15 AND 16, BLOCK 2, HIGGINS BROADWAY ADDITION,
COUNTY OF ARAPAHOE, STATE OF COLORADO,

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD BY DEED RECORDED OCTOBER 21, 1964 IN BOOK 1554 AT PAGE 390.

CONTAINING A TOTAL AREA OF 198,804 SQUARE FEET OR 4.56 ACRES.

THE UNDERSIGNED OWNER HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF "ALTA CHERRY HILLS SUBDIVISION", AND DOES HEREBY DEDICATE TO THE PUBLIC ALL RIGHT-OF-WAYS AND EASEMENTS FOR THE PURPOSES SHOWN HEREON.

EXECUTED THIS_____DAY OF _____, A.D. 20___

OWNER _____
BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

NOTARY PUBLIC

STATE OF COLORADO }
COUNTY OF ARAPAHOE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS___DAY OF_____, 20___ BY_____ AS _____
FOR SCHOOL DISTRICT NO. 1, A QUASI-MUNICIPAL CORPORATION

WITNESS MY HAND AND SEAL

MY COMMISSION EXPIRES: _____ _____
NOTARY PUBLIC

_____
_____
ADDRESS

APPROVALS

RECOMMENDED FOR APPROVAL BY THE CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

_____ _____
CHAIRPERSON OF THE PLANNING AND ZONING COMMISSION DATE

ATTEST:

_____ _____
RECORDING SECRETARY OF THE PLANNING AND ZONING COMMISSION DATE

APPROVED BY THE CITY COUNCIL BY ORDINANCE NO._____, SERIES OF 20___.

_____ _____
MAYOR OF THE CITY OF ENGLEWOOD DATE

ATTEST:

_____ _____
CITY CLERK DATE

SURVEYORS CERTIFICATION

I, AARON MURPHY,A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THE SURVEY OF THE ALTA CHERRY HILLS SUBDIVISION, WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION AND THAT THE ACCOMPANYING MAP ACCURATELY AND PROPERLY SHOWS THE SURVEY THEREOF.

AARON MURPHY LICENSE NUMBER 38162 DATE SIGNED
FOR AND ON BEHALF OF
HARRIS KOCHER SMITH
1391 SPEER BLVD, SUITE 390
DENVER, CO 80204

CLERK AND RECORDS CERTIFICATION

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO. AT_____O'CLOCK ___.M., ON THIS_____DAY OF _____,A.D., 20__. RECEPTION NO._____, BOOK NO. _____ PAGE NO(S)._____.

BY: _____ BY: _____
CLERK AND RECORDER DEPUTY

COVER SHEET
SHEET 1

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MAJOR SUBDIVISION PLAT

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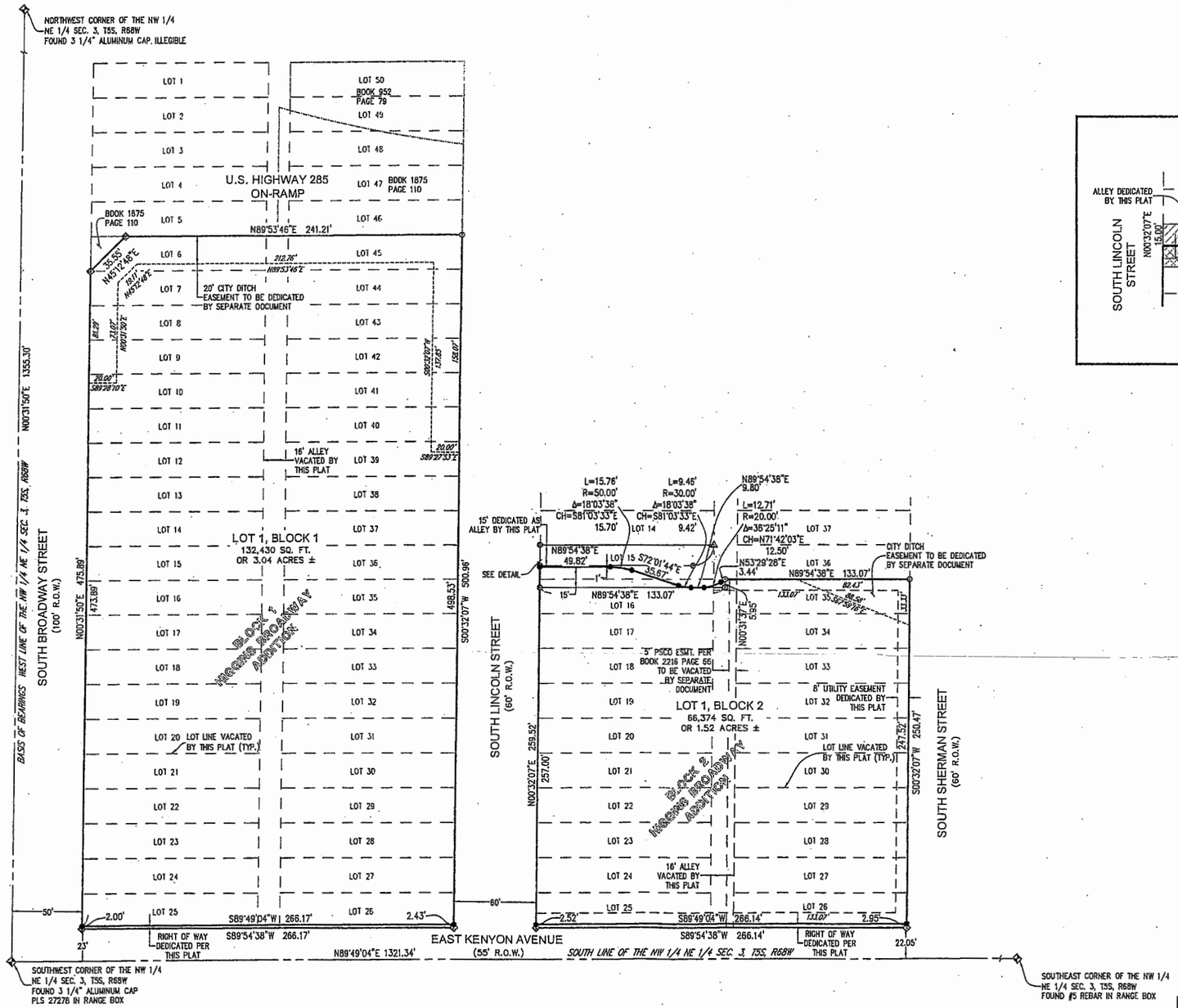

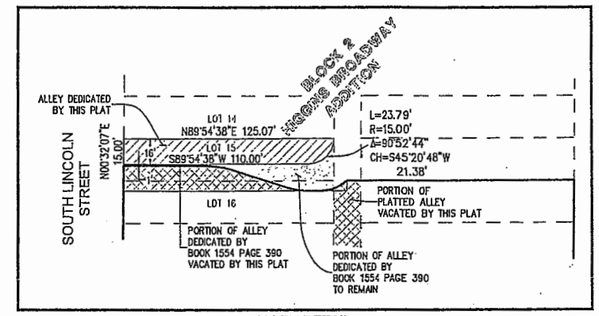

ALLEY DETAIL

LEGEND

- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958 IN CHISELED CROSS
- FOUND CONCRETE NAIL WITH BRASS TAG PLS 26958
- FOUND #5 REBAR WITH RED PLASTIC CAP PLS 26958
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SITE
SHEET 2

ALTA CHERRY HILLS SUBDIVISION

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BY AUTHORITY

ORDINANCE NO. ____
SERIES OF 2012

COUNCIL BILL NO. 50
INTRODUCED BY COUNCIL
MEMBER WILSON

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT ESTABLISHING A REFUNDING OF BUILDING USE TAX FOR SCHOOL DISTRICT NO. 1, ARAPAHOE COUNTY 7-12 CAMPUS PROJECT (SCHOOLS).

WHEREAS, the Englewood Municipal Code has established a building use tax under 4-4-5-3(B)(2) EMC; and

WHEREAS, the State has exempted both the Schools and any contractor performing work for the schools from Colorado building use tax; and

WHEREAS, the City of Englewood has exempted the School District No. 1, Arapahoe County, Colorado from building use tax; however, a similar exemption does not exist for contractors doing work for schools; and

WHEREAS, money coming in from building use tax is put into the Public Improvement Fund (PIF); and

WHEREAS, the PIF provides funding for public infrastructure and capital improvements; and

WHEREAS, schools have worked cooperatively with City staff to identify a number of amenities beneficial to the School District and the citizens of Englewood within the Englewood Schools' 7-12 Campus Project.

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

Section 1. The City Council of the City of Englewood hereby authorizes refunding building use tax paid by the Contractor Saunders Construction, for the Englewood Schools' 7-12 Campus Project located at 3800 South Logan Street, Englewood, Colorado, as set forth in the attached Intergovernmental Agreement with the School District No. 1, Arapahoe County.

Introduced, read in full, amended and passed on first reading on the 1st day of October, 2012.

Published by Title as amended as a Bill for an Ordinance in the City's official newspaper on the 5th day of October, 2012.

Published as amended as a Bill for an Ordinance on the City's official website beginning on the 3rd day of October, 2012 for thirty (30) days.

Read by title, and passed on final reading on the 5th day of November, 2012.

Published by title as amended in the City's official newspaper as Ordinance No. ___, Series of 2012, on the 9th day of November, 2012.

Published by title as amended on the City's official website beginning on the 7th day of November, 2012 for thirty (30) days.

_____
Randy P. Penn, Mayor

ATTEST:

_____
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance as amended, passed on final reading and published by title as Ordinance No. ___, Series of 2012.

_____
Loucrishia A. Ellis

INTERGOVERNMENTAL AGREEMENT

This Agreement, dated and effective as of _____, 20___, by and between the City of Englewood, (hereinafter referred to as "the City") whose address is 1000 Englewood Parkway, Englewood, CO 80110 and School District No. 1, Arapahoe County, (hereinafter referred to as "the Schools") whose address is 4101 South Bannock Street, Englewood, CO 80110

WHEREAS, the Englewood Municipal Code has established a building use tax under 4-4-5-3(B)(2) EMC; and

WHEREAS, the State has exempted both the Schools and any contractor performing work for the schools from Colorado building use tax; and

WHEREAS, the City of Englewood has exempted the Schools from building use tax; however, a similar exemption does not exist for contractors doing work for the Schools; and

WHEREAS, money coming in from building use tax is put into the Public Improvement Fund (PIF); and

WHEREAS, the PIF provides funding for public infrastructure, and capital improvements; and

WHEREAS, the schools have worked cooperatively with City staff to identify a number of amenities beneficial to the School District and the citizens of Englewood within the Englewood Schools' 7-12 Campus Project.

NOW THEREFORE, IT IS AGREED by and between the City of Englewood and the Englewood Public Schools that:

1. The City Council of the City of Englewood hereby authorizes refunding building use tax paid by the Contractor Saunders Construction Company, for the Englewood Schools' 7-12 Campus Project located at 3800 South Logan Street, Englewood, Colorado to the School District No. 1, Arapahoe County as follows:

a. For the projects described in Exhibit A, the actual rebate of 1/3 of the project costs (It is anticipated that project costs will be $300,000 with the rebate to the School District being $100,000).

plus

b. 50% of the actual Use Tax on the project (It is anticipated that total Use Tax on the Englewood Schools 7-12 Campus Project is $600,000 with the 50% rebate being $300,000).

c. It is anticipated the total rebate to School District No. 1 Arapahoe County will be $400,000, but the actual costs and actual Use Tax shall determine the amount of the rebate.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be signed as of the date first written above.

CITY OF ENGLEWOOD, COLORADO

By: _____
Name: Randy P. Penn
Title: Mayor

ATTEST:

_____
Loucrishia A. Ellis, City Clerk

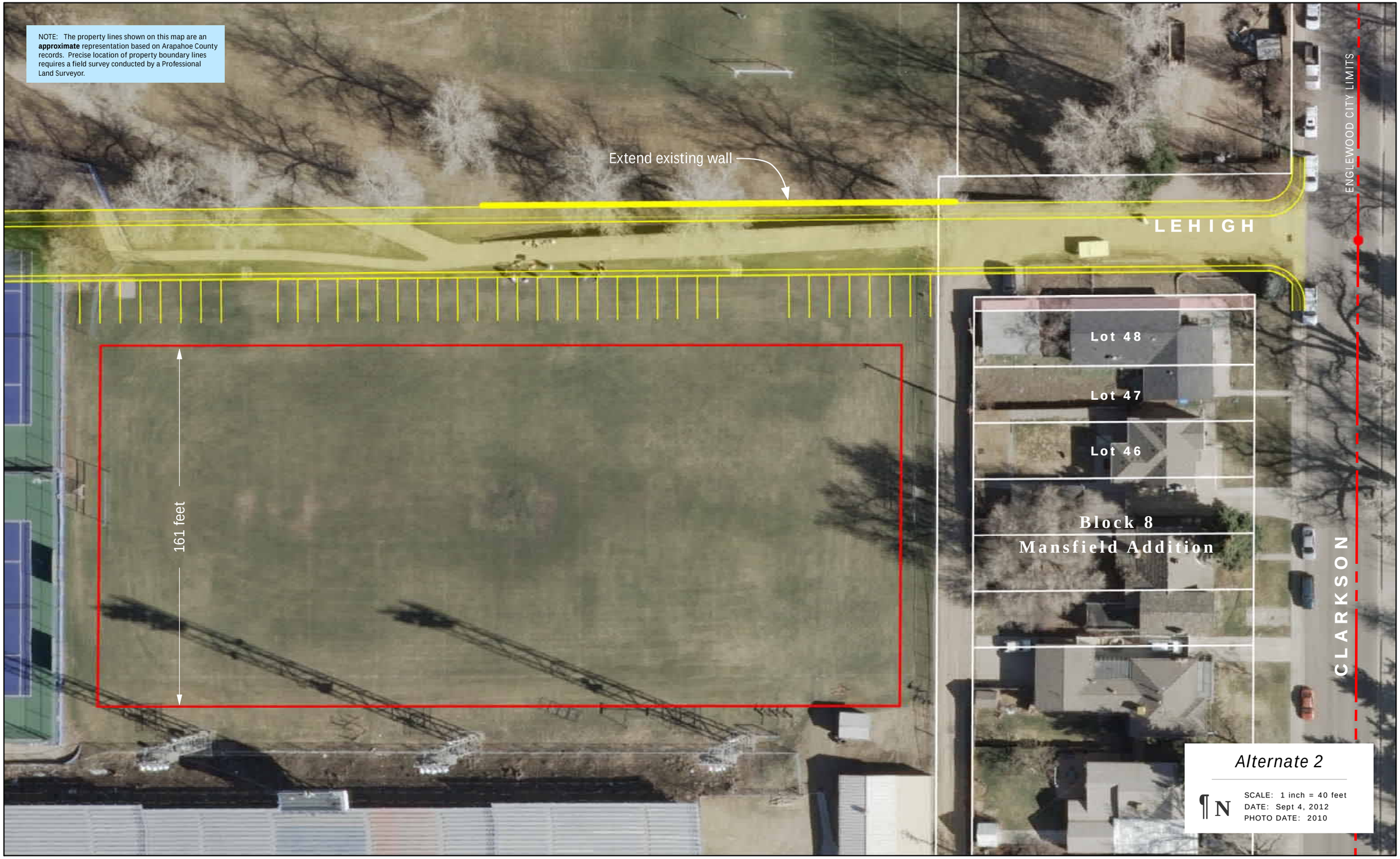
SCHOOL DISTRICT NO. 1, ARAPAHOE COUNTY

By: _____
Name:
Title: _____

SAUNDERS CONSTRUCTION

By: _____
Name:
Title: _____

PRELIMINARY

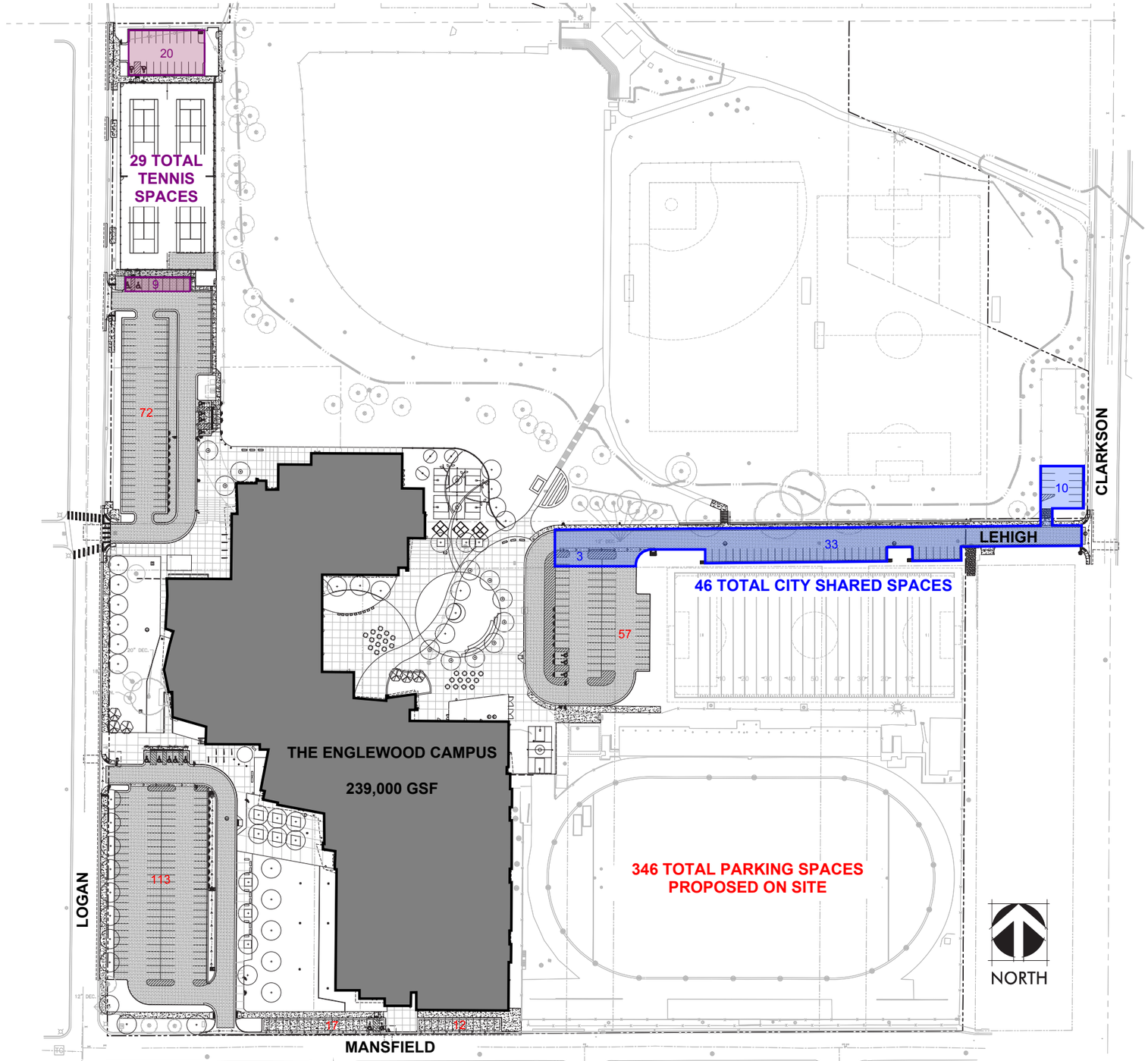


PRINTED: 2012-09-06 10:47:15

DRAWN BY: JDL

EXHIBIT A

Alternate 2 (includes $24,000 for intersection improvements)	$160,650
Parking along Lehigh (not less than 40 spaces)	66,000
Mansfield Parking (not less than 29 spaces)	47,850
Traffic Signal Improvements at Logan/Mansfield	15,000
	$289,500



10.31.12

THE ENGLEWOOD CAMPUS | PARKING DISPERSION PLAN

SAUNDERS Building Confidence®

MOA ARCHITECTURE

COUNCIL COMMUNICATION

Date	Agenda Item	Subject
November 5, 2012	11 c i	Approval of South Broadway Englewood Business Improvement District (BID) Operating Plan and proposed 2013 Budget.

INITIATED BY	STAFF SOURCE
South Broadway Englewood Business Improvement District	Darren Hollingsworth, Economic Development Manager

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council approved Ordinance No. 29, Series of 2006 establishing the South Broadway Englewood Business Improvement District.

RECOMMENDED ACTION

Approve, by motion, the South Broadway Englewood Business Improvement District Operating Plan and proposed 2013 Budget.

In accordance with State Statute the South Broadway Englewood Business Improvement District submitted, on September 28, 2012, their Operating Plan and proposed 2013 Budget to the Englewood City Clerk for Council's approval.

[CRS § 31-25-1211..."The district shall file an operating plan and its proposed budget for the next fiscal year with the clerk of the municipality no later than September 30 of each year. The municipality shall approve or disapprove the operating plan and budget within thirty days after receipt of such operating plan and budget and all requested documentation relating thereto, but not later than December 5 of the year in which such documents are filed.]

FINANCIAL IMPACT

None

LIST OF ATTACHMENTS

South Broadway Englewood Business Improvement District (BID) Operating Plan and proposed 2013 Budget.

The SOUTH BROADWAY Mile!

RECEIVED
CITY OF ENGLEWOOD, CO
SEP 28 2012
OFFICE OF
THE CITY CLERK

Bob Laughlin President -720-373-0012
Ted Vasilas Vice President, 303-781-1382
Secretary
Brian Hart Treasurer, 303-722-1525
Gary Oxman officer, 303-789-4206
Brian Reid officer, 303-781-7662
Josef Kubik officer, 303-789-0909
Linda Olson Non-Voting City Council Liaison
Darren Hollingsworth Non-Voting
City of Englewood representative

September 25, 2012

Dear Englewood City Council:

Pursuant to Sate of Colorado Statutes 31o-25-1222, the South Broadway Englewood Business Improvement District (SBEBID) is forwarding its approved 2013 Budget and Operating Plan. These documents were approved by the SBEBID Board of directors at a meeting on Wednesday September 19, 2012.

There are no changes to the basic Operating Plan for 2013.

Our BID had a very chaotic and unproductive year. A remonstrance petition was circulated again. Dominique Cook abandoned the petition and joined the board, but quit when they could not get their way on matters.

A few ideas were given some attention; such as wireless surveillance cameras and monitors and solar pedestrian lighting that could double as banners poles. We will be taking down the banners as per the discretion of Excel Energy Co.

The Board of Directors held an election which placed Bob Laughlin in the office of President and Ted Vasilas in the office of Vice-President. Dominique Cook has put in her letter of resignation and it has been accepted. The office of Secretary is presently open. Several members of the Board of Directors have expressed the desire to tender their resignations as well. Hence, part of the Boards duties for the coming year will be recruiting new members who might become the next generation of Board members.

The Board of Directors has voted at the meeting on September 19, 2012 to suspend the assessment to property owners for the coming year. Fighting a remonstrance petition again would be too time and energy consuming and the Board feels we can use our resources better mustering a new group of merchants interested in moving forward and directing our resources to improvements to our neighborhood.

We thank City Council, as well as the Englewood City Staff for the tremendous support and cooperation we continue to receive from you. We value our working relationship and look forward to making even more progress in promoting our district and the City of Englewood in the coming year.

Bob Laughlin, President

CERTIFED COPY OF RESOLUTION TO ADOPT 2013 BUDGET

SOUTH BROADEWAY ENGLESOOD BUSINESS IMPROVEMENT DISTRICT

COMES NOW, The President of the South Broadway Englewood Business Improvement District, and certifies that at a special meeting of the Board of Directors of the District, held Wednesday the 19th of September, 2012, at 8:30 a.m. at Frame dArt, Englewood, Colorado, the following Resolution was adopted by the affirmative vote of a majority of the Board of Directors, to wit: A RESOLUTION SUMMARIZING REVENUES AND EXPENDITURES FOR THE DISTRICT'S GENERAL OPERATING FUND, ADOPTING A BUDGET IMPOSING NO SPECIAL ASSESSMENTS FOR THE YEAR 2013.

WHEREAS, the Board of Directors of the SBEBID has authorized its consultants to prepared and submit a proposed budget to said governing body at the proper time: and

WHEREAS, the proposed budget has been submitted to the Board of Directors of the District for its consideration; and

WHEREAS, at an election held on November 7 2006, the District has eliminated the revenue and expenditure limitations imposed on governmental Entities by Article X, Section 20 of the Colorado Constitution and Article and Section 29-1-301 C.R.S., as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTH BROADWAY ENGLEWOOD BUSINESS IMPROVEMENT DISTRICT OF THE CITY OF ENGLEWOOD, ARAPAHOE COUNTY, COLORADO:

Section 1. 2013 Budget Revenues. That the estimated revenues for the General fund as more specifically set out in the budget attached hero are accepted and approved.

Section 2. 2013 Budget Expenditures. That the estimated expenditures for the general fund as more specifically set out in the budge attached hereto are accepted and approved.

Section 3. Adoption of Budget for 2013. That the Budget as submitted, and attached hereto and incorporated herein by the reference, and if amended, then as amended, is hereby approved and adopted as the Budget

of the South Broadway Englewood Business Improvement District for calendar year 2013.

Section 4. Designation of Ending Fund Balances as Reserves. That Pursuant to Const. Colo. Article X, Section 20, the December 31, 2012 ending fund balance to the General Fund, the exact amount to be determined as part of the audit of the December 31, 2012 financial statements is designated as a general reserve for future contingencies.

Section 5. Property Tax and Fiscal Year Spending Limits. That, being full informed, the Board finds that the foregoing Budget does not result in a violation of any applicable fiscal years spending limitations.

Section 6.Certification. That the District is not authorized to levy any ad volorem property taxes, and therefore shall be deemed to certify a zero mill levy to the Board of County Commissioners of Arapahoe County, Colorado, during all years that the District shall remain in existence, unless a levy of ad valorem property taxes for debt of general operating purposes is approved by eligible electors within the District in a future years.

Section 7. Appropriations. That the amounts set forth as expenditures and balances remaining, as specifically allocated in the budget attached hereto, are hereby appropriated for the purposes stated and no other.

The foregoing is a true and accurate copy of the action taken by the governing body of the South Broadway Englewood Business Improvement Distr4ic.

SOUTH BROADWAY ENGLEWOOD

BUSINESS IMPROVEMENT DISTRICT

President

SOUTH BROADWAY ENGLEWOOD BID
OPERATION BUDGET/ WORK PROGRAM
2013

Revenue

BID Assessments	**$0**
Bank Balance Forward (as of 9/19/12)	**$140,703.73**
Interest, sponsorships	
Other Income	**$ 100.00**
Total	**$10,000.00**

Expenditures

Marketing **$15,000.00**

Options include

- Public Relations
- Media
- Marketing materials
  (web site, map, directory)
- Market research
- BID ratepayer communications
  (newsletter, blast faxes, emails)
- Special Events

Maintenance & Safety **$15,000.00**

Options include

- Enhanced safety patrols
- Video monitoring
- Community and business watch programs
- Graffiti cleanup
- Sidewalk maintenance, power washing

Special Projects **$15,000.00**

Options include

- New pole for gateway banner
- Banner replacement
- Signage
- Public Art
- Cosmetic Improvements/ Grants

Legal/ Accounting **$5,000.00**

Total Expenditures	**$50,000.00**
Operating Reserve (5%)	$5,000.00
Capital Reserve (5%)	$5,000.00
Total Reserves	**$10,000.00**
TOTAL	**$10,000.00**

SOUTH BROADWAY ENGLEWOOD BUSINESS IMPROVEMENT DISTRICT ~~2012~~ 2013 BUDGET MESSAGE

DISTRICT SERVICES:

The District will be providing improvements and services, which may include the following:

A. Marketing:

We will explore establishing a cooperative effort to exchange gift cards and certificates from business to business.

B. Maintenance:

The BID will continue to maintain and service the planters and art work throughout the BID

C. Special Projects:

The BID will endeavor to put up Christmas lights where possible.

The BID will explore the idea of summer events to determine the feasibility of another festival project.

BASIS OF ACCOUNTING

The basis of accounting utilized in the preparation of the 2013 Budget for the District is the cash basis method. The District's 2013 Budget includes projected revenues and expenditures for its general operating fund.

IPMORTANT FEATURES OF THE BUDGET

The 2013 Budget does not result in a violation of any applicable property tax or fiscal year spending limitiations. Emergency reserves have been provided in 2013 (3% of the District's fiscal year spending excluding bonded debt service.)

A. General Operating Fund/Expenditures: Paid for out of the Districts' General Fund, these expenses include general administrative costs, insurance, professional and other fees, as well as other miscellaneous costs.

The District currently does not on anticipate seeking the approval of the Districts' Electors for the authorization and issuance of any general obligation debt.

B. Emergency Fund/Expenditures: The emergency fund for fiscal year 2013 will be equal to 3% of the District's fiscal year spending, excluding those

expenditures for bonded debt services, spending from gifts, federal funds, collections from another government, pension contributions by employees and pension fund earnings, reserve transfers or expenditures, damage awards, or property sales.

SOUTH BROADWAY ENGLEWOOD
BUSINESS IMPROVEMENT DISTRICT
OPERATING PLAN
AND BUDGET
SEPTEMBER 30, 2012

I.
SUMMARY

The South Broadway Englewood Business Improvement District (BID) is a special assessment district designed to improve the economic vitality and overall commercial appeal of the South Broadway corridor in Englewood. The BID will provide programming and benefits to businesses and commercial properties that will include marketing, promotions, enhanced safety and maintenance. BID services will be in addition to services currently provided by the City of Englewood. BIDs help improve image, increase sales, occupancies and property values and attract new customers and businesses in commercial districts and downtowns throughout Colorado and the country. Here are the main characteristics of the South Broadway Englewood BID:

Name:
South Broadway Englewood Business Improvement District (BID).

Proposed

Boundaries:
The proposed South Broadway Englewood BID boundary generally encompasses the commercial properties facing the South Broadway corridor from Yale to Highway 285. A map of the BID boundary is attached for reference.

BID Programs:
The BID can perform the following kinds of functions within the following general categories (final BID programming will be determined by the BID board):

Marketing, Promotions and Image Enhancement:

- Public relations to project a positive image of the South Broadway corridor
- Collaborative advertising among South Broadway businesses
- Production and packaging of marketing materials including South Broadway map, directory and web site
- Newsletter and other district communications
- Market research & stakeholder surveys

.
Special Events including themed, historical events and ongoing events programming

Enhanced Safety & Maintenance

.
Enhanced safety patrols
.
More effective communication with Police
.
Video monitoring
.
Community and business watch programs
.
Graffiti cleanup
.
Sidewalk power washing
Special Projects

.
Banners
.
Gateways
.
Signage
.
Public art
.
Cosmetic improvements
.
Other projects as appropriate
Budget:
Total proposed budget for the next year of operation (2013) will be approximately $45,000.

Special

Assessments:
Funding for BID services will be raised through a special assessment that will be based upon a combination of commercial land area and first floor commercial building square footage.

Methodology:
In order to allocate the costs of the services and improvements to be furnished by the BID in a way that most closely reflects its benefits, the BID will collect a special assessment based upon commercial land area and first floor square footage. There are approximately 1.1 million square feet of commercial land and about 440,000 square feet of commercial first floor building within the proposed BID boundaries. Per Colorado state law, any property that is within the BID boundary and is classified

for assessment by the county assessor as residential or agricultural is not subject to the revenue raising powers of the BID and therefore will not be assessed by the BID.

Assessment:
Below is a table outlining the assessment based on square foot of lot and square foot of building:

Rate per SF of lot .029
Rate per SF of first floor .152
building

Term: A term of ten (10) years is recommended for the South Broadway Englewood BID.
City Services: A base level of services agreement between the BID and the City of Englewood will outline the City's current level of services in the BID area, as the City will maintain its existing services. BID services will be in addition to any City services currently provided downtown.
District Formation: The formation of a BID in Colorado requires submission of petitions from owners of real and personal property representing more than 50% of total acreage and assessed value within the district, a public hearing and a City Council ordinance forming the BID.
Financial
Approval: In order to allow for a BID assessment, a majority of qualified electors within the proposed district who actually vote must approve the assessment in an election to be held in November 2012.
Governance: The BID will be managed by a Board of Directors consisting of five (5) to seven (7) members, all of whom shall be voting members and BID ratepayers. One additional seat (in addition to the 5-7 voting members) shall be reserved for an ex-officio member that shall be a representative of the City of Englewood. The board will determine annual BID priorities and oversee ongoing management of BID programs. The board shall consist of a majority of real property owners, shall equitably represent geographic areas of the BID and a variety of size and type of property and businesses.
A slate of board nominees shall be submitted by a nominating committee to City Council for approval. City Council may, at its discretion, decline to appoint the slate of nominees but if it does so it shall return the entire slate to the nominating committee which shall submit another slate of nominees for consideration by City Council.
Dissolution: The BID may be dissolved if property owners representing more than 50% of total acreage and assessed value within the District submit petitions to dissolve it, or if the BID fails to submit an operating budget to City Council for two successive years.

II.
WHY FORM A BID?
There are several reasons why now is the right time to form a Business Improvement District along the South Broadway corridor in Englewood:

.
Increase Sales, Occupancies and Property Values: More than 1,000 BIDs have been formed throughout North America and are acknowledged as a critical ingredient in commercial area revitalization. BIDs are proven to work by funding improvements and services that enhance the overall vitality of a business district. Success is measured by higher occupancies, sales and property values. Nationally, the BID renewal rate is 99%.

.
Strengthen the South Broadway Corridor's Competitiveness in the Regional Marketplace: The BID supports a results-oriented set of programs that will produce both short-term and long-term tangible improvements. These improvements and services will help accelerate efforts to attract and
retain consumers, visitors, new businesses and investment to South Broadway.

.
Create a Reliable Source of Funding for South Broadway: A BID will provide a reliable, multi-year source of funding to ensure these programs can continue to showcase and benefit the South Broadway corridor.

.
Leverage Positive Changes along the South Broadway corridor: There are exciting changes in Englewood- with new businesses and investment creating an eclectic and exciting business mix. The BID will help to ensure
that the benefits of the new investment and energy will be spread throughout
the South Broadway corridor.

.
Broaden Private Sector Control and Accountability: The South Broadway Englewood BID will be governed by a board of district property and business
owners. Annual BID work plans and budgets will be developed by the board, ensuring that the BID will be directly accountable to those who pay an assessment. New programs will be subject to private sector performance standards and controls.

.
Create a Unified Voice for the South Broadway Corridor in Englewood: A BID will help broaden the foundation for developing a viable and unified private sector voice for the South Broadway corridor. A BID will unify and
enhance the current merchant association efforts, and act as an advocate for
the healthy growth and development of the entire BID area.

III. PROCESS TO CREATE THE BID OPERATING PLAN
The Plan for creating a BID along South Broadway in Englewood is the result of a community process in which more than 100 Englewood area

property and business owners have participated between the fall of 2005 and the spring of 2006. The City of Englewood, at the behest of a group of merchant and property owners, retained the consulting firm of Progressive Urban Management Associates (P.U.M.A.) to help determine the feasibility of forming a BID. Key steps of the process included:

.
BID Steering Committee: To guide the consultant team and test the viability of the BID concept, a Steering Committee composed of district property owners and business owners was created. Steering Committee members include: Ted Vasilas, Jon Cook, Doug Cohn, Beth Minnick, Bob Voth, Rick Reese, Brian Verbeck, Steve Schalk and Bob Laughlin.

.
One-On-One Meetings with Key Property Owners: A series of one-on-one meetings were held with business and property owners in the BID study area to determine their willingness to support a BID.

.
Stakeholder Focus Groups: To involve property and business owners in the design and development of the plan, two stakeholder focus groups were held in November, 2005. The focus groups included a survey designed to assess service priorities and whether there was an appetite to support various BID improvements and activities.

.
Direct Mail Survey: A direct mail survey was sent to property owners within the Englewood BID study area in November, 2005. Fifty-five (55) surveys were returned providing additional input for the design of the BID work plan.

.
Plan Review Workshops/Final Plan: The draft BID work plan and budget were reviewed by the BID Steering Committee and then presented to property and business owners in two workshops held in early February, 2006. Input from the workshops and Steering Committee led to the completion of the final plan.
Top community priorities that emerged from nearly 100 surveys completed by participants in one-on-one meetings and focus groups and respondents to the mail survey included:

.
Marketing, Promotions & Image Enhancement

.
Enhanced Maintenance

.
Enhanced Safety

IV. SOUTH BROADWAY ENGLEWOOD BID OPERATING PLAN

As determined by area property and business owners, the top priorities for improvements and activities within the BID study area include:

.
Marketing and promotions to increase the South Broadway corridor's image as a destination and increase the consumer draw to the corridor.

.
Enhanced maintenance and safety programs to address nuisance

crimes to create a more attractive, safe and appealing area.
The following narrative provides recommendations for the first operating year of the BID. The Board may amend program activities in subsequent years within the general categories authorized by state law and in the approved annual operating plan and budget. Final programs and budgets will be subject to the annual review and approval of the BID Board of Directors.

BID PROGRAMS

Marketing and Promotions: Initiatives are recommended to enhance the overall image and marketability of the South Broadway corridor to attract a wide array of consumers and promote South Broadway shops, restaurants, night clubs and other attractions. The BID Board of Directors will set annual priorities for marketing projects. Options include:

.
Public relations to raise regional awareness of the South Broadway corridor and its unique restaurants, shops, and attractions.

.
Map and Directory to help consumers find their way around the corridor and to locate specific venues.

.
Collaborative Marketing among the various merchants and vendors along the corridor in order to leverage marketing funds and resources.

.
South Broadway website that maintains current information on area businesses, special events and contact information for South Broadway Englewood BID personnel and services

.
Market research to better understand who is shopping along the corridor and what shops, services, restaurants and events are gaining the biggest consumer draw.

.
Communications including the publication of a periodic newsletter and annual stakeholder surveys to determine the overall satisfaction with and effectiveness of BID programs.

.
Special Events that bring focus and attention to the corridor are encouraged to continue and expand.

6
Enhanced Maintenance and Safety Programs are recommended to improve the overall image, safety and appeal of the South Broadway corridor
including:

.
Enhanced safety patrols

.
More effective communication with Police
.
Video monitoring
.
Community and business watch programs
.
Graffiti cleanup
.
Sidewalk power washing
Special Projects to enhance the sense of place and esthetic quality of the South Broadway corridor include:

.
Banners
.
Gateways
.
Signage
.
Public art
.
Cosmetic improvements

V. BID BUDGET

The proposed annual BID budget is approximately $100,000, to be raised through a combination of special assessment on commercial lot and building (first floor only) located within the boundaries of the BID.

The budget includes provisions for defraying the costs of collecting the special assessments and other expenses normally associated with special assessment processes.

Bonds: The BID shall be authorized to issue bonds at the discretion of, and in such amounts as may be determined by, the BID Board of Directors, and
subject further to the approval of a majority of BID electors at an election called
for the purpose of authorizing such bonds.

Fees and Charges: Although the current budget and operating plan do not contemplate imposing rates and charges for services furnished or performed, the BID shall be authorized to impose and collect reasonable fees
and charges for specific services as determined by the BID Board of Directors.
There are no plans to impose any additional fees and charges beyond the annual BID assessment at this time.

VI. ASSESSMENT METHODOLOGY

Under Colorado statutes, Business Improvement Districts can generate revenues through several methods, including charges for services rendered bythe district, fees, taxes, special assessments, or a combination of any of these.

In order to allocate the costs of the services to be furnished by the BID in a way that most closely reflects the benefits conferred upon the businesses and commercial properties in the BID, the BID shall be authorized to determine, impose and collect special assessments based upon both commercial lot and first floor commercial building square footage.

The special assessment methodology is intended to equitably address the intended benefits to South Broadway based upon real property characteristics to achieve the following:

BID services will improve overall image and marketability of properties throughout the entire area of the BID, leading to increased occupancies and values. Land square footage is utilized as an assessment variable to distribute the anticipated benefit to property resulting from these services. One-third of the projected BID budget is allocated to land.

First floor building square footage is assessed at a higher rate than land.
The first floor of real property is expected to benefit from image enhancement activities that increase occupancies and sales, particularly from retail related uses. Two-thirds of the projected BID budget is allocated to the first floor of real property.

Second floor and higher building square footage is omitted from the special assessment because these spaces do not provide the same level of economic return as first floor spaces and are less likely to be occupied by retail related uses.

The following assessment rates apply to South Broadway Englewood properties based upon a database that has been assembled by the City of Englewood utilizing data supplied by the Arapahoe County Assessor and GIS technology. Estimated assessment rates on real property for the first operating year of the BID are:

Per sq.ft. of Lot Per sq.ft. of main floor of building South Broadway Commercial Properties $.029 $.152

Annual Adjustments: In order to provide adequate funding for the costs of providing its services and improvements in the future, the BID shall be authorized to increase the rates of assessment set forth above not more than five percent (5%) each year, on a cumulative basis. The assessment will be collected by the Englewood City Treasurer pursuant to an agreement to be entered into by between the BID and Treasurer's Office.

VII. BID GOVERNANCE AND PROGRAM MANAGEMENT
Governance: The BID will be managed by a Board of Directors consisting of five (5) to seven (7) members, all of whom shall be voting members and BID ratepayers. One additional seat (in addition to the 5-7 voting members) shall be reserved for an ex-officio member who shall be a representative of the City of Englewood. The board will determine annual BID priorities and oversee ongoing management of BID programs. The board shall consist of a majority of real property owners, shall equitably

represent geographic areas of the BID and a variety of size and type of property and businesses.

A slate of board nominees shall be submitted by a nominating committee to City Council for approval. City Council may, at its discretion, decline to appoint the slate of nominees but if it does so it shall return the entire slate to the nominating committee which shall submit another slate of nominees for consideration by City Council.

The BID board will have the following responsibilities:

.
Prepare and file the annual BID budget in accordance with state legal requirements and ensure compliance with other state laws.
.
Provide direction and coordination in carrying out BID funded improvements and services.
Program Management: In order to manage and implement BID programs, the BID Board of Directors may engage professional staff support in a variety of ways, including:

.
Employing marketing and events, maintenance or security professionals as full or part-time staff members
.
Contracting for specific services with private firms
The board will make final decisions regarding the operation and daily management of BID services upon its formation.

VIII. CITY SERVICES
A base level of services agreement between the BID and the City of

Englewood will outline the City's current level of services along the South

Broadway corridor. BID services will be in addition to any City services currently

provided in the BID boundary.

IX. TERM
The BID will sunset ten years after it begins operations in 2007 (at the end of 2016), unless extended beyond such term by petitions meeting the requirements of state law for organization of a new business improvement district, and such extension is approved by the City Council.

SAMPLE FIRST YEAR BID OPERATING BUDGET

-2007-

Revenue

BID Assessments
$100,000

Interest, sponsorships
Other income $ 10,000

Total
$110,000

Expenditures

Marketing
$50,000

Options include:

.
Public relations
.
Marketing materials
(web site, map, directory)
.
Market research
.
BID ratepayer communications
(newsletter blast faxes, emails)
.
Special events
Maintenance & Safety $25,000

Options include:

.
Enhanced safety patrols
.
Video monitoring
.
Community and business watch programs
.
Graffiti cleanup
.
Sidewalk maintenance, power washing
Special Projects
$25,000

Options Include:

.
Banners
.
Gateways
.
Signage

.
Public art
.
Cosmetic improvements
Total Expenditures $100,000

Operating Reserve (5%) $5,000
Capital Reserve (5%) $5,000

Total Reserves
$10,000

TOTAL
$110,000