CITY MANAGER’S NOTES
January 12, 2017

Upcoming Council Meetings

The next Regular Meeting will be held on **Tuesday, January 17, 2017**, at 7:00 p.m. in Council Chambers.

On **Monday, January 23, 2017**, a Study Session will be held at 6:00 p.m. in the Community Room.

Informational Items

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

1. Englewood Herald article: Englewood police find missing children, arrest mother
2. Englewood Herald article: Marijuana consumption business gets cease-and-desist order
3. Englewood Herald article: Holiday lighting contest receive honors
4. Englewood Herald article: Birthday boy does his part to assist homeless people
5. The Press Group article: Jewel Spiegel Gallery – one of the oldest and most reputable businesses in Englewood
6. Community Development January 2017 Update
7. Calendar of Events
8. Tentative Study Session Topics
9. Minutes Board of Adjustment and Appeals Meeting December 2016
Englewood police find missing children, arrest mother

Englewood police reported the two children who were subjects of an Amber Alert, 12-year-old Joseph Dinapoli and his 8-year-old brother Johnny, were found unharmed and their mother, 38-year-old Rebecca Dinapoli, was arrested as a suspect in the parental kidnapping case.

According to the report, the Englewood Police Department received an anonymous tip about the location of the mother and the two children about 10 p.m. Jan. 8. Officers investigated the tip and located the boys and their mother at a location in the 5700 block of South Pennsylvania Avenue.

Rebecca Dinapoli was arrested and taken to the Arapahoe County jail. She could face a number of charges, including kidnapping.

Police began the investigation about 5:40 a.m. Jan. 8 when it was reported that Rebecca Dinapoli had allegedly kidnapped her two children from the home of their grandparents in the 4900 block of South Galapago Street. The officers investigating the report were told there is a court order prohibiting the mother from having any contact with her two children. According to the report, the order was issued because the woman abuses drugs and has mental health issues.

The Colorado Bureau of Investigation issued an Amber Alert about 9:20 a.m. Jan. 8, asking anyone who saw the mother and the children or the car she was driving to call 911.
Marijuana consumption business gets cease-and-desist order

Studio 420 attorney files request to appeal city decision

Studio 420, a marijuana-consumption establishment located at 3995 S. Broadway, was notified by letter on Dec. 9 that the firm would face the revocation of its business license if it did not halt the consumption portion of its business within 14 days. But the attorney for the business has filed a notice to appeal the city order, placing the matter on hold.

The notification came as a cease-and-desist order from Tim Fiene, acting as Englewood special counsel dealing with the issue of Studio 420 operating a marijuana consumption club. In the letter, Studio 420 was ordered to stop allowing the smoking or consumption of marijuana or marijuana products at its location within 14 days.

The letter said that the 2015 business license application stated the business would be selling tobacco products and other items, but the company has since advertised it is a social or membership club providing a place for the use and consumption of marijuana. The club, according to the letter, is in violation of laws prohibiting public consumption of marijuana.

Studio 420, formerly called iBake Englewood, applied for and received a business license and a sales and use tax license from the city in April 2015. The license application stated iBake was in the retail business offering general merchandise like T-shirts and pipes as well as prepackaged food. The business does sell retail items, but also is a location that allows members 21 and older to consume marijuana and marijuana products they bring with them.

City council addressed the issue, discussing seeking to close the marijuana consumption club. The council acted on the advice of Acting City Attorney Dugan Comer and on Dec.
5 appointed Tim Fiene as special counsel to deal with the case.

“Special Counsel Fiene has sent the cease and desist order to the business,” Comer said. “The business can challenge the order associated with revoking the firm’s business license by requesting a hearing. If they do that, they can remain open until completion of the hearing.”

Eric Keck, Englewood city manager, said the attorney for the business has appealed the order and requested a hearing before Kathleen Rinkel, director of finance and administrative services, who is also the city licensing officer.

Judd Golden, attorney for Studio 420, is challenging the potential license revocation on grounds that the firm is a legal business according to state law and city ordinance.

“Studio 420 properly obtained the licenses from the state and from Englewood properly,” he said. “They continue to operate the business as they have since they received the city business license in 2015.”

In a July letter to Comer, Golden said that according to state law, any tobacco retail business is an exception to smoking restrictions listed in the Colorado Clean Indoor Air Act and the law applies equally to tobacco and marijuana.

He said no date has been set for the appeal hearing and he will work with the licensing officer and with Fiene to set the hearing date.

The Studio 420 website states the business is a members-only pipe and tobacco shop which is a safe and legal place to consume tobacco products and cannabis. The stated membership fees are $10 per month and $4.20 per day.
January 3, 2017
Tom Munds

Holiday lighting contest receive honors

Keep Englewood Beautiful contest is subject of council presentation

A brief ceremony was held during the Dec. 19 Englewood City Council meeting to present large red and blue award ribbons to eight families honored for their entries in this year’s Englewood Holiday Lighting Contest.

The Keep Englewood Beautiful Commission sponsors the annual holiday lighting contest. On Dec. 19 Jeremy Lott, a city planner, announced the winners on behalf of the commission.

He said the judges selected four category winners. He said they retained the name of the Mayor’s Choice Award then provided names indicating the theme of the decorations for the other three categories. Lott also presented honorable mention awards for four entries.

Councilmember Amy Martinez said she enjoyed joining the group for the lighting judging.

“The entries are great and we appreciate them,” she said. “I also saw there was a lot of other residents who decorated their homes for the holidays. I hope we can get a lot more of those residents to enter their homes in the contest next year.”

This is the 22nd year that Keep Englewood Beautiful has sponsored the contest, with lighting entries judged on artistic effect, craftsmanship and originality.

Residents and businesses entering the contest are asked to have the decorations displayed from Dec. 1 to Jan. 5.

Englewood had a lighting contest in the 1950s and 1960s but it sort of died out. Two decades ago, the Keep Englewood Beautiful Commission stepped up and sponsored the contest as an annual event.

This year’s lighting contest awards went to:

Mayor’s Choice — 4600 South Sherman — David Alfred Lemay
All About Animals — 3942 S Lincoln — Mary Darkin and Terry Tadlock
Winter Wonderland — 3181 South Vine Street — Sandi Linger

Tree-rific Teeter Totter — 2987 South Cherokee — Cyndi Krieger and Bones Herberg.

Those receiving honorable mention were:

4635 S. Knox Court — Mike, Megan, Maddy and Maycee

4255 S. Delaware St. — Rich Morales

4536 S. Sherman St. — Doug Haas

4329 S. Clarkson St. — Tom Dudley
Birthday boy does his part to assist homeless people

8-year-old skips toys, asks for items that can help people less fortunate

Merrick Howes asked for items like hats and gloves for his eighth birthday, then gave the presents he received to some homeless individuals in Englewood.

The Littleton-area boy’s birthday was Dec. 15. Those invited to his birthday party were asked not to give toys, but to give him items homeless individuals would need, such as blankets and scarves. On Christmas Eve, Merrick and his family went to the homeless outreach Giving Heart Englewood to help serve dinner, and so the boy could donate his birthday presents to homeless individuals.

“I felt excited because I like to help people,” the boy said Dec. 28. “It was fun serving dinner and getting to meet people who would get the gifts we brought.”

He said one meeting was special, as a young man needed a blanket and Merrick had one to give him.

“His name was DJ and he was very happy to have a new blanket,” the Douglas County STEM Charter School student said. “He thanked me and now he is my friend.”

Audrey Howes, Merrick’s mother, said that a couple years ago she and her husband decided their kids were blessed, had a house full of toys and stuff, and they didn’t want their children to get more toys and similar items as birthday presents.

“We asked our two children if they would be willing to collect items that could be donated to the homeless,” she said. “They both agreed. The first year, Merrick took the items he collected to the Denver Rescue Mission, but we wanted something closer to home, found Giving Heart Englewood and went there this year.”

Howes said Giving Heart Englewood was smaller and it was there to help homeless people in their area of town. She said the Englewood program was small enough to allow both the children to help serve dinner, as Merrick’s sister gave the guests their rolls and Merrick gave each guest pats of butter to go on the rolls.
Audrey Howes said her daughter Kinsley is 5 and also collects items for the homeless. Her birthday is in the summer and this year, she collected diapers for teen mothers.

“I am so happy the children made the choice about their birthday presents,” Howes said. “It is a family thing now and it is now a family tradition.”
ENGLEWOOD – Jewel Spiegel is owner of the Jewel Spiegel Gallery, one of the oldest and most reputable businesses in Englewood. Spiegel opened her gallery in 1965, housed in a two-story, 19th century building in the city’s downtown area. Fifty-two years later, the Jewel Spiegel Gallery remains a popular and successful community landmark. Amongst her thousands of loyal customers, many are third generation family members.

The Jewel Spiegel Gallery is the “go to” place for fine custom framing, paintings, prints and art and frame restoration. In the past decade,

Spiegel also added designer fashion jewelry collections and one-of-a-kind gifts. Many of the store’s frames are actual pieces of jewelry in themselves. Her gallery is popular because it has fine quality items for everyone, with prices ranging from $15 to thousands of dollars, and because Spiegel treats her customers like family.

Spiegel is a national award winner for design and for the expert use of archival materials. She has been interested in archival prints all her life and in 2009, she began cataloging her family’s collection of thousands of old, fine and decorative prints dating back to the 1700s.

Spiegel has received a proclamation from the City of Englewood, commending her service to the city and its government. In 2015, she was honored with a New Jersey State Assembly Resolution for her outstanding record of service, leadership and commitment.

I spoke with Jewel Spiegel this week as she took a break from working with customers.
Her gallery was beautifully decorated for the holiday season, and, as always, her vivacious smile and upbeat personality made everyone feel welcome.

**Hillary Viders:** You have lived and worked in Englewood for 52 years. What do you like most about this community?

**Jewel Siegel:** I love the people!

**HV:** You are renowned for selling beautiful works of art and archival framing. Do you do artwork yourself?

**JS:** I began my career by making children’s prints from fabric and then framing them. I sold these pieces to Fortunoffs and Gimbles and then FAO Schwarz.

**HV:** What made you decide to open a gallery in Englewood?

**JS:** There was a lamp store on West Hudson Avenue and the owner asked if I would take over his lease to open a business. I told him, “Run a business? I can’t do that,” and he answered, “Yes you can!”

**HV:** Your father was an avid art collector. What kind of pieces did he collect?

**JS:** Everything. His collection of paintings and prints was voluminous. He also collected thousands of books of all kinds and stored them in a separate house.

**HV:** Do most people buy a piece of art as an investment or because they like the way it will look in their home or office?

**JS:** I would say that 90 percent of all people buy art for its aesthetic appeal.

**HV:** Has the current economy caused a decline in the art market?

**JS:** It has not declined in the auction houses. On the local commercial level, it has had an impact. Here in Englewood, years ago, women would go to lunch and stroll through downtown and visit all the stores. Nowadays, women don’t have time to do casual lunches or window shopping, so street traffic has decreased. But overall, the art market is doing well and I am fortunate to have a loyal following for my custom framing.

**HV:** You carry pieces by many new and formerly unknown artists. How do you determine if someone’s work will sell?

**JS:** I don’t have specific guidelines for gauging commercial success, but I trust my instinct and so far it has been reliable.

**HV:** How important is the framing of a print or a painting?

**JS:** It is critical. Improperly framed art work will eventually deteriorate. I have seen the results of improper framing. Poorly matted art will show acid burn. The only material that should come into contact with the art is 100 percent cotton rag board. Also, the glazing should have a high percentage of ultraviolet filtering property to protect the art.

**HV:** What is the best way to take care of prints and paintings, assuming that they are properly framed after purchase?

**JS:** If the frame is made with real gold, you should not use chemicals or water to clean
it. A light dusting is sufficient. And, at least every ten years, you should bring framed art
to a reputable framer for inspection to be sure that the condition of the art and the frame
is intact.
HV: How much forgery is there in the art world today?
JS: A tremendous amount! Forgeries routinely turn up all over the world, even in some
of the finest galleries and famous auction houses in New York City.
HV: Can you yourself spot a forgery?
JS: No, I can't. That takes special training in art forensics.
HV: Looking back on a wonderful 52 year strong business, to what do you credit such
longevity?
JS: It's all about love! From the time I was a child, I loved paper and all the different
kinds of work that can be done on it. I love art, I love the work that I do, I love the people
that I work with and I love my customers. So, it's love that keeps me going, and what
could be better than that?
DEVELOPMENT PROJECTS

- **Broadway + Acoma Lofts | 3401 South Broadway**
  Project: 110 residential units; 11,000 square feet retail/commercial space; covered and surface parking
  - Medici Communities and Big Lots Shopping Center entered into a parking agreement for construction and contractor parking.

- **William’s Jewelers | 5095 South Broadway**
  Project: New retail building for jewelry store.
  - A building permit was submitted on December 15, 2016 and is under review.

- **600 West Bates Avenue**
  Project: Flex space; artist studio
  - Demo permit approved on November 21, 2016.
  - A development review team meeting will be held on January 17, 2017.

- **Hill Top Motel | 3800 South Broadway**
  - The property owner is promoting the property as a build-to-suit development
• **The Foundry | 501 West Bates Avenue**  
  Project: 70-unit, income-qualifying residential complex  
  - Framing is complete.

• **Iron Works Village | 601 West Bates Avenue**  
  Project: 60 townhomes, condominiums, and single-family for-sale units  
  - The developer has applied for a site permit and a minor subdivision.
- **Rite Aid | 707 East Jefferson Avenue**
  Project: 14,600 square foot retail pharmacy with drive-thru
  - The building walls are complete.
  - A variance request for signage will be heard by the Board of Adjustment and Appeals.

- **Quincy Lane | 1210 West Quincy Circle**
  Project: Seven single-family homes
  - Permits were issued on August 10, 2016.
  - Construction is underway.

- **Chick-fil-A | 3085 South Broadway**
  - Site work is nearly completed.
  - Interior work has started.
  - On-site employee hiring is occurring.
• **1100 East Girard Avenue**  
  Project: 31 for-lease units  
  - A permit has been issued and work on the site has begun.

• **475 West Hampden Avenue**  
  Project: 4,800 square foot building with two tenants  
  - A temporary certificate of occupancy for the building core and shell has been issued; tenant finish will begin soon.
BOARDS AND COMMISSIONS

- **Alliance for Commerce in Englewood**
  - The Committee members continue to meet with Englewood businesses to obtain feedback as part of their Business Visitation Program.

- **Board of Adjustment of Appeals**
  - 3475 South Emerson Street: The owner is seeking a variance at the January 10, 2017 meeting to reduce the required leasable, ground floor commercial space.
  - 600 West Bates Avenue: The owner will seek a variance at the February 8, 2017 meeting for a reduction in setbacks.

- **Keep Englewood Beautiful**
  - The Commission held the annual Holiday Decorating Event on December 13, 2016. Awards were presented at the December 19, 2016 City Council meeting.

- **Planning & Zoning Commission**
  - The January 4, 2017 meeting was cancelled due to inclement weather.
  - The Commission will receive an update on the draft Parks and Recreation Master Plan and hold a study session on Accessory Dwelling Units at the January 18, 2017 meeting.

- **Englewood Urban Renewal Authority**
  - The Board will discuss their 2017 budget at the January 18, 2017 meeting.

SPECIAL PROJECTS

- **Englewood Forward**
  - (Comprehensive Plan, Light Rail Corridor Next Steps Study, Walk and Wheel Plan)
  - Planning and Zoning Commission will review City Council’s changes at the January 18, 2017 meeting.

- **Safe Routes to School: Broadway/Mansfield Enhanced Safety Crossing**
  - A contract for design services was awarded to OV Consulting.

BUSINESS NEWS

- **New Businesses**
  - **Broadway Barbers** 4370 South Broadway Barber services
  - **Bubble House** 3745 South Broadway Bath accessories and gifts
  - **Bufa Mexican Grill** 2950 South Broadway Mexican restaurant
  - **Chick-fil-A** 3085 South Broadway Fast food restaurant
  - **The Whiskey Biscuit** 3299 South Broadway Breakfast/bar
  - **DJ Discount Liquor** 4692 South Federal Boulevard Liquor store
  - **His Motorcar Company** 2310 South Raritan Street Specialty used vehicles
  - **Bert’s Model A Ford Center** 2767 South Tejon Street Antique auto parts
  - **Safe Cars** 3247 South Broadway Used car dealer
  - **Skin By Shawn LLC** 300 East Hampden Avenue Aesthetician services
  - **Strong Massage LLC** 3597 South Pearl Street Therapeutic massage
  - **Kaladi Coffee Roasters** 2823 South Broadway Coffee shop and roaster
  - **Wilde Nomad** 3326 South Logan Street Apparel and accessories
• **Other Business**
  - Englewood will host the South Metro Denver Chamber’s Economic Development Group on Friday, February 10 from 7:30 AM to 9:00 AM in the community room.
  - Englewood launched its new economic development initiatives in January. Additional information about these programs is available at [www.Englewoodco.gov/doing-business](http://www.Englewoodco.gov/doing-business)
    - **Business Acceleration Grant**: Grant for new business startup.
    - **Business Initiation Grant**: Grant for permanent improvements for a business seeking to expand or improve their operation.
    - **Primary Employer Incentive**: Rebate of use taxes or permit fees to support the creation and retention of primary jobs in Englewood.
    - **Small Business Training Grant/Scholarship**: Maximum $500 scholarship to attend a training course offered by one of the City’s economic partners.

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**OPENING SOON**

- **Mid-February**: Whiskey Biscuit - 3299 South Broadway
- **Mid-February**: 4G’s Mexican Restaurant – 3866 South Broadway
- **Mid-March**: Zomo Asian Fusion Restaurant - 3457 South Broadway
- **Spring**: One Barrel Bistro - 3421 South Broadway
## Office

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## Retail

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**Industrial/Flex Vacancy Rate**

**2016–Present**

While Englewood’s Industrial / Flex vacancy recently ticked up, the rate is well below 3% and well below the vacancy rate for Metro Denver and Arapahoe County. Leasing activity in this segment is strong with almost 16,000 square feet leased in the quarter.

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**Recent Englewood Lease Transactions**

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Data Source: CoStar Realty Information, Inc.

The quarterly real estate report presents a snapshot of real estate trends and comparisons to Metro Denver and Arapahoe County. A searchable listing of available commercial real estate in Englewood is available at [www.englewoodco.gov/doing-business](http://www.englewoodco.gov/doing-business)
## City of Englewood, Colorado
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<td>250</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>223</strong></td>
<td><strong>210</strong></td>
<td><strong>226</strong></td>
<td><strong>120</strong></td>
<td><strong>2,905</strong></td>
<td><strong>3215</strong></td>
<td><strong>3,877</strong></td>
<td><strong>2,010</strong></td>
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<table>
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<tr>
<th>Inspections</th>
<th>December, 2016</th>
<th>December, 2015</th>
<th>December, 2014</th>
<th>December, 2013</th>
<th>Year To Date December, 2016</th>
<th>Year To Date December, 2015</th>
<th>Year To Date December, 2014</th>
<th>Year To Date December, 2013</th>
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<tbody>
<tr>
<td>Building</td>
<td>241</td>
<td>325</td>
<td>388</td>
<td>137</td>
<td>4,187</td>
<td>4,169</td>
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<td>1,974</td>
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<td>Demo</td>
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<td>Electric</td>
<td>188</td>
<td>232</td>
<td>183</td>
<td>141</td>
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<td>2,580</td>
<td>2,335</td>
<td>1,833</td>
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<td>1,278</td>
<td>1,018</td>
<td>970</td>
<td>869</td>
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<tr>
<td>Plumbing</td>
<td>120</td>
<td>106</td>
<td>110</td>
<td>56</td>
<td>1,659</td>
<td>1,367</td>
<td>1,198</td>
<td>940</td>
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<td><strong>Total</strong></td>
<td><strong>652</strong></td>
<td><strong>750</strong></td>
<td><strong>780</strong></td>
<td><strong>379</strong></td>
<td><strong>10,362</strong></td>
<td><strong>9,168</strong></td>
<td><strong>8,199</strong></td>
<td><strong>5,681</strong></td>
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<table>
<thead>
<tr>
<th>Permit Valuation</th>
<th>December, 2016</th>
<th>December, 2015</th>
<th>December, 2014</th>
<th>December, 2013</th>
<th>Year To Date December, 2016</th>
<th>Year To Date December, 2015</th>
<th>Year To Date December, 2014</th>
<th>Year To Date December, 2013</th>
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<tr>
<td>$4,508,886</td>
<td>$4,500,145</td>
<td>$3,017,450</td>
<td>$3,648,164</td>
<td>$89,612,480</td>
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<tr>
<th>Fees</th>
<th>December, 2016</th>
<th>December, 2015</th>
<th>December, 2014</th>
<th>December, 2013</th>
<th>Year To Date December, 2016</th>
<th>Year To Date December, 2015</th>
<th>Year To Date December, 2014</th>
<th>Year To Date December, 2013</th>
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<tbody>
<tr>
<td>Licenses</td>
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<td>$8,175</td>
<td>$8,880</td>
<td>$6,850</td>
<td>$138,775</td>
<td>$126,401</td>
<td>$129,675</td>
<td>$103,112</td>
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<td>Permit Fees</td>
<td>$41,248</td>
<td>$42,586</td>
<td>$37,753</td>
<td>$27,952</td>
<td>$735,051</td>
<td>$820,512</td>
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<td>$716,517</td>
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<td>$7,110</td>
<td>$9,713</td>
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<td>$251,391</td>
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<td>Use Tax</td>
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<td>$2,422,791</td>
<td>$1,625,760</td>
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<td><strong>Total</strong></td>
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<td><strong>$144,651</strong></td>
<td><strong>$79,249</strong></td>
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<td><strong>$3,621,095</strong></td>
<td><strong>$2,758,071</strong></td>
<td><strong>$2,656,116</strong></td>
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</table>
City of Englewood, Colorado
Building Division Monthly Report - December 2016

Building Permits Issued To Date

December, 2016
Year To Date

December, 2015
Year To Date

December, 2014
Year To Date

December, 2013
Year To Date

- Accessory
- Building
- Demo
- Electrical
- Mechanical
- Plumbing
- Total
City of Englewood, Colorado
Building Division Monthly Report - December 2016

Permit Valuation

December, 2016
Year To Date

December, 2015
Year To Date

December, 2014
Year To Date

December, 2013
Year To Date

Permit Valuation
<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thurs., Jan. 12</td>
<td>5:30 p.m.</td>
<td>Parks and Recreation Commission, Broken Tee Golf Course Maintenance Facility, 4000 S. Clay St.</td>
</tr>
<tr>
<td>Tues., Jan. 17</td>
<td>7:00 p.m.</td>
<td>City Council Regular Meeting, Council Chambers</td>
</tr>
<tr>
<td>Wed., Jan 18</td>
<td>7:00 p.m.</td>
<td>Liquor &amp; Medical Marijuana Licensing Authority, Council Chambers</td>
</tr>
<tr>
<td>Mon., Jan. 23</td>
<td>6:00 p.m.</td>
<td>City Council Study Session, Community Room</td>
</tr>
<tr>
<td>Wed., Feb. 1</td>
<td>11:30 a.m.</td>
<td>Alliance for Commerce in Englewood (ACE), City Council Conference Room</td>
</tr>
<tr>
<td>Wed., Feb 1</td>
<td>5:45 p.m.</td>
<td>Cultural Arts Commission, City Council Conference Room</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Liquor &amp; Medical Marijuana Licensing Authority, Council Chambers</td>
</tr>
<tr>
<td>Mon., Feb. 6</td>
<td>2:00 p.m.</td>
<td>Malley Center Trust Fund, Malley Recreation Center</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>City Council Regular Meeting, Council Chambers</td>
</tr>
<tr>
<td>Tues., Feb. 7</td>
<td>6:30 p.m.</td>
<td>Keep Englewood Beautiful, City Council Conf. Rm.</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Conference Room/Council Chambers</td>
</tr>
<tr>
<td>Wed., Feb. 8</td>
<td>7:00 p.m.</td>
<td>Board of Adjustment and Appeals, Council Chambers</td>
</tr>
<tr>
<td></td>
<td>6:30 p.m.</td>
<td>Englewood Urban Renewal Authority, Council Conference Room</td>
</tr>
<tr>
<td>Thur., Feb. 9</td>
<td>2:30 p.m.</td>
<td>Police Officers Pension Board, Public Works Conference Room</td>
</tr>
<tr>
<td></td>
<td>3:30 p.m.</td>
<td>Firefighters Pension Board, Public Works Conference Room</td>
</tr>
<tr>
<td></td>
<td>5:30 p.m.</td>
<td>Parks and Recreation Commission, Englewood Recreation Center, 1155 W. Oxford Ave.</td>
</tr>
<tr>
<td>Mon., Feb 13</td>
<td>6:00 p.m.</td>
<td>City Council Study Session, Community Room</td>
</tr>
<tr>
<td>Tues., Feb 14</td>
<td>3:30 p.m.</td>
<td>NonEmergency Employees Retirement Board, Public Works Conference Room</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Public Library Board, Library Board Room</td>
</tr>
<tr>
<td>Wed., Feb 15</td>
<td>7:00 p.m.</td>
<td>Liquor &amp; Medical Marijuana Licensing Authority, Council Chambers</td>
</tr>
<tr>
<td>Tues., Feb 21</td>
<td>7:00 p.m.</td>
<td>City Council Regular Meeting, Council Chambers</td>
</tr>
<tr>
<td>Wed., Feb 22</td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Conference Room/Council Chambers</td>
</tr>
<tr>
<td>Mon., Feb 27</td>
<td>6:00 p.m.</td>
<td>City Council Study Session, Community Room</td>
</tr>
<tr>
<td>Date</td>
<td>Time</td>
<td>Event</td>
</tr>
<tr>
<td>------------</td>
<td>--------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>Wed., Mar. 1</td>
<td>11:30 a.m.</td>
<td>Alliance for Commerce in Englewood (ACE), City Council Conference Room</td>
</tr>
<tr>
<td></td>
<td>5:45 p.m.</td>
<td>Cultural Arts Commission, City Council Conference Room</td>
</tr>
<tr>
<td>Mon., Mar. 6</td>
<td>7:00 p.m.</td>
<td>City Council Regular Meeting, Council Chambers</td>
</tr>
<tr>
<td>Tues., Mar. 7</td>
<td>6:30 p.m.</td>
<td>Keep Englewood Beautiful, City Council Conf. Rm.</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Conference Room/Council Chambers</td>
</tr>
<tr>
<td>Wed., Mar. 8</td>
<td>7:00 p.m.</td>
<td>Board of Adjustment and Appeals, Council Chambers</td>
</tr>
<tr>
<td></td>
<td>6:30 p.m.</td>
<td>Englewood Urban Renewal Authority, Council Conference Room</td>
</tr>
<tr>
<td>Thurs., March 9</td>
<td>5:30 p.m.</td>
<td>Parks and Recreation Commission, Malley Recreation Center, 3800 S. Lincoln St.</td>
</tr>
<tr>
<td></td>
<td>6:30 p.m.</td>
<td>Transportation Advisory Committee</td>
</tr>
<tr>
<td>Mon., Mar. 13</td>
<td>6:00 p.m.</td>
<td>City Council Study Session, Community Room</td>
</tr>
<tr>
<td>Tues., Mar. 14</td>
<td>7:00 p.m.</td>
<td>Public Library Board, Library Board Room</td>
</tr>
<tr>
<td>Mon., Mar. 20</td>
<td>7:00 p.m.</td>
<td>City Council Regular Meeting, Council Chambers</td>
</tr>
<tr>
<td>Tue., Mar. 22</td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Conference Room/Council Chambers</td>
</tr>
<tr>
<td>Mon., Mar. 27</td>
<td>6:00 p.m.</td>
<td>City Council Study Session, Community Room</td>
</tr>
<tr>
<td>Mon., Apr. 3</td>
<td>7:00 p.m.</td>
<td>City Council Regular Meeting, Council Chambers</td>
</tr>
<tr>
<td>Tue., Apr. 4</td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Conference Room</td>
</tr>
<tr>
<td>Wed., Apr. 5</td>
<td>11:30 a.m.</td>
<td>Alliance for Commerce in Englewood (ACE), City Council Conference Room</td>
</tr>
<tr>
<td></td>
<td>5:45 p.m.</td>
<td>Cultural Arts Commission, City Council Conference Room</td>
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<tr>
<td>Mon., Apr. 10</td>
<td>6:00 p.m.</td>
<td>City Council Study Session, Community Room</td>
</tr>
<tr>
<td>Tues., Apr. 11</td>
<td>6:30 p.m.</td>
<td>Keep Englewood Beautiful, City Council Conf. Rm.</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Public Library Board, Library Board Room</td>
</tr>
<tr>
<td>Wed., Apr. 12</td>
<td>7:00 p.m.</td>
<td>Board of Adjustment and Appeals, Council Chambers</td>
</tr>
<tr>
<td></td>
<td>6:30 p.m.</td>
<td>Englewood Urban Renewal Authority, Council Conference Room</td>
</tr>
<tr>
<td>Thurs., April 13</td>
<td>5:30 p.m.</td>
<td>Parks and Recreation Commission, Broken Tee Golf Course, 2101 W. Oxford Ave.</td>
</tr>
<tr>
<td>Mon., Apr. 17</td>
<td>7:00 p.m.</td>
<td>City Council Regular Meeting, Council Chambers</td>
</tr>
</tbody>
</table>
TENTATIVE
STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL

January 17  Regular Meeting - Tuesday
January 23  Study Session
Financial Report
Citizen of the Year Selection
Communications Contract Discussion
Police Building Project Status Update
Parks and Recreation Master Plan
Communication Update
January 30  No meeting planned – 5th Monday
February 6  Regular Meeting
February 13  Study Session
City Center Englewood and ULI Discussion
Board and Commission Appreciation Night/Gift Discussion
Emerald Ash Borer Presentation/Japanese Beetle Discussion
Historic Preservation Ordinance Review
Strategic Plan Update
PBB Budget Review

February 21  Regular Meeting
February 27  Study Session
Alliance for Commerce in Englewood Board Update
City Council Policy and Procedures
South Broadway Improvements Discussion
Follow up on Closure of Englewood Ironworks Urban Renewal Area
PBB Budget Review
March 6  Regular Meeting
March 13  Study Session Cancelled due to NLC
March 20  Regular Meeting
March 27  Study Session
Englewood Housing Authority Board Update
Code Enforcement Advisory Board Update
City Council Policy and Procedures
PBB Budget Review

April 3  Regular Meeting

April 10  Study Session
Transportation Advisory Committee Board Update
Water and Sewer Board Update
PBB Budget Review

April 17  Regular Meeting

April 24  Study Session
PBB Budget Review

May 1  Regular Meeting

May 8  Study Session
Budget Advisory Committee Board Update
PBB Budget Review

May 15  Regular Meeting

May 22  Study Session
PBB Budget Review

May 29  Memorial Day – Tues No planned meeting – 5th week

Jun 5  Regular Meeting

Jun 12  Study Session
Cultural Arts Commission Board Update
PBB Budget Review

Jun 19  Regular

FUTURE STUDY SESSION TOPICS

Joint Meeting with Englewood School District
Board & Commission Presentations
Discharge Permit for LEWWTP
MINUTES
Board of Adjustment and Appeals Meeting
Wednesday, December 14, 2016
1000 Englewood Pkwy – Council Chambers 7:00 PM

MEMBERS PRESENT:  Andy Taylor
                     Carson Green
                     Stacie Flynn
                     Sue Purdy
                     Tom Finn
                     Angela Schmitz

MEMBERS ABSENT:    Randal Friesen

STAFF PRESENT:     Jeremy Lott, Planner I
                     Dugan Comer, Acting City Attorney

1. Call to Order

   The regular meeting of the Englewood Board of Adjustment and
   Appeals was called to order at 7:00 pm in the Englewood City Council
   Chambers, Chair Green presiding.

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

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

2. Public Hearing:

   Case VAR2016-016
   Applicant: Carleton Pierson
   Property: 2946 South Lincoln Street
   Request: Encroachment into front setback
   Staff Contact: Jeremy Lott, Planner I
Chair Green opened the public hearing stating he had proof of posting and publication. He introduced the case stating the applicant is requesting a variance to encroach 5 feet 3.5 inches into the requested western 25 foot front setback in order to construct a new principle structure. This is a variance to Table 16-6-1.1 of the Englewood Municipal Code.

Jeremy Lott, Planner I, was sworn in. Mr. Lott provided a brief overview of the property and variance request. Mr. Lott answered questions from the Board. All neighbor notifications submitted were in favor of the variance request.

Carleton Pierson, 1690 South Ogden Street, was sworn in. Mr. Pierson testified regarding the variance request and his intent to save the tree. Mr. Pierson answered questions from the Board. The structure could be shortened by five feet, but it would alter the design.

Jeremy Letkomiller, 2856 South Lincoln Street, was sworn in. Mr. Letkomiller testified that he originally was opposed to the variance request; however, after hearing the applicant testify that he wanted to preserve green space he now supports the request. He applauded the applicant for wanting to save the tree. He requested that the information for variance requests be more readily available to the public. Chair Green responded that all the meeting information is available on the City's meeting portal.

Margaretta Gilboy, 2741 South Sherman Street, was sworn in. Ms. Gilboy stated she did not understand what the applicant was requesting. Chair Green explained the request to Ms. Gilboy, as well as the criteria that must be met before the Board can grant a variance. Ms. Gilboy stated she opposed to the variance; it will impact the feel and quality of the neighborhood.

Bill Byers, 3746 South Forest Way, was sworn in. Mr. Byers stated he supports the variance. He built the house located to the north at 2936 South Lincoln Street. He submitted a document showing that 75% of the structures on the block are built at a 20 foot front setback. Because the neighbor could not be present, Mr. Byers stated that the owner of 2936 South Lincoln Street has expressed concern about his losing sunlight. Mr. Byers submitted a drawing showing how the new structure could be offset so as to not block the neighbor's sunlight.

Mr. Lott responded to additional questions from the Board.
There were no other persons present to testify for against the variance. Chair Green incorporated the staff report and exhibits into the record and closed the public hearing. The Board discussed the variance request and the criteria. With no further discussion, the secretary polled the members' votes.

Moved by Member Tom Finn
Seconded by Member Sue Purdy

THAT CASE VAR2016-016 BE GRANTED A VARIANCE TO ENCROACH 5 FEET 3.5 INCHES INTO THE REQUIRED 25 FOOT FRONT SETBACK.

<table>
<thead>
<tr>
<th></th>
<th>For</th>
<th>Against</th>
<th>Abstained</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andy Taylor</td>
<td></td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Carson Green</td>
<td></td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Stacie Flynn</td>
<td></td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Sue Purdy (Seconded By)</td>
<td></td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Tom Finn (Moved By)</td>
<td></td>
<td>x</td>
<td></td>
</tr>
<tr>
<td>Angela Schmitz</td>
<td></td>
<td>x</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0</td>
<td>6</td>
<td>0</td>
</tr>
</tbody>
</table>

Motion FAILED.

Ms. Flynn stated she voted no. There is no guarantee the tree will survive construction, nor does it make the property unique. The structure could be redesigned to meet the setback. The variance is not consistent with the zone district regulations. The house to the north will be impacted by the development if the variance is granted. The variance is self-imposed because the structure could be redesigned to meet the zoning regulations.

Ms. Schmitz, Mr. Finn, Mr. Taylor, Ms. Purdy, and Chair Green voted no, concurring with Ms. Flynn. Chair Green further stated he appreciates the applicant wanting to save the tree since it is one of the older, larger trees in the neighborhood; however, it does not fall within the criteria the Board must justify to grant a variance.

3. Approval of Minutes

TO APPROVE OCTOBER 12, 2016 MINUTES.

Moved by Member Angela Schmitz
Seconded by Member Tom Finn
For | Against | Abstained
---|---------|------
Andy Taylor | x | 
Carson Green | x | 
Stacie Flynn | x | 
Sue Purdy | x | 
Tom Finn (Seconded By) | x | 
Angela Schmitz (Moved By) | x | 
6 | 0 | 0

Motion CARRIED.

4. Approval of Findings of Fact

APPROVE FINDINGS OF FACT IN CASE #VAR2016-014, 4975 SOUTH GALAPAGO STREET

Moved by Member Tom Finn
Seconded by Member Andy Taylor

For | Against | Abstained
---|---------|------
Andy Taylor (Seconded By) | x | 
Carson Green | x | 
Stacie Flynn | x | 
Sue Purdy | x | 
Tom Finn (Moved By) | x | 
Angela Schmitz | x | 
6 | 0 | 0

Motion CARRIED.

5. Staff’s Choice

Two cases are scheduled for January 11, 2017.

6. Attorney’s Choice

Mr. Comer had nothing further.

7. Board Member’s Choice

The Board asked staff to continue to include both the aerial and Google maps. Chair Green thanked Ms. Purdy for organizing the Board’s holiday dinner.

8. Adjournment
The meeting adjourned at 8:05 pm.

Nancy G. Fenton