Council Request Update

October 3, 2019

Council Request: 19-135
Requested by: Council Member Barrentine
Request: Update on status of patio outside of One Barrel regarding ADA compliance.
Response: Please see the response provided by Public Works Director Maria D’Andrea.

Council Request: 19-162
Requested by: Council Member Barrentine
Request: Request for a summary of all Title 16 Amendments since 2004.
Response: Please see the response provided by Executive Assistant Nancy Fenton.

Council Request: 19-166
Requested by: City Council
Request: Request to check on a water main break at 3870 S. Fox that was fixed but the asphalt was never finished. Residents believe it is leaking again.
Response: Please see the response provided by Public Works Director Maria D’Andrea.

Council Request: 19-167
Requested by: Mayor Olson
Request: What development proposals or inquiries have been made to the City regarding possible uses of the former Sports Authority site?
Response: Please see the response provided by Community Development Director Brad Power.

Council Request: 19-168
Requested by: Council Member Barrentine
Request: Code Enforcement questions:
1. Please provide the process for reporting a Code Enforcement concern through the City’s website app.
2. Does Code Enforcement take anonymous complaints via any process?
3. Are records kept of all complaints filed including ones not deemed viable for follow up by Code?
4. Do we have a process for tracking complaints filed with the City’s app?
5. What is the process for someone to identify who reports a complaint?
6. Can you provide a copy of the Proactive vs Reactive Enforcement policy for Code Enforcement and when Council approved that policy?
Response: Please see the response provided by Code Enforcement Supervisor David Lewis.
Council Request: 19-169  
Requested by: Mayor Olson  
Request: Provide any information related to public notices public hearings and public meetings related to Title 16 (Unified Development Code) amendments approved in 2014.  
Response: Please see the response provided by Community Development Director Brad Power.
DATE: October 3, 2019

TO: Mayor Olson and City Councilmembers

THROUGH: Shawn Lewis, City Manager

FROM: Maria D’Andrea, Director of Public Works

SUBJECT: Council Request #119-135: One Barrel Patio

Council Request #119-135: Update on status of patio outside of One Barrel regarding ADA compliance.

One Barrel had proposed the installation of a patio seating area, in the public right-of-way. If the patio seating area, as proposed, was installed it would have eliminated the ADA route along the sidewalk which is required. Staff met with folks from Medici and One Barrel in late-May to discuss solutions. Medici undertook surveying and engineered a solution to maintain an ADA-compliant sidewalk in addition to the seating area.

The design, along with a permit application, was reviewed and approved by staff this week. Medici is considering performing the work next spring. An application to install street furniture within the public-right-of-way, is also being developed.
TO: Mayor Olson and City Council

THRU: Brad Power, Director of Community Development

FROM: Nancy Fenton, Executive Assistant

DATE: September 30, 2019


In response to Councilmember Barrentine’s request, attached is a summary outlining all amendments to Title 16 approved by City Council from January 20, 2004 through September 30, 2019.
**Summary of Title 16 Amendments 2004 - 2019**

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<th>Ordinance</th>
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<th>City Council Vote</th>
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<td><strong>2004</strong></td>
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<tr>
<td>January 20</td>
<td>5</td>
<td>Repealing Titles 10 and 16 in their Entirety and Approving the Adoption of the Unified Development Code as a Reenactment of Title 16.</td>
<td>7-0</td>
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<tr>
<td>December 20</td>
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<td>Standards for Automotive Sales, Rental, Storage, Parking Uses and, adding a new Subsection (b) Providing for Implementation Periods.</td>
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<tr>
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<tr>
<td>June 20</td>
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<td>Front setbacks in the MU-B-2 Zone District</td>
<td>7-0</td>
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<tr>
<td>August 1</td>
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<tr>
<td>June 18</td>
<td>37</td>
<td>South Broadway District Identification Banners</td>
<td>6-0 Moore Absent</td>
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<tr>
<td>March 3</td>
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<tr>
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<td>6-0 Penn Absent</td>
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<tr>
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<td>Housekeeping Amendments</td>
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<td>October 6</td>
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<tr>
<td>December 1</td>
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<td><strong>2009</strong></td>
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<tr>
<td>March 2</td>
<td>4</td>
<td>Massage Parlor and Massage Therapy</td>
<td>6-0 Penn Absent</td>
</tr>
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</table>
## Summary of Title 16 Amendments 2004 - 2019

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<tr>
<td>July 20</td>
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<td>Creating a New Medical Zone District</td>
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<tr>
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<tr>
<td>June 21</td>
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<td>Permit Buy-Back, Second-Hand, Thrift and Consignment Uses as Uses-By-Right in the MU-B-1 Zone District.</td>
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<tr>
<td>May 7</td>
<td>23</td>
<td>Establishment of a MUR3C Zone District Eliminating the MO1 Overlay Zone District and the Amendment of the Official Zoning Map to Rezone Portions of the Medical District Sub-Area 3.</td>
<td>6-0 Olson Absent</td>
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<tr>
<td>May 21</td>
<td>26</td>
<td>Establishment of a Neighborhood Preservation Overlay Zone District, and Amendment of the Official Zoning Map to Rezone Portions of the Medical Subarea 2.</td>
<td>4-2 Penn Absent</td>
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<tr>
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<td>March 18</td>
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<td>Cleaning up Certain Errors and Omissions</td>
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<td>April 1</td>
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<td>Floodplain Regulations</td>
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<tr>
<td>September 3</td>
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<tr>
<td>Date</td>
<td>Ordinance</td>
<td>Amendment</td>
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<td>Home Occupations and Allowing them in the R1A Zone District.</td>
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<td>Nonconforming Structures</td>
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<td>June 2</td>
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<td>January 20</td>
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<td>Minimum Lot Widths for Multi-Unit Dwellings in the MUR3B and MUR3C Zone</td>
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<td></td>
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<td>Districts.</td>
<td>Gillit Absent</td>
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<td>February 2</td>
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<td>Bulk Plane Requirements</td>
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<tr>
<td>April 16</td>
<td>6</td>
<td>Updates to the Jurisdiction and Applicability of the Floodplain Regulations</td>
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<tr>
<td><strong>2019</strong></td>
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<tr>
<td>January 7</td>
<td>3</td>
<td>Accessory Dwelling Units, including a Temporary Moratorium</td>
<td>4-3</td>
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</tbody>
</table>
DATE: October 3, 2019

TO: Mayor Olson and City Councilmembers

THROUGH: Shawn Lewis, City Manager

FROM: Maria D’Andrea, Director of Public Works

SUBJECT: Council Request #119-166: 3870 S. Fox St Water Leak

Council Request #119-166: Request to check on a water main break at 3870 S. Fox that was fixed but the asphalt was never finished. Residents believe it is leaking again.

The initial break occurred in September 19. Utilities staff investigated the area and did not see evidence of an additional leak. They will monitor the area over the next several days to confirm this. Asphalt repair will occur in the next two weeks.
TO: Mayor Olson and Member of City Council
THRU: Shawn Lewis, City Manager
FROM: Brad Power, Director
DATE: October 3, 2019
SUBJECT: CR 19-167

CR 19-167
Requested by Mayor Olson: What development proposals or inquiries have been made to the City regarding uses of the former Sports Authority site?

No development applications or specific inquiries have been received or Development Review Team review meetings conducted for the former Sports Authority site since the Alta Englewood PUD was not approved by City Council in May, 2019.

The owner of the property has indicated that they are exploring development options for the site (the middle portion of the former Sports Authority property) that would conform to the permitted uses within the existing I-1 (Light Industrial) zone district. Uses permitted in the I-1 district include light manufacturing/industrial type buildings, warehousing, and outdoor storage.

The remainder of the former Sports Authority site is occupied by CubeSmart Self Storage, EarthTreks indoor climbing gym and a two-tenant light industrial space adjacent to Earth Treks.
TO: Chief John Collins
FROM: Code Enforcement Supervisor David Lewis
DATE: October 3rd, 2019
SUBJECT: Council Request 19-168

CR 19-168
Requested by: CM Barrentine

Please see the answers provided below each question posed by Council Member Barrentine:

1. Please provide the process for reporting a Code Enforcement concern through the City’s website app.

   Any member of the public may log onto the application and create an account followed by completing several fields to assist the responsible City Department in resolving a concern.

2. Does Code Enforcement take anonymous complaints via any process?

   Complaints are generated where the reporting party may refuse contact. These are typically through dispatch or the Code Enforcement Inspection Line at 303-762-2335. The City encourages reporting parties to leave contact information so that City Staff may properly follow-up with the reporting party or to seek additional information as needed. In some cases, the reporting party (just like with police reports) are a witness in a case. Some ordinances require a witness in order to meet the elements of a municipal ordinance for the City to take action towards prosecution.

3. Are records kept of all complaints filed including ones not deemed viable for follow up by Code?

   Reports are not generated for every phone call or request. This is frequently the case when a citizen is seeking information such as if a
dog needs to be licensed, when Code Enforcement doesn’t have complete information such as a missing address, if no violation of municipal ordinance is present such as a person feeding the birds or if no action is able to be taken such as the address is not in the City limits.

4. Do we have a process for tracking complaints filed with the City’s app?

The City App tracks all complaints. The systems is currently being reviewed by a committee to improve ease of use for citizens and staff, rebranding, accountability for complaints and to establish standards for responding to citizens.

5. What is the process for someone to identify who reports a complaint?

Specifically, with Code Enforcement, a citizen may make a criminal justice records request with the Police Records Division or it may be provided as part of the Due Process Phase within the Municipal Court System.

6. Can you provide a copy of the Proactive vs Reactive Enforcement policy for Code Enforcement and when Council approved that policy?

No written policy exists.
TO: Mayor Olson and City Council
THRU: J. Shawn Lewis, City Manager
FROM: Brad Power, Director of Community Development
DATE: October 3, 2019
SUBJECT: CR19-169
2014 Title 16 Amendments and Public Notice

In 2014, City Council adopted four amendments to Title 16. Below is a summary of the public hearings for each amendment.

1. Amending Title 16, Chapters 5, 4-C(1)(a) through (g); 5-4-C(2) and 11-2-B Pertaining to Home Occupations and Allowing Them in the R-1-A Zone District
   a. Planning and Zoning Commission Public Hearing
      i. Notice of public hearing was published in the Englewood Herald and on the city’s website on September 27, 2013.
      ii. The public hearing was held on October 8, 2013.
      iii. One person testified during the public hearing.
      iv. The Commission voted 6-1 to recommend approval to City Council.
   b. City Council Public Hearing
      i. Notice of public hearing was published in the Englewood Herald and on the city’s website on January 24, 2014.
      ii. The public hearing was held on February 3, 2014 and continued to February 18, 2014.
      iii. Five people testified on February 3, and five separate people testified on February 18.
      iv. Second reading was held on March 17, 2014. Council voted 6-1 to adopt the amended regulations.

2. Amending Title 16, Chapter 2, Section 2 and Chapter 9, Section 3 Pertaining to Nonconforming Structures
   a. Planning and Zoning Commission Public Hearing
      i. Notice of public hearing was published in the Englewood Herald and on the city’s website on February 7, 2014.
ii. The public hearing was held on February 20, 2014.
iii. One person testified during the public hearing.
iv. The **Commission voted 7-0** to recommend approval to City Council.

b. **City Council Public Hearing**

i. Notice of public hearing was published in the Englewood Herald and on the city’s website on April 11, 2014.
ii. The public hearing was held on April 21, 2014
iii. One person testified at the public hearing.
iv. Second reading was held on May 5, 2014. **Council voted 7-0** to adopt the amended regulations.

3. **Amending Title 16, Chapter 2, Sections 2, 7, 9 and Title 16, Chapter 3, Section 2 Pertaining to Zoning Site Plan Review**

a. **Planning and Zoning Commission Public Hearing**

ii. The public hearing was held on February 20, 2014.
iii. No public was present to testify.
iv. The **Commission voted 7-0** to recommend approval to City Council.

b. **City Council Public Hearing**

i. Notice of public hearing was published in the Englewood Herald and on the city’s website on May 9, 2014.
ii. The public hearing was held on May 19, 2014.
iii. No public was present to testify.
iv. Second reading was held on June 2, 2014. **Council voted 6-0** to adopt the amended regulations.

4. **Amending Title 16, Chapter 2, Section 2; Title 16, Chapter 6, Section 1, Paragraph B; Title 16, Chapter 9, Section 4; and Title 16, Chapter 11, Section 2, Paragraph B Pertaining to Small Lots**

a. **Planning and Zoning Commission Public Hearing**

i. Notice of public hearing was published in the Englewood Herald and on the city’s website on February 21, 2014.
ii. The public hearing was held on March 4, 2014 and continued to March 18, 2014.
iii. No public was present to testify.
iv. The **Commission voted 7-0** to recommend approval to City Council.
b. City Council Public Hearing
   i. Notice of public hearing was published in the Englewood Herald and on the city’s
      website on July 25, 2014.
   ii. The public hearing was held on August 4, 2014.
   iii. No public was present to testify.
   iv. Second reading was held on September 2, 2014. Council voted 7-0 to adopt the
        amended regulations.
AFFIDAVIT OF PUBLICATION

State of Colorado)
County of Arapahoe)

This Affidavit of Publication for the ENG LEWOOD HERALD, a weekly newspaper, printed and published for the County of Arapahoe, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made the 21st day of February A.D., 2014, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.

For the Englewood Herald
State of Colorado)
County of Arapahoe)

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above-named GERARD HEALEY, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on this 21st day of February A.D., 2014.

(Notary Public)

My Commission Expires 6/11/16

Notary Public, 9137 S Ridgeline Blvd Suite 210
Highlands Ranch, CO 80129
CITY OF ENGLEWOOD

NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
March 4, 2014
7:00 P.M.

Notice is hereby given that a Public Hearing before the Planning and Zoning Commission will be held on March 4, 2014 at the hour of 7:00 p.m. in the Englewood City Council Chambers, 1000 Englewood Parkway, Englewood, CO 80110.

Case ##2013-02: The issue to be heard before the Commission is proposed amendments to Title 16: Unified Development Code of the Englewood Municipal Code related to small residential lots. The proposed amendments establish development standards and associated dimensional requirements for properties with a lot width or lot area that is less than the minimum standard for a one-unit dwelling in the zone district in which the lot is located. The amendments also provide a process for development proposals involving nonconforming lots.

A copy of the proposed amendments may be reviewed in the Community Development Department. Anyone interested in this matter may be heard at the Public Hearing at the previously cited location, date, and time.

By Order of the City Planning and Zoning Commission

Julie Bailey
Recording Secretary

Publish: February 21, 2014
City of Englewood Website
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 Fish presiding.

Present: Brick, Fish, Freemire, King, Kinton, Knoth, Roth, Townley, Madrid (alternate)

Absent: Bleile (Excused)

Staff: Alan White, Director, Community Development
      Chris Neubecker, Senior Planner
      Brook Bell, Planner II
      John Voboril, Planner II
      Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES
February 20, 2014

Knoth moved; Roth seconded: TO APPROVE THE FEBRUARY 20, 2014 MINUTES

Chair Fish asked if there were any modifications or corrections. Mr. Freemire requested that the minutes be modified to reflect City Attorney Brotzman’s statement that he would supply the Commission with legal definitions of substantive burden and undue burden.

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

Motion carried.

III. PUBLIC HEARING CASE #2013-02 AMENDMENTS TO SMALL LOT DEVELOPMENT STANDARDS

Knoth Moved; Freemire Seconded: TO OPEN PUBLIC HEARING FOR CASE #2013-02 AMENDMENTS TO SMALL LOT DEVELOPMENT STANDARDS
AYES:    Brick, Freemire, Kinton, King, Knoth, Roth, Townley, Chair Fish
NAYS:    None
ABSTAIN: None
ABSENT:  Bleile

Assistant City Attorney Reid advised the Commission that her office was asked to provide a memo on substantive due process regarding appeals and Small Lot Development Standards, but the memo has not yet been prepared. She suggested that the Commission may want to continue the hearing until the information has been provided to them. Chair Fish stated that the Commission chooses to continue the hearing with the Staff presentation.

Brook Bell, Planner II was sworn in. A Staff report has been submitted and the Public Hearing was posted in the Englewood Herald and the City of Englewood website. The history of the case was reviewed. Following the initial Public Hearing on November 19, 2013, Staff worked with the City Attorney's office to prepare a bill for ordinance for Council consideration at first reading. The City Attorney's office advised staff that the review criteria for consideration was insufficient and required additional language. It was also recommended that Planning and Zoning Commission's decisions on non-conforming Small Lots should be final and that any appeals to the decision should be directed to the court of record. At the study session February 4, 2014, the supplemental and revised appeal process was reviewed by the Commission. The consensus of the Commission was that the proposed changes were acceptable as written. Appeals of decisions regarding non-conforming lots would be brought to the court of record.

The additions to the review criteria are outlined in the Staff Report for 16-9-4: Nonconforming Lots.

Mr. Knoth expressed that there is confusion between the appeals process for Non-Conforming Structures, for which appeals are directed to the Board of Adjustments and Appeals and Nonconforming Lots, which appeals are directed to the court. Mr. Bell deferred to Director White.

Alan White, Community Development Director, was sworn in. Director White stated that the difference is that the decisions for Nonconforming Structures is an administrative or Staff decision and under the UDC any appeals of administrative decisions go to the Board of Adjustments and Appeals. The decision of the Planning and Zoning Commission, as this issue has been drafted, would be appealed through court.

Mr. Knoth asked why the decisions for nonconforming lots could not go through the BOAA rather than the court. Director White responded that there is another provision in the code that states that appeals to Commission decisions go to City Council; however this proposed amendment preempts that procedure with the court requirement.
Mr. Bell added that the BOAA is prohibited from reviewing cases that would result in an additional residence being added on a lot where there was not sufficient lot width or lot area. A decision by City Council or the court would be the best way to resolve an appeal on a nonconforming lot.

Chair Fish asked if it is a legal requirement for the appeals to go to court. Mr. Bell referred to the UDC regulation concerning variances to the zoning code that states “The Board shall not consider a Zoning Variance Application to allow additional dwelling units in residential districts above the maximum number permitted by zone district standards for lot area and lot width.” The cases that the Commission would be reviewing do not meet the standard lot area and lot width.

Mr. Freemire asked for clarification of the reference to the “Board”; Mr. Bell stated that he was referring to the Board of Adjustments and Appeals. The BOAA cannot make a determination relative to the number of residences on a particular parcel. There are other zoning variances that they cannot rule on as well. Mr. Freemire asked if there is anything in the code stating that the Planning and Zoning Commission are under the same obligation and restriction and/or freedom that the BOAA has. Mr. Bell replied that the Planning and Zoning Commission can hear appeals to subdivisions, interpretations and conditional use cases. (Staff Clarification: The UDC specifies that the Planning and Zoning Commission is the appeal body for Administrative Land Review Permits, Limited Use Permits, Minor Subdivisions, Temporary Use Permits, Unlisted Use Classifications, and Zoning Site Plans. The Planning and Zoning Commission is the decision-making body for Title Interpretations, Conditional Use Permits, and Landmark Sign cases.)

Mr. Freemire asked if there is any other provision in the code that states that if an applicant is not satisfied with the determination of the Planning and Zoning Commission’s decision that they should go to court and there is not an opportunity to go to an elected official.

Mr. Bell responded that there is a provision in the appeals section 16-2-18; there are appeals to administrative decisions they go to the BOAA, and if they wish to appeal the decision of the BOAA further, they may then go to district court.

Appeals to the Commission will go to City Council unless this title specifies that the appeal shall be to another party. Further appeals from the Board or Council would go the court of record.

Mr. Freemire asked if there is a provision in the code for appeals from the Commission to be sent to court without the opportunity to appeal to an elected official. Mr. Bell replied that there is not. Mr. Freemire asked why Staff would recommend that this particular item would not be given the opportunity to be vetted in a Council setting with elected officials for due process and equal treatment under the law. He questioned the motivation for the recommendation and Mr. Bell deferred to the City Attorney’s office.

Staff recommendation in the first draft of the amendment and the first Public Hearing was to direct appeals to City Council. Mr. Freemire asked if the current draft of the amendment
represents what was recommended by the City Attorney’s office, Mr. Bell responded yes. Mr. Freemire asked if there was any other influence and Mr. Bell responded no.

Mr. Knoth asked if it was true that BOAA cannot rule on cases where density would be increased on a site. Mr. Bell responded that is correct. Mr. Knoth asked if the issue of nonconforming buildings refers to more density than code allows, Director White responded that situations where zoning may have changed and the lot area per unit was increased thereby lowering the density were grandfathered to the existing density. It is not a BOAA decision but will be allowable should City Council adopt the ordinance. It would not be an appeal to BOAA for a density issued. Should an applicant disagree with an administrative decision, the appeal would go to BOAA.

Ms. Townley asked if an applicant would provide a site plan for a nonconforming lot, Mr. Bell responded yes. The applicant would provide a site plan and it would be reviewed internally not only by the Community Development Department but also by six other departments in order to incorporate those comments into the Staff Report. The Planning and Zoning Commission would receive the Staff report just as they would a PUD and a Public Hearing would be held in order for the Planning and Zoning Commission to make a decision.

Mr. Fish stated that for the record, he is examining table 6-2-2, which does lay out the various review, appeal and decision processes in the City. Conditional Use Permits and Conditional Use Telecommunications process are review by Community Development Department, decision by Planning and Zoning Commission and appeal to Council. There are different processes in the City for various reviews, decisions and appeals. He stated that it is important for the Commission to know that these different avenues exist. For example, for Administrative Land Review permit the decision is by the Community Development Department and appeal is to the Planning and Zoning Commission.

Mr. Bell responded there are some cases where Planning and Zoning Commission hears the appeal as a result of a Staff decision.

Mr. Fish requested counsel in light of the changes that were made upon the suggestion of the City Attorney’s office to explain the rationale behind the changes that were made between the first and current version of the proposed amendment.

Assistant City Attorney Reid responded that she would not testify in a Public Hearing but can give legal advice. She recommended that the Public Hearing be continued and have the information included in the next meeting packet for the Commissioners. The Commission can make a decision without the input from her office if they choose to do so.

Mr. Fish noted that no public was present at the Public Hearing and asked if Staff had any additions to their presentation. Mr. Bell responded that he had nothing further to add.

Mr. Freemire moved;
Ms. Townley seconded: To continue the Public Hearing for Case #2013-02
AMENDMENTS TO SMALL LOT DEVELOPMENT STANDARDS
until the next regularly scheduled meeting March 18, 2014.

Discussion:

Mr. Knoth questioned why the Commission would wait to make a decision on this issue.

Mr. Fish stated that this is the time for the Commission to consider the introduction of a
different kind of decision process that does not have precedent and a new process.

Mr. Brick - This is not an urgent case and feels that the Commission should wait for the
Attorney’s comment to make a decision.

Mr. King - Questioned why a case coming before the Commission would be better served
going to a political entity when the Commission is ahead of the curve. He does not see the
advantage of a case going to a political organization. The Commission seems to be
favorable to working with people regarding their property. If a case were denied by the
Commission it would be a long uphill battle for the individual to have their request
approved.

Mr. Knoth - This amendment removes one part of the process (City Council) by sending
appeals directly to court. He is not in favor of having to hire an attorney to represent a
case in court.

Mr. Freemire - The request for a continuance is not related to the necessary agreement
with the City Attorney’s office. He does not agree that people should be treated differently
and have a different place to go for appeals. Counter to Staff recommendation that
appeals would go to City Council, he does not agree with the City Attorney’s office that the
Commission should change both Due Process and Substantive Due Process under the 5th
and 14th Amendments. He is interested in hearing the motivation behind the City
Attorney’s office for making the change. He feels that it is better to be slow to act and long
to consider and just in consideration. He is not aware of any other provision that would
require discussion but where to go if there is disagreement on the decision. He would like
to know what case law justifies the recommendation.

Mr. Roth added that one argument on the other side is that the “waiver or modification” is
similar to a variance. If a variance is not approved, appeal is to the court. He can
understand why an appeal to the Commission would be sent to court. The chance of there
being a case for the Commission to hear is small and the chance of an appeal is
exponentially smaller.

AYES: Brick, Freemire, Kinton, Roth, Townley,
NAYS: King, Knoth, Chair Fish
ABSTAIN: None
ABSENT: Bleile
Motion passes 5-3 in favor of continuing the Public Hearing.

Mr. Freemire requested a transcript of the meeting today due to the fact that Staff was explicit in their recommendations. He was advised that a detailed account would be recorded in the minutes and that the audio recording would be available as well.

IV. Light Rail Corridor Zoning Reform Discussion Continued

John Voboril, Planner II, presented the remainder of the original presentation from the previous study session.

**Commercial Parking**

In Denver, little off-street parking is provided for mixed use developments. Parking needs are expected to be partially or fully met by on street parking on front and side streets. He presented examples with various ratios of parking per square foot of the retail development. Compared to Englewood’s standards, the required parking is considerably less. The opinion of Staff is that we should retain the current ratios for retail and reduce the restaurant ratio from 1:200 to 1:300. It is also recommended that the available space in front of the building on the street be counted as available space.

Ms. Townley - Within the Oxford Station area, is RTD planning to help build a garage or will the light rail users be expected to use on street parking?

Mr. Voboril - RTD is not interested in providing additional parking because of the accessibility of the Oxford Station and also the fare zone that falls within the other stations. Cost of obtaining land would be very high and would require taking land out of private ownership resulting in a loss of tax revenue.

Ms. Townley asked if time limits could be imposed on street parking. Mr. Voboril stated that if the parking demand increased substantially, the issue would need to be addressed.

Mr. Knoth remarked that development would be hampered if parking is too limited. Mr. Roth cited the example of East Evans Avenue where the parking is interfering with residents’ ability to park near their homes due to the lack of off street parking.

Mr. Brick - Adequate parking needs to be provided if the industrial area becomes residential.

Mr. Voboril explained that there is not a great deal of retail development expected near the Oxford Station.

Mr. Roth commented that restaurants that do provide a parking area in Englewood are seldom full and that decreasing the ratio would not be a major issue.

**Design Guidelines and Standards**
Guidelines can be provided and the adherence would basically be voluntary. Communicating the values of the community would provide direction for development. There is a variety of materials and designs present in the existing buildings in the district.

Mr. Freemire commented that the best way to insure integrity in development is to communicate with the developers and existing businesses so that they are clear on expectations. Some requirements should be mandatory.

Mr. Roth asked if the existing buildings would be used as a standard for future development. Mr. Vboril replied that the focus is on the residential side. The questions is whether the desire is to have new development fit in with what exists or do we want to create something completely different.

Mr. King remarked that most communities have standards for hard surfaces and mixed materials. It is common in newer developments to see an eclectic mix of materials.

Ms. Townley asked if there are similar standards in the PUD requirements for transparency and façade treatments. Mr. Knoth commented that he would support aligning standards with the current PUD requirements.

Mr. Fish is in favor of encouraging variation to avoid having blank spaces and solid walls.

Ms. Townley supports Mr. Freemire’s opinion on communicating with the neighborhoods and developers to preserve the integrity of the community.

Mr. Madrid commented that we are not as much preserving character as creating it with new development by setting a standard.

Mr. Kinton added that in most cases he would lean toward preservation but the current buildings were built for function and virtually none that cry out for preservation.

Ms. Reid commented that the current PUDs in the district will serve to set a standard for development in the area.

A variety of roofs currently exist representing a number of different materials and profiles. It was agreed that roofs are going to be determined by the developer, but that different treatments should be encouraged.

Ms. Townley suggested a requirement for funding through a fee or performance based system to ensure that common space and/or parks are included in the development. Mr. Vboril stated that the inclusion of parks and open space will be addressed in the Next
Steps study which is a way of locating money and the consultant will be tasked with developing a strategy to incorporate public space in conjunction with the development.

Mr. Freemire added that the long range cost of "green roofs" would be prohibitive as the technology is still developing and it would not be feasible to include requirements that are not cost effective.

Discussion about how to incorporate green space included possible incentives and ways to promote green space development voluntarily by a developer.

Mr. Voboril presented slides with various architectural styles including Alexan Littleton, Riverton Apartments, Evans Station Lofts, new developments at 10th and Osage and use of color. Mr. Roth commented that unless a true form-based code is instituted, there will be a variety depending on the developer's preferences.

Mr. King recently visited a development in Houston that included small lots with detached houses that appear to be popular.

Mr. Voboril presented other developments that are designed to fit in with the industrial area or repurposing of the existing buildings such as in the River North area of Denver.

Director White commented that the TOD would be designed to replace the PUD process. Most of the development requirements would be satisfied through administrative review.

Mr. Voboril commented that height restrictions previously discussed are still under consideration as is a means of addressing the transition area between the residential areas adjacent to the TOD and possible high rise development.

Mr. Madrid added that amenities are market driven and would not be chosen by City Council and are added to lure a tenant and make a property more desirable.

Ms. Townley spoke to creative reuse of buildings and new development should be careful not to disconnect existing buildings.

Additional examples of local developments were presented.

Mr. Neubecker added that there needs to be at least minimum standards to avoid blank walls. There are some existing rules in the code to establish architectural styles and design. The Commission can establish additional development guidelines if needed. Mr. Roth noted that the PUD standards contain specifications for materials and articulation but this may be scaled down for smaller properties.

**Street Network**

TOD literature recommends relatively smaller block size to create connections to the station and create visual interest. Oxford station has irregular blocks and larger parcels can benefit from creating a street network within the development.
One consideration is to have the consultant develop a street network within the TOD areas in the Next Steps plan. Feedback from the existing property owners will dictate the direction of the development guidelines and requirements.

V. PUBLIC FORUM
No members of the public were present.

VI. ATTORNEY’S CHOICE
Ms. Reid did not have any topics for the Commission.

VI. STAFF’S CHOICE
Chris Neubecker reviewed future agenda items including the PUD review process for the meeting on March 18th and possibly organizing another field trip for the Commissioners. Suggestions for field trip include Golden, Arvada and the redeveloped RINO area where residential areas have been incorporated into an existing industrial area.

VII. COMMISSIONER’S CHOICE
The Commissioners did not have any additional comments.

The meeting adjourned at 8:40 p.m.

/s/ Julie Bailey
Recording Secretary
CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
City Council Chambers – Englewood Civic Center
March 18, 2014

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 Fish presiding.

Present: Bleile, Brick, Fish, Freemire, Kinton, Knoth, Roth, Townley, Madrid (alternate)

Absent: King (Excused)

Staff: Chris Neubecker, Senior Planner
       Brook Bell, Planner II
       Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES
March 4, 2014

Roth moved;
Knoth seconded: TO APPROVE THE MARCH 4, 2014 MINUTES

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

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

Motion passes.

III. FINDINGS OF FACT CASE #2013-06 NONCONFORMING STRUCTURES

Roth moved;
Knoth seconded: TO APPROVE FINDINGS OF FACT FOR CASE #2013-06 NONCONFORMING STRUCTURES

AYES: Brick, Freemire, Kinton, Knoth, Roth, Townley, Chair Fish
NAYS: None
ABSTAIN: Bleile
ABSENT: King
IV. FINDINGS OF FACT CASE #2013-09 SITE IMPROVEMENT PLAN REVIEW

Roth moved; Brick seconded: TO APPROVE FINDINGS OF FACT FOR CASE #2013-09 SITE IMPROVEMENT PLAN REVIEW

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

Motion passes.

III. PUBLIC HEARING CASE #2013-02 SMALL LOT DEVELOPMENT STANDARDS (Continued)

Continuation of Public Hearing from March 4, 2014.

Bleile moved; Freemire seconded: TO RE-OPEN PUBLIC HEARING CASE #2013-02 AMENDMENTS TO SMALL LOT DEVELOPMENT STANDARDS

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

Motion passes.

Discussion
Ms. Townley asked Ms. Reid for clarification of “arbitrary and capricious”. Ms. Reid explained that if the evidence and the ruling are examined and it appears to the appellate body that the board did not have evidence to make a decision or made a decision contrary to the evidence, it would be considered a capricious action.

Mr. Neubecker asked Chair Fish to recognize on the record that someone had signed up to speak to the commission during public comment, but did not present themselves during the public hearing.

Bleile moved; Knoth seconded: TO CLOSE THE PUBLIC HEARING FOR CASE #2013-02 AMENDMENTS TO SMALL LOT DEVELOPMENT STANDARDS
AYES: Bleile, Brick, Freemire, Kinton, Knoth, Roth, Townley, Chair Fish
NAYS: None
ABSTAIN: None
ABSENT: King

Mr. Roth moved;
Knoth seconded: TO APPROVE CASE #2013-02 AMENDMENTS TO SMALL LOT DEVELOPMENT STANDARDS AS WRITTEN

Discussion:

Mr. Bleile asked if there was discussion to change the proposed amendment in order to name City Council as arbiter of appeals rather than the court. Chair Fish recapped the previous study session and subsequent Public Hearing, in which such discussion happened.

Mr. Freemire stated that one amendment was proposed to change the process to include appeals to decisions of the Commission to City Council, as opposed to the court as recommended by the City Attorney. He requested a Friendly Amendment to the motion to remove District Court as arbiter of appeals and add City Council.

Mr. Roth declined the Friendly Amendment stating that his opinion was to send the case to City Council as written, and let them decide if they want to be responsible for appeals.

Freemire moved;
Brick seconded: TO AMEND THE MOTION TO ALLOW FOR APPEALS TO DECISIONS BY THE PLANNING AND ZONING COMMISSION TO GO TO THE CITY COUNCIL IN THE MATTER OF SMALL LOT DEVELOPMENT STANDARDS.

Discussion:

Mr. Knoth – It is appropriate for an appeal to go to City Council to avoid incurring legal expenses for an applicant.

Mr. Brick – There will not be many appeals and agreed with Mr. Freemire that citizens should have the opportunity to appeal to City Council.

Mr. Roth - It was noted by staff that there are 45 properties in the City that would potentially make use of this process, 31 of which are attached townhomes and the remaining 14 properties are not likely to be developed.

Mr. Fish – Per the City Attorney’s office, this potential appeal situation is similar to the variance process and the precedent of sending appeals to the Board of Adjustment and Appeals rather than the court; that precedent provides justification for sending appeals to the City Council for resolution.
Mr. Freemire – 1) Cited Colorado law with regard to the right of a citizen to appeal to the governing body; 2) by law, we are to begin with local officials and work up through the system to resolve appeals; and 3) we can never prohibit citizens from presenting their case to an elected or appointed official.

Vote: TO AMEND THE MOTION TO ALLOW FOR APPEALS TO DECISIONS OF THE PLANNING AND ZONING COMMISSION TO GO TO THE CITY COUNCIL IN THE MATTER OF SMALL LOT DEVELOPMENT STANDARDS.

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

Motion passes.

Motion: TO APPROVE CASE #2013-02 AMENDMENTS TO SMALL LOT DEVELOPMENT STANDARDS AS RECOMMENDED BY STAFF WITH THE PROVISION THAT APPEALS WILL BE ARBITRALTED BY CITY COUNCIL.

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

Brick – This amendment will provide opportunities for residents to be current and creative with their properties without causing harm or offense to other residents.
Bleile – There has been much discussion regarding this topic and Mr. Freemire has added to the discussion with his professionalism and insight. Agrees with changing “District Court” to “City Council.”
Brick – The text amendment promotes the general welfare of the community to improve properties.
Freemire – This is good for the community. It grants equal rights to property owners (to appeal to elected officials) regardless of property size.
Kinton – Anything that can be done at the local level rather than through the courts is beneficial to the citizens of the community.
Knoth – The Commission has been fixing holes in the code and processes and this amendment can help pull those properties that may have had issues back into the code.
Roth – Feels that this is a good fix to the code as this issue has a long history. Ten years ago we had a discussion on this same topic that some properties do not meet all the parameters of the code. This fixes that problem.
Townley – This amendment will help support property owners who want to make improvements.
Chair Fish - Agrees with other Commission member that this is a needed “fix” to the code that was previously omitted. The additions by the Attorney’s office strengthen the code by
adding additional conditions. There is not a compelling reason to alter the traditional appeal process. The subsequent decision by the Commission to have appeals go to City Council is the correct decision.

IV. STUDY SESSION – Policy on Code Amendments

Chris Neubecker, Senior Planner, explained the necessity to administratively make changes to the UDC when an ordinance is adopted. Other elements in the code sometimes refer to an amended section and will also require updating. To date, staff has not brought all of the changes to the Commission in the interest of time and effort.

Bleile – Asked for clarification on what the Commissioners will receive to review the additional changes to the UDC. Mr. Neubecker responded that as proposed, they would not receive the text changes to other parts of the UDC, but would receive the “meat and potatoes”, the significant proposed changes.

Ms. Reid explained the process for correcting the code and that the intention is to make the code as consistent as possible. Mr. Knoth expressed that he would like to see all of the changes. A synopsis of the changes can be supplied to the Commission.

Mr. Freemire suggested that a way to address the process would be to supply the commission with an outline of all the changes and supply city council with an ordinance once a year to “cleanup.”

The consensus of the Commission is to accept Staff recommendations and at the next public hearing, take a vote to adopt the procedural change.

V. PUBLIC FORUM
No Public was present to address the commission

VI. ATTORNEY’S CHOICE
Ms. Reid did not have any further topics for discussion.

VII. STAFF’S CHOICE
Mr. Neubecker – Councilmember Wilson has requested that staff meet with homebuilders in Englewood to share feedback on the development codes and processes. The informal meeting will be held at Civic Center on April 2nd.

VIII. COMMISSIONER’S CHOICE

The next meeting will be April 8, 2014, provided there are items for the agenda.

Meeting adjourned at 8:00 p.m
AFFIDAVIT OF PUBLICATION

State of Colorado

County of Arapahoe

This Affidavit of Publication for the Englewood Herald, a weekly newspaper, printed and published for the County of Arapahoe, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made the 11th day of April, A.D., 2014, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in said office.

Subscribed before me by the above named Gerard Healey, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on this 11th day of April, A.D., 2014.

My Commission Expires 10/12/16

Barbara Stolte, Notary Public,
1. Call to Order
The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:44 p.m.

2. Invocation
The invocation was given by Council Member McCaslin.

3. Pledge of Allegiance
The Pledge of Allegiance was led by Council Member McCaslin.

4. Roll Call
Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn
Absent: None
A quorum was present.

Also present: City Manager Sears
City Attorney Brotzman
Deputy City Manager Flaherty
City Clerk Ellis
Deputy City Clerk Bush
Director White, Community Development
Director Gryglewicz, Finance and Administrative Services
Director Konishi, Information Technology
Director Hargrove, Library
Director Black, Parks and Recreation
Director Kahm, Public Works
Director Fonda, Utilities
Revenue Manager Nolan, Finance and Administrative Services
Deputy Director Henderson, Public Works
Court Administrator Wolfe
Planner II Bell, Community Development
Senior Planner Neubecker, Community Development
Recreation Services Manager Sack, Parks and Recreation
Manager of Open Space Lee, Parks and Recreation
Facilities and Operations Manager Hogan, Public Works
Fleet Manager White, Public Works
Police Chief Collins
Deputy Police Chief Sanchez
Fire Chief Marsh
Deputy Fire Chief Petau
Battalion Fire Chief Ertle
Battalion Fire Chief Fox
5. Consideration of Minutes of Previous Session

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JULY 21, 2014.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

6. Recognition of Scheduled Public Comment

There were no scheduled visitors.

7. Recognition of Unscheduled Public Comment

(a) Scott Yeates, a Denver resident, representing the SW Development Group, discussed a possible project at the General Iron Works site. Foundry One is the proposed name for the project. Mr. Yeates envisions it being a mixed use, with residential and retail. Shockworks would be the architectural firm. There could be future redevelopment as the project moves along. Mr. Yeates would like to have the current CHFA letter revised by Council.

(b) Bryant Winslow, an Englewood resident, asked that Council revise the letter for Foundry One. He believes the proposed project will provide affordable residential opportunities on the General Iron Works site. Mr. Winslow supports Mr. Yeates’ project and thinks the product is class A. He is excited about it being a catalyst for the area. There has been limited interest at this site prior to Mr. Yeates’ project. Mr. Winslow hopes to be the long term owner.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

(a) A letter from Tanya DeNorch announcing her resignation from the Keep Englewood Beautiful Commission was considered.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO ACCEPT THE RESIGNATION OF TANYA DeNORCH FROM THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

9. Consent Agenda

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), 9 (b) (i), (ii) AND 9 (c) (i), (ii).

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 48, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AMENDING TITLE 1, CHAPTER 4, OF THE ENGLEWOOD MUNICIPAL CODE 2000, ENTITLED GENERAL PENALTY.
(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 42, SERIES OF 2014 (COUNCIL BILL NO. 43, INTRODUCED BY COUNCIL MEMBER McCASLIN)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE REGIONAL TRANSPORTATION DISTRICT (RTD) AND THE CITY OF ENGLEWOOD ENTITLED ENGLEWOOD BUS STOP IMPROVEMENT COOPERATIVE AGREEMENT.

(ii) ORDINANCE NO. 43, SERIES OF 2014 (COUNCIL BILL NO. 44, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AMENDING TITLE 5, CHAPTER 15, SECTION 1, ENTITLED PAWNBROKERS AND SECOND HAND DEALERS AND CHAPTER 23, SECTION 1, ENTITLED PURCHASER OF VALUABLE ARTICLES OF THE ENGLEWOOD MUNICIPAL CODE 2000.

(c) Resolutions and Motions

(i) RESOLUTION NO. 71, SERIES OF 2014

A RESOLUTION VOTING IN FAVOR OF INCREASING THE EMPLOYEE POLICE OFFICERS CONTRIBUTIONS TO THE FIRE AND POLICE PENSION ASSOCIATION (FPPA) STATEWIDE DEFINED BENEFIT PLAN.

(ii) RESOLUTION NO. 72, SERIES OF 2014

A RESOLUTION VOTING IN FAVOR OF INCREASING THE EMPLOYEE FIRE FIGHTERS' CONTRIBUTIONS TO THE FIRE AND POLICE PENSION ASSOCIATION (FPPA) STATEWIDE DEFINED BENEFIT PLAN.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

10. Public Hearing Items

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 45, AUTHORIZING AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE REGARDING SMALL LOT DEVELOPMENT STANDARDS.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Planner II Bell presented background information regarding Council Bill No. 45 and he discussed the specifics of the requested changes. He spoke to the difficulty those properties with non-conforming standards had in selling the property. These amendments will refer to these lots as urban lots. There are currently 275 of these types of properties in the City.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 45, AUTHORIZING AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE REGARDING SMALL LOT DEVELOPMENT STANDARDS.
Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried and the Public Hearing closed.

11. **Ordinances, Resolutions and Motions**
   
   (a) Approval of Ordinances on First Reading

   There were no additional items submitted for approval on first reading. (See Consent Agenda Item 9 (a.).)
   
   (b) Approval of Ordinances on Second Reading

   There were no additional items submitted for approval on second reading. (See Consent Agenda Item 9 (b.).)
   
   (c) Resolutions and Motions

   (i) Manager Hogan and Manager Sack presented a recommendation from the Public Works Department and the Parks and Recreation Department to approve, by motion, a construction contract for the Recreation Center Track Replacement project. Staff further recommends awarding the contract to the lowest acceptable bidder, Rocky Mountain Decks & Floors, Inc. in the amount of $52,924.00.

   **COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE A CONSTRUCTION CONTRACT WITH ROCKY MOUNTAIN DECKS & FLOORS, INC. FOR THE RECREATION CENTER TRACK REPLACEMENT PROJECT IN THE AMOUNT OF $52,924.00.**

   Vote results:

   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
   Nays: None

   Motion carried.

12. **General Discussion**
   
   (a) Mayor's Choice
   
   (b) Council Members’ Choice

13. **City Manager's Report**

   City Manager Sears did not have any matters to bring before Council.

14. **City Attorney's Report**

   City Attorney Brotzman did not have any matters to bring before Council.

   * * * *

Fire Chief Marsh, Battalion Chief Ertle and Fleet Manager White discussed the 1999 fire truck put into the fire budget. This truck will only fit at the Acoma Station. It does meet the standards set. They are currently trying to optimize the usage of the aerial trucks. They discussed mileage, hours used and value for the dollar versus the age of the vehicle.

**COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO PROCEED IN PLACING A CLOSED BID, LIMITED TO UP TO $350,000.00, AND TO SEND A MECHANIC TO CHECK OUT THE 1999 AERIAL FIRETRUCK.**
Vote results:  
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

15. **Adjournment**

**MAYOR PENN MOVED TO ADJOURN.** The meeting adjourned at 9:04 p.m.

/s/ Loucrishia A. Ellis  
City Clerk
1. **Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:44 p.m.

2. **Invocation**

The invocation was given by Council Member McCaslin.

3. **Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member McCaslin.

4. **Roll Call**

Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn

Absent: None

A quorum was present.

Also present: Acting City Manager Flaherty
City Attorney Brotzman
City Clerk Ellis
Deputy City Clerk Bush
Director Gryglewicz, Finance and Administrative Services
Director White, Community Development
Treatment Division Manager Tallent, Littleton/Englewood Wastewater Treatment Plant
Open Space Manager Lee, Parks and Recreation
Police Commander Englert
Fire Chief Marsh

5. **Consideration of Minutes of Previous Session**

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 18, 2014.

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit

Nays: None

Motion carried.

6. **Recognition of Scheduled Public Comment**

There were no scheduled visitors.
7. **Recognition of Unscheduled Public Comment**

(a) Steven Ward, an Englewood resident, discussed open meetings. He encouraged Council to conduct meetings in open sessions instead of so many executive sessions. Mr. Ward believes that some of the sessions should have been conducted in an open forum and not behind closed doors. He has done some research. Mr. Ward is concerned that there was an announcement made on the City’s website on August 22, 2014 for the new City Manager, but that there is a resolution tonight for approval of the City Manager. He feels this is a rubber stamp action.

(b) Beverly Cummins, an Englewood resident, discussed the Parks and Recreation Department’s request for additional money for the medians. She believes that the money should be spent on the Fire Department, who saves our lives, instead of the medians because the Fire Department needs the money. We need to take care of our Fire Department.

(c) Garrett Reynolds, an Englewood resident, stated that he is interested in getting involved with the City of Englewood. He has submitted his application for various Committees, Boards and Authorities when he saw the vacancies. He asked about the process to be appointed.

Council responded to Public Comment.

8. **Communications, Proclamations and Appointments**

There were no communications, proclamations or appointments.

9. **Consent Agenda**

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on first reading. (See Agenda Item 11 (a).)

**COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i) AND 9 (c) (i).**

(b) Approval of Ordinances on Second Reading

(i) **ORDINANCE NO. 45, SERIES OF 2014 (COUNCIL BILL NO. 45, INTRODUCED BY COUNCIL MEMBER WILSON)**

AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTION 2; TITLE 16, CHAPTER 6, SECTION 1, PARAGRAPH B; TITLE 16, CHAPTER 9, SECTION 4; AND TITLE 16, CHAPTER 11, SECTION 2, PARAGRAPH B, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO SMALL LOTS.

(c) Resolutions and Motions

(i) **RESOLUTION NO. 74, SERIES OF 2014**

A RESOLUTION ESTABLISHING A HEARING PROCEDURE FOR LAND USE APPEALS TO THE CITY COUNCIL.

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit

Nays: None

Motion carried.
10. **Public Hearing Items**

   No public hearing was scheduled before Council.

11. **Ordinances, Resolutions and Motions**

   (a) Approval of Ordinances on First Reading

   (i) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to approve a bill for an ordinance amending the NonEmergency Retirement Plan document to correctly define “spouse” for the purpose of complying with federal tax laws and the Colorado Civic Union Act.

   **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 49.**

   COUNCIL BILL NO. 49, INTRODUCED BY COUNCIL MEMBER GILLIT


   **Vote results:**
   
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
   Nays: None
   
   Motion carried.

   (ii) Manager Tallent presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee to approve a bill for an ordinance authorizing an intergovernmental agreement with the U.S. Geological Survey to conduct mineralogical characterization and metal-recovery leaching studies on wastewater biosolids.

   **COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 50.**

   COUNCIL BILL NO. 50, INTRODUCED BY COUNCIL MEMBER OLSON

   A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR AND THE CITY OF ENGLEWOOD, COLORADO ENTITLED USGS FACILITY USE/SERVICE AGREEMENT AUTHORIZED BY 15 USC 3710(A) AS AMENDED FOR WATER RESOURCES INVESTIGATIONS.

   **Vote results:**
   
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
   Nays: None
   
   Motion carried.

   (b) Approval of Ordinances on Second Reading

   There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)

   (c) Resolutions and Motions
Manager Lee presented a recommendation from the Parks and Recreation Department to approve, by motion, the bid for the replacement of the landscaping in the South Broadway medians. Staff further recommends awarding the contract to the lowest acceptable bidder, Terracare Associates, LLC in the amount of $48,530.00.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - A CONTRACT WITH TERRACARE ASSOCIATES LLC, FOR THE REPLACEMENT OF THE LANDSCAPING IN THE SOUTH BROADWAY MEDIANS, IN THE AMOUNT OF $48,530.00.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried.

12. General Discussion

(a) Mayor's Choice

(b) Council Members' Choice

(i) A resolution appointing Michael Flaherty as acting City Manager effective August 29, 2014 through September 14, 2014 was considered.

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 12 (b) (i) - RESOLUTION NO. 75, SERIES OF 2014.

RESOLUTION NO. 75, SERIES OF 2014

A RESOLUTION APPOINTING MICHAEL FLAHERTY AS ACTING CITY MANAGER IN THE ABSENCE OF THE CITY MANAGER.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried.

(ii) A resolution appointing Eric Keck as City Manager of the City of Englewood effective September 15, 2014 was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 12 (b) (ii) - RESOLUTION NO. 76, SERIES OF 2014.

RESOLUTION NO. 76, SERIES OF 2014

A RESOLUTION APPOINTING ERIC KECK AS CITY MANAGER FOR THE CITY OF ENGLEWOOD, COLORADO.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried.

13. City Manager's Report
14. **City Attorney's Report**

City Attorney Brotzman did not have any matters to bring before Council.

15. **Adjournment**

**MAYOR PENN MOVED TO ADJOURN.** The meeting adjourned at 8:34 p.m.

/s/ Loucrishia A. Ellis
City Clerk
BY AUTHORITY

ORDINANCE NO. 45
SERIES OF 2014

COUNCIL BILL NO. 45
INTRODUCED BY COUNCIL MEMBER WILSON

AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTION 2; TITLE 16, CHAPTER 6, SECTION 1, PARAGRAPH B; TITLE 16, CHAPTER 9, SECTION 4; AND TITLE 16, CHAPTER 11, SECTION 2, PARAGRAPH B, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO SMALL LOTS.

WHEREAS, the Unified Development Code, adopted in 2004, does not regulate "small lot" residential properties in terms of Development Standards and associated Dimensional Requirements; and

WHEREAS, any residential lot not meeting the minimal dimensional standards is treated as a non-conforming lot; and

WHEREAS, currently the following properties are not effectively regulated:

- In R-1-A and R-1-B Zone Districts: Properties with lot width greater than or equal to 25', but less than 50'; and with lot area greater than or equal to 3,000 sf, but less than 6,000 sf (+ - 13 Total in the City).

- In R-1-C Zone Districts: Properties with lot width greater than or equal to 25', but less than 37'; and with lot area greater than or equal to 3,000 sf, but less than 4,500 sf (+ - 40 Total in the City).

- In R-2 or R-3 Zone Districts: Properties with lot width greater than or equal to 25', but less than 40'; and with lot area greater than or equal 3,000 sf, but less than 4,000 sf (+ - 176 Total in the City).

- In Medical Zone Districts: Properties with lot width greater than or equal to 25'; but less than 40'; and with lot area greater than or equal 3,000 sf, but less than 4,000 sf + - 1 Total in the City).

- In Residential and Medical Zone Districts: Properties with lot width of less than 25'; and with lot area less than 3,000 sf (+ - 45 Total in the City).

WHEREAS, these properties do not fit the "small lot" criteria and do not have any minimum setback, maximum height, or maximum lot coverage requirements. There are approximately 275 of these properties within the City; and

WHEREAS, the nonconforming status of these lot create uncertainty for lenders, who are then reluctant to lend on a property where the entitlements are vague or unknown; and
WHEREAS, these regulations for smaller residential lots, will provide greater certainty for property owners; and

WHEREAS, the Englewood Planning and Zoning Commission held a Public Hearing on November 19, 2013 to consider amendments to the Unified Development Code to establish regulations for smaller lots; and

WHEREAS, the November 19, 2013 Englewood Planning and Zoning Commission Public Hearing was reopened on March 4, 2014 and continued to March 18, 2014; and

WHEREAS, the proposed amendments will effectively regulate smaller residential lots (hereafter called “Urban Lots”) that contain or contained a one-unit dwelling existing on or before February 23, 2004, and have 25 feet or more of Lot Width, 3,000 square feet or more of Lot Area, and will establish a process for the possible development of vacant Urban Lots of that size; and

WHEREAS, the proposed amendments will establish criteria and a process for the possible development of Urban Lots with less than 25 feet of Lot Width or less than 3,000 square feet of Lot Area that contain an existing dwelling unit or are vacant; and

WHEREAS, additions, redevelopment, or development of these properties will be possible if approved by the Planning and Zoning Commission at a public hearing which insures due process and appropriate public notice; and

WHEREAS, this proposed amendment is consistent with Roadmap Englewood: 3002 Englewood Comprehensive Plan and. encourages housing investments that improve the housing mix, including both smaller and larger unit sizes; and

WHEREAS, additional review criteria will create a clear basis for development of these small lots; and

WHEREAS, the Planning and Zoning Commission recommended that appeals from the Planning and Zoning Commission’s decisions on nonconforming lots be brought to City Council for a de novo determination.

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, Colorado hereby authorizes amending Title 16, Chapter 2, Section 2, entitled Summary of Development Review and Decision-Making Procedures of the Englewood Municipal Code 2000, to read as follows:

16-2-2: Summary Table of Administrative and Review Roles.
The following table summarizes the review and decision-making responsibilities of the entities that have specific roles in the administration of the procedures set forth in this Chapter. For purposes of this table, an "(Approval) Lapsing Period" refers to the total time from the application's approval that an applicant has to proceed with, and often complete, the approved action. Failure to take the required action within the specified "lapse period" will automatically void the approval. See Section 16-2-3. L EMC, "Lapse of Approval," below.
<table>
<thead>
<tr>
<th>Process</th>
<th>Section Ref</th>
<th>Decision Required</th>
<th>Designation</th>
<th>Notice Requirement</th>
<th>Review Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adaptive Reuse of Designated Historical Buildings</td>
<td>16-5-3</td>
<td>✓ R R D</td>
<td>✓</td>
<td>✓</td>
<td>None</td>
</tr>
<tr>
<td>Administrative Adjustments</td>
<td>16-2-17</td>
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<td></td>
<td>None</td>
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<tr>
<td>Administrative Land Review Permit</td>
<td>16-2-11</td>
<td>✓ D A</td>
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<td></td>
<td>60 days to record</td>
</tr>
<tr>
<td>Amendments to the Text of this Title</td>
<td>16-2-6</td>
<td>R R D</td>
<td>✓</td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Annexation Petitions</td>
<td>16-2-5</td>
<td>✓ R R D</td>
<td>✓</td>
<td>✓</td>
<td>None</td>
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<tr>
<td>Appeals to Board</td>
<td>16-2-18</td>
<td>✓ D</td>
<td>✓</td>
<td></td>
<td>None</td>
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<tr>
<td>Comprehensive Plan Amendments</td>
<td>16-2-4</td>
<td>R R D</td>
<td>✓</td>
<td></td>
<td>None</td>
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<tr>
<td>Conditional Use Permits</td>
<td>16-2-12</td>
<td>✓ R D A</td>
<td>✓</td>
<td>✓</td>
<td>1 year</td>
</tr>
<tr>
<td>Conditional Use - Telecommunication</td>
<td>16-7</td>
<td>✓ R D A</td>
<td>✓</td>
<td>✓</td>
<td>None</td>
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<tr>
<td>Development Agreements</td>
<td>16-2-15</td>
<td>R D</td>
<td></td>
<td></td>
<td>As stated in Agreement</td>
</tr>
<tr>
<td>Floodplain Dev't. Permit and Floodplain Variances</td>
<td>See Chapter 16-4 for applicable procedures and standards</td>
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<td></td>
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<td></td>
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<tr>
<td>Historic Preservation</td>
<td>16-6-11</td>
<td>✓ R R D</td>
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<td>✓</td>
<td>None</td>
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<td>Landmark Sign</td>
<td>16-6-13</td>
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<td>Limited Review Use Permits</td>
<td>16-2-13</td>
<td>✓ D A</td>
<td>✓</td>
<td></td>
<td>1 year</td>
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<td>Major Subdivisions</td>
<td>16-2-10</td>
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<tr>
<td>Preliminary Plat</td>
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<td>✓ ✓ ✓</td>
<td>✓</td>
<td>6 months to submit Final Plat</td>
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<tr>
<td>Final Plat</td>
<td>R R D</td>
<td>✓ ✓ ✓</td>
<td>✓</td>
<td>60 days to record</td>
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<tr>
<td>Simultaneous Review Preliminary Plat/Final</td>
<td>✓ R R D</td>
<td>✓ ✓ ✓</td>
<td>✓</td>
<td>60 days to record</td>
<td></td>
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<tr>
<td>Plat</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>---------------------------------------------</td>
<td>----------</td>
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<tr>
<td>Recorded Final Plat</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Minor Subdivision</td>
<td>16-2-11</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Preliminary Plat</td>
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<td>D</td>
<td>A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Plat</td>
<td></td>
<td>D</td>
<td>A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recorded Final Plat</td>
<td></td>
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<tr>
<td>Nonconforming Lots</td>
<td>16-9-4</td>
<td>✓</td>
<td>R</td>
<td>D</td>
<td>✓</td>
</tr>
<tr>
<td>Official Zoning Map Amendments (Rezonings)</td>
<td>16-2-7</td>
<td>✓</td>
<td>R</td>
<td>R</td>
<td>D</td>
</tr>
<tr>
<td>PUD and TSA Rezonings</td>
<td>16-2-7</td>
<td>✓</td>
<td>R</td>
<td>R</td>
<td>D</td>
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<tr>
<td>Temporary Use Permits</td>
<td>16-2-14</td>
<td>✓</td>
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<td>A</td>
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<tr>
<td>Unlisted Use Classifications</td>
<td>16-5-1.B</td>
<td>✓</td>
<td>D</td>
<td>A</td>
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<tr>
<td>Zoning Site Plan</td>
<td>16-2-9</td>
<td>D</td>
<td>A</td>
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<td></td>
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<tr>
<td>Zoning Variances</td>
<td>16-2-16</td>
<td>✓</td>
<td>R</td>
<td>D</td>
<td>✓</td>
</tr>
</tbody>
</table>

CM/D = City Manager or Designee (Including the Development Review Team)  
PC = Planning and Zoning Commission  
CC = City Council  
BAA = Board of Adjustment and Appeals  

1 Notice Required: See Table 16-2-3.1 Summary of Mailed Notice Requirements
**Section 2.** The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 6, Section 1, Paragraph B, Table 1.1, entitled *Summary of Dimensional Requirements for Principal Structures* of the Englewood Municipal Code 2000, to read as follows:

**Summary Table of Dimensional Requirements for Principal Uses and Structures.** All principal structures and uses shall be subject to the intensity and dimensional standards set forth in the following Table 16-6-1.1. These standards may be further limited by other applicable sections of this Title. Additional regulations for the residential districts, and special dimensional regulations related to lot area, setbacks, height, and floor area are set forth in the subsections immediately following the table. Rules of measurement are set forth in subsection 16-6-1.A EMC. Dimensional requirements for accessory structures are set forth in subsection 16-6-1.1 EMC.

<table>
<thead>
<tr>
<th>R-1-A District</th>
<th>R-1-B District</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One-Unit Dwelling</strong></td>
<td><strong>One-Unit Dwelling</strong></td>
</tr>
<tr>
<td>9,000</td>
<td>7,200</td>
</tr>
<tr>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>35 75 32 25</td>
<td>40 60 32 25</td>
</tr>
<tr>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td><strong>One-Unit Dwelling on a Small Lot</strong></td>
<td><strong>One-Unit Dwelling on a Small Lot</strong></td>
</tr>
<tr>
<td>6,000 [4]</td>
<td>6,000 [4]</td>
</tr>
<tr>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>40 50 32 25</td>
<td>40 50 32 25</td>
</tr>
<tr>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td><strong>One-Unit Dwelling on an Urban Lot</strong></td>
<td><strong>One-Unit Dwelling on an Urban Lot</strong></td>
</tr>
<tr>
<td>3,000 [7]</td>
<td>3,000 [7]</td>
</tr>
<tr>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td><strong>All Other Allowed Uses</strong></td>
<td><strong>All Other Allowed Uses</strong></td>
</tr>
<tr>
<td>24,000</td>
<td>24,000</td>
</tr>
<tr>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>35 200 32 25</td>
<td>35 200 32 25</td>
</tr>
<tr>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>25</td>
<td>25</td>
</tr>
</tbody>
</table>

<p>| Section 2. <strong>Summary Table of Dimensional Requirements for Principal Uses and Structures.</strong> All principal structures and uses shall be subject to the intensity and dimensional standards set forth in the following Table 16-6-1.1. These standards may be further limited by other applicable sections of this Title. Additional regulations for the residential districts, and special dimensional regulations related to lot area, setbacks, height, and floor area are set forth in the subsections immediately following the table. Rules of measurement are set forth in subsection 16-6-1.A EMC. Dimensional requirements for accessory structures are set forth in subsection 16-6-1.1 EMC. |
|------------------------|----------------------|------------------------|------------------------|------------------------|------------------------|---------------------------|---------------------------|-------------------------------|
| R-2-B District         |                      |                        |                        |                        |                        |                           |                           |                               |
| One-Unit Dwelling      | 6,000                | None                   | 40                     | 50                     | 32                     | 25                        | 5                         | 20                            |
| One-Unit Dwelling on a Small Lot [5] | 4,000                | None                   | 35 40                  | 40                     | 32                     | 25                        | 3                         | 20                            |
| One-Unit Dwelling on an Urban Lot [6] | 3,000                | None                   | 40                     | 25 40                  | 32                     | 25                        | 2                         | 20                            |
| Multi-Unit Dwelling (Maximum Units Based on Lot Area &amp; Lot Width) | 3,000 per unit       | None                   | 60                     | 25 per unit [4]        | 32                     | 25                        | 5                         | 20                            |
| All Other Allowed Uses | 24,000               | None                   | 60                     | 200                    | 32                     | 25                        | 25                        | 25                            |
| MU-R-3-A District      |                      |                        |                        |                        |                        |                           |                           |                               |
| One-Unit Dwelling      | 6,000                | None                   | 40                     | 50                     | 32                     | 25                        | 5                         | 20                            |
| One-Unit Dwelling on a Small Lot [5] | 4,000                | None                   | 35 40                  | 40                     | 32                     | 25                        | 3                         | 20                            |
| One-Unit Dwelling on an Urban Lot [6] | 3,000                | None                   | 40                     | 25 40                  | 32                     | 25                        | 2                         | 20                            |
| Multi-Unit Dwelling (Maximum Units Based on Lot Area &amp; Lot Width) | 3,000 per unit       | None                   | 60                     | 25 per unit [4]        | 32                     | 25                        | 5                         | 25                            |</p>
<table>
<thead>
<tr>
<th>Lot Width</th>
<th>Private Off-Street Parking Lots</th>
<th>12,000</th>
<th>None</th>
<th>70</th>
<th>None</th>
<th>n/a</th>
<th>25</th>
<th>15</th>
<th>15</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Office, Limited</td>
<td>15,000</td>
<td>1.5 (Excluding the gross floor area of parking structures)</td>
<td>50</td>
<td>None</td>
<td>32</td>
<td>25</td>
<td>15</td>
<td>25</td>
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<tr>
<td></td>
<td>All Other Allowed Uses</td>
<td>24,000</td>
<td>None</td>
<td>60</td>
<td>200</td>
<td>32</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
</tbody>
</table>

MU-R-3-B District (See Additional Regulations Following the Table)

<table>
<thead>
<tr>
<th>Use</th>
<th>Lot Area</th>
<th>None</th>
<th>40</th>
<th>50</th>
<th>32</th>
<th>15</th>
<th>5</th>
<th>20</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-Unit Dwelling</td>
<td>6,000</td>
<td>None</td>
<td>40</td>
<td>50</td>
<td>32</td>
<td>15</td>
<td>5</td>
<td>20</td>
</tr>
<tr>
<td>One-Unit Dwelling on a Small Lot [5]</td>
<td>4,000</td>
<td>None</td>
<td>35 40</td>
<td>40</td>
<td>32</td>
<td>25 15</td>
<td>3</td>
<td>20</td>
</tr>
<tr>
<td>Multi-Unit Dwelling (Maximum Units Based on Lot Area &amp; Lot Width)</td>
<td>2-4 units: 3,000 per unit; Each additional unit over 4 units: 1,000 per unit [4]</td>
<td>None</td>
<td>75</td>
<td>None</td>
<td>2-4 units: 32 More than 4 units: 60</td>
<td>15</td>
<td>2-4 units: 5 More than 4 units: 15</td>
<td>25</td>
</tr>
<tr>
<td>Office, Limited</td>
<td>24,000</td>
<td>1.5 (Excluding the gross floor area of parking structures)</td>
<td>75</td>
<td>None</td>
<td>60</td>
<td>15</td>
<td>15 [3]</td>
<td>25</td>
</tr>
<tr>
<td>All Other Allowed Uses</td>
<td>24,000 [4]</td>
<td>None</td>
<td>75</td>
<td>None</td>
<td>60</td>
<td>15</td>
<td>15</td>
<td>25</td>
</tr>
</tbody>
</table>

MU-R-3-C District (See Additional Regulations Following the Table)
<table>
<thead>
<tr>
<th>Allowed Use</th>
<th>Zoning</th>
<th>Fire</th>
<th>Parking</th>
<th>Setback</th>
<th>Height</th>
<th>Uses</th>
<th>Zoning</th>
<th>Fire</th>
<th>Parking</th>
<th>Setback</th>
<th>Height</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-Unit Dwelling</td>
<td>6,000</td>
<td>None</td>
<td>40</td>
<td>50</td>
<td>32</td>
<td>15</td>
<td>5</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>One-Unit Dwelling on a Small Lot [5]</td>
<td>4,000</td>
<td>None</td>
<td>35</td>
<td>40</td>
<td>40</td>
<td>15</td>
<td>3</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-Unit Dwelling</td>
<td>6,000</td>
<td>None</td>
<td>75</td>
<td>None</td>
<td>40</td>
<td>15</td>
<td>5</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office, Limited</td>
<td>6,000</td>
<td>None</td>
<td>75</td>
<td>None</td>
<td>40</td>
<td>15</td>
<td>5</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Other Allowed Uses</td>
<td>24,000 [4]</td>
<td>None</td>
<td>75</td>
<td>None</td>
<td>40</td>
<td>15</td>
<td>5</td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**M-1, M-2, M-O-2 Districts (See Table 16-6-1.1a)**

**MU-B-1 District (See Additional Regulations Following the Table)**

| Live/Work Dwelling                             | None      | None         | None          | None        | 100      | 0 and no more than 5 feet | 0         | 5            |
| Multi-Unit Dwelling [4]                        | None      | None         | None          | None        | 100      | 0 and no more than 5 feet | 0         | 5            |
| All Other Allowed Uses                         | None      | None         | None          | None        | 100      | 0 and no more than 5 feet | 0         | 5            |

**MU-B-2 District (See Additional Regulations Following the Table)**

| Multi-Unit Dwelling [4]                        | None      | None         | None          | None        | 60       | 0 and no more than 5 feet | 0         | 5            |
| All Other Allowed Uses                         | None      | None         | None          | None        | 60       | 0 and no more than 5 feet | 0         | 5            |

**TSA District**

*Please refer to Section 16-6-14 EMC, of this Chapter*
and the applicable Station Area Design Standards and Guidelines for intensity and dimensional standards.

<table>
<thead>
<tr>
<th>All Allowed Uses Except Manufactured Home Parks</th>
<th>None</th>
<th>2:1</th>
<th>None</th>
<th>None</th>
<th>None</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufactured Home Parks</td>
<td>See Section 16-5-2.A.3, above.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes to Table:
[1] The minimum side setback stated in this table for one-unit attached and multi-unit dwellings shall apply to the entire dwelling structure, and not to each individual dwelling unit located in the structure.
[2] The minimum side setback standard for principal residential dwellings in the residential (R) zone districts, as stated in this Table, shall apply to such dwellings that existed on the Effective Date of this Title. However, principal residential dwellings existing on the Effective Date of this Title, and which as of that date are not in compliance with the minimum side setback standards established in this Table, shall not be considered nonconforming structures due solely to the dwelling’s noncompliance with the minimum side setback. Such dwellings are "grandfathered," and shall be considered legal, conforming structures for the purposes of sale and development under this Title and other City building and safety regulations. See Section 16-9-3 (Nonconforming Structures), below.
[3] The minimum separation between principal buildings located on the same or adjoining lots, whether or not the lots are under the same ownership, shall be fifteen feet (15').
[4] See Section 16-6-1.C for additional dimensional standards appropriate to the zone district.
[6] Urban lot of record that contained or contains a one-unit dwelling that existed on or before the Effective Date of this Title (February 23, 2004). Vacant Urban Lots follow same process as Nonconforming Lots, see Section 16-9-4.
[7] For Urban Lots with less than 3,000 sq. ft. of Lot Area or less than 25 ft. of Lot Width follow same process as Nonconforming Lots, see Section 16-9-4.
Section 3. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 6, Section 1, Paragraph B, Table 1.a, entitled Summary of Dimensional Requirements for Principal Structures Located Within Medical Zone Districts and Overlays of the Englewood Municipal Code 2000, to read as follows:

| M-1 and M-2 Districts and M-O-2 Overlays (See Additional Regulations Following the Table) |
|---------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Live/Work Dwelling              | 6,000 [4]     | None          | None          | 32            | 10,000 [4]    | 0 and no more than 10 | NA            | 0 and no more than 10 | 5            | 0            | 5            | 5 [4]         |
| One-Unit Dwelling               | 6,000         | 40            | 50            | 32            | NA            | 15            | NA            | 5             | 5            | 5            | 5             | 20            |
| One-Unit Dwelling on a Small Lot [5] | 4,000         | 35-40         | 40            | 32            | NA            | 15            | NA            | 3             | 3            | 3            | 3             | 20            |
|-------------------------------------|---------|----|--------|----|----|----|----|----|----|----|----|----|-----|
| All Other Allowed Uses              | 6,000 [4] | None | None | Height Zone 1:145 Height Zone 2:60 Height Zone 3:32 [4] | 10,000 [4] | 0 and no more than 10 | 20 [4] | 0 and no more than 10 | 5 | 0 | 5 | 5 [4] |

Notes to Table:
[1] The minimum side setback stated in this table for one-unit attached and multi-unit dwellings shall apply to the entire dwelling structure, and not to each individual dwelling unit located in the structure.
[2] The minimum side setback standard for principal residential dwellings in the residential (R) zone districts, as stated in this table, shall apply to such dwellings that existed on the effective date of this Title. However, principal residential dwellings existing on the effective date of this Title, and which as of that date are not in compliance with the minimum side setback standards established in this table, shall not be considered non-conforming structures due solely to the dwelling's non-compliance with the minimum side setback. Such dwellings are "grandfathered," and shall be considered legal, conforming structures for the purposes of sale and development under this Title and other City building and safety regulations. See section 16-9-3 (Non-Conforming Structures), below.
[3] The minimum separation between principal buildings located on the same or adjoining lots, whether or not the lots are under the same ownership, shall be fifteen feet (15').
[4] See section 16-6-1.C for additional dimensional standards appropriate to the zone district.
[6] Urban lot of record that contained or contains a one-unit dwelling that existed on or before the Effective Date of this Title (February 23, 2004). Vacant Urban Lots follow same process as Nonconforming Lots, see Section 16-9-4.
[7] For Urban Lots with less than 3,000 sq. ft. of Lot Area or less than 25 ft. of Lot Width follow same process as Nonconforming Lots, see Section 16-9-4.
Section 4. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 9, Section 4, entitled Nonconforming Lots of the Englewood Municipal Code 2000, to read as follows:

16-9-4: Nonconforming Lots.

A. Nonconforming Vacant-Lot.

1. A nonconforming vacant lot may be used only for a use permitted in the zone district in which the lot is located. The City Manager or designee Planning and Zoning Commission may waive or modify minimum open space lot coverage, parking lot area, bulk plane, height, setback, or lot width, or other requirements for any nonconforming lot if he/she finds that the proposed development meets the criteria listed below:

   a. The lot cannot otherwise be used for any purpose permitted within the zone district applicable to the property; and

   b. The waiver, or modification, if granted, is necessary to afford relief with the least modification possible of the development or dimensional standards otherwise applicable to the property; and

   c. The proposed development is consistent with the spirit and intent of the Comprehensive Plan; and

   d. The lot coverage, bulk plane, height, setbacks, and massing of the proposed development will not vary substantially from the surrounding properties or alter the essential character of the neighborhood; and

   e. The proposed development is compatible with the established development patterns and intent of the zone district.

2. Any appeal from the City Manager or designee’s decision shall be to the Board. The Planning and Zoning Commission’s decision on any development of a nonconforming lot shall be made at a public hearing that has been published and posted as required in Section 16-2-3(G) of this Title.

3. Any appeal from the Planning and Zoning Commission’s decision shall be to City Council as a de novo review. Such appeal shall be filed no more than thirty (30) days from the date of the Planning and Zoning Commission’s final decision.

34. No nonconforming lot shall be further subdivided or shall have its boundaries altered in any manner that would compound, expand, or extend the nonconforming characteristic(s) of the lot.

Section 5. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 11, Section 2(B), entitled Definitions of Words, Terms, and Phrases of the Englewood Municipal Code 2000, by the addition of the following definition in alphabetical order to read as follows:
Lot Urban: A legal lot of record existing on the effective date of this Title (February 23, 2004) where the lot width or lot area is less than the minimum standard for a one-unit dwelling on a small lot in the zone district in which the lot is located.

Section 6. 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 7. 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 8. 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 9. 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 10. 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 21st of July, 2014.

Published by Title as a Bill for an Ordinance in the City’s official newspaper on the 25th of July, 2014.

Published as a Bill for an Ordinance on the City’s official website beginning on the 23rd day of July, 2014 for thirty (30) days.

A Public Hearing was held on August 4, 2014.

Read by title and passed on final reading on the 2nd day of September, 2014.

Published by title in the City’s official newspaper as Ordinance No. E15, Series of 2014, on the 5th day of September, 2014.

Published by title on the City’s official website beginning on the 3rd day of September, 2014 for thirty (30) days.
This Ordinance shall take effect thirty (30) days after publication following final passage.

ATTEST:

Randy P. Penn, Mayor

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 passed on final reading and published by title as Ordinance No. 45, Series of 2014.

Loucrishia A. Ellis
CITY OF ENGLEWOOD

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing before the Planning and Zoning Commission will be held on October 8, 2013 at the hour of 7:00 p.m. in the Englewood City Council Chambers, 1000 Englewood Parkway, Englewood, CO 80110.

Case #2013-04: The issue to be heard before the Commission is proposed amendments to Title 16: Unified Development Code of the Englewood Municipal Code related to Home Occupations.

A copy of the proposed amendments may be reviewed in the Community Development Department. Anyone interested in this matter may be heard at the Public Hearing at the previously cited location, date, and time.

By Order of the City Planning and Zoning Commission

Nancy G. Fenton
Recording Secretary

Published: September 27, 2013
Notice is hereby given that a Public Hearing before the Planning and Zoning Commission will be held on October 8, 2013 at the hour of 7:00 p.m. in the Englewood City Council Chambers, 1000 Englewood Parkway, Englewood, CO 80110.

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By Order of the City Planning and Zoning Commission

Nancy G. Fenton
Recording Secretary

Published: September 27, 2013

Official Website of City of Englewood
CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
October 8, 2013

Minutes and audio are available at:
http://www.englwoodgov.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 the Englewood Civic Center, Chair Brick presiding.

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

Absent: King (excused), Fish (excused)

Staff: Alan White, Director of Community Development
      Chris Neubecker, Senior Planner
      Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES
      September 17, 2013

Knoth moved:
Roth seconded: TO APPROVE THE September 17, 2013 MINUTES

Chair Brick asked if there were any modifications or corrections.

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

Motion carried.
III. STUDY SESSION

Case #2013-04 Home Occupations

Chair Brick and Mr. Knoth stated for the record that they live in the R1A Zone District but that it will not affect their objectivity.

Motion to Open Public Hearing
Roth moved;
Welker seconded to open Public Hearing for Case #2013-04 Home Occupations

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

Chris Neubecker, Senior Planner, was sworn in. Proof of Publication was provided for Public Hearing.

Mr. Neubecker gave a summary of the need for the proposed changes, which were to allow home occupations in R-1-A zones, but to limit potential negative impacts. Some of the issues that have not yet been agreed upon by the Commission include commercial vehicles and on-site sales. As proposed, no customers, vendors or clients would be allowed at home occupations in R-1-A. Also, no exterior signs would be allowed in R-1-A.

Doug Cohn, 3051 S South Marion, was sworn in.

Motion to Close Public Hearing
Knoth moved;
Townley second

AYES: Bleile, Townley, Knoth, Roth, Welker, Kinton, Brick
NAYS: none
ABSTAIN: none
ABSENT: King, Fish
Motion:  Case #2013-04 Home Occupations Favorable recommendation of the request as written in the staff report.

Welker moved
Knoth seconded

Discussion

Mr. Welker made the following friendly amendment.  Mr. Knoth accepted.

Section 1 e. (1) shall read:

“No assistants or employees that are not residents of the principal dwelling unit shall work at the residence.”

Ms. Reid advised that staff will refine the wording of Section 1 e. (1) if necessary.
Vote on original motion with friendly amendment

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

Motion passes 5-2

Mr. Welker moved to delete section 1 h. (1)
Mr. Knoth seconded

“No customers, vendors, or clients shall be allowed at the site of the home occupation in the R-1-A district.”

Discussion

AYES:  Bleile, Townley, Knoth, Welker, Kinton, Roth
NAYS:  Brick
ABSTAIN:  None
ABSENT:  King, Fish
6-1 vote passes.

IV. PUBLIC FORUM
Dr. Robert Farris was sworn in. He came in after the public hearing and wanted to ask questions about entertaining clients at his home. Mr. Neubecker provided a business card and suggested he contact staff since the public hearing was closed on Home Occupations.

V. ATTORNEYS CHOICE
None

VI. STAFFS CHOICE
Mr. Neubecker stated that he is still pursuing an area to study and commission field trip with regard to pedestrian activity on main thoroughfares.

VII. COMMISSIONERS CHOICE

The meeting adjourned at 8:00 p.m.

Julie Bailey, Recording Secretary
AFFIDAVIT OF PUBLICATION

STATE OF COLORADO

COUNTY OF ARAPAHOE

I, Gerard Healey, do solemnly swear that I have subscribed and sworn to the above Affidavit and Certificate of Publication before me by the above named Gerard Healey, publisher of said newspaper, who personally known to me to be the identical person in the above certificate on this 24th day of January A.D., 2014.

My Commission Expires 06/11/16

Notary Public,
1. **Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:30 p.m.

2. **Invocation**

The invocation was given by Council Member McCaslin.

3. **Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member McCaslin.

4. **Roll Call**

Present: Council Members Olson, McCaslin, Wilson, Yates, Penn

Absent: Council Members Jefferson, Gillit

A quorum was present.

Also present: City Manager Sears

City Attorney Brotzman

Deputy City Manager Flaherty

City Clerk Ellis

Deputy City Clerk Bush

Director Gryglewicz, Finance and Administrative Services

Director White, Community Development

Director Konishi, Information Technology

Director Black, Parks and Recreation

Emergency Management Coordinator Green

Chief Building Official Smith, Building and Safety

Senior Planner Neubecker, Community Development

Battalion Fire Chief Ertle

Fire Lieutenant Vetos

Firefighter Garner

Fire Driver Operator Engineer Hillis

Fire Chief Marsh

Police Commander Englert

5. **Consideration of Minutes of Previous Session**

(a) COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF JANUARY 21, 2014.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson

Nays: None
Absent: Council Members Jefferson, Gillit

Motion carried.

6. Recognition of Scheduled Public Comment

There were no scheduled visitors.

7. Recognition of Unscheduled Public Comment

   (a) Christine Johnson, Cornerstone Food Bank, accepted the financial contribution from City Council’s Aid to Other Agencies.

   (b) Elaine Hults, an Englewood resident, said I asked for holiday lights on Broadway and thank you for doing that. She asked Council to please clarify that $20,000.00 is the cost for 2 blocks on Broadway for the lighting. She said that I understand that the funds came from the BID. I would like clarification regarding the funds and expenditures.

   (c) Beverly Cummins, an Englewood resident, said thank you for the sympathy card for my sister.

8. Communications, Proclamations and Appointments

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER MCCASLIN SECONDED, TO APPROVE AGENDA ITEMS 8 (a) THROUGH 8 (ff) – RESOLUTION NOS. 2 THROUGH 33, SERIES OF 2014.

   (a) RESOLUTION NO. 2, SERIES OF 2014

A RESOLUTION REAPPOINTING ANDY BERGER TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

   (b) RESOLUTION NO. 3, SERIES OF 2014

A RESOLUTION APPOINTING LEAH BUCHANAN TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

   (c) RESOLUTION NO. 4, SERIES OF 2014

A RESOLUTION REAPPOINTING MICHAEL BUCHANAN TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

   (d) RESOLUTION NO. 5, SERIES OF 2014

A RESOLUTION REAPPOINTING MICHAEL BUCHANAN TO THE URBAN RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

   (e) RESOLUTION NO. 6, SERIES OF 2014

A RESOLUTION REAPPOINTING JOHN BRICK TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

   (f) RESOLUTION NO. 7, SERIES OF 2014

A RESOLUTION APPOINTING DOUG COHN TO THE ELECTION COMMISSION OF THE CITY OF ENGLEWOOD, COLORADO.

   (g) RESOLUTION NO. 8, SERIES OF 2014
A RESOLUTION APPOINTING MELODY CONNETT TO THE POLICE OFFICERS’ PENSION BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(h) RESOLUTION NO. 9, SERIES OF 2014

A RESOLUTION APPOINTING TANYA DeNORCH TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(i) RESOLUTION NO. 10, SERIES OF 2014

A RESOLUTION APPOINTING CHRIS DIEDRICH AS AN ALTERNATE MEMBER TO THE TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(j) RESOLUTION NO. 11, SERIES OF 2014

A RESOLUTION APPOINTING MATTHEW DILLIN TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(k) RESOLUTION NO. 12, SERIES OF 2014

A RESOLUTION APPOINTING ROBERT FARRIS TO THE ALLIANCE FOR COMMERCE IN ENGLEWOOD COMMITTEE (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

(l) RESOLUTION NO. 13, SERIES OF 2014

A RESOLUTION APPOINTING MICHAEL FREEMIRE TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(m) RESOLUTION NO. 14, SERIES OF 2014

A RESOLUTION REAPPOINTING DOUGLAS GARRETT TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(n) RESOLUTION NO. 15, SERIES OF 2014

A RESOLUTION REAPPOINTING CHUCK HABENICHT TO THE WATER AND SEWER BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(o) RESOLUTION NO. 16, SERIES OF 2014

A RESOLUTION APPOINTING PATRICK MADRID AS AN ALTERNATE MEMBER TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(p) RESOLUTION NO. 17, SERIES OF 2014

A RESOLUTION REAPPOINTING ROGER MATTINGLY TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(q) RESOLUTION NO. 18, SERIES OF 2014

A RESOLUTION REAPPOINTING KAYLENE McCRUM TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(r) RESOLUTION NO. 19, SERIES OF 2014
A RESOLUTION APPOINTING CHRISTINE McGROARTY TO THE TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(s) RESOLUTION NO. 20, SERIES OF 2014

A RESOLUTION APPOINTING ALLIE MOORE TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(t) RESOLUTION NO. 21, SERIES OF 2014

A RESOLUTION APPOINTING ALLIE MOORE TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(u) RESOLUTION NO. 22, SERIES OF 2014

A RESOLUTION APPOINTING JOHN MOORE AS A MEMBER OF THE BUDGET ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(v) RESOLUTION NO. 23, SERIES OF 2014

A RESOLUTION REAPPOINTING JOHN MOORE TO THE NONEMERGENCY EMPLOYEE RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(w) RESOLUTION NO. 24, SERIES OF 2014

A RESOLUTION APPOINTING BARBARA OXFORD TO THE MALLEY CENTER TRUST FUND BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(x) RESOLUTION NO. 25, SERIES OF 2014

A RESOLUTION APPOINTING JIM PHELPS TO THE NON-EMERGENCY EMPLOYEES RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(y) RESOLUTION NO. 26, SERIES OF 2014

A RESOLUTION APPOINTING LAURA PHELPS ROGERS AS A MEMBER OF THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(z) RESOLUTION NO. 27, SERIES OF 2014

A RESOLUTION REAPPOINTING SUE PURDY TO THE BOARD OF ADJUSTMENT AND APPEALS FOR THE CITY OF ENGLEWOOD, COLORADO.

(aa) RESOLUTION NO. 28, SERIES OF 2014

A RESOLUTION APPOINTING BRENDY RICE TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(bb) RESOLUTION NO. 29, SERIES OF 2014

A RESOLUTION APPOINTING PETER SENDROY TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

(cc) RESOLUTION NO. 30, SERIES OF 2014
A RESOLUTION REAPPOINTING CAROLYNE WILMOTH TO THE FIREFIGHTERS' PENSION BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(dd) RESOLUTION NO. 31, SERIES OF 2014

A RESOLUTION APPOINTING JIM WOODWARD TO THE NONEMERGENCY EMPLOYEES RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

(ee) RESOLUTION NO. 32, SERIES OF 2014

A RESOLUTION APPOINTING JIM WOODWARD TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

(ff) RESOLUTION NO. 33, SERIES OF 2014

A RESOLUTION REAPPOINTING JESSIE VAN GUNDEL TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
Nays: None
Absent: Council Members Jefferson, Gillit

Motion carried.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), 9 (b) (i), (ii) and (iii).

(i) COUNCIL BILL NO. 7, INTRODUCED BY COUNCIL MEMBER OLSON


(b) Approval of Ordinances on Second Reading

(ii) ORDINANCE NO. 3, SERIES OF 2014 (COUNCIL BILL NO. 4, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING AN APPLICATION FOR AND ACCEPTANCE OF THE 2014 COLORADO DIVISION OF EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO DIVISION OF EMERGENCY MANAGEMENT FOR ENGLEWOOD’S EMERGENCY MANAGEMENT PROGRAM.

(ii) ORDINANCE NO. 4, SERIES OF 2014 (COUNCIL BILL NO. 5, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE APPROVING SUPPLEMENT NO. 5 TO THE VALLEY SANITATION DISTRICT AND COLUMBINE WATER AND SANITATION DISTRICT CONNECTOR’S AGREEMENT FOR THE INCLUSION OF LAND WITHIN THE COLUMBINE SANITATION DISTRICT BOUNDARIES.
(iii) ORDINANCE NO. 5, SERIES OF 2014 (COUNCIL BILL NO. 6, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE AMENDING THE RULES OF ORDER AND PROCEDURE FOR THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO SECTION VI, DUTIES AND PRIVILEGES OF COUNCIL MEMBERS, SUBSECTION H – VOTING.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
Nays: None
Absent: Council Members Jefferson, Gillit

Motion carried.

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 11 (c).)

10. Public Hearing Items

(a) COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 60, AUTHORIZING AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE REGARDING HOME OCCUPATIONS.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
Nays: None
Absent: Council Members Jefferson, Gillit

Motion carried and the Public Hearing opened.

All witnesses were duly sworn.

Senior Planner Neubecker presented background on Council Bill No. 60 and he discussed the specifics of the requested changes.

Those providing public comment included:

Doug Cohn, Elaine Hults, Kimberly Cowger, Pete Sendroy and Pamela Beets.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO CONTINUE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 60, AUTHORIZING AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE REGARDING HOME OCCUPATIONS TO THE NEXT REGULAR CITY COUNCIL MEETING ON FEBRUARY 18, 2014.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
Nays: None
Absent: Council Members Jefferson, Gillit

Motion carried and the Public Hearing will be continued to the meeting of February 18, 2014.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on First Reading. (See Agenda Item 9 (a) – Consent Agenda.)
(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)

(c) Resolutions and Motions

   (i) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to approve a resolution authorizing a transfer and supplemental appropriation of funds reinstating a Permit Technician position in the Division of Building and Safety Services.

   COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 34, SERIES OF 2014.

   RESOLUTION NO. 34, SERIES OF 2014

   A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF FUNDS TO THE 2014 BUDGET.

   Vote results:
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
   Nays: None
   Absent: Council Members Jefferson, Gillit

   Motion carried.

   (ii) EMS Coordinator Green presented a recommendation from the Fire Department to approve a resolution authorizing the application for a grant from the Colorado Department of Public Health and Environment to assist in the purchase of three new LifePak 15 cardiac monitor/defibrillators.

   COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) – RESOLUTION NO. 35, SERIES OF 2014.

   RESOLUTION NO. 35, SERIES OF 2014

   A RESOLUTION AUTHORIZING AN APPLICATION FOR A “COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE) GRANT” BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO.

   Vote results:
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
   Nays: None
   Absent: Council Members Jefferson, Gillit

   Motion carried.

   (iii) Director Black and Director Konishi presented a recommendation from the Parks and Recreation Department to approve, by motion, the purchase and initial installation of a security system in the amount of $525,758.00. Staff recommends awarding the contract to LONG Building Technologies, Inc., the company that submitted the proposal with the lowest cost in response to the request for proposal.

   COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) – THE PURCHASE AND INITIAL INSTALLATION OF A SECURITY SYSTEM IN THE AMOUNT OF $525,758.00. STAFF RECOMMENDS AWARDING THE CONTRACT TO LONG BUILDING TECHNOLOGIES, INC.

   Vote results:
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
   Nays: None
Absent: Council Members Jefferson, Gillit
Motion carried.

12. **General Discussion**

   (a) Mayor’s Choice

   (b) Council Members’ Choice

   (i) A resolution authorizing the distribution of funds from the former South Broadway Englewood Business Improvement District was considered.

**MAYOR PENN MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 12 (b) (i) – RESOLUTION NO. 36, SERIES OF 2014.**

**RESOLUTION NO. 36, SERIES OF 2014**

A RESOLUTION APPROPRIATING FUNDS FROM THE SOUTH BROADWAY ENGLEWOOD BUSINESS IMPROVEMENT DISTRICT.

**Vote results:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson
Nays: None
Absent: Council Members Jefferson, Gillit

Motion carried.

13. **City Manager’s Report**

City Manager Sears did not have any matters to bring before Council.

14. **City Attorney’s Report**

City Attorney Brotzman did not have any matters to bring before Council.

15. **Adjournment**

**MAYOR PENN MOVED TO ADJOURN.** The meeting adjourned at 8:54 p.m.

/s/ Loucrishia A. Ellis
City Clerk
ENGLEWOOD CITY COUNCIL
ENGLEWOOD, ARAPAHOE COUNTY, COLORADO

Regular Session

February 18, 2014

A permanent set of these minutes and the audio are maintained in the City Clerk’s Office. Minutes and streaming audios are also available on the web at: http://www.englewoodgov.org/inside-city-hall/city-council/agendas-and-minutes

1. Call to Order

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:41 p.m.

2. Invocation

The invocation was given by Council Member McCaslin.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Council Member McCaslin.

4. Roll Call

Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn
Absent: None
A quorum was present.

Also present: City Manager Sears
City Attorney Brotzman
Deputy City Manager Flaherty
City Clerk Ellis
Deputy City Clerk Bush
Director Gryglewicz, Finance and Administrative Services
Director White, Community Development
Director Fonda, Utilities
Director Black, Parks and Recreation
Deputy Police Chief Sanchez
Streets Maintenance Manager Hagan, Public Works
Fleet/ServiCenter Manager White, Public Works
Water Production Supervisor Clark, Utilities
Senior Planner Neubecker, Community Development
Fire Chief Marsh

5. Consideration of Minutes of Previous Session

(a) COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 3, 2014.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.
6. Recognition of Scheduled Public Comment

(a) Jason Clark, Water Production Supervisor addressed City Council regarding the dedication of the Ultraviolet Disinfection System at the Allen Plant to the late Joe Pershin, former Water Production Administrator at the Plant.

7. Recognition of Unscheduled Public Comment

(a) David Gilbert, an Englewood resident, spoke about property owned by the Englewood Environmental Foundation, the plaza and the amphitheater, and the signage indicating the banning of certain practices including panhandling, petitioning, camping and the distribution of flyers. These are Freedom of Speech rights that must be reinstalled and with the proper signage.

(b) Doug Cohn, an Englewood resident, spoke about Pete Seeger’s song “If I Had a Hammer” and what it stood for. Don’t be the misrepresentation listed in the song, but be equal and make the rules fair, he said. Don’t discriminate and allow freedom.

(c) Elaine Hults, an Englewood resident, said she heard that a Council Member said that they do not want citizen input. She does not think that the park land should have been sold. She believes in free speech. This is still a democracy.

(d) Laura Phelps, an Englewood resident, said she discovered a deadline in a process called Creative Districting. It's on March 3, 2014. I have reached out to several staff and board members, she said. Colorado Creative Industries is facilitating Creative Districts. It started three years ago. This process has become more competitive. We need to produce a letter of interest. By missing this deadline, it would set us back two to three years. This could be used as a tool for economic development. Please allow Director White to complete this letter.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

(a) A proclamation declaring the month of February as African American History Month was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER MCCASLIN SECONDED, TO APPROVE A PROCLAMATION DECLARING THE MONTH OF FEBRUARY AS AFRICAN AMERICAN HISTORY MONTH.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), (ii), (iii) and 9 (b) (i).

(i) COUNCIL BILL NO. 8, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ENTITLED “EAST METRO AUTO THEFT TEAM (EMATT) MEMORANDUM OF UNDERSTANDING FOR PARTICIPATING AGENCIES” BETWEEN THE COLORADO STATE PATROL, THE COUNTIES OF ARAPAHOE AND
DOUGLAS AND THE CITIES OF AURORA, COMMERCE CITY AND ENGLEWOOD TO COMBAT AUTO THEFTS AND VEHICLE INSURANCE FRAUD IN THE EAST METRO AREA.

(ii) COUNCIL BILL NO. 9, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A VICTIM ASSISTANCE LAW ENFORCEMENT (VALE) GRANT FROM THE VICTIM ASSISTANCE LAW ENFORCEMENT BOARD OF THE 18TH JUDICIAL DISTRICT.

(iii) COUNCIL BILL NO. 10, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING THE CITY OF ENGLEWOOD, COLORADO TO APPLY FOR AND ACCEPT FUNDING FROM THE U.S. DEPARTMENT OF JUSTICE – OFFICE OF JUSTICE PROGRAMS, FOR THE PURCHASE OF BULLET PROOF VESTS.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 6, SERIES OF 2014 (COUNCIL BILL NO. 7, INTRODUCED BY COUNCIL MEMBER OLSON)


Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 11 (c.).)

10. Public Hearing Items

(a) COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO REOPEN THE PUBLIC HEARING (CONTINUED FROM FEBRUARY 3, 2014) TO GATHER INPUT ON COUNCIL BILL NO. 60, AUTHORIZING AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE REGARDING HOME OCCUPATIONS.

Council Member Olson recused herself from the hearing.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit
Nays: None

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Director White said discussion about this zoning issue has occurred for many years. Technology has impacted the way businesses operate. Home based businesses are a part of our growing economy. We need to balance the growth and the needs of the neighbors. This ordinance strikes a balance.

Senior Planner Neubecker said this topic was brought to us. We believe that there may already be some home operations. This will allow home based businesses in the R-1-A District that currently doesn’t allow them.
There are limitations set forth in the ordinance. Mr. Neubecker detailed the differences as to what would be allowed with this ordinance and what would not be allowed.

Those providing public comment included: Brent Kirkpatrick, Ron Pickens, Ida May Nicholl, John Gerlick, and Kimberly Cowger.

Mr. Pickens gave the City Clerk a copy of the Hampden Hills “Declaration of Building and Use Restrictions” document, which was entered into the record.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO CLOSE THE PUBLIC HEARING (CONTINUED FROM FEBRUARY 3, 2014) TO GATHER INPUT ON COUNCIL BILL NO. 60, AUTHORIZING AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE REGARDING HOME OCCUPATIONS.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried and the Public Hearing closed.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on first reading. (See Agenda Item 9 (a) – Consent Agenda.)

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)

(c) Resolutions and Motions

(i) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to approve a resolution authorizing a transfer and supplemental appropriation of funds for Building System Replacements, Road and Bridge Repair, Permit Tracking System development, and a Solar Garden Project in the total amount of $567,000.00.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 37, SERIES OF 2014.

RESOLUTION NO. 37, SERIES OF 2014

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF FUNDS TO THE 2014 BUDGET FOR A VARIETY OF CAPITAL PROJECTS THAT WERE NOT INCLUDED IN THE 2014 BUDGET.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson, Gillit
Nays: Council Member Jefferson

Motion carried.

(ii) Manager Hagan and Manager White presented a recommendation from the Public Works Department to approve, by motion, the purchase of an oil distributor for the Streets Division. Staff recommends awarding the contract to Macdonald Equipment Company, the lowest acceptable bidder, in the amount of $60,493.00.
COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) – A CONTRACT WITH MACDONALD EQUIPMENT COMPANY FOR THE PURCHASE OF AN OIL DISTRIBUTOR FOR THE STREETS DIVISION IN THE AMOUNT OF $60,493.00.

Vote results:
- Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
- Nays: None
Motion carried.

(iii) Manager Hagan and Manager White presented a recommendation from the Public Works Department to approve, by motion, the purchase of a dump truck for the Streets Division. Staff recommends purchasing the vehicle through the state bid in the amount of $75,378.00.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEMS 11 (c) (iii) – THE PURCHASE OF A DUMP TRUCK FOR THE STREETS DIVISION THROUGH THE STATE BID IN THE AMOUNT OF $75,378.00.

Vote results:
- Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
- Nays: None
Motion carried.

12. General Discussion

(a) Mayor's Choice

(b) Council Members’ Choice

(i) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AN EMERGENCY MORATORIUM TO ALLOW THE TWO CURRENT APPLICANTS FOR MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION LICENSES TO BE REVIEWED BY THE LIQUOR AND MEDICAL MARIJUANA LICENSING AUTHORITY TO DETERMINE IF THEY HAD POSTED THEIR PUBLIC HEARING NOTICES CORRECTLY AND IF FOUND TO BE INCORRECT, THEY WOULD HAVE TO WAIT UNTIL THE SIX MONTH MORATORIUM HAS ENDED TO REAPPLY AND TO DECLARE A SIX MONTH MORATORIUM ON ANY FUTURE MEDICAL MARIJUANA APPLICATIONS.

Vote results:
- Ayes: Council Members McCaslin, Wilson, Gillit
- Nays: Council Members Yates, Penn, Jefferson, Olson
Motion defeated.

(ii) Registration for NLC Congressional Cities Conference in Washington, D.C. from March 8 to 10, 2014 was discussed.

MAYOR PENN MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE REGISTRATION OF COUNCIL MEMBERS YATES, McCASLIN, JEFFERSON, AND GILLIT TO ATTEND THE NLC CONGRESSIONAL CITIES CONFERENCE IN WASHINGTON, D.C. FROM MARCH 8 TO 10, 2014

Vote results:
- Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
- Nays: None
Motion carried.

(iii) COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AN EMERGENCY MORATORIUM TO ALLOW THE TWO CURRENT
APPLICANTS FOR MEDICAL MARIJUANA OPTIONAL PREMISES CULTIVATION TO BE REVIEWED BY THE LIQUOR AND MEDICAL MARIJUANA LICENSING AUTHORITY TO DETERMINE IF THEY HAD POSTED THEIR PUBLIC HEARING NOTICES CORRECTLY AND IF FOUND TO BE INCORRECT, THEY WOULD BE ALLOWED TO CORRECT THE POSTING IMMEDIATELY AND TO DECLARE A SIX MONTH MORTORIUM ON ANY FUTURE MEDICAL MARIJUANA APPLICATIONS.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson, Gillit
Nays: Council member Jefferson

Motion carried.

13. City Manager's Report

City Manager Sears did not have any matters to bring before Council.

14. City Attorney's Report

(a) City of Englewood and Colorado Intergovernmental Risk Sharing Agency v. Delvin Harrell and Industrial Claims Appeals Office, Supreme Court Case No: 2014SC123 was discussed.

MAYOR PENN MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO CONTINUE THE SUPREME COURT CASE NO. 2014SC123.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

15. Adjournment

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 9:56 p.m.

__/s/ Loucrishia A. Ellis
City Clerk
1. **Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:38 p.m.

2. **Invocation**

The invocation was given by Council Member McCaslin.

3. **Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member McCaslin.

4. **Roll Call**

Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn

Absent: None

A quorum was present.

Also present:
- City Manager Sears
- City Attorney Brotzman
- Deputy City Manager Flaherty
- City Clerk Ellis
- Deputy City Clerk Bush
- Director White, Community Development
- Communications Coordinator Hoffhines, City Manager
- Senior Planner Stitt, Community Development
- Senior Planner Neubecker, Community Development
- Field Operations Administrator Nimmo, Public Works
- Planner Voboril, Community Development
- Deputy Chief of Police Sanchez
- Fire Chief Marsh

5. **Consideration of Minutes of Previous Session**

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 3, 2014.

Vote results:
- **Ayes:** Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
- **Nays:** None

Motion carried.

6. **Recognition of Scheduled Public Comment**
(a) City Council recognized the Englewood nominees for the 2014 Arapahoe County Mayors and Commissioners Youth Awards. Also present were: Englewood School Superintendent Brian Ewert, and school board members Tena Prange, Duane Tucker, and Kevin Ebert, Englewood High School Principal Jon Fore, Englewood High School Assistant Principal Brooke Davis, Englewood Middle School Principal Mandy Braun, Colorado’s Finest Alternative High School Principal Bobbie Skaggs and numerous teachers and counselors.

(i) Andrew Abalos, an 8th Grader at Englewood Middle School
(ii) Damon Abeyta, a 12th Grader at Colorado’s Finest Alternative High School
(iii) Jihad Al-Yasiry, an 8th Grader at Englewood Middle School
(iv) Taylor Blackburn, an 8th Grader at Englewood Middle School
(v) Auzurai Hubbard, an 8th Grader at Englewood Middle School
(vi) Maria Johnsen, a 12th Grader at Colorado’s Finest Alternative High School
(vii) Javier Lopez, a 12th Grader at Colorado’s Finest Alternative High School
(viii) Kaitlynn McCormack, a 12th Grader at Colorado’s Finest Alternative High School
(ix) Tim McCrory, a 12th Grader at Colorado’s Finest Alternative High School
(x) Shawn Michaelis, a 12th Grader at Colorado’s Finest Alternative High School
(xi) Isabel Montanez, an 8th Grader at Englewood Leadership Academy
(xii) Katie O’Brien, a 12th Grader at Colorado’s Finest Alternative High School
(xiii) Erin Peterson, an 8th Grader at Englewood Middle School
(xiv) Ivy Ryan, a 12th Grader at Englewood High School

7. Recognition of Unscheduled Public Comment

(a) Ida May Nicholl, an Englewood resident, thanked Council for the amendments to the R-1-A Zone District ordinance, which made a significant difference. These changes took away some of the frustration and animosity felt by the citizens toward Council and the City. It will help our City in the long run while helping the home businesses. She commended Council for the adoption of the amendments and for not pushing through the ordinance as originally written.

(b) Steve Ward, an Englewood resident and a current member of the Liquor and Medical Marijuana Licensing Authority and the Budget Advisory Committee, asked Council to expand the good cause reasons for denying medical marijuana licenses to include citizen input.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

There were no communications, proclamations or appointments.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), (ii), (iii), (iv), 9 (b) (i), (ii), (iii), AND 9 (c) (i) and (ii).

(i) COUNCIL BILL NO. 15, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ENTITLED “MEMORANDUM OF UNDERSTANDING” BETWEEN THE UNITED STATES SECRET SERVICE AND THE CITY OF ENGLEWOOD, COLORADO PERTAINING TO COLORADO ELECTRONIC CRIMES TASK FORCE.

(ii) COUNCIL BILL NO. 16, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AND HOMELAND SECURITY
INVESTIGATIONS AND THE CITY OF ENGLEWOOD, COLORADO PERTAINING TO IMMIGRATION AND CUSTOMS ENFORCEMENT.

(iii) COUNCIL BILL NO. 17, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT REGARDING THE APPLICATION FOR AND ACCEPTANCE OF AN URBAN AREAS SECURITY INITIATIVE (USAI)/NORTH CENTRAL ALL-HAZARDS EMERGENCY MANAGEMENT REGION (NCR) PROGRAM GRANT.

(iv) COUNCIL BILL NO. 18, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF COLORADO INTERNET CRIMES AGAINST CHILDREN TASK FORCE GRANT AWARD BETWEEN THE CITY OF COLORADO SPRINGS AND MEMBER PARTIES INCLUDING THE CITY OF ENGLEWOOD, COLORADO.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 10, SERIES OF 2014 (COUNCIL BILL NO. 11, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT ENTITLED “FUNDING AGREEMENT FOR RTD FUNDING OF LOCAL TRANSPORTATION SERVICES” (ENGLEWOOD ART SHUTTLE) BETWEEN THE REGIONAL TRANSPORTATION DISTRICT (RTD) AND THE CITY OF ENGLEWOOD, COLORADO.

(ii) ORDINANCE NO. 11, SERIES OF 2014 (COUNCIL BILL NO. 12, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ENTITLED “COLORADO INTERNET CRIMES AGAINST CHILDREN TASK FORCE MEMORANDUM OF UNDERSTANDING (MOU)” BETWEEN THE CITY OF COLORADO SPRINGS AND MEMBER PARTIES INCLUDING THE CITY OF ENGLEWOOD, COLORADO.

(iii) ORDINANCE NO. 12, SERIES OF 2014 (COUNCIL BILL NO. 13, INTRODUCED BY COUNCIL MEMBER McCASLIN)

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) ENTITLED “LICENSING AGREEMENT REGARDING DENVER REGIONAL AERIAL PHOTOGRAPHY PROJECT” BETWEEN THE DENVER REGIONAL COUNCIL OF GOVERNMENTS AND THE CITY OF ENGLEWOOD, COLORADO FOR THE CITY’S PARTICIPATION IN THE DENVER REGIONAL AERIAL PHOTOGRAPHY PROJECT (DRAPP).

(c) Resolutions and Motions

(i) AGREEMENT WITH MV PUBLIC TRANSPORTATION, INC. FOR 2014 MANAGEMENT, OPERATION AND MAINTENANCE OF THE ART SHUTTLE FOR A CONTRACT AMOUNT OF $268,729.20.

(ii) EXTENSION OF THE 2012 CONCRETE UTILITY CONSTRUCTION CONTRACT WITH NORAA CONCRETE CONSTRUCTION, FOR CONCRETE UTILITY 2014, IN THE AMOUNT OF $420,240.45.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.
10. **Public Hearing Items**

No public hearing was scheduled before Council.

11. **Ordinances, Resolutions and Motions**

   (a) **Approval of Ordinances on First Reading**

   There were no additional ordinances submitted for approval on first reading. (See Consent Agenda Item 9 (a).)

   (b) **Approval of Ordinances on Second Reading**

   (i) Council Bill No. 60, as amended, authorizing amendments to Title 16: Unified Development Code regarding Home Occupations was considered.

   COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO ALLOW COUNCIL MEMBER OLSON TO ABSTAIN FROM PARTICIPATING WITH COUNCIL BILL NO. 60.

   **Vote results:**

   Ayes: Council Members McCaslin, Wilson, Penn, Jefferson, Olson
   Nays: Council Member Yates, Gillit

   Motion defeated because it had to be a unanimous vote.

   COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM NO. 11 (b) (i) – ORDINANCE NO. 13, SERIES OF 2014.

   ORDINANCE NO. 13, SERIES OF 2013/2014 (COUNCIL BILL NO. 60, INTRODUCED BY COUNCIL MEMBER JEFFERSON)

   AN ORDINANCE AMENDING TITLE 16, CHAPTERS 5, 4-C (1) (a) THROUGH (g); 5-4-C (2) AND 11-2-B, OF THE ENGLEWOOD MUNICIPAL CODE 2000 PERTAINING TO HOME OCCUPATIONS AND ALLOWING THEM IN THE R-1-A ZONE DISTRICTS.

   **Vote results:**

   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit
   Nays: Council Member Olson

   Motion carried.

   (ii) Council Bill No. 14, an emergency ordinance creating a moratorium on the establishment of any new medical marijuana business which manufactures or cultivates medical marijuana was considered.

   COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM NO. 11 (b) (ii) – COUNCIL BILL NO. 14.

   COUNCIL BILL NO. 14, INTRODUCED BY COUNCIL MEMBER WILSON

   A BILL FOR AN EMERGENCY ORDINANCE CREATING A MORATORIUM ON THE ESTABLISHMENT OF ANY NEW MEDICAL MARIJUANA BUSINESS WHICH MANUFACTURES OR CULTIVATES MEDICAL MARIJUANA.

   COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO AMEND COUNCIL BILL NO. 14, TO INCLUDE MEDICAL MARIJUANA CENTERS IN THE MORATORIUM.

   **Vote results on the amendment:**

   Ayes: Council Members McCaslin, Wilson, Penn, Olson, Gillit
Nays: Council Member Yates, Jefferson
Motion carried.

**Vote results on motion to approve Council Bill No. 14 as amended:**

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Olson, Gillit
Nays: Council Member Jefferson

Motion carried.

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Consent Agenda Item 9 (c.).)

12. **General Discussion**

(a) Mayor’s Choice

(b) Council Members’ Choice

13. **City Manager’s Report**

City Manager Sears did not have any matters to bring before Council.

14. **City Attorney’s Report**

City Attorney Brotzman did not have any matters to bring before Council.

15. **Adjournment**

**MAYOR PENN MOVED TO ADJOURN.** The meeting adjourned at 8:27 p.m.

_____/s/ Loucrishia A. Ellis_____
City Clerk
BY AUTHORITY

ORDINANCE NO. 2
SERIES OF 2013/2014

COUNCIL BILL NO. 60
INTRODUCED BY COUNCIL
MEMBER JEFFERSON

AN ORDINANCE AMENDING TITLE 16, CHAPTERS 5, 4-C(1)(a) THROUGH (g); 5-4-C(2) AND 11-2-B, OF THE ENGLEWOOD MUNICIPAL CODE 2000 PERTAINING TO HOME OCCUPATIONS AND ALLOWING THEM IN THE R-1-A ZONE DISTRICTS.

WHEREAS, the City has the authority to regulate the use of land from the "Local Government Land Use Control Enabling Act," C.R.S. 29-20-101 et. seq. and the Englewood Home Rule Charter, Nopro vs. Town of Cherry Hills Village, 504 P.2d 344 (1972); and

WHEREAS, the City has the authority to regulate home occupations, Christiansen vs. City Council of City of Golden, 757 P.2d 1121 (1988) and Jones vs. Board of Adjustments, 204 P.2d 560 (1949); and

WHEREAS, the City has adopted ordinances under its police power regulating the use of signs and creating a comprehensive system of sign standards to provide a balance between the right of businesses to identify themselves, the protection of the uses permitted and compatibility with the surrounding area; and

WHEREAS, there are additional limitations on home occupations in the R-1-A zone district in order to protect the special character and exclusivity of the R-1-A zone district; and

WHEREAS, restrictions on commercial speech are constitutional per Central Hudson Gas and Electric vs. P.S.C., 447 U.S. 557 (1980); and Board of Trustees vs. Fox, 492 U.S. 469 (1989), including prohibiting signs entirely; and

WHEREAS, the Planning and Zoning Commission found window signs for home occupations should be prohibited in R-1-A zone districts to protect the special character and exclusivity of the R-1-A zone district; and

WHEREAS, the Planning and Zoning Commission added to the list of prohibited uses; food preparation, manufacture of alcohol, and landscaping industries because these would:

• be more likely to have impacts on the surrounding area
• likely have too much impact on residential neighborhoods, and change the character of the area;
• have impacts that are more akin to commercial and industrial zones, that people don’t want to see in residential zones.

WHEREAS, the City Council finds the "Cottage Food Act" 25-4-1614 C.R.S. and the Nuisance Code provide sufficient safeguards against odors, and other impacts; and
WHEREAS, the Planning and Zoning Commission recommended removing the limitation of only one (1) home occupation per dwelling unit because there may be several members of a household each operating a business; and

WHEREAS, City Council has decided that registration of a home occupations is not necessary for the enforcement of this Ordinance; and

WHEREAS, City Council found that the current 300 square foot limit on a home occupation was too restrictive; and

WHEREAS, enforcement has been identified as problematic by the Police Department and the Prosecutor due to a lack of distinction between a home office and a home occupation; and

WHEREAS, the Planning and Zoning Commission felt further defining a home office and a home occupation was unnecessary; and

WHEREAS, the Planning and Zoning Commission recommended deleting the word "incidental" in favor of the word "secondary" in the introductory paragraph because the structure is still primarily a residence; and

WHEREAS, on second reading City Council modified the ordinance to remove the restriction of office use bringing R-1-A into alignment with all other zoning districts and further allowed storage in accessory structures, allowed an employee that is not a resident of the principal dwelling, and modified customer visits and deliveries.

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, Colorado hereby authorizes amending Title 16, Chapter 5, Section 4, Subsection(C)(1)(a) entitled "Home Occupation" of the Englewood Municipal Code 2000, to read as follows:

[EDITORS NOTE: 16-5-4(A) and (B) contain no change and are therefore not included here]

16-5-4-C: Accessory Uses Permitted. Table 16-5-1.1 includes accessory uses and shows in which zoning district a specific accessory use is permitted. If an accessory use is not listed in Table 16-5-1.1, but satisfies all the general standards set forth in subsection 16-5-4.B EMC, the City Manager or designee may allow its establishment according to the procedures and criteria in Section 16-5-1.B EMC, "Unlisted Uses." In addition, all unlisted accessory uses shall be subject to compliance with the general, dimensional, and operational standards set forth in this Section 16-5-4 EMC.

1. Home Occupation. Occupations customarily incidental which are secondary to the principal use as a residence may be allowed when conducted in the same dwelling, provided the following standards are met:

   a. Districts Allowed. Home occupations are allowed in the following districts: R-1-A, R-1-B, R-1-C, R-2-A, and R-2-B, MU-R-3-A, MU-R-3-B, MU-R-3-C, M-1, M-2, MO-2, and TSA. Only one (1) home occupation shall be permitted per dwelling unit. Home occupations may be permitted accessory to principal residential uses located in nonresidential districts (e.g., in a manufactured home
park located in an industrial district, in a PUD that allows residential uses, or in any residential dwelling unit otherwise approved by the City) provided the home occupations comply with all requirements of residential district home occupations herein.

i. Additional Restrictions in the R-1-A District:

(a) Within the R-1-A District, the following additional restrictions shall apply to Home Occupations.

(i) Commercial delivery services shall only be allowed between the hours of 7:00 a.m. and 9:00 p.m.

(ii) Only one (1) customer shall be allowed to visit at a time.

(iii) No exterior signage shall be allowed in the R-1-A District.

Section 2. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 5, Section 4, Subsections(C)(1)(b) through (g) entitled “Home Occupation” of the Englewood Municipal Code 2000, to read as follows:

b. Where Allowed on Site. The home occupation shall be operated entirely within the dwelling unit and only by the person or persons maintaining a dwelling unit therein. The home occupation shall not have a separate outside entrance. The home occupation shall not be conducted in a detached accessory structure. A detached accessory structure may be used for incidental storage.

e. Registration. All home occupations shall register with the City.

c. Sales.

(1) On the Premises. The sale on the premises of items that have been made, grown, or prepared on the premises shall be permitted. The sale on the premises of any item that has not been made, grown, or prepared on the premises shall be prohibited.

(2) Off the Premises. Sales off the premises of such items as personal or household goods such as those products offered by Avon, Amway, Fuller Brush, Watkins, etc., shall be permitted.

d. Operational Requirements.

(1) No more than one assistants or employees that are residents of the principal dwelling unit shall be employed in the home occupation residence/dwelling unit.

(2) The hours and manner of such uses and the noise impacts created thereby shall not interfere with the peace, quiet, or dignity of the neighborhood and adjoining properties which creates a nuisance under Title 15 of this Code.
(3) Incidental storage shall be allowed for items made on the premises and/or sold off the premises consistent with this Section. All storage shall be indoors, including all materials, equipment, inventory and supplies.

(4) The home occupation, including storage of materials, equipment, inventory, and/or supplies, shall not utilize more than three hundred (300) square feet fifty percent (50%) of indoor space of the dwelling unit; provided, however, that this does not apply to permitted home care accessory uses.

(5) The use of electric motors shall be limited in power, with a total limitation of one and one-half (1 1/2) horsepower, and no single unit over three-fourths (3/4) horsepower. Only one exterior sign, up to a maximum of one (1) square foot in area, shall be allowed. The sign shall be affixed to the building and shall be unlighted and unanimated. A Sign Permit shall be required.

(6) No window displays shall be allowed and no sample commodities shall be displayed outside the dwelling.

f. Prohibited Uses. In no event shall any home occupation include the following business or commercial activities (except for the administrative or clerical functions related to these businesses, such as bookkeeping, marketing, and customer phone calls):

(1) Animal hospital or kennel, animal daycare, breeders, except licensed canine and feline breeders.

(2) Asphalt paving business.

(3) Barbers, hairdressers, cosmetologists, beauticians or any activity involving the skin, hair or nails.

(4) Body, mechanical repair, or modification of motor vehicles.

(5) The sale, storage, manufacture, or assembly of guns, knives or other weapons or ammunition.

(6) Dump trucks.

(7) Restaurants.

(8) Towing business.

(9) Processes involving the dispensing, use, or recycling of hazardous or flammable substances and materials.

(10) Automotive vehicles sales requiring a state dealer's license.

(11) Medical Marijuana Centers.
(12) Medical Marijuana-Infused Products manufacturers.

(13) Medical Marijuana Optional Premises Cultivation Operation.

(14) Manufacture of wine, distilled spirits, or malt beverages.

(15) Landscaping supplies, installation, maintenance or repair.

Section 3. The City Council of the City of Englewood, Colorado hereby makes no amendments to Title 16, Chapter 5, Section 4, Subsection(C)(2) entitled “Parking Area” through Subsection D(2) of the Englewood Municipal Code 2000, to read as follows:

2. Parking Area.

a. Parking Area, (R-2-B District Only). When an R-2-B district abuts or is adjacent to a MU-B-2 district, the parking area must be screened from the residential portion of the lot by a six foot (6') opaque fence. Side yard fences must also be provided to screen adjacent property. These fences shall also be six feet (6') in height except that, within ten feet (10') of the rear property line, the fences cannot exceed thirty inches (30") in height or be less than fifty percent (50%) open.

(1) The parking area shall not have a grass surface.

(2) Parking stops or other devices allowing snowfall maintenance must be placed in the parking area to prevent damage to the fence by vehicles.

(3) Provisions must be made for the collection of trash as per City ordinance.

(4) The minimum width of the parking area shall be fifty feet (50').

b. Parking Area, Surface (TSA District Only). Surface parking areas, noncommercial and accessory to a principal use, are allowed subject to the following additional conditions:

(1) General. Such surface parking area shall be maintained as long as the principal permitted use is maintained, or until alternative parking is provided for such principal use.

(2) Location.

(a) An accessory surface parking area may be located within six hundred feet (600') of the lot containing the principal use, either within the TSA district or within a zone district that permits noncommercial parking lots, subject to a City-approved alternative parking plan and pursuant to the Station Area Standards and Guidelines, as applicable.

c. Remote Parking Areas. Pursuant to Section 16-6-4 EMC, required parking may be provided as an accessory use within four hundred feet (400') of the principal use, either within the same district or within a district that permits
noncommercial parking lots. Such parking lots must be maintained as long as the principal permitted use is maintained, or alternate parking provided. Approval of an alternative parking plan is required (administrative process), pursuant to Section 16-6-4.D EMC. Such lots shall be paved, shall require a building permit, and shall be subject to the landscaping requirements of Section 16-6-7.M EMC.


a. *Small Satellite Dish Antennas.* Satellite dish antennas of one (1) meter or less in diameter are permitted accessory uses in all residential and nonresidential zoning districts. Such dishes shall not be located within the public right-of-way.

b. *Large Satellite Dish Antennas.*

(1) Satellite dish antennas measuring one (1) meter or more are permitted accessory uses in all zoning districts. Any roof-mounted dishes shall submit an engineer’s certificate to the City. Such dishes shall not be located within the public right-of-way.

(2) As applied only to large satellite dish antennas accessory to a principal residential use, to the maximum extent feasible, but only where there is no substantial impairment to acceptable signal quality, such antennas shall:

(a) Be located in the rear yard of the residential use; and

(b) Be screened from view from adjacent public rights-of-way; and

(c) Be of a color harmonious with their surroundings. There shall be no advertising in words or pictures, other than the manufacturer’s name in small letters.

4. Service Unit or Facility. Service units or facilities shall be allowed as accessory uses in the MU-R-3-B district. Such uses include, but are not limited to, barber or beauty shops, gift shops, coffee shops, and dining facilities for the convenience of the tenants. Such uses shall comply with underlying zone district requirements, including the dimensional requirements set forth in Section 16-6-1 EMC.

5. Swimming Pool. Swimming pools are allowed as accessory uses in all districts. See Title 8 EMC.

6. Wholesale Sales and Distribution. Wholesale sales and distribution shall be allowed as an accessory use in MU-B-1 and MU-B-2 districts provided the principal use maintains an active retail license and is open to the public for retail trade.

D. *Prohibited Accessory Uses.*

1. *Prohibited in All Zoning Districts.* The following activities shall not be regarded as accessory to a principal use on any site and are prohibited in all zoning districts:

a. *Use of Travel Trailer or Recreational Vehicle (RV) as a Residence.* The use of a travel trailer as a residence, permanent or temporary, with the exception of a trailer
approved as a temporary use for security under Section 16-5-5 EMC, shall be prohibited in all zoning districts.

b. Use of Motor Vehicle or Trailer for Sales, Service, Storage, or Other Business. The use of any motor vehicle, trailer, mini-mobile storage container, or shipping container as a structure in which, out of which, or from which any goods are sold or stored, any services performed, or other businesses conducted, shall be prohibited in all zoning districts. However, this subsection shall not prohibit the following:

(1) The sale of goods or merchandise at a City-approved or sponsored event; or

(2) Use of a motor vehicle, trailer, or shipping or storage container in connection with an approved recycling operation; or

(3) Use of a trailer or shipping or storage container in conjunction with construction authorized by a valid building permit; or

(4) Use of a trailer, shipping, or storage container for the temporary loading and unloading of goods, provided that no individual trailer or container is in place longer than forty-eight (48) hours.

2. Prohibited in Residential Zoning Districts. The following activities shall not be regarded as accessory to a residential principal use and are prohibited in all residential (R) districts:

a. Automotive Repair. Automotive repair, including engine, body, or other repair or repainting of more than one (1) vehicle at any one time owned by a person not residing at that address, regardless of whether compensation was paid for the service.

b. Outdoor Storage of Inoperative Vehicles. The outdoor storage of inoperable vehicles shall comply with Title 15 EMC.

c. Parking of Commercial Vehicles.

(1) No commercial vehicle shall be stored on public property or in the public right-of-way.

[EDITORS NOTE: Parking on private property issues were passed by initiative Ballot Question 2D on November 1, 2011 and can only be revised, repealed, or amended by electoral vote. (Englewood Home Rule Charter Article VI, Section 48.)]

Section 4. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 11, Section 2, Subsection B, entitled “Definition of Words, Terms, and Phrases” of the Englewood Municipal Code 2000, to read as follows:

Home Occupation: Any use conducted entirely within a dwelling and carried on by the occupants thereof, which is clearly incidental and secondary to the primary use of the dwelling for dwelling purposes and does not change the character thereof. Such uses must meet all conditions and requirements for the particular zone in which such use is located.
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 it 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 on first reading on the 18th day of November, 2013 and tabled.

Introduced, read in full, amended and passed as amended on first reading on the 21st day of January, 2014.

Published by Title as amended a Bill for an Ordinance in the City’s official newspaper on the 24th day of January, 2014.

Published as amended a Bill for an Ordinance on the City’s official website beginning on the 22nd day of January, 2014 for thirty (30) days.

A Public Hearing was held on the 3rd day of February, 2014 and was continued until February 18th, 2014.

The continued Public Hearing was held on the 18th day of February, 2014.

Read by title, amended and passed as amended on the 3rd day of March, 2014.

Published by Title as an amended Bill for an Ordinance in the City’s official newspaper on the 7th day of March, 2014.
Published as an amended Bill for an Ordinance on the City's official website beginning on the 5th day of March, 2014 for thirty (30) days.

Read by title as amended and passed as amended on final reading on the 17th day of March, 2014.

Published by title as amended in the City's official newspaper as Ordinance No. 13, Series of 2014, on the 21st day of March, 2014.

Published by title as amended on the City's official website beginning on the 19th day of March, 2014 for thirty (30) days.

This Ordinance shall take effect thirty (30) days after publication following final passage.

______________________________
Randy F. 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 passed on final reading and published by title as Ordinance No. 13, Series of 2014.

______________________________
Loucrishia A. Ellis
AFFIDAVIT OF PUBLICATION

State of Colorado  
County of Arapahoe

This Affidavit of Publication for the Englewood Herald, a weekly newspaper, printed and published for the County of Arapahoe, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made the 7th day of February A.D., 2014, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.

for the Englewood Herald  
State of Colorado  
County of Arapahoe

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Gerard Healey, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on this 7th day of February A.D., 2014.

My Commission Expires 06/11/16

Notary Public,
CITY OF ENGLEWOOD

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing before the Planning and Zoning Commission will be held on **February 20, 2014**, at the hour of 7:00 p.m. in the Englewood City Council Chambers, 1000 Englewood Parkway, Englewood, CO 80110.

**Case #2013-09:** The issue to be heard before the Commission is proposed amendments to Title 16: Unified Development Code Section 16-2-9 of the Englewood Municipal Code related to Zoning Site Plan Review.

A copy of the proposed amendment may be reviewed in the Community Development Department. Anyone interested in this matter may be heard at the Public Hearing at the previously cited location, date, and time.

By Order of the City Planning and Zoning Commission

Julie Bailey
Recording Secretary

Published February 7, 2014
City of Englewood Website
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: Roth, Knoth, Brick, Kinton, Townley, Fish, Freemire, Madrid (alternate)

Absent: Bleile (Excused), King (Excused)

Staff: Alan White, Director, Community Development
      Chris Neubecker, Senior Planner
      Dan Brotzman, City Attorney

Chair Brick added election of officers to the agenda.

II. APPROVAL OF MINUTES
February 4, 2013

Fish moved;
Freemire seconded: TO APPROVE THE FEBRUARY 4, 2013 MINUTES

Chair Brick asked if there were any modifications or corrections. Mr. Fish requested that the attendance record be modified to remove Mr. Welker and reflect that Ms. Townley and Mr. Knoth were in attendance.

AYES: Fish, Kinton, Knoth, Roth, Townley, Freemire
NAYS: None
ABSTAIN: Brick
ABSENT: Bleile, King
Motion carried.

III. PUBLIC HEARING 2013-06 NON-CONFORMING STRUCTURES

Fish moved;
Knoth seconded: To open public hearing for Case #2013-06 Non-Conforming Structures

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

Chris Neubecker, Senior Planner, was sworn in. Mr. Neubecker reviewed the history of Case #2013-06 Non-Conforming Structures. The issue was raised when the Community Housing Development Association (CHDA) contacted the City in August, 2013, requesting a zoning text amendment. The existing UDC contains language which prohibits non-conforming structures from being rebuilt to the same size and scale as they currently exist if that element of the design is not conforming. CHDA purchased and renovated properties in the MU-R-3B district that are over the allowed density for that site (21 and 22 units each) based on the lot area. If the buildings were destroyed or incurred damage of 60% or more based on cost, the buildings could only be rebuilt at 11 and 12 units respectively. The entities financing the properties are concerned because of the potential loss of value.

The UDC was reviewed and revised language is being proposed to allow the buildings to be rebuilt. Language has also been revised to allow voluntary redevelopment in the event that a property owner would want to demolish and rebuild, even when there is no damage to the building. A time limit is also proposed that would require the applicant to obtain a building permit within one year from the time the building was damaged or destroyed.

Staff recommends that the text amendment be submitted to City Council for First Reading.

Questions from the Commission:

Ms. Townley requested clarification that the issue is the non-conforming structure or the land use. Mr. Neubecker responded that this ordinance does not address the
nonconforming use of the land, only the structure.

Mr. Knoth asked if the density could be increased; Mr. Neubecker responded that the structure could be rebuilt to the current allowed density for that zoning area or the previous density of the non-conforming structure, whichever is greater.

Mr. Freemire inquired as to what the remedy would be for an aggrieved party who did not agree with the changes made by the Planning and Zoning Commission. Mr. Neubecker responded that the decision would be made by staff and would not come before the Planning and Zoning Commission. Appeals of administrative decisions go to the Board of Adjustments and Appeals.

Mr. Roth commented on the actual number of structures in R-1-A, of which 5 are known, and the desire of City Council to preserve the standards for R-1-A. He expressed that in C (1)(b) of the proposal, he was concerned with the language in the last sentence regarding “undue burden on the owner” in regards to meeting the zoning standards. Mr. Neubecker explained that the intent is to determine the impact of the redevelopment in the area and the rights of property owners, seeking a balance between the two. Mr. Roth asked who makes the determination of undue burden and Mr. Neubecker responded that the staff is responsible for the administrative decisions regarding redevelopment.

Mr. Fish asked how it is determined if a property is deemed to be non-conforming in light of the fact that there is no accurate list of properties. Mr. Neubecker replied that the list that the Community Development department has is a list of non-conformities based specifically on lot size and existing density. The list is created using information from Arapahoe County Assessors office, which contains information regarding the number of units in a structure.

Dan Brotzman, City Attorney, was sworn in to address the issue of “undue burden” as it relates to property development. Mr. Brotzman explained that “undue burden” will always be defined by discussion between Staff and the property owner. Mr. Brotzman agreed to supply the Commission with a document defining “undue burden.”

Chair Brick verified that the City Attorneys office would like “undue burden” to not be tied to economic factors.

Chris Neubecker, Senior Planner, stated that when applicants seek remedy with the Board of Adjustments, the result is generally a variance. He read the standards that
apply to variances, and suggested that similar criteria would be used to determine “undue burden”. He offered that the language in 16-9-3:C(1)(b) can be amended to delete the statement “and where meeting such zoning standards does not create an undue burden on the owner.”

Jo Ellen Davidson, Director of Community Housing Development Association (CHDA), 325 Inverness Drive South, Englewood, was sworn in.

Ms. Davidson thanked the Commissioners for their consideration of CHDAs request for amendment. Ms. Davidson described the mission of the CHDA and its history in Englewood. She supplied the Commissioners with information regarding the financial investment CHDA has made in the buildings comprising the Canterbury East and South apartments and the Presidential Arms apartments in Englewood. One objective of CHDA is to make a significant improvement in the community. Their funding is from a variety of both public and private resources. She expressed that they are concerned over the potential loss of the properties in light of the fact that all improvements are completed up front when CHDA acquires the property. They have a long term commitment to the properties and make improvements for long term use.

The Commissioners did not have any questions for Ms. Davidson.

Staff did not have a rebuttal to present.

Mr. Knoth motioned;
Mr. Fish seconded: To close the public hearing for Case #2013-06 Non-Conforming Structures

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

Motion to approve staff recommendation for Case #2013-06 Non-Conforming Structures

Knoth moved;
Roth seconded: TO APPROVE STAFF RECOMMENDATION FOR CASE #2013-06 NON CONFORMING STRUCTURES
Mr. Roth offered a friendly amendment to strike language from 16-9-3 C(1)(b) “and where meeting such zoning standards does not create an undue burden on the owner.”

Mr. Brick commented that in line with the Comprehensive Plan, it is important to support organizations both private and public that are interested in improving the housing stock in the City of Englewood and it is important that the Commission support these efforts, particularly for buildings such as CHDAs to promote the health and welfare of the community.

Mr. Fish agreed with the exclusion of the language due to the fact that the property owner does have recourse if they disagree with the decision of the staff.

Mr. Knoth commented that the amendment would protect the income of the property owner by insuring that they could continue to receive the same income from the property if they are allowed to reconstruct the building with the same number of units.

Mr. Fish added that the Board of Adjustment and Appeals does not rule based on monetary issues, but strictly deals with variances which are exceptions to the code regarding safety issues. His experience with the Board of Adjustment and Appeals is that they would not rule based on financial impact.

Mr. Roth reiterated that the intent of the change in the zoning code is to allow the owner to rebuild to the original density.

Vote: TO APPROVE CASE #2013-06 NON CONFORMING STRUCTURES AS RECOMMENDED BY STAFF WITH FRIENDLY AMENDMENT TO STRIKE LANGUAGE IN 16-9-3 C(1)(b) “AND WHERE MEETING SUCH ZONING STANDARDS DOES NOT CREATE AN UNDUE BURDEN ON THE OWNER.”

Mr. Fish – We have series of non-conforming buildings that will continue to degrade and as a community need to seek a mechanism to maintain and improve these buildings. As evidenced by testimony received, at least one situation has occurred in which these buildings that were non-conforming have not only been maintained but improved. This is something that needs to be encouraged by the city as it pertains to the Comprehensive Plan. Higher density exceptions have been granted through the PUD process as exceptions to the underlying zoning structure and this is a trend for the City of Englewood and may be included in a future Comprehensive Plan to align with
the trend not only in Englewood but nationally.

Mr. Kinton agreed with Mr. Fish that anything that can be done to improve the housing stock should be encouraged.

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

Motion carries.

IV. PUBLIC HEARING 2013-09 ZONING SITE PLAN REVIEW

Knoth moved;
Roth seconded: TO OPEN THE PUBLIC HEARING FOR CASE #2013-09 ZONING SITE PLAN REVIEW

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

Chris Neubecker, Senior Planner, described the Zoning Site Plan Review process as outlined in 16-2-9 of the UDC. The proposed amendment would change the title of 16-2-9 to Site Improvement Plan Review. The proposed amendment would outline the process staff uses to review an application that is not otherwise going to the Planning and Zoning Commission. Examples are a building permit, review of a landscaping plan, a major site plan and projects that are not large enough to require Planning Commission or Board of Adjustment approval. The majority of the work performed by current planning staff is review of plans against current codes.

The proposed changes would allow an applicant to go through the Site Improvement Plan process before moving on to the permitting process which requires a higher level of detail and formal building plans. The process is not always about zoning, but about the actual layout of the site itself. The proposed changes would clarify when the Site Plan Review process is necessary and also the types of application materials that are required to be submitted including the size and the scale of the plans for review. Should a property owner be challenged by these requirements, staff can assist with
creating plans containing the information.

The major changes proposed include changing the title of the code to Site Improvement Plan Review, the requirement of plan review for large site work projects and landscaping over $5,000 in value, alterations of floor area in excess of 10% of the floor area or reduction in the setback to a property line, additional detail on the plans submitted and minor syntax changes that improve the readability and enforceability of the code. Previous recommendations, including language on the DRT (Development Review Team), have been removed from the proposed amendment. Site Improvement Plan Review remains an administrative function and appeals to administrative decisions are made through the Board of Adjustments and Appeals.

Ms. Townley asked if this process would apply to any type of property. Mr. Neubecker responded that it would apply to all properties regardless of zone area. He also clarified that the requirement for the process would not preclude a property owner from occupying their home.

Mr. Freemire commented on the language in 16-2-9 A(5) and the threshold of $5,000 for the project value. He suggested that some type of multiplier or index be included to account for inflation and increased cost of a project. Mr. Neubecker stated that there is not precedence for including a contingency for inflation, which would be difficult to calculate and hard for some people to understand.

Mr. Roth questioned the need for the additional language in 16-2-9 (A)(4) regarding residential driveways. The current code does not contain a definition of a residential driveway. Mr. Neubecker supplied the Commissioners with information on the definition of a driveway as it is stated in the City of Englewood UDC as well as from other sources. The reason for adding the phrase "residential driveway" is to clarify that Site Improvement Plan Review is not necessary, and to eliminate a conflict with a previous citizens initiative.

Mr. Fish noted a change to 16-2-9 (B)(3) to correct a typographical error "Sites > 10,000 square feet: Scale 1" = 10.

Fish proposed changes to 16-2-9 D(1)(b and e) to associate the term "compliance" with standards and policy, and the term "consistency" with guidelines.

No public was present at the hearing.
Alan White, Director, spoke about the 180 day time limit as a commonly accepted standard for a time frame for a project to be completed from the time it has gone through the Site Improvement Plan Review process.

Knoth moved; Roth seconded: TO CLOSE THE PUBLIC HEARING FOR CASE #2013-09 SITE IMPROVEMENT PLAN REVIEW

AYES: Fish, Kinton, Knoth, Roth, Townley, Freemire, Brick
NAYS: None
ABSTAIN: None
ABSENT: Bleile, King
Knoth moved; Fish seconded: TO APPROVE CASE #2013-09 ZONING SITE PLAN REVIEW AS WRITTEN BY STAFF

Mr. Fish requested that the length of the lapse between review and implementation be changed from 60 days to 180 days. Mr. Knoth accepted the Friendly Amendment. The clerical error will be corrected to reflect the proper scale for plans.

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

Motion passes.

IV. PUBLIC FORUM

No Public was present.

V. ATTORNEYS CHOICE

Attorney Brotzman had no comment.

VI. STAFFS CHOICE
Mr. Neubecker announced that the March 4th meeting will be a continuation of the discussion regarding the TSA overlay in the industrial area. Staff members attended the “Safe Routes to School” meeting and information received was helpful. He thanked Commissioner Townley and Commissioner Kinton for attending.

VII. COMMISSIONERS CHOICE
Chair Brick requested a motion for a nomination for Chair.

Mr. Roth moved;
Mr. Knoth seconded: To nominate Mr. Fish for Chair and Mr. King for Vice Chair of the Commission

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

Ms. Townley - Legislation in House of Representatives may allow Planning and Zoning commissioners to receive pay. She also attended a meeting with DRCOG regarding Healthy Spaces in regard to Comprehensive Plan and is encouraging cities to include health and safe routes to school.
Mr. Fish complimented staff for the helpful way in which the cases were presented for consideration and for the information provided to the Commission regarding Home Occupations and City Councils opinion.

The meeting adjourned at 8:40 p.m.

/s/ Julie Bailey, Recording Secretary
AFFIDAVIT OF PUBLICATION

State of Colorado
County of Arapahoe

This Affidavit of Publication for the Englewood Herald, a weekly newspaper, printed and published for the County of Arapahoe, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made the 11th day of April, A.D., 2014, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.

[Redacted]

I, the undersigned, subscribe to the Englewood Herald
State of Colorado )
County of Arapahoe )

This Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Gerard Healey, publisher of said newspaper, who personally known to me to be the identical person in the above certificate on this 21st day of April A.D., 2014.

[Signature]

My Commission Expires 10/12/16

BARBARA KAY STOLTE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY NO. 1676196321
MY COMMISSION EXPIRES 10/12/16

$23.44
1. **Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7.41 p.m.

2. **Invocation**

The invocation was given by Council Member McCaslin.

3. **Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member McCaslin.

4. **Roll Call**

   Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn
   Absent: None

   A quorum was present.

   Also present: City Manager Sears
               City Attorney Brotzman
               Deputy City Manager Flaherty
               City Clerk Ellis
               Assistant City Clerk McGarry
               Director Gryglewicz, Finance and Administrative Services
               Director White, Community Development
               Senior Planner Neubecker, Community Development
               Planner II Bell, Community Development
               Police Commander Englert
               Fire Chief Marsh

5. **Consideration of Minutes of Previous Session**

   (a) COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 5, 2014.

   **Vote results:**
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
   Nays: None

   Motion carried.

6. **Recognition of Scheduled Public Comment**

   (a) Englewood High School students Sofia Montoya and Kennedy Watson addressed City Council regarding the National Future Business Leaders of America competition in Tennessee.
7. Recognition of Unscheduled Public Comment

(a) Steven Scott, pastor of Living Branch Community Fellowship, invited Council to attend the 5th Annual Unite Englewood Worship Service May 25th at 10:30 a.m. at the Englewood High School baseball diamond.

(b) Greg Staut, Scout Master of Troop 194, explained that part of Troop 194 was in attendance as part of the criteria for their Citizenship and Community Merit Badge.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

(a) A proclamation declaring the month of May as Asian American and Pacific Islander Heritage Month was considered.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE A PROCLAMATION DECLARING THE MONTH OF MAY AS ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

9. Consent Agenda

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), (ii), (iii), 9 (b) (i), (ii) AND 9 (c) (i).

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 28, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AMENDING TITLE 5, CHAPTER 3(D), SECTION 3 OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO THE STANDARD OF “GOOD CAUSE”.

(ii) COUNCIL BILL NO. 29, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AMENDING TITLE 5, CHAPTER 3(D), SECTION 5, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO PUBLIC HEARING NOTICE – POSTING AND PUBLICATIONS.

(iii) COUNCIL BILL NO. 32, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE REGIONAL TRANSPORTATION DISTRICT (RTD) AND THE CITY OF ENGLEWOOD PERTAINING TO THE ENGLEWOOD LIGHT RAIL CORRIDOR NEXT STEPS STUDY AND AN INTERGOVERNMENTAL AGREEMENT ENGLEWOOD LIGHT RAIL CORRIDOR NEXT STEPS STUDY BETWEEN THE CITY OF SHERIDAN AND ENGLEWOOD, COLORADO.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 24, SERIES OF 2014 (COUNCIL BILL NO. 26, INTRODUCED BY COUNCIL MEMBER GILLIT)
AN ORDINANCE AMENDING TITLE 7, CHAPTER 6B, OF THE ENGLEWOOD MUNICIPAL CODE BY DELETING SUBSECTION A(2) REGARDING LOITERING ON SCHOOL BUILDINGS OR GROUNDS.

(ii) ORDINANCE NO. 25, SERIES OF 2014 (COUNCIL BILL NO. 27, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AMENDING TITLE 7, CHAPTER 3, OF THE ENGLEWOOD MUNICIPAL CODE 2000 BY THE ADDITION OF A NEW SECTION 6, ENTITLED DETERMINATION OF FEES.

(c) Resolutions and Motions

(i) RESOLUTION NO. 44, SERIES OF 2014

A RESOLUTION SETTING SEX OFFENDER REGISTRATION FEES.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

10. **Public Hearing Items**

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 24, AMENDING SECTIONS OF TITLE 16 OF THE ENGLEWOOD MUNICIPAL CODE PERTAINING TO SITE IMPROVEMENT PLANS.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried and the Public Hearing opened.

Senior Planner Neubecker, being duly sworn, presented background information regarding Council Bill No. 24.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 24, AMENDING SECTIONS OF TITLE 16 OF THE ENGLEWOOD MUNICIPAL CODE PERTAINING TO SITE IMPROVEMENT PLANS.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried and the Public Hearing closed.

11. **Ordinances, Resolutions and Motions**

(a) Approval of Ordinances on First Reading

(i) Planner II Bell presented a recommendation from the Community Development Department to adopt a bill for an ordinance approving Shadow Creek Homes request to rezone 3265-3299 South Logan Street (former Shrine Club property) to a Planned Unit Development. Staff further recommends that Council set a Public Hearing for Monday, June 2, 2014 to gather public input on the proposed amendments.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 31 AND TO SET A PUBLIC HEARING FOR MONDAY, JUNE 2, 2014 TO GATHER PUBLIC INPUT ON THE PROPOSED AMENDMENTS.

COUNCIL BILL NO. 31, INTRODUCED BY COUNCIL MEMBER GILLIT
A BILL FOR AN ORDINANCE APPROVING THE REZONING OF 3265-3299 SOUTH LOGAN STREET FROM R-1-C TO 3299 SOUTH LOGAN STREET RESIDENCES PLANNED UNIT DEVELOPMENT (PUD).

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried.

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 9 (c) - Consent Agenda.)

12. General Discussion

(a) Mayor's Choice

(b) Council Members' Choice

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO PAY THE REGISTRATION FEES FOR SOFIA MONTOYA AND KENNEDY WATSON TO ATTEND THE FUTURE BUSINESS LEADERS OF AMERICA COMPETITION IN TENNESSEE.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried.

13. City Manager's Report

City Manager Sears did not have any matters to bring before Council.

14. City Attorney's Report

City Attorney Brotzman did not have any matters to bring before Council.

15. Adjournment

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 8:48 p.m.

/s/ Loucrishia A. Ellis
City Clerk
1. **Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7.41 p.m.

2. **Invocation**

The invocation was given by Council Member McCaslin.

3. **Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member McCaslin.

4. **Roll Call**

Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn

Absent: None

A quorum was present.

Also present: City Manager Sears
City Attorney Brozman
Deputy City Manager Flaherty
City Clerk Ellis
Assistant City Clerk McGarry
Director Gryglewicz, Finance and Administrative Services
Director White, Community Development
Senior Planner Neubecker, Community Development
Planner II Bell, Community Development
Police Commander Englert
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5. **Consideration of Minutes of Previous Session**

(a) **COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 5, 2014.**

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

6. **Recognition of Scheduled Public Comment**

(a) Englewood High School students Sofia Montoya and Kennedy Watson addressed City Council regarding the National Future Business Leaders of America competition in Tennessee.
7. Recognition of Unscheduled Public Comment

(a) Steven Scott, pastor of Living Branch Community Fellowship, invited Council to attend the 5th Annual Unite Englewood Worship Service May 25th at 10:30 a.m. at the Englewood High School baseball diamond.

(b) Greg Staut, Scout Master of Troop 194, explained that part of Troop 194 was in attendance as part of the criteria for their Citizenship and Community Merit Badge.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

(a) A proclamation declaring the month of May as Asian American and Pacific Islander Heritage Month was considered.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE A PROCLAMATION DECLARING THE MONTH OF MAY AS ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

9. Consent Agenda

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), (ii), (iii), 9 (b) (i), (ii) AND 9 (c) (i).

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(c) Resolutions and Motions

(i) RESOLUTION NO. 44, SERIES OF 2014

A RESOLUTION SETTING SEX OFFENDER REGISTRATION FEES.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried.

10. Public Hearing Items

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 24, AMENDING SECTIONS OF TITLE 16 OF THE ENGLEWOOD MUNICIPAL CODE PERTAINING TO SITE IMPROVEMENT PLANS.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried and the Public Hearing opened.

Senior Planner Neubecker, being duly sworn, presented background information regarding Council Bill No. 24.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 24, AMENDING SECTIONS OF TITLE 16 OF THE ENGLEWOOD MUNICIPAL CODE PERTAINING TO SITE IMPROVEMENT PLANS.

Vote results:
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Nays: None
Motion carried and the Public Hearing closed.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

(i) Planner II Bell presented a recommendation from the Community Development Department to adopt a bill for an ordinance approving Shadow Creek Homes request to rezone 3265-3299 South Logan Street (former Shrine Club property) to a Planned Unit Development. Staff further recommends that Council set a Public Hearing for Monday, June 2, 2014 to gather public input on the proposed amendments.

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Vote results:
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
   Nays: None

Motion carried.

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)

(c) Resolutions and Motions

There were no additional resolutions or motions submitted for approval. (See Agenda Item 9 (c) - Consent Agenda.)

12. General Discussion
   (a) Mayor's Choice
   (b) Council Members' Choice

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO PAY THE REGISTRATION FEES FOR SOFIA MONTOYA AND KENNEDY WATSON TO ATTEND THE FUTURE BUSINESS LEADERS OF AMERICA COMPETITION IN TENNESSEE.

Vote results:
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
   Nays: None

Motion carried.

13. City Manager's Report

City Manager Sears did not have any matters to bring before Council.

14. City Attorney's Report

City Attorney Brotzman did not have any matters to bring before Council.

15. Adjournment

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 8:48 p.m.

/s/ Loucrishia A. Ellis
City Clerk
1. **Call to Order**  
The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:42 p.m.

2. **Invocation**  
The invocation was given by Council Member McCaslin.

3. **Pledge of Allegiance**  
Two members of Boy Scout Troop 194 presented the Colors and led The Pledge of Allegiance.

4. **Roll Call**  
Present: Council Members Jefferson, Gillit, McCaslin, Wilson, Yates, Penn  
Absent: Council Member Olson  
A quorum was present.

Also present: City Manager Sears  
City Attorney Brotzman  
Deputy City Manager Flaherty  
City Clerk Ellis  
Deputy City Clerk Bush  
Director Gryglewicz, Finance and Administrative Services  
Director Fonda, Utilities  
Communication Relations Specialist Arnoldy-Taylor, Police  
EMS/Emergency Management Coordinator Green, Fire  
Manager of Open Space Lee, Parks and Recreation  
Planner II Bell, Community Development  
Senior Planner Neubecker, Community Development  
Deputy Police Chief Sanchez  
Police Commander Englert  
Fire Chief Marsh

5. **Consideration of Minutes of Previous Session**  
(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MAY 19, 2014.

Vote results:  
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit  
Nays: None  
Absent: Council Member Olson  
Motion carried.
6. Recognition of Scheduled Public Comment

   (a) Deputy Chief of Police Sanchez and Communication Relations Specialist Arnoldy-Taylor, with Mayor Penn, presented the Englewood Police Citizens’ Academy #9 graduates: Sean Alberts, KSue Anderson, Jacob Barnes, Patty Brisbois, Lynn Langston, Joel Olson, William Ryan, Kimberly Sanchez, Steve Scott, Stephanie Willingham, Diane Willey, and Council Member Steven Yates with their certificates.

   (b) Communication Relations Specialist Arnoldy-Taylor and EMS/Emergency Management Coordinator Steve Green, members of the Jeremy Bitner Fallen Officer Memorial Fund Board of Directors, discussed the 2014 Jeremy Bitner Fallen Officer Fund 5k/10k run and 5k walk. They asked that the City waive the fees for the temporary use permit, the Show Wagon, pop-up tents, tables and chairs.

   MAYOR PENN MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO WAIVE THE CITY FEES ASSOCIATED WITH THE JEREMY BITNER FALLEN OFFICER MEMORIAL FUND EVENT.

   Vote results:
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit
   Nays: None
   Absent: Council Member Olson

   Motion carried.

   (c) James Jordan, an Englewood resident, was not present to address Council regarding the proposed South Metro Fire Rescue Authority contract.

7. Recognition of Unscheduled Public Comment

   (a) Jeffrey Justice, a Longmont resident, spoke about the 7-Eleven incident, occurring on May 16, 2014, in which a loose dog killed another dog. He objected to the vicious dog being returned to the owner. He does not know of the conditions placed upon the dog or the owner. There is too much unknown. He believes the dog owner should be held responsible.

   (b) Patricia Miller, an Englewood resident, spoke about the 7-Eleven dog incident. She reviewed Title 7 of the Englewood Municipal Code. She is afraid because this occurred in her neighborhood and she found out about it from a flyer. She has had her dog attacked by another dog prior to this event. She believes that the owners should be held accountable.

   (c) Steve Scott, an Englewood resident, spoke about the UNITE Englewood service last weekend and the speakers. The speakers spoke about being good neighbors, about being an uninformed neighbor, and the Next Door program.

   (d) Elaine Hults, an Englewood resident, spoke about problems she had with the headphones at tonight’s meeting. She also asked how the Fire Department has gotten to where they are today.

   Council responded to Public Comment.

8. Communications, Proclamations and Appointments

   (a) An email from Kaylene McCrum announcing her resignation from the Cultural Arts Commission was considered.

   COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO ACCEPT THE RESIGNATION OF KAYLENE MCCRUM FROM THE CULTURAL ARTS COMMISSION.

   Vote results:
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit
Nays: None
Absent: Council Member Olson
Motion carried.

9. Consent Agenda

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), (ii), 9 (b) (i), (ii), (iii), AND 9 (c) (i), (ii), (iii).

(a) Approval of Ordinances on First Reading

(i) COUNCIL BILL NO. 30, INTRODUCED BY COUNCIL MEMBER GILLIT
A BILL FOR AN ORDINANCE APPROVING SUPPLEMENT NO. 4 TO THE CITY OF CHERRY HILLS VILLAGE CONNECTOR’S AGREEMENT FOR THE INCLUSION OF LAND WITHIN THE DISTRICT BOUNDARIES.

(ii) COUNCIL BILL NO. 33, INTRODUCED BY COUNCIL MEMBER GILLIT
A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR PLAN REVIEW AND INSPECTION SERVICES BETWEEN SOUTH METRO FIRE RESCUE AUTHORITY AND THE CITY OF ENGLEWOOD.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 26, SERIES OF 2014 (COUNCIL BILL NO. 28, INTRODUCED BY COUNCIL MEMBER OLSON)
AN ORDINANCE AMENDING TITLE 5, CHAPTER 3(D), SECTION 3 OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO THE STANDARD OF “GOOD CAUSE”.

(ii) ORDINANCE NO. 27, SERIES OF 2014 (COUNCIL BILL NO. 29, INTRODUCED BY COUNCIL MEMBER OLSON)
AN ORDINANCE AMENDING TITLE 5, CHAPTER 3(D), SECTION 5, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO PUBLIC HEARING NOTICE – POSTING AND PUBLICATIONS

(iii) ORDINANCE NO. 28, SERIES OF 2014 (COUNCIL BILL NO. 32, INTRODUCED BY COUNCIL MEMBER OLSON)
AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE REGIONAL TRANSPORTATION DISTRICT (RTD) AND THE CITY OF ENGLEWOOD PERTAINING TO THE ENGLEWOOD LIGHT RAIL CORRIDOR NEXT STEPS STUDY AND AN INTERGOVERNMENTAL AGREEMENT ENGLEWOOD LIGHT RAIL CORRIDOR NEXT STEPS STUDY BETWEEN THE CITY OF SHERIDAN AND ENGLEWOOD, COLORADO.

(c) Resolutions and Motions

(i) RESOLUTION NO. 45, SERIES OF 2014
A RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF FUNDS FOR CLEAN ENERGY COLLECTIVE (CEC) SOLAR GARDEN COMMUNITY PROGRAM.

(ii) AN AGREEMENT WITH THE CLEAN ENERGY COLLECTIVE TO PURCHASE SOLAR PANELS IN THE ARAPAHOE COUNTY XCEL SOLAR ARRAY THROUGH XCEL ENERGY’S SOLAR REWARDS COMMUNITY PROGRAM.
(iii) THE PURCHASE OF WATER METERS AND ELECTRONIC REMOTE TRANSMITTERS FROM NATIONAL METER AND AUTOMATION, INC. IN THE AMOUNT OF $87,621.36 IN CONJUNCTION WITH DENVER WATER’S PURCHASE TO ENSURE THE BEST QUANTITY PRICE.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

10. Public Hearing Items

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 31, APPROVING THE SHADOW CREEK HOMES REQUEST TO REZONE 3265-3299 SOUTH LOGAN STREET (FORMER SHRINE CLUB PROPERTY) TO A PLANNED UNIT DEVELOPMENT.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit
Nays: None
Absent: Council Member Olson

Motion carried and the Public Hearing opened.

All testimony was given under oath.

Planner II Bell presented background information regarding the rezoning of the property located at 3265-3299 South Logan Street.

Toby Terhune, President of Shadow Creek Homes, gave a presentation on the Planned Unit Development for the Logan Street Residences.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 31, APPROVING THE SHADOW CREEK HOMES REQUEST TO REZONE 3265-3299 SOUTH LOGAN STREET (FORMER SHRINE CLUB PROPERTY) TO A PLANNED UNIT DEVELOPMENT.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit
Nays: None
Absent: Council Member Olson

Motion carried and the Public Hearing closed.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on first reading. (See Agenda Item 9 (a) - Consent Agenda.)

(b) Approval of Ordinances on Second Reading

(i) Council Bill No. 24, amending sections of Title 16 of the Englewood Municipal Code pertaining to site improvement plans was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (b) (i) – ORDINANCE NO. 29 SERIES OF 2014.
ORDINANCE NO. 29, SERIES OF 2014 (COUNCIL BILL NO. 24, INTRODUCED BY COUNCIL MEMBER JEFFERSON)

AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTIONS 2, 7, 9, AND TITLE 16, CHAPTER 3, SECTION 2, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO ZONING SITE PLAN REVIEW.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Gillit
Nays: None
Absent: Council Member Olson

Motion carried.

(c) Resolutions and Motions

(i) Manager Lee presented a recommendation from the Parks and Recreation Department to approve, by motion, the contract for the Little Dry Creek Fountain Project. Staff further recommends awarding the contract to the lowest acceptable bidder, Straight Line Sawcutting Inc. in the amount of $59,880.00.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – AWARDING THE CONTRACT FOR THE LITTLE DRY CREEK FOUNTAIN PROJECT TO STRAIGHT LINE SAWCUTTING INC. IN THE AMOUNT OF $59,880.00.

Vote results:
Ayes: Council Members McCaslin, Wilson, Penn
Nays: Council Members Yates, Jefferson, Gillit
Absent: Council Member Olson

Motion defeated.

12. General Discussion

(a) Mayor's Choice

(b) Council Members' Choice

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER JEFFERSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – AWARDING THE CONTRACT FOR THE LITTLE DRY CREEK FOUNTAIN PROJECT TO STRAIGHT LINE SAWCUTTING INC. IN THE AMOUNT OF $59,880.00, WITH THE CITY’S PORTION COMING OUT OF THE PUBLIC IMPROVEMENT FUND (PIF).

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Jefferson, Gillit
Nays: Mayor Penn
Absent: Council Member Olson

Motion carried.

13. City Manager's Report

City Manager Sears did not have any matters to bring before Council.

14. City Attorney's Report

City Attorney Brotzman did not have any matters to bring before Council.
15. Adjournment

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 9:09 p.m.

/s/ Loucrishia A. Ellis
City Clerk
BY AUTHORITY

ORDINANCE NO. 29
SERIES OF 2014

COUNCIL BILL NO. 24
INTRODUCED BY COUNCIL MEMBER JEFFERSON

AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTIONS 2, 7, 9, AND TITLE 16, CHAPTER 3, SECTION 2, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO ZONING SITE PLAN REVIEW.

WHEREAS, the current regulations list examples of where formal Zoning Site Plan review is required. Plan review is performed by the Community Development Department. Staff reviews and approves or denies the proposed use based on the zoning, as well as dimensional standards such as setbacks, height, parking and landscaping; and

WHEREAS, the current Zoning Site Plan Review process outlined in the Unified Development Code (Section 16-2-9) does not address projects that involve site planning not associated with a building permit; and

WHEREAS, the changes proposed to the existing Zoning Site Plan Review process (Section 16-2-9 EMC) include a change from the term “Zoning Site Plan” to “Site Improvement Plan”; and

WHEREAS, the changes proposed require Site Improvement Plan review for site work and landscaping over $5,000 in value; and

WHEREAS, the Planning and Zoning Commission was concerned that $5,000 would become outdated and discussed including a CPI component; however, such was not included in the proposal to City Council; and

WHEREAS, under 16-2-9(A)(4) EMC, the Planning and Zoning Commission had a great deal of discussion regarding the exception of residential driveways; however, no recommendation was made; and

WHEREAS, the Planning and Zoning Commission extended the lapse date from 60 days to 180 days, which requires a correction in Chart 16-2-2 EMC; and

WHEREAS, Site Improvement Plan review will remain an administrative decision; and

WHEREAS, appeals to administrative decisions are to the Board of Adjustment and Appeals; and

WHEREAS, the Englewood Planning and Zoning Commission recommended approval of these changes at the February 20, 2014 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 16, Chapter 2, Section 9, of the Englewood Municipal Code 2000, to read as follows:

16-2-9: Zoning Site Improvement Plan Review.

A. Applicability. No land or structure shall be used, occupied, built, constructed upon, altered or developed for any use without complying with the Zoning Site Improvement Plan requirements and procedures provided in this Section, as applicable. A Zoning Site Improvement Plan shall be required for any of the following:

1. The commencement of any development, improvement, or construction requiring a building permit, except for interior remodel and or interior tenant finish.

2. The construction or expansion of fences, walls, and or accessory structures (e.g., garages, carports, storage sheds, decks) in any zone districts, including decks and patios less than thirty inches (30") in height and residential accessory structures containing less than one hundred twenty (120) square feet in floor area, or commercial accessory structures containing less than one hundred twenty (120) square feet that do not otherwise require a building permit.

3. Accessory uses, not including home occupations, marked as "A" in the applicable table cell in Table 16-5-1.1, 'Table of Allowed Uses'.

4. The construction, re-installation, expansion, alteration, removal, surfacing, paving, or resurfacing of a parking area except for a residential driveway.

5. Site work, landscaping, grading, or excavation in excess of five thousand dollars ($5,000) in value as determined by a reasonable contract or bid consistent with prices for such materials and services in the Denver metropolitan area.

6. Additions and exterior alterations of any structure resulting in a change equal to or greater than ten percent (10%) of the floor area of the structure.

7. Any change that reduces the setback to a property line.

B. Initiation. An application for a Zoning Site Improvement Plan may only be initiated by those parties identified in Section 16-2-3(A) EMC. The "Applicant" shall be the person, persons or legal entity that initiates the application for a Site Improvement Plan.

C. City Review. The Applicant shall submit a plan of the proposed development or improvement showing the location of all property boundaries, the location and dimensions of all existing and proposed structures (including accessory structures such as garages, sheds, outbuildings, trash enclosures, shelters, etc.), the location and surface material of all parking areas, driveways and sidewalks, the location of
all landscaping (including species and size), fences and retaining walls. Applicant shall also submit plans showing the location of all existing and proposed storm water detention facilities as required by Section 16-6-8 EMC. The Applicant shall submit copies of plans, including site plan, floor plans and elevations of all proposed structures. In addition, the applicant shall submit either as-built plans or photographs of all existing structures on the property.

1. General Development Applications.

   a. Development/Use Requiring a Building Permit. The City Manager or designee shall review the proposed Zoning Site Improvement Plan as part of the building permit application process. Based on the results of these reviews, the City Manager or designee shall act to approve, approve with conditions, or deny the proposed Zoning Site Improvement Plan based on the review criteria stated in Section 16-2-9(D) EMC, below.

   b. Development/Uses Not Requiring a Building Permit. The City Manager or designee shall review the proposed Zoning Site Improvement Plan for compliance with applicable standards of this Title. Based on the results of these reviews, the City Manager or designee shall act to approve, approve with conditions, or deny the proposed Zoning Site Improvement Plan based on the review criteria stated in Section 16-2-9(D) EMC, below. A copy of the approved Zoning Site Improvement Plan shall be maintained by the City.

2. Preliminary Review: Applicants are encouraged to contact the City in advance of submittal for formal Site Improvement Plan Review or application for a Building Permit to obtain preliminary feedback on the proposed development.

3. Plan Format: The Site Improvement Plan shall meet the following requirements:
   Sites <10,000 square feet: Scale: 1” = 20’ or 1” = 10’
      Sheet size: 24” x 36” or 8 ½” x 11” or 11” x 17”
   Sites ≥10,000 square feet: Scale: 1” = 10’ or other increments of 10’ as approved by the City of Englewood,
      Sheet size: 24” x 36” or 30” x 42” or 36” X 48”

Site plans shall depict the property corners and all permanent survey monuments. All plans shall clearly indicate the size of the site (in square feet and in acres), existing and proposed building areas (in square feet).
building setbacks to property lines, and proposed building height. In
addition, all existing and proposed exterior building materials shall be shown
on the plan elevations. A landscaping plan shall accompany all site plans
and shall include existing and proposed ground surfaces, location of all
existing trees and other significant vegetation, as well as size, species and
number of all proposed landscaping. (Exception: A landscaping plan shall
not be required for development that does not involve the removal of
existing landscaping, or the addition of new landscaping.)

D. Criteria. All Zoning Site Improvement Plans shall be reviewed, and shall be
approved, approved with conditions, or denied based on the following criteria:

1. Consistency with Adopted Plans and Standards.
   a. Consistency with the spirit and intent of the City's Comprehensive
      Plan and this Title;
   b. Compliance and consistency with any applicable Station Area
      Standards and Guidelines for property in the TSA district;
   c. If approval of a conditional use is being requested as part of a Zoning
      Site Improvement Plan, consistency compliance with all applicable
      conditional use standards and criteria listed in this Section and in
      Section 16-2-12 EMC; and
   d. If approval of a limited use is being requested as part of a Site
      Improvement Plan, compliance with all applicable limited use
      standards and criteria listed in this Section and in Section 16-2-13
      EMC; and
   e. Consistency: Compliance with all other applicable standards,
      guidelines, policies, and plans adopted by Council.

2. Impact on Existing City Infrastructure and Public Improvements. The
   proposed development shall not result in undue or unnecessary burdens on
   the City's existing infrastructure and public improvements, or that
   arrangements are shall be made to mitigate such impacts.

3. Internal Efficiency of Design. The proposed design of the site shall achieves
   internal efficiency for its users, provide adequate of recreation; allow for
   safe public access; safety and other factors, including but not limited to
   provide adequate storm drainage facilities, sewer and water facilities, grades,
   and matters relating directly to and promote public health and convenience.
   All sites shall be designed and constructed to safely accommodate
   pedestrians, bicyclists and automobiles.

4. Control of External Effects. The proposed development eontrols shall reduce
   external negative effects on: Nearby land uses, and movement and
   congestion of traffic. This shall include negative impacts from noise,
   lighting, signage, landscaping, accumulation of litter noise generated,
   arrangement of signs and lighting to prevent nuisances, landscaping, features
to prevent littering or accumulation of trash; and other factors deemed to affect public health, welfare, safety and convenience.

E. After Approval.

1. The City shall approve the proposed Site Improvement Plan if the plan meets all requirements of this chapter or an applicable Planned Unit Development (PUD); complies with all required adopted plans, codes and standards; and any negative impacts on existing or planned city infrastructure have been mitigated.

Compliance with Zoning Site Improvement Plan Approval. The Zoning Site Improvement Plan shall limit and control the issuance and validity of all building permits and occupancy permits and shall restrict and limit the construction, location, use, and operation of all land and structures included within the Zoning Site Improvement Plan to all limitations and conditions set forth in the approved Zoning Site Improvement Plan. Failure to maintain a property in compliance with its approved Zoning Site Improvement Plan shall be a basis for enforcement action under this Title.

2. Lapse: General Development Applications. A Zoning Site Improvement Plan shall lapse and be of no further force and effect if a building permit, or City Manager or designee approval, as required, is not issued for the property subject to the Zoning Site Improvement Plan within sixty one hundred and eighty (60 180) days from the date of approval of the Zoning Site Improvement Plan's approval.

3. Lapse: PUD and TSA Applications. A Zoning Site Plan shall lapse and be of no further force and effect if a building permit, as required, is not issued for the property subject to the Zoning Site Plan within three (3) years from the date of the Zoning Site Plan's approval.

F. Modification and Amendment of Zoning Site Improvement Plans.

1. Any approved Zoning Site Improvement Plan may be modified or amended as provided in this subsection or entirely withdrawn by the landowner Applicant if a building permit has not been issued. Once a building permit has been issued, the building permit and Site Improvement Plan shall control, unless both the building permit and Site Improvement Plan are thereafter amended or abandoned as identified in this chapter.

2. The City Manager or designee may approve, or approve with conditions, an administrative modification to an approved TSA district Zoning Site Improvement Plan without notice to the public, if the proposed change does not produce any of the following conditions:

   a. An increase in residential density, nonresidential floor area ratio (FAR), or ground coverage of structures of more than ten percent (10%).
b. An increase in external effects concerning traffic, circulation, safety noise, or provision of utilities.

c. A reduction or increase in building setbacks that would violate the requirements of the TSA district standards by more than ten percent (10%).

d. A reduction in the amount of required off-street parking.

e. A reduction in the amount of required landscaping.

3. Any proposed amendment that does not qualify for review and approval as an administrative modification to a Zoning Site Improvement Plan shall be reviewed and approved in the same manner as an application for a new Zoning Site Improvement Plan, and shall be subject to the same approval criteria and appeal as a new application for a Zoning Site Improvement Plan.

4. An application for administrative modifications to an approved Zoning Site Improvement Plan shall be subject to the administrative rules and regulations established by the City Manager or designee. Any proposed amendment shall comply with the current regulations, standards, and guidelines for development in the zone district in which the property is located.
Section 2. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 2, Section 2 entitled Summary Table of Administrative and Review Roles of the Englewood Municipal Code 2000, to read as follows:

16-2-2: Summary Table of Administrative and Review Roles.

The following table summarizes the review and decision-making responsibilities of the entities that have specific roles in the administration of the procedures set forth in this Chapter. For purposes of this table, an "(Approval) Lapsing Period" refers to the total time from the application’s approval that an applicant has to proceed with, and often complete, the approved action. Failure to take the required action within the specified "lapse period" will automatically void the approval. See Section 16-2-3.L EMC, "Lapse of Approval," below.

<table>
<thead>
<tr>
<th>Procedure</th>
<th>Section Ref.</th>
<th>Reviewing Body</th>
<th>Decision Required</th>
<th>Decision Received</th>
<th>Lapsing Period</th>
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<tr>
<td>Adaptive Reuse of Designated Historical Buildings</td>
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<td>Administrative Adjustments</td>
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<td>Major Subdivisions</td>
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<td>R</td>
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</table>

CM/D = City Manager or Designee (Including the Development Review Team)
PC = Planning and Zoning Commission
CC = City Council
BAA = Board of Adjustment and Appeals

1 Notice Required: See Table 16-2-3.1 Summary of Mailed Notice Requirements
Section 3. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 2, Section 7 entitled Official Zoning Map Amendments (Rezonings) of the Englewood Municipal Code 2000, to read as follows:

16-2-7: Official Zoning Map Amendments (Rezonings).

The City may initially zone annexed property, or the boundaries or areas of any zone district may be changed, or the zone classification of any parcel of land may be changed pursuant to this Section. Rezonings shall not be used as a way to legitimize nonconforming uses or structures, and should not be used when a conditional use, Zoning Variance, or Administrative Adjustment could be used to achieve the same result. Rezonings to a Planned Unit Development district (PUD) or Transit Station Area (TSA) district are subject to additional procedures and criteria as set forth in this Section.

I. After Approval—Lapsing Period.

1. Base District Rezoning. An approved base district rezoning shall not lapse, but shall remain in effect until superceded by a later or inconsistent amendment to, or replacement of, the official zoning map. However, if the City has required the submission of a Zoning Site Improvement Plan as part of the rezoning process, and has approved a Zoning Site Improvement Plan for the rezoned property, and the Zoning Site Improvement Plan later lapses pursuant to Section 16-2-9(E) EMC, the Council may initiate a rezoning of the property to its prior zone map designation, or to an alternative designation more consistent with the Comprehensive Plan.

2. PUD or TSA rezoning. An approved PUD or TSA district rezoning shall not lapse, but shall remain in effect until superceded by a later or inconsistent amendment to, or replacement of, the official zoning map.

Section 4. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, of the Englewood Municipal Code 2000, to change the term “Zoning Site Plan” to “Site Improvement Plan” in the following Sections:

16-2-7(I)(1) – in 3 places
16-2-13(A)
16-2-13(D)
16-2-15 – in the intro paragraph
16-2-15(A)
16-2-15(E)
16-2-19(B)(3)
16-2-19(C)(3) – in 4 places
16-2-19(E)
16-2-19(H)
16-3-2(D)(1)
16-5-2(A)(7)
16-5-3(7)
16-5-5(D)(1)
16-5-5(E)(1)(b)(3)
16-6-3(F)(2)(c)(3)
Section 5. 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 6. 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 7. 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 8. 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 9. 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 May, 2014.

Published by Title as a Bill for an Ordinance in the City’s official newspaper on the 9th day of May, 2014.

Published as a Bill for an Ordinance on the City’s official website beginning on the 7th day of May, 2014 for thirty (30) days.

A Public Hearing was held on the 19th day of May, 2014.

Read by title and passed on final reading on the 2nd day of June, 2014.

Published by title in the City’s official newspaper as Ordinance No. 29 Series of 2014, on the 6th day of June, 2014.

Published by title on the City’s official website beginning on the 4th day of June, 2014 for thirty (30) days.

This Ordinance shall take effect thirty (30) days after publication following final passage.

ATTEST:

[Signature]

Randy P. Penn, Mayor

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 passed on final reading and published by title as Ordinance No. 29 Series of 2014.

[Signature]

Loucrishia A. Ellis
AFFIDAVIT OF PUBLICATION

State of Colorado
County of Arapahoe

This Affidavit of Publication for the Englewood Herald, a weekly newspaper, printed and published for the County of Arapahoe, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made the 7th day of February A.D., 2014, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.

For the Englewood Herald
State of Colorado
County of Arapahoe

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Gerard Healey, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on this 7th day of February A.D., 2014.

My Commission Expires 06/11/16

Notary Public,
CITY OF ENGLEWOOD

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing before the Planning and Zoning Commission will be held on **February 20, 2014**, at the hour of 7:00 p.m. in the Englewood City Council Chambers, 1000 Englewood Parkway, Englewood, CO 80110.

**Case #2013-06:** The issue to be heard before the Commission is proposed amendments to Title 16: Unified Development Code Section 16-9-3 of the Englewood Municipal Code related to Non-Conforming Structures.

A copy of the proposed amendment may be reviewed in the Community Development Department. Anyone interested in this matter may be heard at the Public Hearing at the previously cited location, date, and time.

By Order of the City Planning and Zoning Commission

Julie Bailey
Recording Secretary

Published February 7, 2014
City of Englewood Website
CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
Englewood Civic Center City Council Chambers
February 20, 2014

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: Roth, Knoth, Brick, Kinton, Townley, Fish, Freemire, Madrid (alternate)

Absent: Bleile (Excused), King (Excused)

Staff: Alan White, Director, Community Development
Chris Neubecker, Senior Planner
Dan Brotzman, City Attorney

Chair Brick added election of officers to the agenda.

II. APPROVAL OF MINUTES
February 4, 2013

Fish moved;
Freemire seconded: TO APPROVE THE FEBRUARY 4, 2013 MINUTES

Chair Brick asked if there were any modifications or corrections. Mr. Fish requested that the attendance record be modified to remove Mr. Welker and reflect that Ms. Townley and Mr. Knoth were in attendance.

AYES: Fish, Kinton, Knoth, Roth, Townley, Freemire
NAYS: None
ABSTAIN: Brick
ABSENT: Bleile, King
Motion carried.

III. PUBLIC HEARING 2013-06 NON-CONFORMING STRUCTURES

Fish moved;
Knoth seconded: To open public hearing for Case #2013-06 Non-Conforming Structures

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

Chris Neubecker, Senior Planner, was sworn in. Mr. Neubecker reviewed the history of Case #2013-06 Non-Conforming Structures. The issue was raised when the Community Housing Development Association (CHDA) contacted the City in August, 2013, requesting a zoning text amendment. The existing UDC contains language which prohibits non-conforming structures from being rebuilt to the same size and scale as they currently exist if that element of the design is not conforming. CHDA purchased and renovated properties in the MU-R-3B district that are over the allowed density for that site (21 and 22 units each) based on the lot area. If the buildings were destroyed or incurred damage of 60% or more based on cost, the buildings could only be rebuilt at 11 and 12 units respectively. The entities financing the properties are concerned because of the potential loss of value.

The UDC was reviewed and revised language is being proposed to allow the buildings to be rebuilt. Language has also been revised to allow voluntary redevelopment in the event that a property owner would want to demolish and rebuild, even when there is no damage to the building. A time limit is also proposed that would require the applicant to obtain a building permit within one year from the time the building was damaged or destroyed.

Staff recommends that the text amendment be submitted to City Council for First Reading.

Questions from the Commission:

Ms. Townley requested clarification that the issue is the non-conforming structure or the land use. Mr. Neubecker responded that this ordinance does not address the
nonconforming use of the land, only the structure.

Mr. Knoth asked if the density could be increased; Mr. Neubecker responded that the structure could be rebuilt to the current allowed density for that zoning area or the previous density of the non-conforming structure, whichever is greater.

Mr. Freemire inquired as to what the remedy would be for an aggrieved party who did not agree with the changes made by the Planning and Zoning Commission. Mr. Neubecker responded that the decision would be made by staff and would not come before the Planning and Zoning Commission. Appeals of administrative decisions go to the Board of Adjustments and Appeals.

Mr. Roth commented on the actual number of structures in R-1-A, of which 5 are known, and the desire of City Council to preserve the standards for R-1-A. He expressed that in C (1)(b) of the proposal, he was concerned with the language in the last sentence regarding “undue burden on the owner” in regards to meeting the zoning standards. Mr. Neubecker explained that the intent is to determine the impact of the redevelopment in the area and the rights of property owners, seeking a balance between the two. Mr. Roth asked who makes the determination of undue burden and Mr. Neubecker responded that the staff is responsible for the administrative decisions regarding redevelopment.

Mr. Fish asked how it is determined if a property is deemed to be non-conforming in light of the fact that there is no accurate list of properties. Mr. Neubecker replied that the list that the Community Development department has is a list of non-conformities based specifically on lot size and existing density. The list is created using information from Arapahoe County Assessors office, which contains information regarding the number of units in a structure.

Dan Brotzman, City Attorney, was sworn in to address the issue of “undue burden” as it relates to property development. Mr. Brotzman explained that “undue burden” will always be defined by discussion between Staff and the property owner. Mr. Brotzman agreed to supply the Commission with a document defining “undue burden.”

Chair Brick verified that the City Attorneys office would like “undue burden” to not be tied to economic factors.

Chris Neubecker, Senior Planner, stated that when applicants seek remedy with the Board of Adjustments, the result is generally a variance. He read the standards that
apply to variances, and suggested that similar criteria would be used to determine “undue burden”. He offered that the language in 16-9-3:C(1)(b) can be amended to delete the statement “and where meeting such zoning standards does not create an undue burden on the owner.”

Jo Ellen Davidson, Director of Community Housing Development Association (CHDA), 325 Inverness Drive South, Englewood, was sworn in.

Ms. Davidson thanked the Commissioners for their consideration of CHDAs request for amendment. Ms. Davidson described the mission of the CHDA and its history in Englewood. She supplied the Commissioners with information regarding the financial investment CHDA has made in the buildings comprising the Canterbury East and South apartments and the Presidential Arms apartments in Englewood. One objective of CHDA is to make a significant improvement in the community. Their funding is from a variety of both public and private resources. She expressed that they are concerned over the potential loss of the properties in light of the fact that all improvements are completed up front when CHDA acquires the property. They have a long term commitment to the properties and make improvements for long term use.

The Commissioners did not have any questions for Ms. Davidson.

Staff did not have a rebuttal to present.

Mr. Knoth motioned;
Mr. Fish seconded: To close the public hearing for Case #2013-06 Non-Conforming Structures

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

Motion to approve staff recommendation for Case #2013-06 Non-Conforming Structures

Knoth moved;
Roth seconded: TO APPROVE STAFF RECOMMENDATION FOR CASE #2013-06 NON CONFORMING STRUCTURES
Mr. Roth offered a friendly amendment to strike language from 16-9-3 C(1)(b) “and where meeting such zoning standards does not create an undue burden on the owner.”

Mr. Brick commented that in line with the Comprehensive Plan, it is important to support organizations both private and public that are interested in improving the housing stock in the City of Englewood and it is important that the Commission support these efforts, particularly for buildings such as CHDAs to promote the health and welfare of the community.

Mr. Fish agreed with the exclusion of the language due to the fact that the property owner does have recourse if they disagree with the decision of the staff.

Mr. Knoth commented that the amendment would protect the income of the property owner by insuring that they could continue to receive the same income from the property if they are allowed to reconstruct the building with the same number of units.

Mr. Fish added that the Board of Adjustment and Appeals does not rule based on monetary issues, but strictly deals with variances which are exceptions to the code regarding safety issues. His experience with the Board of Adjustment and Appeals is that they would not rule based on financial impact.

Mr. Roth reiterated that the intent of the change in the zoning code is to allow the owner to rebuild to the original density.

Vote: TO APPROVE CASE #2013-06 NON CONFORMING STRUCTURES AS RECOMMENDED BY STAFF WITH FRIENDLY AMENDMENT TO STRIKE LANGUAGE IN 16-9-3 C(1)(b) “AND WHERE MEETING SUCH ZONING STANDARDS DOES NOT CREATE AN UNDUE BURDEN ON THE OWNER.”

Mr. Fish – We have series of non-conforming buildings that will continue to degrade and as a community need to seek a mechanism to maintain and improve these buildings. As evidenced by testimony received, at least one situation has occurred in which these buildings that were non-conforming have not only been maintained but improved. This is something that needs to be encouraged by the city as it pertains to the Comprehensive Plan. Higher density exceptions have been granted through the PUD process as exceptions to the underlying zoning structure and this is a trend for the City of Englewood and may be included in a future Comprehensive Plan to align with
the trend not only in Englewood but nationally.

Mr. Kinton agreed with Mr. Fish that anything that can be done to improve the housing stock should be encouraged.

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

Motion carries.

IV. PUBLIC HEARING 2013-09 ZONING SITE PLAN REVIEW

Knoth moved;
Roth seconded: TO OPEN THE PUBLIC HEARING FOR CASE #2013-09 ZONING SITE PLAN REVIEW

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

Chris Neubecker, Senior Planner, described the Zoning Site Plan Review process as outlined in 16-2-9 of the UDC. The proposed amendment would change the title of 16-2-9 to Site Improvement Plan Review. The proposed amendment would outline the process staff uses to review an application that is not otherwise going to the Planning and Zoning Commission. Examples are a building permit, review of a landscaping plan, a major site plan and projects that are not large enough to require Planning Commission or Board of Adjustment approval. The majority of the work performed by current planning staff is review of plans against current codes.

The proposed changes would allow an applicant to go through the Site Improvement Plan process before moving on to the permitting process which requires a higher level of detail and formal building plans. The process is not always about zoning, but about the actual layout of the site itself. The proposed changes would clarify when the Site Plan Review process is necessary and also the types of application materials that are required to be submitted including the size and the scale of the plans for review. Should a property owner be challenged by these requirements, staff can assist with
creating plans containing the information.

The major changes proposed include changing the title of the code to Site Improvement Plan Review, the requirement of plan review for large site work projects and landscaping over $5,000 in value, alterations of floor area in excess of 10% of the floor area or reduction in the setback to a property line, additional detail on the plans submitted and minor syntax changes that improve the readability and enforceability of the code. Previous recommendations, including language on the DRT (Development Review Team), have been removed from the proposed amendment. Site Improvement Plan Review remains an administrative function and appeals to administrative decisions are made through the Board of Adjustments and Appeals.

Ms. Townley asked if this process would apply to any type of property. Mr. Neubecker responded that it would apply to all properties regardless of zone area. He also clarified that the requirement for the process would not preclude a property owner from occupying their home.

Mr. Freemire commented on the language in 16-2-9 A(5) and the threshold of $5,000 for the project value. He suggested that some type of multiplier or index be included to account for inflation and increased cost of a project. Mr. Neubecker stated that there is not precedence for including a contingency for inflation, which would be difficult to calculate and hard for some people to understand.

Mr. Roth questioned the need for the additional language in 16-2-9 (A)(4) regarding residential driveways. The current code does not contain a definition of a residential driveway. Mr. Neubecker supplied the Commissioners with information on the definition of a driveway as it is stated in the City of Englewood UDC as well as from other sources. The reason for adding the phrase “residential driveway” is to clarify that Site Improvement Plan Review is not necessary, and to eliminate a conflict with a previous citizens initiative.

Mr. Fish noted a change to 16-2-9 (B)(3) to correct a typographical error “Sites ≥ 10,000 square feet: Scale 1” = 10.

Fish proposed changes to 16-2-9 D(1)(b and e) to associate the term “compliance” with standards and policy, and the term “consistency” with guidelines.

No public was present at the hearing.
Alan White, Director, spoke about the 180 day time limit as a commonly accepted standard for a time frame for a project to be completed from the time it has gone through the Site Improvement Plan Review process.

Knoth moved;
Roth seconded: TO CLOSE THE PUBLIC HEARING FOR CASE #2013-09 SITE IMPROVEMENT PLAN REVIEW

AYES: Fish, Kinton, Knoth, Roth, Townley, Freemire, Brick
NAYS: None
ABSTAIN: None
ABSENT: Bleile, King
Knoth moved;
Fish seconded: TO APPROVE CASE #2013-09 ZONING SITE PLAN REVIEW AS WRITTEN BY STAFF

Mr. Fish requested that the length of the lapse between review and implementation be changed from 60 days to 180 days. Mr. Knoth accepted the Friendly Amendment. The clerical error will be corrected to reflect the proper scale for plans.

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

Motion passes.

IV. PUBLIC FORUM

No Public was present.

V. ATTORNEYS CHOICE

Attorney Brotzman had no comment.

VI. STAFFS CHOICE
Mr. Neubecker announced that the March 4th meeting will be a continuation of the discussion regarding the TSA overlay in the industrial area. Staff members attended the “Safe Routes to School” meeting and information received was helpful. He thanked Commissioner Townley and Commissioner Kinton for attending.

**VII. COMMISSIONERS CHOICE**
Chair Brick requested a motion for a nomination for Chair.

Mr. Roth moved;
Mr. Knoth seconded: To nominate Mr. Fish for Chair and Mr. King for Vice Chair of the Commission

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

Ms. Townley - Legislation in House of Representatives may allow Planning and Zoning commissioners to receive pay. She also attended a meeting with DRCOG regarding Healthy Spaces in regard to Comprehensive Plan and is encouraging cities to include health and safe routes to school.

Mr. Fish complimented staff for the helpful way in which the cases were presented for consideration and for the information provided to the Commission regarding Home Occupations and City Councils opinion.

The meeting adjourned at 8:40 p.m.

/s/ Julie Bailey, Recording Secretary
AFFIDAVIT OF PUBLICATION

State of Colorado
)

County of Arapahoe
)

This Affidavit of Publication for the Englewood Herald, a weekly newspaper, printed and published for the County of Arapahoe, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 consecutive week(s), the last of which publication was made the 11th day of April, 2014, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.

__________________________

[Signature]

(Notary Public)

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Gerard Healey, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on this 21st day of April A.D., 2014.

__________________________

[Signature]

(Notary Public)

My Commission Expires 10/12/16

$23.44
1. **Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:41 p.m.

[Clerk’s note: the Pledge of Allegiance was said before the invocation.]

2. **Pledge of Allegiance**

Cub Scout Pack 79 and Boy Scout Troop 14 presented the Colors and led the Pledge of Allegiance.

3. **Invocation**

The invocation was given by Council Member McCaslin.

4. **Roll Call**

Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn  
Absent: None

A quorum was present.

Also present: City Manager Sears  
City Attorney Brotzman  
Deputy City Manager Flaherty  
City Clerk Ellis  
Deputy City Clerk Bush  
Assistant City Clerk McGarry  
Director Gryglewicz, Finance and Administrative Services  
Director White, Community Development  
Director Konishi, Information Technology  
Director Fonda, Utilities  
Deputy Director Henderson, Public Works  
Senior Planner Neubecker, Community Development  
Senior Planner Stitt, Community Development  
Housing Finance Specialist Grimmett, Community Development  
Business Services Manager Goodburn, Littleton/Englewood Wastewater Treatment Plant  
Treatment Manager Tallent, Littleton/Englewood Wastewater Treatment Plant  
Fire Chief Marsh  
Police Commander Condreay

5. **Consideration of Minutes of Previous Session**

(a) **COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 7, 2014.**
Vote results:  
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit  
Nays: None  
Motion carried.

6. Recognition of Scheduled Public Comment

(a) Students from the University of Colorado performed "Public Notices" in conjunction with their ongoing collaboration with the M12 Collective and the Museum of Outdoor Arts exploring alternative educational practices and citizenship.

7. Recognition of Unscheduled Public Comment

(a) Elaine Hults, an Englewood resident, spoke about people’s objections to Council attending CML and NLC Conferences.

Council responded to Public Comment.

8. Communications, Proclamations and Appointments

There were no communications, proclamations or appointments.

9. Consent Agenda

(a) Approval of Ordinances on First Reading

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (a) (i), (ii), 9 (b) (i), (ii) AND 9 (c) (i), (ii).

(i) COUNCIL BILL NO. 23, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT OF THE COLORADO INFORMATION SHARING CONSORTIUM (CISC).

(ii) COUNCIL BILL NO. 25, INTRODUCED BY COUNCIL MEMBER OLSON

A BILL FOR AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE COLORADO DEPARTMENT OF PUBLIC SAFETY DIVISION OF FIRE PREVENTION AND CONTROL REGARDING JOINT STAFFING AND OPERATION OF A STATE WILDLAND FIRE ENGINE AND THE CITY OF ENGLEWOOD, COLORADO.

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 19, SERIES OF 2014 (COUNCIL BILL NO. 20, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING THE CITY OF ENGLEWOOD, COLORADO TO PARTICIPATE IN THE SOUTH PLATTE WATER RELATED ACTIVITIES PROGRAM, INC. (SPWRAP) WITH THE DEPARTMENT OF THE INTERIOR TO IMPROVE THE HABITAT BY PROVIDING MORE WATER IN THE CRITICAL AREA ALONG THE PLATTE RIVER IN NEBRASKA AND PROVIDE COMPLIANCE WITH THE ENDANGERED SPECIES ACT.

(ii) ORDINANCE NO. 20, SERIES OF 2014 (COUNCIL BILL NO. 21, INTRODUCED BY COUNCIL MEMBER OLSON)
AN ORDINANCE AUTHORIZING A FARM LEASE FOR THE FARM IN THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT BIOSOLIDS MANAGEMENT PROGRAM.

(c) Resolutions and Motions

(i) RESOLUTION NO. 40, SERIES OF 2014

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF FUNDS TO THE 2014 BUDGET.

(ii) A CONSTRUCTION CONTRACT WITH KECI COLORADO, INC. FOR PARTIAL DECK REPAIRS TO THE WEST DARTMOUTH BRIDGE IN THE TOTAL ESTIMATED AMOUNT OF $122,000.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried.

10. Public Hearing Items

(a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO OPEN THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 22, AMENDING SECTIONS OF TITLE 16 OF THE ENGLEWOOD MUNICIPAL CODE PERTAINING TO NON-CONFORMING STRUCTURES.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried and the Public Hearing opened.

All testimony was given under oath.

Senior Planner Neubecker and Community Development Director White presented background on Council Bill No. 22 and he discussed the specifics of the requested changes.

Jo Ellen Davidson, Executive Director of Community Housing Development Association, spoke in favor of the proposed amendments.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO CLOSE THE PUBLIC HEARING TO GATHER INPUT ON COUNCIL BILL NO. 22, AMENDING SECTIONS OF TITLE 16 OF THE ENGLEWOOD MUNICIPAL CODE PERTAINING TO NON-CONFORMING STRUCTURES.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None
Motion carried and the Public Hearing closed.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on first reading. (See Agenda Item 9 (a) - Consent Agenda.)

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)
(c) Resolutions and Motions

(i) Senior Planner Stitt and Housing Finance Specialist Grimmett presented a recommendation from the Community Development Department approving a resolution waiving the building permit fees, the plan review fees, the single family drainage inspection fees, the minor subdivision fee and the fee in lieu of park land dedication associated with the development 2153-55 W. Baltic Place into two paired single family homes. Kate Hilberg, Real Estate Manager, provided background information regarding the development.

COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 41, SERIES OF 2014.

RESOLUTION NO. 41, SERIES OF 2014

A RESOLUTION AUTHORIZING THE EXEMPTION OF THE HABITAT FOR HUMANITY OF METRO-DENVER (HFHMD) FROM BUILDING PERMIT FEES, PLAN REVIEW FEES, SINGLE FAMILY DRAINAGE INSPECTION FEES, THE MINOR SUBDIVISION FEE AND THE FEE IN LIEU OF PARK LAND DEDICATION ASSOCIATED WITH THE DEVELOPMENT OF TWO PAIRED SINGLE FAMILY HOMES LOCATED AT 2153 & 2155 WEST BALTIC PLACE.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson
Nays: Gillit

Motion carried.

(ii) Business Services Manager Goodburn and Director Konishi presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee and Information Technology Department to approve, by motion, an Information Technology Network Infrastructure upgrade for network switches at the Littleton/Englewood WWTP. Staff further recommends awarding the contract to 24/7 Networks, taking advantage of State of Colorado contract pricing in the amount of $74,843.60.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) - A CONTRACT WITH 24/7 NETWORKS FOR AN INFORMATION TECHNOLOGY NETWORK INFRASTRUCTURE UPGRADE FOR NETWORK SWITCHES AT THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT IN THE AMOUNT OF $74,843.60.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

12. General Discussion

(a) Mayor's Choice

(b) Council Members' Choice

(i) Registration for Colorado Municipal League Conference in Breckenridge, CO from June 17-20, 2014 was discussed.

COUNCIL MEMBER YATES MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 12 (b) (i), FOR THE ANTICIPATED COSTS FOR REGISTRATION AND EXPENSES FOR THE COLORADO MUNICIPAL LEAGUE CONFERENCE IN BRECKENRIDGE, COLORADO FROM JUNE 17-20, 2014 FOR ALL CITY COUNCIL MEMBERS TO ATTEND.
Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

13. City Manager's Report

14. City Attorney's Report

   (a) City Attorney Brotzman presented a motion to approve the Settlement Agreement with the City of Denver and Grand County.

   COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE THE SETTLEMENT AGREEMENT WITH THE CITY OF DENVER AND GRAND COUNTY.

   Vote results:

   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
   Nays: None

   Motion carried.

15. Adjournment

   MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 8:36 p.m.

   /s/ Loucrishia A. Ellis
   City Clerk
1. **Call to Order**

The regular meeting of the Englewood City Council was called to order by Mayor Penn at 7:37 p.m.

2. **Invocation**

The invocation was given by Council Member McCaslin.

3. **Pledge of Allegiance**

The Pledge of Allegiance was led by Council Member McCaslin.

4. **Roll Call**

   Present: Council Members Jefferson, Olson, Gillit, McCaslin, Wilson, Yates, Penn
   Absent: None

   A quorum was present.

   Also present: City Manager Sears
   City Attorney Brotzman
   Deputy City Manager Flaherty
   City Clerk Ellis
   Deputy City Clerk Bush
   Director Gryglewicz, Finance and Administrative Services
   Director White, Community Development
   Director Black, Parks and Recreation
   Prosecuting Attorney Comer
   Deputy Director Henderson, Public Works
   Senior Planner Neubecker, Community Development
   Recreation Services Manager-Operations Sack, Parks and Recreation
   Recreation Programs & Facility Supervisor Musgrove, Parks and Recreation
   Engineering & Maintenance Manager Woo, Littleton/Englewood Wastewater Treatment Plant
   Deputy Police Chief Sanchez
   Fire Chief Marsh

5. **Consideration of Minutes of Previous Session**

   (a) COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 21, 2014.

   **Vote results:**
   Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
   Nays: None

   Motion carried.
6. Recognition of Scheduled Public Comment

(a) Englewood Cultural Arts Commission Chair Amy Martinez, Vice Chair Martha Kirkpatrick and Member Tamara Emmanuel, with Parks and Recreation Director Black, Mayor Penn and City Council Member Wilson presented scholarships to three area music students. Others present included: Superintendent of Englewood Schools Brian Ewert, Englewood High School Principal Jonathan Fore and Englewood Education Foundation President Karen Miller. The scholarships were sponsored by the City of Englewood, The Englewood Cultural Arts Commission, Englewood Schools and the Englewood Education Foundation. Tyler Hastings and Jon Hunt will attend the Denver School of the Arts Jazz Camp. Paige Langley will attend Victor Wooten Music and Nature Camp in Nashville, Tennessee.

(b) Englewood High School Athletic/Activities Director Paul Evans and Englewood High School teacher Brandy Bartholomew accepted the 2014 Aid to Other Agencies donations for the Englewood High School After Prom and the Homecoming Parade.

(c) Students from the joint Englewood High School/Colorado’s Finest Alternative High School Destination Imagination Team addressed City Council regarding the team’s acceptance into the global finals. They asked Council for financial support as it will cost about $10,000.00 and they have currently raised $2,500.00. The competition will be May 21-24, 2014 in Knoxville, Tennessee.

Council responded to Public Comment.

7. Recognition of Unscheduled Public Comment

(a) Doug Cohn, an Englewood resident, read a poem he wrote for Cinco de Mayo regarding the City of Englewood.

8. Communications, Proclamations and Appointments

(a) A Proclamation naming Kells Waggoner as Englewood’s Citizen of the Year for 2014 was considered.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE A PROCLAMATION NAMING KELLS WAGGONER AS ENGLEWOOD’S CITIZEN OF THE YEAR FOR 2014.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(b) A Proclamation recognizing May 2014 as Older Americans Month was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE A PROCLAMATION RECOGNIZING MAY 2014 AS OLDER AMERICANS MONTH.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(c) A Proclamation recognizing May 11 through 17, 2014 as National Police Week was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE A PROCLAMATION RECOGNIZING MAY 11 THROUGH 17, 2014 AS NATIONAL POLICE WEEK.
Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

Deputy Police Chief Sanchez accepted the proclamation.

(d) A Proclamation declaring May 17, 2014 as National Kids to Parks Day was considered.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE A PROCLAMATION DECLARING MAY 17, 2014 AS NATIONAL KIDS TO PARKS DAY.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

Parks and Recreation Director Black accepted the proclamation.

9. **Consent Agenda**

(a) Approval of Ordinances on First Reading

There were no additional items submitted for approval on first reading. (See Agenda Item 11 (a).)

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i), (ii), (iii), 9 (c) (i) and (ii).

(b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 21, SERIES OF 2014 (COUNCIL BILL NO. 22, INTRODUCED BY COUNCIL MEMBER GILLIT)

AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTION 2 AND CHAPTER 9, SECTION 3, OF THE ENGLEWOOD MUNICIPAL CODE 2000 PERTAINING TO NONCONFORMING STRUCTURES.

(ii) ORDINANCE NO. 22, SERIES OF 2014 (COUNCIL BILL NO. 23, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT OF THE COLORADO INFORMATION SHARING CONSORTIUM (CISC).

(iii) ORDINANCE NO. 23, SERIES OF 2014 (COUNCIL BILL NO. 25, INTRODUCED BY COUNCIL MEMBER OLSON)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE COLORADO DEPARTMENT OF PUBLIC SAFETY DIVISION OF FIRE PREVENTION AND CONTROL REGARDING JOINT STAFFING AND OPERATION OF A STATE WILDLAND FIRE ENGINE AND THE CITY OF ENGLEWOOD, COLORADO.

(c) Resolutions and Motions

(i) RESOLUTION NO. 42, SERIES OF 2014

A RESOLUTION QUANTIFYING AND APPROPRIATING FUNDS FOR DUNCAN PARK IMPROVEMENTS.
(ii) A CONTRACT WITH AMERICAN CIVIL CONSTRUCTORS, INC., FOR THE CONSTRUCTION OF DUNCAN PARK IMPROVEMENTS, IN THE TOTAL ESTIMATED AMOUNT OF $1,448,765.15.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

10. Public Hearing Items
No public hearing was scheduled before Council.

11. Ordinances, Resolutions and Motions

(a) Approval of Ordinances on First Reading

(i) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to adopt a bill for an ordinance authorizing the addition of Section 6 to Title 7, Chapter 5 of the Englewood Municipal Code adding language regarding the method used (resolution) for setting fees and charges related to the registration of sex offenders.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (i) - COUNCIL BILL NO. 27.

COUNCIL BILL NO. 27, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AMENDING TITLE 7, CHAPTER 3, OF THE ENGLEWOOD MUNICIPAL CODE 2000 BY THE ADDITION OF A NEW SECTION 6, ENTITLED DETERMINATION OF FEES.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(ii) Prosecuting Attorney Comer presented a recommendation from the City Attorney’s office to adopt a bill for an ordinance authorizing an amendment to Title 7, Chapter 6B, Subsection (A) (2) of the Englewood Municipal Code pertaining to the prohibition of loitering in or about a school building or grounds.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE AGENDA ITEM 11 (a) (ii) - COUNCIL BILL NO. 26.

COUNCIL BILL NO. 26, INTRODUCED BY COUNCIL MEMBER GILLIT

A BILL FOR AN ORDINANCE AMENDING TITLE 7, CHAPTER 6B, OF THE ENGLEWOOD MUNICIPAL CODE BY DELETING SUBSECTION A(2) REGARDING LOITERING ON SCHOOL BUILDINGS OR GROUNDS.

Vote results:
Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(iii) Senior Planner Neubecker presented a recommendation from the Community Development Department to adopt a bill for an ordinance amending sections of Title 16 of the Englewood Municipal Code pertaining to site improvement plans. Staff further recommends that Council set a Public Hearing for May 19, 2014 to gather public input on the proposed amendments.
COUNCIL MEMBER JEFFERSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (a) (iii) - COUNCIL BILL NO. 24 AND TO SET A PUBLIC HEARING FOR MAY 19, 2014 TO GATHER PUBLIC INPUT ON THE PROPOSED AMENDMENTS.

COUNCIL BILL NO. 24, INTRODUCED BY COUNCIL MEMBER JEFFERSON

A BILL FOR AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTIONS 2, 7, 9, AND TITLE 16, CHAPTER 3, SECTION 2, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO ZONING SITE PLAN REVIEW.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 (b) - Consent Agenda.)

(c) Resolutions and Motions

(i) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to approve a resolution authorizing a supplemental appropriation to the 2014 Budget for a search firm to assist in the hiring of a new City Manager.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) – RESOLUTION NO. 43, SERIES OF 2014.

RESOLUTION NO. 43, SERIES OF 2014

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION TO THE 2014 BUDGET.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(ii) Engineering and Maintenance Manager Woo presented a recommendation from the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee to approve, by motion, a construction contract for the Interim Disinfection Improvement Project located at the Littleton/Englewood WWTP. Staff further recommends awarding the contract to the lowest acceptable bidder, RN Civil Construction, in the amount of $432,000.00.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) - A CONSTRUCTION CONTRACT WITH RN CIVIL CONSTRUCTION, FOR THE INTERIM DISINFECTION IMPROVEMENT PROJECT LOCATED AT THE LITTLETON/ENGLEWOOD WWTP IN THE AMOUNT OF $432,000.00.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

12. General Discussion
(a) Mayor’s Choice

(b) Council Members’ Choice

[Clerk’s Note: Agenda Item 12 (b) (ii) was presented before Agenda Item 12 (b) (i).]

(ii) Arapahoe County Fair sponsorship on July 24, 2014 was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE ARAPAHOE COUNTY FAIR SPONSORSHIP ON JULY 24, 2014 IN THE AMOUNT OF $500.00.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(i) The selection of a search firm to hire a new City Manager was discussed.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER YATES SECONDED, TO APPROVE THE SELECTION OF SLAVIN MANAGEMENT CONSULTANTS AS THE SEARCH FIRM TO HIRE A NEW CITY MANAGER.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

(iii) Sponsorship for Destination Imagination was considered.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE CONTRIBUTION OF $250.00 TOWARD THE SPONSORSHIP OF THE DESTINATION IMAGINATION TEAM AS THEY COMPETE IN KNOXVILLE, TENNESSEE.

Vote results:

Ayes: Council Members Yates, McCaslin, Wilson, Penn, Jefferson, Olson, Gillit
Nays: None

Motion carried.

13. City Manager’s Report

14. City Attorney’s Report

City Attorney Brotzman did not have any matters to bring before Council.

15. Adjournment

MAYOR PENN MOVED TO ADJOURN. The meeting adjourned at 9:01 p.m.

/s/ Loucrishia A. Ellis
City Clerk
BY AUTHORITY

ORDINANCE NO. 21
SERIES OF 2014

COUNCIL BILL NO. 22
INTRODUCED BY COUNCIL
MEMBER GILLIT

AN ORDINANCE AMENDING TITLE 16, CHAPTER 2, SECTION 2 AND CHAPTER 9,
SECTION 3, OF THE ENGLEWOOD MUNICIPAL CODE 2000 PERTAINING TO
NONCONFORMING STRUCTURES.

WHEREAS, in August 2013, the Community Housing Development Association (CHDA)
applied to the City requesting a zoning text amendment to the Unified Development Code
concerning nonconforming structures. The request centered on the fact that damaged or
destroyed nonconforming structures cannot be rebuilt to the same density, if the existing
structures are over the currently allowed density; and

WHEREAS, CHDA recently purchased and renovated the Canterbury East (21 units) and
Canterbury South (22 units) Apartments, located at 3550 and 3600 South Delaware Street,
respectively. If these properties are zoned MU-R-3-B, and are used for affordable housing with a
variety of rental rates. If these apartment buildings were damaged or destroyed to the extent of
more than 60% of their value, the existing buildings could not be rebuilt under the current
development code with the same number of units. The new buildings would need to be reduced
in density, with a maximum of 11 units in one building, and 12 units in the other. CHDA and its
financing partners are concerned about the potential loss of value in case of significant damage to
the buildings; and

WHEREAS, the concerns raised by the CHDA are not unique. There are 104 properties in
the City that are nonconforming due to density; and

WHEREAS, if any of these properties were to burn down, or were otherwise damaged or
destroyed by more than 60% of the value of the structure, the rebuilt structure would need to
conform to the existing zoning at the lower density; and

WHEREAS, due to this potential loss of value, some lenders have concerns about the
financing of these properties; and

WHEREAS, the proposed text amendment language is broader than originally proposed by
the Community Housing Development Association (CHDA).

WHEREAS, based on support from the Commission and Staff, the proposed ordinance would
allow any nonconforming structure that is damaged or destroyed to be rebuilt at its original
density. However, the proposal requires that rebuilt buildings "be brought into compliance as
much as practicable with existing standards of this Code"; and

WHEREAS, this language gives staff the flexibility to work with architects and property
owners to find a building design and site plan that accommodates the density, but also updates
the property to current standards; and
WHEREAS, a one year timeframe for submitting a building permit application to rebuild a nonconforming building has been included in the proposed ordinance; and

WHEREAS, the Englewood Planning and Zoning Commission recommended approval of these changes at the February 20, 2014 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 16, Chapter 2, Section 2 entitled Summary Table of Administrative and Review Roles of the Englewood Municipal Code 2000, to read as follows:

16-2-2: Summary Table of Administrative and Review Roles.

The following table summarizes the review and decision-making responsibilities of the entities that have specific roles in the administration of the procedures set forth in this Chapter. For purposes of this table, an "(Approval) Lasing Period" refers to the total time from the application's approval that an applicant has to proceed with, and often complete, the approved action. Failure to take the required action within the specified "lasing period" will automatically void the approval. See Section 16-2-3.L EMC, "Lapse of Approval," below.

<table>
<thead>
<tr>
<th>Procedure</th>
<th>Section Ref.</th>
<th>Pre-App. Req.</th>
<th>Review (R) Decision-Making (D) or Appeal (A) Bodies</th>
<th>Notice Required</th>
<th>Lasing Period</th>
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<tr>
<td>Adaptive Reuse of Designated Historical Buildings</td>
<td>16-5-3</td>
<td>✓ R R D</td>
<td>✓</td>
<td>✓</td>
<td>None</td>
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<tr>
<td>Administrative Adjustments</td>
<td>16-2-17</td>
<td>✓ D A</td>
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<td></td>
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<tr>
<td>Administrative Land Review Permit</td>
<td>16-2-11</td>
<td>✓ D A</td>
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<td></td>
<td>60 days to record</td>
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<tr>
<td>Amendments to the Text of this Title</td>
<td>16-2-6</td>
<td>✓ R R D</td>
<td>✓</td>
<td>✓</td>
<td>None</td>
</tr>
<tr>
<td>Annexation Petitions</td>
<td>16-2-5</td>
<td>✓ R R D</td>
<td>✓</td>
<td>✓</td>
<td>None</td>
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<tr>
<td>Appeals to Board</td>
<td>16-2-18</td>
<td>✓ D</td>
<td>✓</td>
<td></td>
<td>None</td>
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<tr>
<td>Comprehensive Plan Amendments</td>
<td>16-2-4</td>
<td>✓ R R D</td>
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<td></td>
<td>None</td>
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<td>Conditional Use Permits</td>
<td>16-2-12</td>
<td>✓ R D A</td>
<td>✓</td>
<td>✓</td>
<td>1 year</td>
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<tr>
<td>Conditional Use - Telecommunication</td>
<td>16-7</td>
<td>✓ R D A</td>
<td>✓</td>
<td>✓</td>
<td>None</td>
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<tr>
<td>Development Agreements</td>
<td>16-2-15</td>
<td>✓ R D</td>
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<td>As stated in Agreement</td>
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<tr>
<td>Floodplain Devt. Permit and Floodplain Variances</td>
<td>See Chapter 16-4 for applicable procedures and standards</td>
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<td>Historic Preservation</td>
<td>16-6-11</td>
<td>✓ R R D</td>
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<td>Landmark Sign</td>
<td>16-6-13</td>
<td>✓ D A</td>
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</table>
Section 2. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 9, Section 3 entitled Nonconforming Structures of the Englewood Municipal Code 2000, to read as follows:

16-9-3 Nonconforming Structures.

A. Applicability and Exemptions. This Section shall apply to all nonconforming structures, as defined in Chapter 16-11 EMC, except that the following structures shall not be considered nonconforming structures and shall be considered exempt from the terms and limitations of this Section and Chapter:

1. Principal one-unit residential dwellings existing on the effective date of this Title, and which as of that date are not in compliance with the minimum side setback standards established in Chapter 16-6 EMC, shall not be considered nonconforming structures due solely to the dwelling's noncompliance with the minimum side setback standards. Such dwellings are "grandfathered," and shall be considered legal, conforming structures for the purposes of sale and development under this Title and other City building and safety regulations. All future
expansions and alterations of such grandfathered dwellings shall comply with all applicable standards of this Title, including minimum side setback standards, unless the City grants a variance.

2. Multi-unit dwellings existing on the effective date of this Title, which are not in compliance with the required minimum lot area per dwelling unit standards, shall not be considered nonconforming due solely to noncompliance with the minimum lot area per dwelling unit standards. Such dwellings are "grandfathered," and shall be considered legal, conforming buildings or structures for the purpose of sale and development under this Title and other City building and safety regulations. However, all future expansions and alterations of such grandfathered dwellings shall comply with all applicable standards of this Title, including minimum setbacks standards, unless the City grants a variance.

B. Nonconforming Building or Structure.

1. A nonconforming building or structure may continue to be used, except as otherwise provided herein.

2. A nonconforming building or structure may be repaired, structurally altered, or expanded only if the alteration, repair, or expansion complies with this Title. If the nonconforming building or structure or any portion thereof, is declared unsafe by the Chief Building Official, the building may be strengthened or restored to a safe condition.

3. Notwithstanding the provisions of subsection A B.2, above, a nonconforming building or structure in a Floodplain District may be modified, altered, or repaired to incorporate floodproofing measures, but shall not be extended or expanded.

4. No nonconforming building or structure that is destroyed or damaged to the extent of more than sixty percent (60%) of its value, as determined pursuant to the method of determining the valuation of buildings for building permit issuance, shall be repaired or rebuilt except in compliance with the requirements of this Title.

5. If a nonconforming building or structure becomes conforming, it shall not be changed back to a nonconforming building or structure.

6. No person shall move a nonconforming building or structure to another parcel unless the building or structure and its location on the new parcel comply with the use regulations of the zone district applicable to the new parcel.

C. Redevelopment of Nonconforming Buildings or Structures.

1. The City of Englewood encourages redevelopment of outdated, nonfunctional or obsolete buildings and structures. In an effort to encourage redevelopment of such buildings or structures and to promote economic development, nonconforming buildings and structures may be removed and reconstructed, whether damaged or not, only in compliance with the following requirements:
a. The reconstructed building or structure shall not be more nonconforming that the structure as it existed immediately prior to the reconstruction. Redeveloped or reconstructed buildings or structures shall be allowed up to, but not to exceed, the density of the nonconforming building or structure as it existed immediately prior to the redevelopment, whichever is greater.

b. The reconstructed building or structure shall be brought into compliance as much as practicable with existing zoning standards of this Code (Examples: setbacks, parking, landscaping, bulk plane, etc.). The determination of “practicable” will be made by the City Manager or designee based upon the proposed use and design of the structure, site conditions, and current industry methods and standards. The City Manager or designee shall consider not only what is possible, but also what is reasonable based on the unique circumstances of the building or structure, proposed use, and site conditions.

c. If the damage to the nonconforming building or structure was caused by the intentional act or criminal conduct of the owner of the nonconforming building or structure, or the owner’s agent or representative, the building or structure shall only be rebuilt in compliance with this Title and shall not be considered grandfathered under this Section, and furthermore shall not be eligible for redevelopment under Section 16-9-3(C) EMC.

d. Regardless of any waivers or lessening of standards otherwise required in this Title, all new development (including reconstruction of nonconforming buildings or structures) shall meet the applicable building, fire and safety codes in effect at the time of application for a building permit.

D. Application Process.

1. Reconstruction of a nonconforming building or structure shall follow the Site Improvement Plan Review process identified in Section 16-2-9 EMC, unless variances are requested for other dimensional or development standards. In such cases, variances shall follow the Zoning Variance process in Section 16-2-16 EMC.

2. A building permit application for reconstruction of a damaged or destroyed nonconforming building or structure shall be submitted within one (1) year from the date of the event that caused the damage or destruction. If no building permit application is submitted within one (1) year, damaged or destroyed nonconforming buildings or structures on the site shall no longer be eligible for redevelopment under Section 16-9-3(C) EMC, above and the redevelopment shall conform to the dimensional and development standards of the applicable zone district.

E. Appeals.

Any appeal from the City Manager or designee’s decision shall be to the Board of Adjustment and Appeals pursuant to 16-2-18(B) EMC.
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 7th day of April, 2014.

Published by Title as a Bill for an Ordinance in the City’s official newspaper on the 11th day of April, 2014.

Published as a Bill for an Ordinance on the City’s official website beginning on the 9th day of April, 2014 for thirty (30) days.

A Public Hearing was held on April 21st, 2014.

Read by title and passed on final reading on the 5th day of May, 2014.

Published by title in the City’s official newspaper as Ordinance No. 2/1, Series of 2014, on the 9th day of May, 2014.

Published by title on the City’s official website beginning on the 7th day of May, 2014 for thirty (30) days.
This Ordinance shall take effect thirty (30) days after publication following final passage.

Randy P. Penn, Mayor

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 passed on final reading and published by title as Ordinance No. 241, Series of 2014.

Loucrishia A. Ellis
<table>
<thead>
<tr>
<th>Request ID</th>
<th>Date</th>
<th>Request</th>
<th>Requestor</th>
<th>Type</th>
<th>Source</th>
<th>Staff Assigned</th>
<th>Department</th>
<th>Status</th>
<th>Date completed</th>
<th>Notes</th>
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<tbody>
<tr>
<td>18-131</td>
<td>8/14/2018</td>
<td>Employee census with costs for our employee base over the last 5 to 10 years</td>
<td>Barrentine</td>
<td>Council</td>
<td>Human Resourc</td>
<td>Finance</td>
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<td>18-133</td>
<td>8/14/2018</td>
<td>Report on the money spent on the repair of the Civic Center Roof</td>
<td>Olson</td>
<td>Council</td>
<td>Public Works</td>
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<td>Completed</td>
<td>12/31/2019</td>
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<td>18-138</td>
<td>8/23/2018</td>
<td>Provide map of problem storm drains in town. Provide records of when these drains have been cleaned.</td>
<td>Cuesta</td>
<td>Council</td>
<td>Utilities</td>
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<td>Completed</td>
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<td>18-140</td>
<td>8/23/2018</td>
<td>Request for 'NO right turn' sign in the parking lot of Caribou Coffee on Hampden.</td>
<td>Russell</td>
<td>Council</td>
<td>Public Works</td>
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<td>18-143</td>
<td>8/27/2018</td>
<td>Request for an employee census; current vacancies within organization</td>
<td>Russell</td>
<td>Council</td>
<td>HR</td>
<td></td>
<td></td>
<td>Completed</td>
<td>2/8/2019</td>
<td></td>
</tr>
<tr>
<td>18-145</td>
<td>8/27/2018</td>
<td>Breakdown of the HR program indicating the 25% turnover rate. What is driving the percentage?</td>
<td>Barrentine</td>
<td>Council</td>
<td>HR</td>
<td></td>
<td></td>
<td>Completed</td>
<td>2/8/2019</td>
<td></td>
</tr>
<tr>
<td>18-146</td>
<td>8/27/2018</td>
<td>Request that old audio recordings be fixed on the City’s website</td>
<td>Council</td>
<td>Council</td>
<td>Clerk</td>
<td></td>
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</tr>
<tr>
<td>18-150</td>
<td>8/29/2018</td>
<td>Meeting with Dir. Gonzalez to discuss retiree and turnover data</td>
<td>Wink</td>
<td>Council</td>
<td>HR</td>
<td></td>
<td></td>
<td>Completed</td>
<td>2/8/2019</td>
<td></td>
</tr>
<tr>
<td>18-151</td>
<td>8/29/2018</td>
<td>Request ability to look at employee performance appraisal system and competencies.</td>
<td>Wink</td>
<td>Council</td>
<td>HR</td>
<td></td>
<td></td>
<td>Completed</td>
<td>2/8/2019</td>
<td></td>
</tr>
<tr>
<td>18-152</td>
<td>8/29/2018</td>
<td>Info on reclassification of seasonal employees to part time from 2017 to 2018</td>
<td>Barrentine</td>
<td>Council</td>
<td>HR</td>
<td></td>
<td></td>
<td>Completed</td>
<td>2/8/2019</td>
<td></td>
</tr>
<tr>
<td>18-153</td>
<td>8/29/2018</td>
<td>Write up on Pirates Cove; Why is it not an enterprise fund? How is it funded?</td>
<td>Olson</td>
<td>Council</td>
<td>P&amp;R &amp; Finance</td>
<td></td>
<td></td>
<td>Completed</td>
<td>12/31/2019</td>
<td></td>
</tr>
<tr>
<td>18-156</td>
<td>8/29/2018</td>
<td>What improvements need to be made to the Civic Center Building and when would these need to be done on some sort of time schedule</td>
<td>Olson</td>
<td>Council</td>
<td>Public Works</td>
<td></td>
<td></td>
<td>Completed</td>
<td>1/31/2019</td>
<td></td>
</tr>
<tr>
<td>18-166</td>
<td>9/18/2018</td>
<td>Update on Flood Study</td>
<td>Olson</td>
<td>Council</td>
<td>Public Works</td>
<td></td>
<td></td>
<td>Completed</td>
<td>12/31/2019</td>
<td></td>
</tr>
<tr>
<td>18-169</td>
<td>9/18/2018</td>
<td>Has mattress been removed from alley in the 4600 block between Acoma and Bannock in flood area.</td>
<td>Martinez</td>
<td>Council</td>
<td>Public Works</td>
<td></td>
<td></td>
<td>Completed</td>
<td>12/31/2019</td>
<td></td>
</tr>
<tr>
<td>18-170</td>
<td>9/18/2018</td>
<td>Show additional concrete ramp locations on City website.</td>
<td>Barrentine</td>
<td>Council</td>
<td>Public Works</td>
<td></td>
<td></td>
<td>Completed</td>
<td>4/18/2019</td>
<td></td>
</tr>
<tr>
<td>18-233</td>
<td>12/11/2018</td>
<td>Information on air quality in Englewood associated with marijuana smoke</td>
<td>Barrentine</td>
<td>Council</td>
<td>CMO</td>
<td></td>
<td></td>
<td>Completed</td>
<td>2/7/2019</td>
<td></td>
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<tr>
<td>18-234</td>
<td>12/11/2018</td>
<td>Information on gabions used in drainage systems</td>
<td>Olson</td>
<td>Council</td>
<td>Public Works</td>
<td></td>
<td></td>
<td>Completed</td>
<td>12/31/2019</td>
<td></td>
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<tr>
<td>19-001</td>
<td>1/7/2019</td>
<td>Information on water main breaks</td>
<td>Cuesta</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Daisy Yu</td>
<td>CMO</td>
<td>Completed</td>
<td>1/10/2019</td>
<td></td>
</tr>
<tr>
<td>19-002</td>
<td>1/7/2019</td>
<td>Information on multi-family unit by Cochino Taco. What role did Board of Adjustments play? What variances were granted?</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>CMO</td>
<td>Completed</td>
<td>1/9/2019</td>
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<td>Request ID</td>
<td>Date</td>
<td>Request</td>
<td>Requestor/Type</td>
<td>Source</td>
<td>Staff Assigned</td>
<td>Department</td>
<td>Status</td>
<td>Date completed</td>
<td>Notes</td>
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<td>19-004</td>
<td>1/7/2019</td>
<td>Pull copy of all permits issued, building inspections. The Mayor also asked if we could provide some information on how AMIs are determined so that it’s clear this is federal, not local.</td>
<td>Russell Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>1/9/2019</td>
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<tr>
<td>19-005</td>
<td>1/7/2019</td>
<td>Info on urban lots - historical issues? CD please clarify with CM Sierra.</td>
<td>Sierra Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>1/24/2019</td>
<td></td>
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</tr>
<tr>
<td>19-006</td>
<td>1/17/2019</td>
<td>Englewood Downtown Development Authority Analysis Report</td>
<td>Martinez Council</td>
<td>Meeting/SS</td>
<td>Dan Poremba</td>
<td>Community Development</td>
<td>Completed</td>
<td>1/18/2019</td>
<td></td>
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</tr>
<tr>
<td>19-007</td>
<td>1/21/2019</td>
<td>Will an existing alley cottage become an ADU?</td>
<td>Martinez Council</td>
<td>Email</td>
<td>Wade Burkhold</td>
<td>Community Development</td>
<td>Completed</td>
<td>1/22/2019</td>
<td></td>
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<tr>
<td>19-008</td>
<td>1/22/2019</td>
<td>Trash removal at the plaza</td>
<td>Sierra Council</td>
<td>Email</td>
<td>Public Works</td>
<td></td>
<td>Completed</td>
<td>1/23/2019</td>
<td></td>
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<tr>
<td>19-009</td>
<td>1/22/2019</td>
<td>Status of the fountains at the plaza</td>
<td>Sierra Council</td>
<td>Email</td>
<td>Public Works</td>
<td></td>
<td>Completed</td>
<td>1/23/2019</td>
<td></td>
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<tr>
<td>19-010</td>
<td>1/23/2019</td>
<td>Status of home on 4188 S. Washington St in response to citizen complaint</td>
<td>Cuesta Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>1/25/2019</td>
<td></td>
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<tr>
<td>19-013</td>
<td>1/23/2019</td>
<td>Copy of CORA request response provided to Ms. Vicky Hoffman requesting information on staffing in the CMO.</td>
<td>Barrentine Council</td>
<td>Meeting/SS</td>
<td>Clerk</td>
<td></td>
<td>Completed</td>
<td>1/24/2019</td>
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<tr>
<td>19-014</td>
<td>1/23/2019</td>
<td>Copy of CORA request response provided to Mr. JJ Margiotta requesting information on a payment to Investigations Law Group</td>
<td>Barrentine Council</td>
<td>Meeting/SS</td>
<td>Clerk</td>
<td></td>
<td>Completed</td>
<td>1/24/2019</td>
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<tr>
<td>19-015</td>
<td>1/23/2019</td>
<td>Status of code issues raised in video presentation by Mr. Chris Duis</td>
<td>Barrentine Council</td>
<td>Meeting/SS</td>
<td>Police</td>
<td></td>
<td>Completed</td>
<td>1/24/2019</td>
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<tr>
<td>19-016</td>
<td>1/28/2019</td>
<td>Update on the Kmart site and any associated PUD proposal.</td>
<td>Cuesta Council</td>
<td>email</td>
<td>Community Development</td>
<td>Completed</td>
<td>1/31/2019</td>
<td></td>
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<tr>
<td>19-017</td>
<td>1/29/2019</td>
<td>Issue with parking on public property</td>
<td>Barrentine Council</td>
<td>Meeting/SS</td>
<td>Police</td>
<td></td>
<td>Terminated</td>
<td></td>
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<tr>
<td>19-018</td>
<td>1/29/2019</td>
<td>Information on previous DDA re: Trolley Square. Why did it fail? What are the financials?</td>
<td>Barrentine Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>1/29/2019</td>
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<tr>
<td>19-019</td>
<td>1/29/2019</td>
<td>Additional information on investments; concerns about losses</td>
<td>Barrentine Council</td>
<td>Meeting/SS</td>
<td>Finance</td>
<td></td>
<td>Completed</td>
<td>1/29/2019</td>
<td></td>
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<tr>
<td>19-020</td>
<td>1/30/2019</td>
<td>Request for the application packet that was submitted and approved for the current 1327 Tufts development and any associated staff documents that pertain to the approval of this project.</td>
<td>Cuesta Council</td>
<td>email</td>
<td>Community Development</td>
<td>Completed</td>
<td>1/31/2019</td>
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<tr>
<td>19-022</td>
<td>1/22/2019</td>
<td>Questions regarding two-year Bennett farm lease</td>
<td>Council Council</td>
<td>Meeting/SS</td>
<td>SPWRP</td>
<td></td>
<td>Completed</td>
<td>2/6/2019</td>
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</tr>
<tr>
<td>19-023</td>
<td>2/7/2019</td>
<td>Request for an interview regarding ULI grant and the Englewood Downtown Corridor</td>
<td>KMGH Media In person Brad Power</td>
<td>Community Development</td>
<td>Completed</td>
<td>2/13/2019</td>
<td>Interview aired on Channel 7 News on 2/14/2019</td>
<td></td>
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<tr>
<td>Request #</td>
<td>Date</td>
<td>Request</td>
<td>Requestor</td>
<td>Type</td>
<td>Source</td>
<td>Staff Assigned</td>
<td>Department</td>
<td>Status</td>
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<tr>
<td>19-024</td>
<td>2/12/2019</td>
<td>What is snow pushing policy of City snowplows? Snow has been piled in the RTD path.</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works</td>
<td>Completed</td>
<td>3/28/2019</td>
<td></td>
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<tr>
<td>19-025</td>
<td>2/12/2019</td>
<td>Do we need new audio visual equipment for Community Room?</td>
<td>Cuesta</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>City Clerk &amp; IT</td>
<td>Completed</td>
<td>2/14/2019</td>
<td></td>
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<tr>
<td>19-026</td>
<td>2/20/2019</td>
<td>Traffic light change at Quincy and Broadway</td>
<td>Cuesta</td>
<td>Council</td>
<td>Email</td>
<td>Public Works</td>
<td>Completed</td>
<td>3/28/2019</td>
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<tr>
<td>19-027</td>
<td>2/20/2019</td>
<td>Provide a follow up on 4188 Washington St.</td>
<td>Cuesta</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Attorney</td>
<td>Completed</td>
<td>4/18/2019</td>
<td></td>
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</tr>
<tr>
<td>19-028</td>
<td>2/20/2019</td>
<td>Update on snow removal issues (wheelchair access in and around Simon Center, bus stops, possible employee assistance to business)</td>
<td>Russell/Barr</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works</td>
<td>Completed</td>
<td>3/28/2019</td>
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<tr>
<td>19-029</td>
<td>2/20/2019</td>
<td>Follow up issues raised by Mr. Duis about fence in alley, outbuildings in disrepair</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>2/21/2019</td>
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</tr>
<tr>
<td>19-030</td>
<td>2/20/2019</td>
<td>Homeowner Improvement Assistance 1. Did Englewood have a program in place similar to Arvada? If we no longer do, when and why did it get discontinued? 2. List of programs the City offers to help lower income families with homes, bills, utility.</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>2/21/2019</td>
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<tr>
<td>19-031</td>
<td>2/20/2019</td>
<td>Ms. Williamson came into office beginning in August 2018 with complaints of short term rental operations at 4188 S Washington. Complaints continue to include the conversion of this unit into apartments and illegal residence in garage.</td>
<td>Citizen</td>
<td>Citizen</td>
<td>In person</td>
<td>Wade Burkhold</td>
<td>Community Development</td>
<td>Completed</td>
<td></td>
<td>Violation letter sent in August from Code Enforcement and Community Development. Multiple meetings with neighbor and multiple telephone calls since August. Council Communication provided in January 2019 and February 2019. Two inspections of property by Community Development in January 2019 and meeting with property owner and property maintenance person. Monitoring garage apartment - informed they must vacate by March 5, 2019. Coordination ongoing between Community Development, City Attorney's Office, an Code Enforcement personnel.</td>
</tr>
<tr>
<td>19-034</td>
<td>3/4/2019</td>
<td>Status of sand/debris blown over Broken Tee Golf Course and how it may be mitigated</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>PRL</td>
<td>Completed</td>
<td>3/7/2019</td>
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<td>Request ID</td>
<td>Date</td>
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<td>Requestor</td>
<td>Type</td>
<td>Source</td>
<td>Staff Assigned</td>
<td>Department</td>
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<td>Date completed</td>
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<tr>
<td>19-039</td>
<td>3/4/2019</td>
<td>Number of budgeted positions that will not be filled in this budget year.</td>
<td>Russell</td>
<td>Council</td>
<td>Meeting/SS</td>
<td></td>
<td>HR</td>
<td>Completed</td>
<td>3/21/2019</td>
<td>Follow-up CR19-054</td>
</tr>
<tr>
<td>19-041</td>
<td>3/4/2019</td>
<td>Information on interest rate for homeowners’ assistance - low or no? What would be involved in reviving this program?</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td></td>
<td>Community Development</td>
<td>Completed</td>
<td>3/11/2019</td>
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</tr>
<tr>
<td>19-042</td>
<td>3/6/2019</td>
<td>Why is BGOOD unable to expand into the space next door?</td>
<td>Wink/Russe Council</td>
<td>Email</td>
<td>Police</td>
<td></td>
<td></td>
<td>Completed</td>
<td>3/7/2019</td>
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</tr>
<tr>
<td>19-043</td>
<td>3/6/2019</td>
<td>Documentation/Explanation on why BGOOD is unable to expand into the space next door to its current location</td>
<td>Wink/Russe Council</td>
<td>Email</td>
<td>Police</td>
<td></td>
<td></td>
<td>Completed</td>
<td>3/6/2019</td>
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</tr>
<tr>
<td>19-045</td>
<td>3/13/2019</td>
<td>Does a City license for a trash hauler require alley pickup of trash?</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td></td>
<td>IT</td>
<td>Completed</td>
<td>3/12/2019</td>
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<tr>
<td>19-046</td>
<td>3/18/2019</td>
<td>Provide a copy of the ballot measure from the November 2016 election in which the citizens approved bond funding for the police building</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td></td>
<td>CMO</td>
<td>Completed</td>
<td>3/19/2019</td>
<td></td>
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<tr>
<td>19-047</td>
<td>3/18/2019</td>
<td>Information on food truck licensing and zoning, to include:</td>
<td>Barrentine, Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>CMO</td>
<td>Completed</td>
<td>4/1/2019</td>
<td>Finance - 5/23/2019</td>
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<td>Request ID</td>
<td>Date Requested</td>
<td>Request</td>
<td>Requestor</td>
<td>Type</td>
<td>Source</td>
<td>Staff Assigned</td>
<td>Department</td>
<td>Status</td>
<td>Date Completed</td>
<td>Notes</td>
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<tr>
<td>19-050</td>
<td>3/18/2019</td>
<td>Several residents have tried calling Public Works and only receive voice mails. 1. How can we ensure residents are able to talk to someone about their concerns? 2. We have reports that the online service request app (CRM) is not working.</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works</td>
<td>Completed</td>
<td>3/28/2019</td>
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<tr>
<td>19-051</td>
<td>3/22/2019</td>
<td>Provide a copy of the February 13 report for the accident that occurred in the alley between South Sherman and South Grant on Floyd Avenue. Accident involved a utility truck and telephone/electrical lines. Also provide amount of damages and who paid for the repairs.</td>
<td>Russell</td>
<td>Council</td>
<td>Email</td>
<td>Police</td>
<td>HR</td>
<td>Completed</td>
<td>3/28/2019</td>
<td></td>
</tr>
<tr>
<td>19-053</td>
<td>3/25/2019</td>
<td>Clarification of Director D’Andrea's estimate of $80-100 million for stormwater infrastructure for the City as mentioned in the Friday, March 15, 2019 meeting with Congresswoman Diana DeGette</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works</td>
<td>Completed</td>
<td>3/28/2019</td>
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<tr>
<td>19-055</td>
<td>3/25/2019</td>
<td>What is the setback rule for fences in alleys</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/4/2019</td>
<td></td>
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</tr>
<tr>
<td>19-056</td>
<td>3/25/2019</td>
<td>What is the lot size coverage for building? Does lot size coverage change with ADU’s?</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/4/2019</td>
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<tr>
<td>19-057</td>
<td>3/25/2019</td>
<td>Produce a white paper on alleyways no later than April 19</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/24/2019</td>
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<tr>
<td>19-058</td>
<td>3/18/2019</td>
<td>What are the number of vehicles used by the Police Department?</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works</td>
<td>Completed</td>
<td>3/28/2019</td>
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<tr>
<td>19-060</td>
<td>4/1/2019</td>
<td>Provide copies of information presented by SBDC and SBA during public comment at April 1, 2019 regular meeting</td>
<td>Martinez, Barrentine, Olson, Russell</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/2/2019</td>
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<td>Request ID</td>
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<td>Requestor Type</td>
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<tr>
<td>19-064</td>
<td>4/1/2019</td>
<td>Amount of grant funding received by the City from 2007 to present for emergency management</td>
<td>Russell</td>
<td>Meeting/SS</td>
<td>Finance</td>
<td>Completed</td>
<td>4/18/2019</td>
<td></td>
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<tr>
<td>19-065</td>
<td>4/1/2019</td>
<td>Request for information on transients sleeping at Traditions</td>
<td>Russell</td>
<td>Meeting/SS</td>
<td>Police</td>
<td>Completed</td>
<td>4/3/2019</td>
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<tr>
<td>19-066</td>
<td>4/1/2019</td>
<td>Request for a leadership meeting with Swedish and Craig Hospitals</td>
<td>Olson</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/11/2019</td>
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<tr>
<td>19-067</td>
<td>4/1/2019</td>
<td>Request for clarification on Council request and information process</td>
<td>Olson</td>
<td>Meeting/SS</td>
<td>City Manager</td>
<td>Completed</td>
<td>4/11/2019</td>
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<tr>
<td>19-068</td>
<td>4/1/2019</td>
<td>Provide information on signs posted in City parks regarding animal control</td>
<td>Barrentine, Council</td>
<td>Meeting/SS</td>
<td>City Manager</td>
<td>Completed</td>
<td>4/3/2019</td>
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<tr>
<td>19-069</td>
<td>4/8/2019</td>
<td>Which trash haulers in the City no longer provide alley pickup?</td>
<td>Sierra</td>
<td>Email</td>
<td>Public Works</td>
<td>Completed</td>
<td>4/18/2019</td>
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<tr>
<td>19-071</td>
<td>4/14/2019</td>
<td>A citizen called saying there are plans to build a triplex on 2990 S Sherman which means it is over 9,000 sq. ft. 1. What is the official lot size of 2990 S Sherman? 2. Where can a citizen find the lot size of any property in Englewood?</td>
<td>Sierra</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/16/2019</td>
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<tr>
<td>19-072</td>
<td>4/14/2019</td>
<td>There are concerns some new developments are not conforming to the maximum lot coverage. 1. How can the City verify that properties are being built to the appropriate coverage? 2. What type of recourse could the City take if these rules are not being followed by developers?</td>
<td>Sierra</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/16/2019</td>
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<tr>
<td>19-073</td>
<td>4/14/2019</td>
<td>1. Does the City have any rules regarding the sale of CBD? 2. Is it only allowed to be sold by Englewood licensed marijuana shops?</td>
<td>Sierra</td>
<td>Email</td>
<td>City Clerk</td>
<td>Completed</td>
<td>4/18/2019</td>
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<tr>
<td>19-074</td>
<td>4/14/2019</td>
<td>A citizen is concerned an auto shop on the corner of Elati/Amherst is taking up over 20-40 on-street parking spots on both sides of Elati in the Ironworks Village area. 1. Is there anything that could allow the residents to get these parking spots back?</td>
<td>Sierra</td>
<td>Email</td>
<td>Public Works</td>
<td>Completed</td>
<td>5/30/2019</td>
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<tr>
<td>19-075</td>
<td>4/14/2019</td>
<td>A citizen on Bannock/Hampden has witnessed multiple accidents at that corner. Many do not realize it is a one-way street. 1. Can better signage help prevent these accidents?</td>
<td>Sierra</td>
<td>Email</td>
<td>Public Works</td>
<td>Completed</td>
<td>5/16/2018</td>
<td></td>
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<tr>
<td>19-076</td>
<td>4/15/2019</td>
<td>Oversight of contractor used by Utilities for remediation work. Are there quality controls or service level agreements in place?</td>
<td>Sierra, Wink Council</td>
<td>Meeting/SS</td>
<td>Utilities</td>
<td>Completed</td>
<td>4/22/2019</td>
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<td>Staff Assigned</td>
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<td>19-077</td>
<td>4/15/2019</td>
<td>Status of animal control enforcement at Emerson Park. Please provide number of complaints and actions taken by Code Enforcement</td>
<td>Martinez</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Police</td>
<td>Completed</td>
<td>Completed</td>
<td>4/24/2019</td>
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<tr>
<td>19-078</td>
<td>4/15/2019</td>
<td>Who is responsible for trash at bus stop at Elati new WalMart? If the City is responsible, what can be done to limit trash accumulation?</td>
<td>Russell</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works</td>
<td>Completed</td>
<td>Completed</td>
<td>4/24/2019</td>
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<tr>
<td>19-079</td>
<td>4/15/2019</td>
<td>Description of off-boarding process in departments to ensure seamless transition and continuation of projects.</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>City Manager</td>
<td>Completed</td>
<td>5/30/2019</td>
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<tr>
<td>19-081</td>
<td>4/15/2019</td>
<td>Provide a report on the April 1, 2019 meeting with Englewood Public Schools regarding Bishop Elementary storm water retention.</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>City Manager</td>
<td>Completed</td>
<td>4/18/2019</td>
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<tr>
<td>19-082</td>
<td>4/22/2019</td>
<td>1. What developer plans have been submitted for 2990 S Sherman St, and when? 2. Is there a reference to a 5% administrative adjustment that would allow the lot at 2990 S Sherman St to go over the 9,000 square feet that would allow the building of a triplex? 3. Xcel is beginning to lay pipe at 2990 S Sherman St. Would Xcel begin laying pipe before property plans are approved by the City?</td>
<td>Sierra</td>
<td>Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/23/2019</td>
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<tr>
<td>19-083</td>
<td>4/22/2019</td>
<td>What is the height of the police building parking lot wall and gate</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works</td>
<td>Completed</td>
<td>4/25/2019</td>
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<tr>
<td>19-084</td>
<td>4/30/2019</td>
<td>1. What are the number of variances that have been requested for the 5% administrative adjustment over the last 5 years? 2. How many of these have been approved and not approved over the same time frame?</td>
<td>Sierra</td>
<td>Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>4/30/2019</td>
<td>Follow-up on 5/2/2019</td>
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<tr>
<td>19-085</td>
<td>4/30/2019</td>
<td>RTD benches have been removed on Lowell between Bellevue and Chenango. RTD indicated the City made the decision to remove the benches. 1. If the City asked for the benches to be removed, why were they removed? 2. Are others planned to be removed?</td>
<td>Russell/Olson</td>
<td>Council</td>
<td>Email</td>
<td>Public Works</td>
<td>Completed</td>
<td>4/30/2019</td>
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<tr>
<td>19-086</td>
<td>5/3/2019</td>
<td>How would a citizen purchase street signs as they are replaced with street signs with the new City logo?</td>
<td>Olson</td>
<td>Council</td>
<td>Email</td>
<td>Public Works</td>
<td>Completed</td>
<td>7/17/2019</td>
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<tr>
<td>19-087</td>
<td>5/6/2019</td>
<td>Provide a report to Council for the CORA documents requested by Ms. Jones for City Council emails</td>
<td>Olson</td>
<td>Council</td>
<td>Email</td>
<td>City Clerk</td>
<td>Completed</td>
<td>6/10/2019</td>
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<tr>
<td>19-088</td>
<td>5/6/2019</td>
<td>Provide a follow-up on Mr. Linhof's code violation and summons for 2980 S Ogden St.</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Not assigned</td>
<td>Completed</td>
<td>5/8/2019</td>
<td>Matter is being handled through the Municipal Court.</td>
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<td>Request ID</td>
<td>Date</td>
<td>Request</td>
<td>Requestor Type</td>
<td>Source</td>
<td>Staff Assigned</td>
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<tr>
<td>19-090</td>
<td>5/6/2019</td>
<td>Provide 5-year data on vacancy rates for commercial real estate in Englewood (South Broadway)</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>5/8/2019</td>
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<tr>
<td>19-091</td>
<td>5/14/2019</td>
<td>Staff and Planning &amp; Zoning Commission provide recommendations to change the Municipal Code to require contractors return properties to their original condition after work is completed.</td>
<td>Sierra</td>
<td>Council</td>
<td>Email</td>
<td>Public Works</td>
<td>Community Development</td>
<td>Completed</td>
<td>9/26/2019</td>
<td>Complete by August 31</td>
</tr>
<tr>
<td>19-092</td>
<td>5/6/2019</td>
<td>Evaluate the need for a marked crosswalk at Oxford and Clarkson</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works</td>
<td>Completed</td>
<td>5/16/2019</td>
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<tr>
<td>19-093</td>
<td>5/17/2019</td>
<td>Provide explanation of appeals process.</td>
<td>Cuesta</td>
<td>Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>5/21/2019</td>
<td></td>
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<tr>
<td>19-094</td>
<td>5/21/2019</td>
<td>Received complaints of a Short-Term Rental operating at 4075 S Jason.</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>5/22/2019</td>
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<tr>
<td>19-095</td>
<td>6/12/2019</td>
<td>The number of property tax assessment protests filed with the Arapahoe County Assessor's Office by Englewood property owners</td>
<td>Martinez</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>CMO</td>
<td>Completed</td>
<td></td>
<td>Waiting on Information from County Assessor</td>
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<tr>
<td>19-096</td>
<td>6/20/2019</td>
<td>Notification process for the BOAA re: posting requirements for the different zoning appeals that come before the BOAA? What would be the process to add the City's website as one of the official locations for posting notices?</td>
<td>Russell</td>
<td>Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>6/25/2019</td>
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<tr>
<td>19-098</td>
<td>6/24/2019</td>
<td>List of all calls or requests, in the past year, to service at 3398 W. Grand.</td>
<td>Russell</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Police</td>
<td>Completed</td>
<td>6/27/2019</td>
<td></td>
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<tr>
<td>19-099</td>
<td>6/20/2019</td>
<td>Additional information on the process and costs regarding licensing for a childcare in-home business.</td>
<td>Barrentine/ Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
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<tr>
<td>19-100</td>
<td>7/1/2019</td>
<td>Description of how personal possessions of campers displaced from the South Platte are being stored and how campers will be able to reclaim their belongings</td>
<td>Russell</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Police</td>
<td>Completed</td>
<td>7/8/2019</td>
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<tr>
<td>19-101</td>
<td>7/1/2019</td>
<td>Notification process to Council regarding arrest of former Englewood Police Officer</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>CMO</td>
<td>Completed</td>
<td>7/11/2019</td>
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<tr>
<td>19-102</td>
<td>7/3/2019</td>
<td>Status of complaint at 4075 S. Jason Street.</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>7/8/2019</td>
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<tr>
<td>19-103</td>
<td>7/11/2019</td>
<td>Which herbicides does the City use? Are we using Glyphosate/Roundup?</td>
<td>Olson/Russ Council</td>
<td>Email</td>
<td>Parks</td>
<td>Completed</td>
<td>7/18/2019</td>
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<tr>
<td>19-104</td>
<td>7/9/2019</td>
<td>Please provide information related to the Budget and Expenditures for the Storm Water Fund over the past 15 years, including dept. service.</td>
<td>Council</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Finance</td>
<td>Completed</td>
<td>7/18/2019</td>
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<tr>
<td>19-105</td>
<td>7/10/2019</td>
<td>Request that audio recordings for the Englewood Housing Authority meeting be posted on the Englewood website.</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>CMO</td>
<td></td>
<td>In progress</td>
<td>7/11/2019</td>
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<tr>
<td>19-106</td>
<td>7/14/2019</td>
<td>Information on status of median maintenance, particularly on Broadway</td>
<td>Cuesta</td>
<td>Council</td>
<td>Email</td>
<td>Parks</td>
<td></td>
<td>Completed</td>
<td>7/16/2019 Update 8/1/2019</td>
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<tr>
<td>19-107</td>
<td>7/15/2019</td>
<td>Request to clarify information from the July 8 Study Session</td>
<td>Cuesta/Barr</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>CMO</td>
<td></td>
<td>Completed</td>
<td>7/16/2019</td>
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<tr>
<td>19-108</td>
<td>7/16/2019</td>
<td>What steps would be involved in building moratorium?</td>
<td>Martinez</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>CAO</td>
<td></td>
<td>Completed</td>
<td>7/15/2019</td>
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<tr>
<td>19-109</td>
<td>7/16/2019</td>
<td>Questions regarding permit requirements for home daycare.</td>
<td>Martinez/C</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Community Development</td>
<td>Completed</td>
<td>7/22/2019</td>
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<tr>
<td>19-110</td>
<td>7/16/2019</td>
<td>Comparative fees for water and sewer taps/fees paid by developers in neighboring cities.</td>
<td>Russell</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>PW/Utilities</td>
<td></td>
<td>New</td>
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<td>19-111</td>
<td>7/16/2019</td>
<td>Request for YTD statistics from Code Enforcement on animals 'Running at Large'.</td>
<td>Sierra</td>
<td>Council</td>
<td>Email</td>
<td>Police</td>
<td></td>
<td>Completed</td>
<td>7/18/2019</td>
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<tr>
<td>19-112</td>
<td>7/22/2019</td>
<td>Information on the property at 4135 S. Delaware St. Follow-up Code?</td>
<td>Olson</td>
<td>Council</td>
<td>Email</td>
<td>Police/Community Development</td>
<td>Completed</td>
<td>7/22/2019</td>
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<tr>
<td>19-113</td>
<td>7/22/2019</td>
<td>Is it possible to include additional information in regular utility bills?</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Public Works/Utilities</td>
<td>Completed</td>
<td>9/5/2019</td>
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<td>19-114</td>
<td>7/22/2019</td>
<td>Clarification of block party application process.</td>
<td>Council</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>CMO</td>
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<td>Completed</td>
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<tr>
<td>19-115</td>
<td>7/22/2019</td>
<td>Overview of repairs to stormwater drainage system under Oxford Ave. Has any part of the system been repaired more than once?</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>CMO</td>
<td></td>
<td>Completed</td>
<td>9/5/2019</td>
<td></td>
</tr>
<tr>
<td>19-117</td>
<td>7/29/2019</td>
<td>Request for information about handicapped access to the new Englewood Public Schools Cherrellyn Elementary School</td>
<td>Council</td>
<td>Council</td>
<td>email</td>
<td>City Manager</td>
<td></td>
<td>Completed</td>
<td>8/1/2019</td>
<td></td>
</tr>
<tr>
<td>19-120</td>
<td>8/6/2019</td>
<td>Status of cleaning storm drainage pipes, both in general and especially in the S1 section.</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>PW/Utilities</td>
<td></td>
<td>Completed</td>
<td>9/5/2019</td>
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<tr>
<td>19-121</td>
<td>8/6/2019</td>
<td>Status of proposed emergency management IGA with Arapahoe County</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Dorothy</td>
<td>CMO</td>
<td>Completed</td>
<td>8/8/2019</td>
<td></td>
</tr>
<tr>
<td>19-122</td>
<td>8/6/2019</td>
<td>Explain process of design contract approval used in preparing grant applications</td>
<td>Russell</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>Parks</td>
<td></td>
<td>Completed</td>
<td>8/15/2019</td>
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<tr>
<td>19-123</td>
<td>8/6/2019</td>
<td>Discuss how information was communicated on the Jason Street Sinkhole</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>PW/Utilities</td>
<td></td>
<td>Completed</td>
<td>9/19/2019 double check with CM Sierra to ensure this captures his question</td>
<td>9/19/2019 double check with CM Sierra to ensure this captures his question</td>
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<td>Request ID</td>
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<td>19-126</td>
<td>8/6/2019</td>
<td>Status of residential garbage and recycling service delivery community engagement project timeline</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>PW/Utilities</td>
<td></td>
<td>Completed</td>
<td>9/19/2019</td>
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<tr>
<td>19-127</td>
<td>8/6/2019</td>
<td>Status of alley resurfacing project</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting/SS</td>
<td>PW/Utilities</td>
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<td>Completed</td>
<td>9/19/2019</td>
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<tr>
<td>19-128</td>
<td>8/8/2019</td>
<td>What is the status of any violations for on-street parking at 3863-3865 South Jason St? Has the property owner been notified of the tenant’s violations?</td>
<td>Olson</td>
<td>Council</td>
<td>Email</td>
<td>CD and Police</td>
<td></td>
<td>Completed</td>
<td>8/16/2019 Update on 9/5/2019</td>
<td></td>
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<tr>
<td>19-129</td>
<td>8/8/2019</td>
<td>Are increasing lease rates in the industrial district being driven up by increasing property taxes?</td>
<td>Olson</td>
<td>Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>8/15/2019</td>
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<tr>
<td>19-130</td>
<td>8/12/2019</td>
<td>How is Fine/Forfeiture money spent by Police (i.e. specific items purchased with forfeiture money the City receives)?</td>
<td>Wink</td>
<td>Council</td>
<td>Meeting</td>
<td>Finance</td>
<td></td>
<td>Completed</td>
<td>8/15/2019</td>
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<tr>
<td>19-132</td>
<td>8/12/2019</td>
<td>Can Fund 46 be used for flood mitigation?</td>
<td>Sierra</td>
<td>Council</td>
<td>Meeting</td>
<td>Community Development</td>
<td>Completed</td>
<td>8/15/2019</td>
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<tr>
<td>19-133</td>
<td>8/12/2019</td>
<td>What was the agreement between the City and the developers at Oxford Station regarding stormwater drainage?</td>
<td>Russell</td>
<td>Council</td>
<td>Meeting</td>
<td>Public Works</td>
<td></td>
<td>Completed</td>
<td>9/5/2019</td>
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<tr>
<td>19-136</td>
<td>8/20/2019</td>
<td>1. The request for historical revenue/budget/expenditure/reserve information was made during the presentation a couple of months ago as well as during last month's Joint Council meeting. 2. Should we not be discussing raising Tap Fees as a funding option before raising rates on Englewood Citizens? 3. Have past council contributed to this problem by exempting developers from these fees? 4. Why are the Englewood Tap Fees so much less than Littleton’s? 5. Have funds been transferred out or paying other costs and not recovered?</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>Finance</td>
<td></td>
<td>Completed</td>
<td>9/27/2019</td>
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<td>19-137</td>
<td>8/20/2019</td>
<td>4356 S. Elati Street - present status of the property and any notices or issues being addressed at this property</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>Police</td>
<td>Completed</td>
<td>8/22/2019</td>
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<tr>
<td>19-138</td>
<td>8/22/2019</td>
<td>Concern about 7:30pm mail delivery by non-uniformed staff</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>Police</td>
<td>Completed</td>
<td>8/22/2019</td>
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<tr>
<td>19-139</td>
<td>8/21/2019</td>
<td>Information on the interrelationship between the Charter provisions which identify the City Manager as the head of the administrative branch of the City Government, including the power to appoint, suspend, transfer and remove City employees unless otherwise provided within Charter, and § 103 of the Fire Code, the section which provides the Fire Marshal’s services shall be established as a division within the police department.</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting</td>
<td>CAO</td>
<td>New</td>
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<td>19-140</td>
<td>8/22/2019</td>
<td>Is there a conflict in laws between Charter references to the City Manager's supervisory control over the City's employees, and Code references to establishment of a Fire Marshal's division? (CA McKenney Brown provided Council with a response to this question by e-mail 8/7/19). Follow up question by Councilmember Barrentine: Does §103 of the City's Fire Code referencing the Fire Marshal's Office in the Police Department supersede the authority vested in the City Manager by §52 of the City's Charter as to the supervision and departmental location of the Fire Marshal's Office within the City's organizational structure?</td>
<td>Council</td>
<td>Council</td>
<td>Meeting</td>
<td>City Manager</td>
<td>Completed</td>
<td>8/22/2019</td>
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<tr>
<td>19-141</td>
<td>8/22/2019</td>
<td>History of Code Enforcement calls 2909 S. Acoma Street in the past year. Has it been deemed a nuisance? Requirements for mitigating the damage if the house was used to cook meth and keep the public safe if and when they demolish a house.</td>
<td>Russell</td>
<td>Council</td>
<td>Email</td>
<td>Police/Community Development</td>
<td>Completed</td>
<td>8/29/2019</td>
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<tr>
<td>19-142</td>
<td>8/26/2019</td>
<td>Request for an online portal or other technology solution to upload documents that individual Councilmembers receive that need to be shared with other Councilmembers</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting</td>
<td>IT</td>
<td>New</td>
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<tr>
<td>19-143</td>
<td>8/26/2019</td>
<td>4260 S. Elati St. alley grading or leveling</td>
<td>Cuesta</td>
<td>Council</td>
<td>Email</td>
<td>Public Works</td>
<td>Completed</td>
<td>9/26/2019</td>
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<tr>
<td>19-144</td>
<td>8/29/2019</td>
<td>Request for a crosswalk on Kenyon Street north of ECE Maddox</td>
<td>Olson</td>
<td>Council</td>
<td>Email</td>
<td>Public Works</td>
<td>New</td>
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<tr>
<td>19-145</td>
<td>8/27/2019</td>
<td>Illegal dumping violation in the 4500 block of Bannock</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>Police</td>
<td>Completed</td>
<td>9/5/2019</td>
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<td>19‐146</td>
<td>8/27/2019</td>
<td>Request for documents related to 2002 Acoma Street Drainage</td>
<td>Cuesta</td>
<td>Council</td>
<td>Email</td>
<td>Public Works</td>
<td>Completed</td>
<td>8/29/2019</td>
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<tr>
<td>19‐147</td>
<td>8/29/2019</td>
<td>Request for the number of administrative adjustments granted.</td>
<td>Council</td>
<td>Council</td>
<td>Email</td>
<td>Community Development</td>
<td>Completed</td>
<td>9/5/2019</td>
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<tr>
<td>19‐148</td>
<td>9/4/2019</td>
<td>Possibility of having the Cherrellyn Horse Car in the City Center front circle in November for the Colorado History tour of Englewood?</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting</td>
<td>Parks/Public Works</td>
<td>Completed</td>
<td>9/12/2019</td>
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<tr>
<td>19‐149</td>
<td>9/4/2019</td>
<td>Request for a condition assessment of the alley behind 4700 block of S. Sherman Street. Provide citizens with information and clarification on grading versus alley paving.</td>
<td>Olson, Barre</td>
<td>Council</td>
<td>Meeting</td>
<td>Public Works</td>
<td>New</td>
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<td>19‐150</td>
<td>9/4/2019</td>
<td>Request for further information regarding definitions of terms used to describe the types of cases in the September 3 Code presentation as there seemed to be some confusion around the term “self-initiated” in addition to other types of cases.</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting</td>
<td>Police</td>
<td>Completed</td>
<td>9/5/2019</td>
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<tr>
<td>19‐151</td>
<td>9/9/2019</td>
<td>Provide an update to Tav Tabacchi and Councilmember Barrentine regarding the state of sidewalks along Belleview, and any plans to improve conditions thereon.</td>
<td>Council</td>
<td>Council</td>
<td>Meeting</td>
<td>Public Works</td>
<td>New</td>
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<tr>
<td>19‐152</td>
<td>9/9/2019</td>
<td>Information on an assault in the 2800 Block of South Logan. Information on a potential grow house at 2870 S. Logan.</td>
<td>Russell</td>
<td>Council</td>
<td>Email</td>
<td>Police</td>
<td>Completed</td>
<td>9/12/2019</td>
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<tr>
<td>19‐153</td>
<td>9/12/2019</td>
<td>Request that an ordinance be drafted generally conforming to staff's suggested updates to the CEAC enabling legislation, and incorporating the CEAC’s suggested updates to Section 2-10-5. Request that the scope of the duties of the CEAC as set forth be redrafted to mirror the scope of the enforcement responsibilities for the Code Enforcement Unit of the Police Department</td>
<td>Sierra and R</td>
<td>Council</td>
<td>Meeting</td>
<td>CAO</td>
<td>Completed</td>
<td>9/12/2019</td>
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<td>19‐154</td>
<td>9/12/2019</td>
<td>Request regarding response to citizen requests to take action on a case filed within the municipal court; How should elected member of the City Council respond to requests to become involved in the criminal justice process?</td>
<td>Sierra</td>
<td>Council</td>
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<td>CAO</td>
<td>Completed</td>
<td>9/12/2019</td>
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<td>19‐155</td>
<td>9/17/2019</td>
<td>Please provide up-to-date information on the National Night Out program and the Citizen's Academy for the city website</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting</td>
<td>Communications</td>
<td>Completed</td>
<td>9/19/2019</td>
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<tr>
<td>19‐156</td>
<td>9/17/2019</td>
<td>Provide information on any emergency preparedness plans for the sanitary sewer system</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting</td>
<td>Public Works</td>
<td>Completed</td>
<td>9/19/2019</td>
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<td>19‐157</td>
<td>9/17/2019</td>
<td>From which budget fund are the expenses for new ADA ramps taken?</td>
<td>Russell</td>
<td>Council</td>
<td>Meeting</td>
<td>Public Works</td>
<td>Completed</td>
<td>9/19/2019</td>
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<td>19-159</td>
<td>9/24/2019</td>
<td>What materials are the water mains made of? What materials are the connections made of before they go into each property?</td>
<td>Russell</td>
<td>Council</td>
<td>Email</td>
<td>Public Works/Utilities</td>
<td>New</td>
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<tr>
<td>19-160</td>
<td>9/24/2019</td>
<td>Have we looked into grant money for the infrastructure improvements, especially for the Stormwater drainage system?</td>
<td>Russell</td>
<td>Council</td>
<td>Email</td>
<td>Public Works/Utilities</td>
<td>New</td>
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<tr>
<td>19-161</td>
<td>9/24/2019</td>
<td>Can Council get a copy of the ordinance that authorized that change to the muni code regarding dangerous animals? Can we get a copy of the vote that authorized that ordinance?</td>
<td>Russell</td>
<td>Council</td>
<td>Email</td>
<td>City Clerk</td>
<td>Completed</td>
<td>9/26/2019</td>
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<td>19-162</td>
<td>9/23/2019</td>
<td>Provide a summary of all Title 16 amendments since 2004</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting</td>
<td>Community Development</td>
<td>Completed</td>
<td>10/1/2019</td>
<td>Council granted 2 weeks to respond</td>
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<td>19-163</td>
<td>9/23/2019</td>
<td>Provide who wrote the Unified Development Code in 2004, the scope of work, and the cost</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting</td>
<td>Community Development</td>
<td>Completed</td>
<td>9/26/2019</td>
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<td>19-164</td>
<td>9/23/2019</td>
<td>Document a citizen’s process to appeal to the Board of Adjustment and Appeals</td>
<td>Barrentine</td>
<td>Council</td>
<td>Meeting</td>
<td>Community Development</td>
<td>Completed</td>
<td>9/26/2019</td>
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<td>19-166</td>
<td>9/30/2019</td>
<td>Water Main Break at 3870 S. Fox was fixed but the asphalt was never finished. Residents believe it is</td>
<td>Council</td>
<td>Council</td>
<td>Meeting</td>
<td>Public Works/Utilities</td>
<td>Completed</td>
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<td>19-167</td>
<td>10/2/2019</td>
<td>What development proposals or inquiries have been made to the City regarding possible uses of</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting</td>
<td>Community Development</td>
<td>Completed</td>
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<td>19-168</td>
<td>10/2/2019</td>
<td>provide the process for reporting a Code Enforcement concern through the City’s website app. 2. Does Code Enforcement take anonymous complaints via any process? 3. Are records kept of all complaints filed including ones not deemed viable for follow up by Code? 4. Do we have a process for tracking complaints filed with the City’s app? 5. What is the process for someone to identify who reports a complaint? 6. Can you provide a copy of the Proactive vs Reactive Enforcement policy for Code Enforcement and when Council approved that policy?</td>
<td>Barrentine</td>
<td>Council</td>
<td>Email</td>
<td>Police Department/Code</td>
<td>Completed</td>
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<tr>
<td>19-169</td>
<td>10/2/2019</td>
<td>Provide any information related to public notices public hearings and public meetings related to Title 16 (Unified Development Code) amendments approved in 2014.</td>
<td>Olson</td>
<td>Council</td>
<td>Meeting</td>
<td>Community Development</td>
<td>Completed</td>
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