

## Council Request Update

October 8, 2015

### **Council Request 15-182 (Englewood Depot Progress Update)**

**Requested by:** Council Member Jefferson

**Assigned to:** City Manager's Office

**Request:** Request for an update on the status of the Englewood Depot Letterpress Museum renovations.

**Response:** The attached email from Tom Parson provides the most recent update on the Depot.

### **Council Request 15-186 (Possible Sign Code Violations – S. Broadway)**

**Requested by:** Council Member Gillit

**Assigned to:** Community Development

**Request:** Concerns regarding signage in the 4300 and 4400 blocks of South Broadway.

**Response:** In the two attached memos, Planner II Audra Kirk details the actions taken at the locations in question.

### **Council Request 15-188 (Future P&Z Discussion/Recommendation Topics)**

**Requested by:** City Council

**Assigned to:** Community Development

**Request:** Request for staff to forward the following items to the Planning and Zoning Commission for future review and consideration: 1) shadowing impacts study; and 2) floor area ratio on residential lots.

**Response:** These items will be added to the Planning and Zoning Commission's docket in 2016 after they have completed the items currently upcoming, including the sign code review necessitated by a recent U.S. Supreme Court decision.

### **Council Request 15-191 (3200 block Humboldt Backyard Resident Inquiry)**

**Requested by:** Mayor Pro Tem Olson

**Assigned to:** Police Department

**Request:** Resident concerns regarding people apparently living in a back yard.

**Response:** The attached memo from Commander Condrey responds.

### **Council Request 15-200 (4945 S. Delaware Follow-up/Enforcement)**

**Requested by:** Council Member Gillit

**Assigned to:** Police Department/Community Development

**Request:** Concerns regarding drug-related issues at 4945 S. Delaware Street, an alleged meth lab house that was reportedly not cleaned up prior to the current tenants moving in.

**Response:** The Police Department reports that the house in question was not found to have been a meth house, although there have been drug-related concerns at this home. The City does not have oversight on meth lab cleanups; the process is handled by Tri-County Health Department Health Department based on Colorado Department of Public Health and Environment rules and regulations.

The attached memo from Chief Building Official Lance Smith indicates the house has received a Notice of Violation for a variety of Property Maintenance Code violations, as well as a Notice of Condemnation (Unfit for Human Occupancy). The attached memo from Deputy Chief Sanchez details the actions taken by the Police Department on this case.

**Council Request 15-201 (IPMC Update – Info to Business Owners)**

**Requested by:** Council Member Jefferson

**Assigned to:** Community Development

**Request:** Request for staff to notify business owners that will be impacted by the adoption of the International Property Maintenance Code 2015.

**Response:** Notification will be sent to the impacted business owners prior to the time the ordinance goes into effect.

**Council Request 15-203 (Property Maintenance Code - Depot)**

**Requested by:** Council Member Wilson

**Assigned to:** Community Development (Building Division)

**Request:** Inquiry regarding enforcement of the International Property Maintenance Code at the Depot property.

**Response:** The attached memo from Deputy City Manager Michael Flaherty outlines enforcement options. Code Enforcement is also following up on the reported weeds at this location.

**Council Request 15-204 (MOA Letter to Council)**

**Requested by:** City Council

**Assigned to:** City Manager's Office

**Request:** Request for a copy of the letter that was sent to the Museum of Outdoor Arts prior to the October 5, 2015 Study Session.

**Response:** A copy of the requested letter is attached.

# 2015 COUNCIL REQUESTS

Number	Request Date	Request Type	Requested by	Request	Assigned To	Due Date	Follow-up Date	Date Completed
15-174	9/8/2015	S	Olson	Change of stoplight at Clarkson and Dartmouth	PW	9/11/2015		9/9/2015
15-175	9/8/2015	S	Gillit	Outdoor storage and debris in backyard on Lipan	PD	9/11/2015		9/9/2015
15-176	9/8/2015	S	Gillit	Weeds on west hillside at Englewood Depot	PD	9/11/2015		9/8/2015
15-177	9/8/2015	S	Wilson	Update status on 3091 S. Washington	PD/CD	9/11/2015		9/9/2015
15-178	9/8/2015	S	Jefferson	Bates Logan Park sidewalk wet holes	PR/PW	9/11/2015		9/10/2015
15-179	9/9/2015	I	Penn	South side of Hwy. 285 after measurable snow fall	PD	9/12/2015		9/17/2015
15-180	9/9/2015	I	Olson	Study Session: Compare zoning regs	CD	9/12/2015		9/15/2015
15-181	9/9/2015	I	Council	Demolition #s for 2015	CD	9/12/2015		9/17/2015
15-182	9/21/2015	I	Jefferson	Englewood Depot Progress Update	CMO	9/24/2015		10/5/2015
15-183	9/21/2015	I	Olson	911 Response Concerns	EPD/CMO	9/24/2015		9/24/2015
15-184	9/21/2015	I	Olson	Denver Fire Response - Wheel Chair Access	CMO	9/24/2015		9/22/2015
15-185	9/21/2015	I	Gillit	Oxford/Windermere Pedestrian Access	PW	9/24/2015		10/1/2015
15-186	9/21/2015	I	Gillit	Possible Sign Code Violations - S. Broadway	CD	9/24/2015		10/6/2015
15-187	9/21/2015	I	Jefferson	Safety analysis of sideyard setback proximity	CD	9/24/2015		9/24/2015
15-188	9/21/2015	I	Council	Future P&Z Discussion/Recommendation Topics	CD	9/24/2015		10/6/2015
15-189	9/24/2015	I	Gillit	Follow-up on 15-175 (S. Lipan Code Violations)	PD	9/28/2015		9/24/2015
15-190	9/28/2015	I	Yates	McLellan Property Ballot Question Inquiry	CMO/CAO	9/28/2015		9/28/2015
15-191	9/28/2015	I	Olson	3200 block Humboldt Backyard Residence Inquiry	PD	9/30/2015		10/7/2015
15-192	9/28/2015	S	Olson	Assorted Code Violations - Lafayette, Humboldt	PD	9/30/2015		9/30/2015
15-193	9/28/2015	I	Yates	City Ditch Concerns	UT	9/30/2015		9/30/2015
15-194	9/29/2015	I	Olson	Forward CML presentation to Council	CMO	10/2/2015		9/29/2015
15-195	9/29/2015	S	Gillit	Follow-up Sign Code Inspector at Best Deal	CD	10/2/2015		10/6/2015
15-196	9/29/2015	I	Yates	Comparison of 'head shop' zoning regulations	CD	10/2/2015		
15-197	9/29/2015	I	Penn	Report on illegal activities at current 'head shops'	PD	10/2/2015		
15-198	10/1/2015	I	McCaslin/Wilson	Hotel/Motel Legislation	CAO etc.	10/6/2015		10/5/2015
15-199	10/2/2015	I	Gillit	Solar Output Report/Monitoring	CMO	10/7/2015		
15-200	10/2/2015	I	Gillit	4945 S. Delaware - Follow-up/Enforcement	PD/CD	10/7/2015		10/5/2015
15-201	10/5/2015	I	Jefferson	IPMC Update - Info to Business Owners	CD	10/8/2015		10/7/2015
15-202	10/5/2015	I	Olson	Public Art Requirement Inquiry (Developments)	CD	10/8/2015		
15-203	10/5/2015	I	Wilson	IPMC - Depot Application	CD/PD	10/8/2015		10/8/2015
15-204	10/5/2015	I	Council	MOA Letter to Council	CMO	10/8/2015		10/6/2015
15-205	10/6/2015	S	Penn	CityCenter Vagrant Behavior Concerns	PD	10/9/2015		

**S = Service**  
**I = Information**

CA - City Attorney; CMO - City Manager's Office; CD - Community Development; EEF - Englewood Environmental Foundation  
FAS - Finance and Administrative Services; FD - Fire Department; LIB - Library; MC - Municipal Court; PR - Parks and Recreation;  
PW - Public Works; PD - Police Department; UT - Utilities; WW = Wastewater Treatment Plant

**Leigh Ann Hoffhines**

---

**From:** Michael Flaherty  
**Sent:** Monday, October 05, 2015 8:19 AM  
**To:** Leigh Ann Hoffhines  
**Subject:** FW: FW: Depot status/schedule

[Tom Parson's response.](#)

---

**From:**  
**Sent:** Sunday, October 04, 2015 10:07 PM  
**To:** Michael Flaherty  
**Subject:** Re: FW: Depot status/schedule

Hi Mike,

I hope you might express my appreciation for the continued interest of the Council for the Englewood Depot project, and my apology that I have been unable to answer questions about the construction timeline.

As I wrote earlier, we are working full time on all the various elements to make the letterpress museum a reality at the historic depot. Our website and social media pages have continuing updates about program developments, workshops, exhibits, demonstrations, and organizing for a sustainable future. This summer we were successfully involved in the Cherry Creek Art Festival, the Rocky Mountain Book & Paper Fair, Typecon2015 which is an annual international gathering of typographers, a printing demonstration and exhibit at Small Press Fest, and an exhibit and demo at Studio Colfax. These activities are critical for developing interest and awareness of the Englewood Depot, and already have put this project on the map nationally and internationally. Individual workshops and printing assistance also are developing local talent and interest.

Roof repair work this summer, after years of negligence, has now successfully stopped water from leaking into the building. Further work is still needed to remedy exterior leaks in the gutter system. This work has been considered with advice from the Colorado Historical Foundation which now holds the preservation easement for the property.

Also this summer we met with the City's Development Review Team to present and discuss our construction design details. We were represented at the DRT by myself, our architect Kathy Lingo, our Civil Engineer, and Sam Brown who is helping now as our Project Manager. Follow up is under way, with several issues and discussions with the City departments involved.

In September we also applied and paid for the permits and tap fees for both water and sewer for the depot. The sewer line was previously installed but apparently the previous owner did not pay for either the permit or tap fee and the City had no record of it and did nothing about it during the years it owned the property. We are now waiting for the water tap and permit, which will enable us to have water necessary for construction.

Construction and design issues for this project have proven to be very complex. I have advanced deliberately and as quickly as possible, with the best advice I could find. We have paid this year for a new topographic survey and a civil engineer to work on our need for ADA access for both levels of the building. Construction of the access ramps, handicap parking, and the east wall of the lower foundation level (which was never completed), as well as necessary sealing of the historic building to the foundation (which was not finished when the building was moved in 1994), all were anticipated and expected to be underway in June. The complexity of design issues as well as the current heated climate for construction in this area have caused delays. With addition of a Project Manager this summer, I am still hopeful that the first phase of construction can be done this fall.

As I have previously said, we are working to make this project a sustainable treasure for the community - as fully and quickly as possible. We have been making progress step by step though a maze of complex issues. We have established a 501(c)3 non-profit, Englewood Depot, Inc, and have begun the process of transferring ownership of the building to the non-profit as anticipated in our proposal. The board members are fully informed and supportive of preservation of the historic building, as well as the goals outlined in our proposal. If anyone wishes more info or involvement, beyond what we are sharing by our website and social media, I am happy to talk any time. I am working on this full time, and am very anxious for the building to be preserved and functional for our use and for the community.

Sincerely,

Tom Parson

T&P Properties, LLC

157 S Logan, Denver CO 80209

- home & letterpress printshop

Englewood Depot, Inc.

PO Box 798, Englewood CO 80151

[www.letterpressdepot.com](http://www.letterpressdepot.com)



# M E M O R A N D U M

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

---

TO: Mayor Penn and Council Members

THROUGH: Eric Keck, City Manager  
Michael Flaherty Deputy City Manager  
Harold J. Stitt, Senior Planner

FROM: Audra L. Kirk, Planner II

DATE: October 6, 2015

SUBJECT: Council Request 15-186/15-195  
Possible sign code violations – South Broadway  
Best Deal 4371 South Broadway

On September 24, 2015 I issued a Notice of Violation for the amount of window signage to the tenant at 4371 South Broadway. On October 5, 2015 I spoke with Ryan Hegna of Best Deal and explained the regulations for window signage. He explained that the window decals were up for security and to prevent the window from shattering if someone tried to break into the store. He stated that due to break-ins, he already has ply-wood behind some of the windows, and bars behind others. I explained that he is allowed to cover 25% of his windows in advertising. Mr. Hegna said that he is going to put up either black or white vinyl on the top and bottom of the window, leaving only 25% of the original vinyl. I told Mr. Hegna that he would need to have the reduction in window signage done by November 1, 2015.

We also discussed the amount of accessory signage on his property. I explained that he is only allowed two accessory signs. He told me that he would have all but two of the sandwich boards removed. The moving mannequin does count as signage, so he could have one sandwich board and the mannequin, or two sandwich boards.



# M E M O R A N D U M

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

---

TO: Mayor Penn and Council Members

THROUGH: Eric Keck, City Manager  
Michael Flaherty Deputy City Manager  
Harold J. Stitt, Senior Planner

FROM: Audra L. Kirk, Planner II

DATE: October 6, 2015

SUBJECT: Council Request 15-186  
Possible sign code violations – South Broadway  
Auto use at 4400 South Broadway

A NOV was sent October 6, 2015 to the business owner of 4400 South Broadway. Uses in the business district are allowed to have two wind-driven advertising devices. The business at 4400 South Broadway had 9 – 10 devices up. The NOV requested that the violation be corrected on or before October 20, 2015.

## **MEMORANDUM**

**To: Deputy Chief of Police Jeff Sanchez**  
**From: Commander Gary Condreay**  
**Date: October 6, 2015**  
**Subject: Council Request 15-191**

---

### **Council Request 15-191**

**Assigned to: Code Enforcement**

**Date Assigned: September 29, 2015**

Report of people living in the backyard and burning campfires.

---

On October 1<sup>st</sup>, 2015 Code Enforcement Officer Caroline Faseruk met with residents at 3211 S. Humboldt St. Residents consented to an inspection of their backyard, however, Officer Faseruk found no signs of residential use of the yard. Residents also said that while much of their time is spent in their yard, they are not sleeping, cooking (except for using their barbeque) or bathing outdoors. Regarding the report of campfires, Officer Faseruk found a regulation fire pit in the backyard and reviewed the rules and regulations with the residents. They said they have burned tree trimmings in the past, but will no longer do so since this is a violation.





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

---

MEMORANDUM

TO: Michael Flaherty, Acting Director Community Development  
FROM: Lance Smith, Chief Building Official  
DATE: October 5, 2015  
SUBJECT: CR #15-200 4945 S. Delaware St.

15-200 (4945 S. Delaware - Follow-up/Enforcement)  
Assigned to: Police/Community Development (Building)

On October 2, 2015 the Building Division was contacted by EPD regarding property maintenance code violations at the above address. There were numerous violations noted, including the installation of an electrical service that had an unregistered meter and unsafe wiring methods. Due to the severity of the violations, Xcel Energy was contacted to remove the overhead electrical service to the property.

A Notice of Condemnation (Unfit for Human Occupancy) has been issued to this address due to the electrical issues and unsafe wiring. The property also received a Notice of Violation for the property maintenance code violations.

# MEMORANDUM

**To:** John Collins, Chief of Police  
**From:** Jeff Sanchez, Deputy Chief  
**Date:** October 7, 2015  
**Subject:** Council Request #15-200

---

**Council Response #15-200 – Drug concerns at 4945 S. Delaware St.**

**Assigned to: Police / Community Development**

**Date Assigned: October 2, 2015**

---

On October 2, 2015, members of the Arapahoe County Impact Team served a search warrant at 4945 S. Delaware St. in regards to an ongoing drug investigation. Agents located drugs and arrested one person on an outstanding warrant.

In addition, it was determined that the residents were stealing electricity. Xcel energy came out and removed all of the electricity connections from the house. The Englewood Chief Building Official posted a Condemned notice, therefore, nobody should be at this residence.

Due to recurring drug-related problems at this address, our Impact Team has opened a case and will look at possible Nuisance charges, if appropriate.

TO: Eric Keck, City Manager

FROM: Michael Flaherty, Deputy City Manager

DATE: October 8, 2015

SUBJECT: CR 15-203 – Property Maintenance Code – Depot Enforcement

Lance Smith has prepared a Notice of Violation of the property maintenance code as it applies to the Depot. Since the building is unoccupied and there are no current building internal systems, the applicability of the IPMC relates only to the exterior. The exterior is basically compliant, with the primary violation being that the building has been boarded up in excess of two years, which is in violation of the code. Tom Parson has owned the depot for over two years, although the building was originally boarded by the Englewood Historical Society in 1995. The City assumed ownership of the building in 2001 and the building remained boarded during the entire time that the City owned the property.

The preferred remedy for the violation is for the owner to secure a building permit. Recent email communications from Mr. Parson are included in this week's responses to City Council Requests (15-182), in which Mr. Parson provides a status update on the depot. The City's remedy for continued non-compliance would be to order the building demolished. As the building is a State of Colorado historical designated structure and Mr. Parson, as required by the terms of the sales and purchase agreement with the City, has secured a historical easement of the structure, demolition cannot be easily accomplished, nor is it the preferred solution to the disposition of the depot.

However, if it is the direction of City Council, the Notice of Violation will be promptly issued.

cc: Dan Brotzman  
Lance Smith



CITY OF ENGLEWOOD  
CITY MANAGER'S OFFICE

---

27 August 2015

Cynthia Madden Leitner  
President and Executive Director  
Museum of Outdoor Arts  
1000 Englewood Parkway, Site 2-230  
Englewood, Colorado 80110

RE: MOA Agreement with the City of Englewood

Dear Ms. Leitner:

On Monday 24 August 2015 at the City Council study session on Fiscal Year 2016 budget, a discussion concerning the City's financial contribution to the MOA arose. Some individuals on the City Council questioned the ability to continue to provide the MOA with the \$96,000 financial contribution in addition to the free rent and maintenance and operation consideration. An analysis of the agreement between the City and the MOA leads one to believe that the City is no longer obligated to provide this funding and several councilors would like to see this funding appropriated for art that the City could acquire and own as well as be utilized for other pressing needs that cannot be covered through existing revenues.

The Council is pleased to have the MOA in the community and would like to see this relationship continue; however, they would like to schedule a study session wherein the MOA can make a presentation on the return on investment that the Museum has brought to the community as well as how the City and MOA can better partner to ensure the success of CityCenter Englewood through the arts. No final decision on the discontinuation of the financial contribution was made until the Council and the MOA can meet.

Thank you for your commitment and service to our community. Please let me know when you might be available to have a study session with the Council.

Sincerely,

Eric A. Keck  
City Manager

---

Eric A. Keck, City Manager