



Council Request Update

March 1, 2018

Council Request: 18-004, 18-005, 18-006

Requested by: Council Member Cuesta

Request: Request for data regarding our current nonconforming Accessory Dwelling Units including whether or not they are owner occupied.

Assigned to: Community Development

Response: Please see the attached response from Community Development Planner II John Voboril

Council Request: 18-007 and 18-008

Requested by: Mayor Pro Tem Russell

Request: Request for the scheduling of a Town Hall meeting regarding ADU's.

Assigned to: Community Development

Response: Please see the attached response from the Director of Community Development, Brad Power.

Council Request: 18-011

Requested by: Council Member Olson

Request: Request for real estate data for Englewood that indicates housing turn over for the past few years.

Assigned to: Community Development

Response: Please see the attached response from Community Development Planner II John Voboril



TO: City Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: John Voboril, Planner II

DATE: February 23, 2018

SUBJECT: Council Requests CR18-004, CR18-005, CR18-006

CR18-004

Request from Council Member Cuesta

Request for data regarding our current nonconforming Accessory Dwelling Units including whether or not they are owner occupied.

Records from the Arapahoe County Assessor show a total of 184 nonconforming Accessory Dwelling Units (ADU's) within the City of Englewood. Community Development staff compare Arapahoe County Assessor mailing addresses to property situs addresses in order to estimate owner occupancy. Based on the address comparison methodology, staff estimates an owner occupancy rate of 30% for nonconforming ADU's.

CR18-005

Request from Council Member Barrentine

Request for compliance data on all nonconforming uses and whether or not the City has ever terminated nonconforming status.

The Community Development Nonconforming Use database has a total of 400 records of nonconforming use properties. Nonconforming uses do not conform to the existing zone district regulations for allowed land uses. The Nonconforming Use database contains records of nonconforming uses that have been officially documented and registered. (There is a high degree of probability of additional nonconforming uses that have not been documented and registered). The Nonconforming Use database includes a wide range of use types including industrial, commercial, office, auto repair, workshop, multi-unit apartment, duplex, basement apartment, single unit in industrial zone districts, and historical accessory dwelling units. A total of 96 records are flagged as discontinued. These discontinued properties are no longer permitted to allow the operation of the original nonconforming use. A total of 304 records have not been flagged as discontinued and most of these records are believed to be active nonconforming uses. A total of 245 properties have been recorded as having returned the nonconforming use mailer stating that the nonconforming use is still in operation (mailing goes out in August-September). A total of 36 properties have been recorded as having returned the 2016 nonconforming use mailer stating the

nonconforming use is still in operation, but have not yet returned the 2017 mailer. A total of 23 properties have been recorded as having not returned the nonconforming use mailer stating that the nonconforming use is still in operation for a number of years. Some of these properties appear to have ceased operation, while other properties likely still operating the nonconforming use and have failed to return the nonconforming use mailer.

Community Development case records show actions taken on 43 nonconforming use cases between 2003 and 2018. A total of 30 properties that had been in existence before the 1960's but had never been registered as nonconforming uses were issued official late registration status which was filed with the Arapahoe County Clerk. Seven conforming automobile use properties were made nonconforming through the Medical District rezoning of 2009. Property owners were issued notices of nonconforming status, as well as rules regarding continued operational use, and official nonconforming use registrations were filed with the Arapahoe County Clerk. Three nonconforming use properties were issued notices that the 180 day time period for restarting a nonconforming use that had ceased to operate had expired, and that the nonconforming use was no longer a legal use (Jim Paris Tire 3594 S Logan Street, Star Express Gas Station, 3495 S Downing Street, Central Jewelry and Loan Pawnbroker, 4796 S Broadway). A four unit property that did not meet the current lot size requirements was reinstated as a legal nonconforming use by the City. The owner of a nonconforming day care use property in a residential zone requested termination of nonconforming status. The owner of a nonconforming triplex petitioned for reinstatement due to an error filling out the nonconforming use mailing card, which was granted by Community Development.

CR18-006

Request from Council Member Barrentine

Request for a copy of the ADU survey utilized at the open house.

The ADU survey has been included as an attachment to this memo.

**Back to the Future: Accessory Dwelling Units (ADU's)
City of Englewood Open House Community Meeting
November 14, 2017**

Please use this questionnaire to give the Planning and Zoning Commission (P&Z) feedback on any aspect of Accessory Dwelling Units presented at any or all of the stations.

Name: _____

Living Address: _____

Phone: _____

E-mail: _____

Preferred Contact Method: **E-mail** **Postal Service**

I am

Interested in constructing an ADU at my current address

Interested in constructing an ADU somewhere in Englewood in the future

Not interested in constructing an ADU, but want to learn the details of the ADU proposed regulations

Station 1: History of ADU's

Were you aware of the existence of ADU's in the community?

Yes

No

Do you know of any ADU's on your block?

Yes

No

Have you had any negative experiences with a neighboring ADU property?

Station 2: Five Purposes for Accessory Dwelling Units

Please indicate your level of agreement or disagreement with P&Z's identified five purposes for ADU's.

1. Provide options for varied and flexible lifestyle arrangements; (mother-in-law apartment, home office, etc.)

Strongly Agree

Agree

Neutral

Disagree

Strongly Disagree

**Back to the Future: Accessory Dwelling Units (ADU's)
City of Englewood Open House Community Meeting
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2. Provide options for alternative building structure/living space;
(separation of living space, separation of activities)

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Provide potential supplemental source of income;

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4. Increase property values and encourage higher levels of property maintenance;

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. Provide options for building structure/living space expansion while simultaneously encouraging preservation of existing structures.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Any additional purposes that should be added?

Station 3: Definition of Accessory Dwelling Units

Please indicate your level of agreement or disagreement with P&Z's proposed ADU definitions.

Garden Cottages

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Back to the Future: Accessory Dwelling Units (ADU's)
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Carriage Houses

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

P&Z has opted to recommend against ADU units in primary structure basements or attached to the primary structure. Please indicate your level of agreement or disagreement with this recommendation.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

Station 4: Accessory Dwelling Unit Eligibility

Please indicate your level of agreement or disagreement with P&Z's proposed eligibility regulations.

One Unit Detached Dwelling Standard Lot (50 Foot Minimum Width):
Garden Cottage (1 Unit) or Carriage House (1 Unit)

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

One Unit Detached Dwelling Small Lot (37 Foot Minimum Width):
Carriage House above garage (1 Unit)

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

One Unit Detached Dwelling Urban Lot (25 Foot Minimum Width):
Not eligible

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Back to the Future: Accessory Dwelling Units (ADU's)
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One Unit Attached Dwelling Urban Lot (25 Foot Minimum Width):
Not eligible

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Two-unit and Multi-unit Lots:
Not eligible

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

Station 5: Accessory Dwelling Unit Creation

Please indicate your level of agreement or disagreement with P&Z's proposed three types of ADU creation.

1. New construction of Accessory Dwelling Unit structure

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. Conversion of an existing accessory structure (garage)

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Conversion of a qualifying existing Alley House to a Garden Cottage while simultaneously constructing a new principal dwelling in front of the Garden Cottage

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Back to the Future: Accessory Dwelling Units (ADU's)
City of Englewood Open House Community Meeting
November 14, 2017**

Comments:

Station 6: Accessory Dwelling Unit Occupancy Requirements

Please indicate your level of agreement or disagreement with P&Z's proposed owner occupancy requirements.

1. The owner of record with a fifty-one percent (51%) minimum stake in the property must occupy either the Principal Dwelling Unit or the Accessory Dwelling Unit (ADU) as their legal permanent address as demonstrated by voter and vehicle registration.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. Owner shall verify on an annual basis that the owner continues to occupy either the Principal Dwelling Unit or the Accessory Dwelling Unit (ADU) as their legal permanent address through the City's Annual Conforming ADU Registered Use Mailing.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. Owner must reside on the property for a minimum of nine (9) months of the year. The owner may not rent the owner's legal residence without applying for a leave of absence.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4. If owned by a corporation or similar entity, the property must be occupied by a person authorized to bind such entity in real estate matters.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Back to the Future: Accessory Dwelling Units (ADU's)
City of Englewood Open House Community Meeting
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5. Government agencies, financial institutions, land trusts, and housing organizations are exempt from the owner occupancy requirement.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

Station 7: Accessory Dwelling Unit Owner Leave of Absence

Please indicate your level of agreement or disagreement with P&Z's proposed ADU owner leave of absence regulations.

1. Owner must reside on the subject property for at least one year after construction of the Accessory Dwelling Unit (ADU) before applying to the City for a Leave of Absence.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. Owner may apply for a City-approved Leave of Absence of up to one year.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. During approved Leave of Absence, owner may rent both the Principal Dwelling Unit and the Accessory Dwelling Unit at the same time.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

**Back to the Future: Accessory Dwelling Units (ADU's)
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Station 8: Accessory Dwelling Unit Design

Please indicate your level of agreement or disagreement with P&Z's proposed ADU design regulations.

1. An ADU shall not exceed 650 square feet of gross floor area.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. Exterior stairs for access to an upper level accessory suite shall not be located on the side of the accessory structure parallel to the nearest side lot line.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. The lot coverage for a garden cottage ADU shall be counted toward the maximum allowed lot coverage.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4. ADU placement is restricted to the rear 35% of the lot.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. ADU must conform with all existing accessory structure setbacks.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

6. A maximum bulk plane height of 12 feet will be established at side property lines.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Back to the Future: Accessory Dwelling Units (ADU's)
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7. One off-street parking space shall be provided for each ADU.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

8. ADU must connect to principal dwelling unit water and sewer lines.
Separate lines are not allowed.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9. ADU's may not be subdivided or sold separately.

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

Station 9: Accessory Dwelling Unit Maximum Height and Bulk Plane Requirements

Please indicate your level of agreement or disagreement with P&Z's proposed ADU maximum height and bulk plane height regulations.

ADU Maximum height: 26 feet

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

ADU Bulk Plane maximum height at side lot line: 12 feet

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Comments:

**Back to the Future: Accessory Dwelling Units (ADU's)
City of Englewood Open House Community Meeting
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Station 10: Accessory Dwelling Unit Proposed Zoning Districts

Please indicate which zone districts ADU's should be allowed in.

MU-R-3-B: Mixed Use Medium to High Density Residential and Limited Office District

MU-R-3-A: Mixed Use Low Density Residential and Limited Office Districts

R-2-B: Medium Density Single and Multi-Dwelling Unit Residential District

R-2-A: Low Density Single and Multi-Dwelling Unit Residential District

R-1-C: Single Unit Residential District (Comprehensive Plan Transition Areas Only)

R-1-C: Single Unit Residential District (All portions)

R-1-B: Single Unit Residential District

R-1-A: Single Unit Residential District

Any other zone districts where ADU's should be allowed?

Comments:

TO: Mayor Pro Tem Russell and Members of City Council

THRU: Eric Keck, City Manager

FROM: Brad Power, Director of the Community Development Department

DATE: February 20, 2018

SUBJECT: Council Requests CR18-007 and CR18-008

CR18-007

Mayor Pro Tem Russell requested and Council agreed to schedule a Town Hall-style meeting in May to receive additional public input regarding allowing Accessory Dwelling Units (ADU's) in Englewood. Council requested that the meeting be advertised in the next edition of the Englewood Citizen magazine.

Community Development staff confirmed with the Communications Division that the next Englewood Citizen will be delivered to residents during the first week of May. Based on that time line, staff is proposing that City Council host a town hall meeting in the Community Room of the Englewood Civic Center on Thursday, May 24.

CR18-008

Mayor Pro Tem Russell requested that a study session regarding Accessory Dwelling Units (ADU's) be scheduled following the Town Hall meeting in May. Staff has proposed May 24 as the date for the town hall meeting. A follow-up study session to discuss next steps for ADU's could take place on May 29 or June 4.



TO: City Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: John Voboril, Planner II

DATE: February 23, 2018

SUBJECT: Council Request CR18-011

CR18-011

Request from Council Member Olson

Requested real estate data for Englewood that indicates housing turn over for the past few years. Indicate who is selling the homes, who is buying the homes, and the increase/decrease in value of housing sales.

Community Development was able to extract data from a proprietary residential database (Infogroup, 2014) purchased by the Denver Regional Council of Governments (DRCOG) that was shared with the City. Community Development queried for single family homes with mortgage origination dates for the period between 2008 and 2014, which is the most recent data currently in the City's possession. The following demographic information was extracted for these records:

Total number of records with mortgage origination dates between 2008 and 2014: 4,398 (50.2%)
Total number of residential single family homes: 8,756

The Infogroup data for Englewood indicates that the City's relatively smaller sized housing stock is attractive to singles and childless couples of varying income levels. Median sales price data indicates that the regional economy began to normalize and recover in 2014. The home building industry was not able to keep up with the overall pace of the economic recovery, which resulted in a steep median home sales price run up of 50 percent between 2013 and 2017.

If Council prioritizes a City-wide Housing Study which was recommended by the Englewood Planning and Zoning Commission, a more robust snapshot of who is selling and buying homes within the community would be produced as part of that assessment.

Data for Englewood Single Family Homes with a Mortgage Origination Date between 2008 and 2014 (Source: Infogroup)

Marital Status

Status	Number	Percentage
Married	1,951	44.4
Single	2,447	55.6
Total	4,398	

Number of Adults in Household

Number	Number	Percentage
1	2,209	50.2
2	1,381	31.4
3+	808	18.4
Total	4,398	

Sex and Marital Status of Head of Households

Sex	Married	Percentage	Single	Percentage	Total
Male	1,716	61.4	1,079	39	2,795
Female	213	13.8	1,332	86	1,545
Undetermined	22	37.9	36	62	58
Total	1,951		2,447		4,398

Presence of Children in Household

Status	# of Households	Percentage
Children	500	11.4
No Children	3,898	88.6
Total	4,398	

Households with Children by Age of Children

Age	Number	Percentage
0-3	45	9.0
4-7	160	32.0
8-12	205	41.0
13-17	186	37.2

Household Counts by Income Group

Income Group	Count	Range	Percentage
A	188	<20k	4.3
B	260	20-30k	5.9
C	535	30-40k	12.2
D	525	40-50k	11.9
E	738	50-60k	16.8
F	622	60-70k	14.1
G	472	70-80k	10.7
H	306	80-90k	7.0
I	208	90-100k	4.7
J	325	100-125k	7.4
K	112	125-150k	2.5
L	60	150-175k	1.4
M	29	175-200k	0.7
N	14	200-250k	0.3
O	1	250-300k	0.0
P	3	300-400k	0.1

Median Sales Price (Source: Trulia)

Month/Year	Median Sales Price	% Change
Jul-08	\$229,000	
Jul-09	\$214,000	-6.5
Jul-10	\$226,000	5.6
Jul-11	\$217,000	-4.0
Jul-12	\$236,000	8.8
Jul-13	\$239,000	1.3
Jul-14	\$268,000	12.1
Jul-15	\$310,000	15.7
Jul-16	\$335,000	8.0
Jul-17	\$383,000	14.3