



# Englewood

City Manager's Office

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**TO:** Honorable City Council Members and Mayor Michael Wildes  
**FROM:** Robert S. Hoffmann, City Manager  
**CC:** Yancy Wazirmas, City Clerk, William Bailey, City Attorney  
**DATE:** August 7, 2023  
**SUBJECT:** Response to Question regarding can 4,000 new apartment units be built

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**Question:** It has been said that the overlay zoning will result in over 4000 new apartments being built in Englewood over the next two years. Is that true?

**Answer:** No. The mathematical calculation (114 acres times 35 dwelling units per acre) produces an erroneous conclusion that the adoption of the overlay ordinances will inundate the city with excessive units for several reasons:

- The mathematical figure represents a gross overestimation of the total number of units that may be realized. The calculation is derived from the City's Unmet Need which is the balance left from the City's total Third Round prospective need obligation after subtracting its Realistic Development Potential (RDP) and credits. There is NO expectation that the entirety of Unmet Need will ever be fully satisfied given the City's lack of developable land. COAH regulations require the creation of opportunities for affordable housing development to satisfy Unmet Need but not the obligation to construct the units.
- To put the question into context, the City issued 459 building permits residential units over the past decade. To expect 4,000 apartment units to be constructed in two years time is unrealistic and not supported by the actual residential development history experienced by the City. Given the lack of developable land, the number will never be achieved.
- Virtually all the property subject to the overlay zones is already developed with housing and successful businesses. Therefore, almost all the property is currently unavailable for development for multi-family housing.

- In most cases, properties subject to the overlay zoning will need to be assembled to allow for sufficient land to comply with overlay zone requirements.
- The remaining zoning controls in the overlay ordinances (requirements for minimum front, side, and rear yards, height, building coverage, open space, landscaping, buffers, distances between buildings, parking and other requirements will reduce the densities that can actually be achieved.
- The current conforming uses of the properties subject to the overlay zoning will continue to be permitted uses. So, the conforming residential and non-residential uses can continue uninterrupted, can be renovated and can be restored in the event of a fire or other catastrophe. Meaning that no variances need to be obtained for conforming uses.
- Any development consistent with the overlay zoning will have to conform to the all current and future state environmental and development regulations, including, for example, wetlands, flood hazard, stormwater, stream encroachment, and a multitude of other requirements that were not in existence when the original development took place.
- Each property owner will continue to have the right to decide how they will use their property. The city is not acquiring any property and building multi-family housing permitted under the standards in the overlay zones. Indeed, the city is not taking anyone's property by condemnation to build or have developers build multi-family housing.
- 4,000 new apartment units will not be built in the City of Englewood.



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Robert S. Hoffmann  
City Manager

cc: Yancy Wazirmas, City Clerk  
Edward J. Buzak, Esq.  
John P. Szabo, Jr., PP, AICP, Senior Planner  
Keli L. Gallo, Esq.  
William Bailey, City Counsel