

June 1, 2026

Data-informed review of the West Central Independence Overlay District (WCIOC/EAOD).

Why this review is needed

The WCIOC/EAOD was presented as a tool to support small-scale, neighborhood-based housing outcomes—such as accessory dwelling units (ADUs), cottage/cluster housing, and incremental infill—while preserving neighborhood character. After a reasonable period since adoption, available information does not demonstrate a consistent, ordinance-aligned pattern of these outcomes.

- The overlay applies broadly to approximately 3,700 properties, extending well beyond the Englewood Arts area; many included residents do not identify with that district.
- After roughly two years, there is **no consistent, ordinance-aligned pattern** of ADUs, clusters, or small-lot infill attributable to the overlay.
- The City's cited examples do not clearly meet ordinance definitions.
- If success is not clearly defined and not currently observable, continued monitoring alone is not sufficient.

Requested action

Given the scope of the overlay and the level of resident impact at adoption, a formal Council review is appropriate within standard policy evaluation practices.

- Place WCIOC/EAOD on a Council agenda for review
- Evaluate outcomes against stated objectives and ordinance definitions
- Determine whether to maintain, modify, or consider removal

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Supporting points

Ordinance standards

- **Sec. 14-912-04 (ADU):** Requires a dwelling unit on the same lot as a single-family residence, with owner occupancy in either the primary residence or ADU.
- **Sec. 14-912-06-A (Cluster):** Defines cottage/cluster housing as a grouping of 3–12 units with a formal approval process.

City-cited examples

- **1927 S Home (A/B):** Classified in permit data as ADU/duplex activity. Property records indicate vacant land and no primary residence (see Exhibit E). This does not meet Sec. 14-912-04 requirements and does not qualify as a cluster (fewer than three units; no approval record).
- **1414 S Ash:** Identified in permit data as an ADU-related remodel. Documentation aligns more closely with conversion/recognition of an existing condition rather than a net-new, owner-occupied ADU compliant with Sec. 14-912-04 (see Exhibit E for supporting parcel and property record context).

Clusters

- No record of cluster proposals presented to or approved by Planning Commission or City Council.

Outcomes

- No publicly documented, completed, occupied, ordinance-compliant ADUs.
- No observable cluster developments.
- No clear pattern of small-lot infill attributable to the overlay within City-provided data.

These findings indicate a gap between permitted activity (classification) and realized outcomes (completed, compliant, occupied housing).

Context from City response

City materials reference incremental activity and cite two ADU permits as evidence of utilization. However, where cited examples do not align with ordinance definitions, they do not demonstrate successful implementation of the intended housing types.

While additional time has been suggested, the absence of ordinance-compliant outcomes after two years raises a reasonable question as to whether time alone is the limiting factor. Given that the overlay reflects concepts discussed over a long planning horizon, including discussions dating back many years, it is reasonable to expect that clear and measurable outcomes would begin to emerge within the first two years of implementation.

Conclusion

There is a clear gap between the outcomes presented at adoption and those currently observable under the WCIOC/EAOD. A Council-level review is warranted to determine whether the overlay, as structured and applied, is achieving its intended purpose.

Potential paths for Council consideration

- **Refocus:** Limit application to the Englewood Arts area where the concept is most applicable and testable.
- **Target tools to objectives:** Address corridor or development objectives with appropriate, purpose-built tools rather than a broad residential overlay.
- **Voluntary citywide option:** Consider an opt-in or variance-based program to provide similar housing flexibility by choice rather than uniform application across specific neighborhoods.

Respectfully submitted,

Leigh Phillips Overlay Resident