

Planning Commission

Agenda

September 8, 2016
City Hall, Council Chambers
749 Main Street
6:30 PM

For agenda item detail see the Staff Report and other supporting documents included in the complete meeting packet.

Public Comment will be limited to three (3) minutes per speaker.

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda
- IV. Approval of Minutes
 - July 14, 2016
 - August 11, 2016
- V. Public Comment on Items Not on the Agenda
- VI. Regular Business – Public Hearing Items
 - **McCaslin Marketplace Easement Vacation:** A request to vacate a utility easement at 944 W Dillon Road.
 - Applicant and Owner: McCaslin Retail, LLC (Scott Reichenberg)
 - Representative: Sanitas Group, LLC (Curtis Stevens)
 - Case Manager: Rob Zuccaro, Director of Planning and Building Safety
 - **Delo Lofts Final Plat/PUD/SRU:** A request for a final Plat and planned unit development (PUD) and special review use (SRU) to allow for eight live/work units and 33 apartment units in the Hwy 42 Revitalization Area. ***Continue to 10/13/2016***
 - Applicant: Delo East, LLC (Justin McClure)
 - Owner: Boom, LLC (Elizabeth Law-Evans)
 - Representative: RMCS, Inc (Justin McClure)
 - Case Manager: Scott Robinson, Planner II
 - **Centennial Pavilions Final Plat:** A request for a re-plat of Centennial Pavilions Filing No. 1 to create three separate legal lots. ***Continue to 10/13/2016***
 - Applicant and Representative: NexGen Properties (Sean Sjodin)
 - Owner: NexGen Properties, Walorado Partners LLC, Centennial Pavillion Lofts Owner's Association
 - Case Manager: Lauren Trice, Planner I

VII. Regular Business – Commission Action

- **Balfour Senior Living Plat/PUD Amendment Resolution of Denial:** A request for a final Plat and planned unit development (PUD) to allow for a new 54-unit Assisted Living Community. ***Continued from July 14, 2016***
 - Applicant, Owner, and Representative: Balfour Senior Living (Hunter MacLeod)
 - Case Manager: Lauren Trice, Planner I

VIII. Planning Commission Comments

IX. Staff Comments

- Elect new Vice Chair and Secretary

X. Items Tentatively Scheduled for the regular meeting October 13, 2016:

- **197 S 104th PUD Amendment:** A request for an amendment to a final planned unit development (PUD) to construct a 6,352 SF addition at 197 S 104th Street, Lot 3A, Block 4, Business Center at CTC Replat F.
 - Applicant and Representative: JM Associates, Inc (Jerry Moore)
 - Owner: CTC Commercial I, LLC (Steve Meyers)
 - Case Manager: Scott Robinson, Planner II
- **Crystal Springs SRU:** A request for a special review use (SRU) to allow a tap room at 600 Main Street.
 - Applicant and Representative: Crystal Springs Brewing Company, LLC (Tom Horst)
 - Owner: Martin and Karen Achtermann
 - Case Manager: Rob Zuccaro, Planning and Building Safety Director
- **Foundry Replat:** A request for a special review use (SRU) to allow a tap room at 600 Main Street.
 - Applicant and Representative: RMCS Inc (Justin McClure)
 - Owner: RMCS LLC
 - Case Manager: Scott Robinson, Planner II
- **Balfour Senior Living Plat/PUD Amendment:** A request for a final Plat and planned unit development (PUD) to allow for a new 54-unit Assisted Living Community.
 - Applicant, Owner, and Representative: Balfour Senior Living (Hunter MacLeod)
 - Case Manager: Lauren Trice, Planner I
- **North End Block 15 PUD amendment:** A request for a special review use (SRU) to allow a tap room at 600 Main Street.
 - Applicant, Owner, and Representative: Ridgeline Development Corp (Chad Kipfer)
 - Case Manager: Scott Robinson, Planner II

XI. Adjourn

Planning Commission Meeting Minutes

July 14, 2016

City Hall, Council Chambers

749 Main Street

6:30 PM

Call to Order – Tengler called the meeting to order at 6:30 PM.

Roll Call was taken and the following members were present:

Commission Members Present: Cary Tengler, Vice Chair
Ann O'Connell, Secretary
Jeff Moline
Tom Rice
David Hsu

Commission Members Absent: Chris Pritchard, Chair
Steve Brauneis

Staff Members Present: Rob Zuccaro, Dir. of Planning & Building Safety
Scott Robinson, Planner II
Lauren Trice, Planner I

Approval of Agenda:

Moline moved and **O'Connell** seconded a motion to approve the July 14, 2016 agenda. Motion passed by voice vote.

Approval of Minutes:

Hsu gives corrections to Staff. **Moline** moved and **Hsu** seconded a motion to approve the June 23, 2016 minutes. Motion passed by voice vote. **O'Connell** abstains.

Public Comments: Items not on the Agenda
None.

Regular Business:

- **Balfour Senior Living Plat/PUD Amendment: Resolution 14, Series 2016.** A resolution recommending approval of a Planned Unit Development (PUD) and final plat to allow for a 54-unit assisted living community on Lots 2 and 3 of Louisville Plaza Filing 2.
 - Applicant, Owner, and Representative: Balfour Senior Living (Hunter MacLeod)
 - Case Manager: Lauren Trice, Planner I

Conflict of Interest and Disclosure:

None.

Public Notice Certification:

Published in the Boulder Daily Camera on June 3, 2016. Posted in City Hall, Public Library, Recreation Center, and the Courts and Police Building on June 3, 2016. Mailed to surrounding property owners and property posted on June 5, 2016.

Staff Report of Facts and Issues:

Trice presented from Power Point:

LOCATION

- 1800 & 1870 Plaza Drive, 2.01 acres
- Balfour Senior Living to the west, office space to the northwest, Hecla Open Space to the north, North End Development to the east, detention pond to the south

BACKGROUND

- Louisville Plaza Filing No. 2 platted in 1991 Part of Louisville Plaza GDP
- Zoned Planned Community Zone District – Commercial (P-C)
- Two lots– Hecla Casino (moved in 1991) and Residential structure (built 1979)

REQUEST

- 3-story, 54-unit assisted living community
- 14,400 SF residences and amenities: wellness center, salon, etc.
- 1,200 SF administrative office
- Interior courtyard
- Preservation of Hecla Mine historic element

REPLAT

- Property was platted as two lots as part of the Louisville Plaza Filing No. 2 subdivision
- Replat to combine Lots 2 and 3
- Establishes drainage easement and public access easement for interpretive sign

GENERAL DEVELOPMENT PLAN

- Louisville Plaza GDP allows nursing and rest homes

PUBLIC LAND DEDICATION

- Louisville Plaza Filing No. 2 subdivision (1991) dedicated 40% of the land as Public Land Dedication
- Based on previous PLD, no additional PLD is required



SITE PLAN

- U-shaped building

- 2 driveways off of Plaza Drive
- Internal courtyard
- Driveway along north side
- 47% open space, CDDSG requires 30%

SETBACKS

Parking Setback

- CDDSG requires 15 feet
- Six compact car spaces extend 5 feet into setback

Side setback

- CDDSG requires 10 feet
- Fire access/turnaround extend 10 feet into setback/landscape buffer

Accessory structure setback

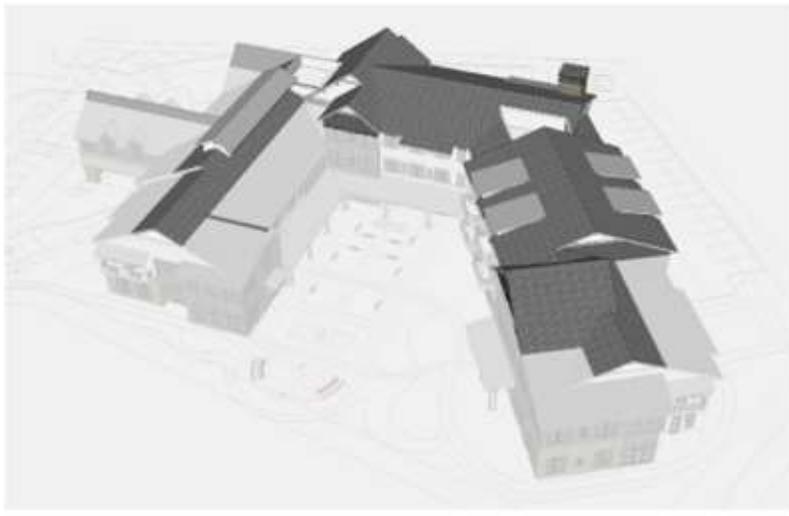
- CDDSG does not have requirement
- LMC front yard 35'
- Accessory structure has 26' front yard setback

PARKING

- LMC – 1 space/3 beds for Residential – Home for the Aged
- 56 beds requires 19 parking spaces
- LMC – 1 space/300 SF of office
- 1,200 SF of office requires 4 spaces
- Project requires 23 spaces
- Proposed plan provides 30 spaces (24 full size, 6 compact), 4 bicycle spaces

ARCHITECTURE

- 3 story, gable roofed, U-shape
- Horizontal wood shiplap, vertical board and batten, stone veneer
- 2-story covered entry along Plaza Drive
- Formal courtyard
- Combination of roof angles, clerestory windows, broken gables
- Craftsman style



HEIGHT

- CDDSG limits building height to 35 feet
- Proposed structure 3 stories, up to 52 feet in height
- 2 stories along Plaza Drive
- Applicant redesigned end of east wing to be 2 stories

LANDSCAPE

- Woody shrubs, perennials, and lavender
- Screen parking areas

- Fence and trail connection per City's Open Space standards

SIGNS

- 2 monument signs – one at each entrance per CDDSG
- V-shaped monument sign with site name
- Balfour tree logo on small shed

SETBACKS WAIVERS

- Accessory structure front yard setback 35 feet to 26 feet
- Parking setback along Plaza Drive from 15 feet to 10 feet
- Side yard setback for fire access (solution development with Public Works and Louisville Fire District)

HEIGHT WAIVER

- Extend portion of structure beyond the 35 foot height requirement to a maximum of 52 feet
- Staff is concerned about building massing and privacy and recommends a condition of approval that mature landscaping be installed at the time of construction

FISCAL IMPACT

- Model estimates a cumulative net positive fiscal impact +\$296,000 on the City over a 20-year period

HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission (HPC) held a meeting on April 18, 2016 and had the following comments:

- Every effort should be made to preserve the historic structure at 1800 Plaza Drive by moving it to another location. The Commission placed a stay of 180 days on the demolition request.
- The preservation of the "historic element" associated with the Hecla Mine is an appropriate way to honor the history of the area.

The HPC expressed concern about the height of the structure but felt that it made sense at that location and the views across Hecla Lake to the mountains.

Staff Recommendations:

Staff recommends approval of the requested Planned Unit Development and final Plat with the following conditions:

1. Prior to the City Council hearing, the applicant shall incorporate a minimum of six mature trees into the overall landscape plan on the east and northeast side of the site. The trees will be a mix of deciduous and evergreen trees which will provide a mature landscape buffer and appropriate transition to the surrounding public open space and single family residential neighborhood

Commission Questions of Staff:

Rice says the issues we have before us are the three setback waivers. It is no secret that the real controversy has to do with the height waiver. We are being asked to change the zoning height of 35' and move it to 52', which is a 17' increase. What is the standard I have as a Commissioner to decide whether this waiver in height restriction is allowed under the code?

Trice says there is clear language in Section 17.20.120 which lists all criteria to review for any type of waiver request. The criteria Staff felt were most appropriate to apply to this situation were the criterion of appropriateness to the surrounding area and the criterion looking at bulk. It relates to whether this fits to this particular site. Does the spirit and intent of these criteria continue to match this particular project?

Rice says as I understand it, we have facilities to the west of this proposed development that are 50' in height.

Trice says they are at least 50', and some of them are taller.

Rice asks how did we get there?

Trice says the applicant went through the same waiver request process.

Rice says on those properties, long before I was on the PC, would have also required a waiver to get to that 50' height. The PC apparently granted it, recommended it, and was approved by City Council.

Moline says there was a lot of discussion about mature landscaping being incorporated into the site. Was there any review of the existing landscaping since there is a lot of vegetation on the site. Has there been discussion about preserving some of the existing trees to be part of that mature landscaping?

Trice says initially, it was thought it would not be possible, but I will defer to the applicant's presentation. They have been working on an alternative plan.

Hsu asks if there is a commonly accepted definition of mature trees?

Trice says we have been working with DTJ's landscape architect and our City Landscape Architect to find a way to define it. We want to make sure it is possible and works on this site. We don't have a clear definition agreed upon at this point. We will work on that before Council.

Hsu asks can we add a condition where a tree is a certain minimal height. We don't want a short mature tree that is 100 years old. We want something that can block views.

Trice says this will be part of the applicant's presentation.

Hsu says regarding the other Balfour facilities that are over 50' in height, do those border any residential or two story develops or noncommercial properties?

Trice says no.

O'Connell asks who owns the property directly to the southeast of this, heading towards South Boulder Road, the plot between the auto parts store and this proposed development. Is there anything that can be done to that? Is it an entire empty plot?

Trice says it is a regional detention pond created with the Louisville Plaza development.

Tengler says this is about a 50% increase in height waiver, which seems fairly aggressive. Can you comment on the 50'+ tall buildings to the west? Any idea of what those waivers were?

Trice says I don't know what the waivers were. The CDDSG was in place at that time, so they would have had the 35' height limit. I don't know how those waivers were requested.

Zuccaro reads waiver criteria for 17.28.110.

All requirements applicable to the underlying zoning district or districts in which the property is located as set forth in this title and in adopted city development design standards and guidelines, including, but not limited to, lot area, lot coverage, lot width, height, setbacks, parking, signage and buffers, shall apply to planned unit developments. In the event of conflict between any such requirements, the most restrictive requirement shall take precedence and shall apply. However, any such requirements may be waived or modified through the approval process of the planned unit development if the spirit and intent of the development plan criteria contained in section 17.28.120 are met and the city council finds that the development plan contains areas allocated for usable open space in common park area in excess of public use dedication requirements or that the modification or waiver is warranted by the design and amenities incorporated in the development plan, and the needs of residents for usable or functional open space and buffer areas can be met.

The criteria that are most relative in Section 17.28.120 are:

1. An appropriate relationship to the surrounding area;
2. Privacy in terms of the needs of individuals, families and neighbors;

Applicant Presentation:

Michael Schonbrun, 1331 Hecla Drive, Louisville, CO; 10200 Niwot Road, Longmont, CO

I am the founder and president of Balfour Senior Living. I started Balfour in 1997, building the first community Balfour Retirement Community (BRC) at 1855 Plaza Drive. I borrowed money from friends to begin the project and signed personally for the loan to build it. BRC opened in 1999. It housed and continues to house 61 assisted living units, 76 skilled nursing beds, and initially a 10 bed hospice wing. Our headquarters have been and continue to be anchored in

Louisville since the beginning of the company. I live nearby in the community and neighborhood with my wife and business partner, and our two sons.

When I first came before the Louisville Planning Commission in 1997 to seek approval of the BRC project, Louisville had no senior living facilities at all. In fact, if you look at the transcripts of those first hearings in 1997 before the Planning Commission and City Council, there were vigorous debates as to whether Louisville even wanted a community for seniors. Abundant concerns were raised about ambulance noise, the appropriateness of a senior living community in a place with citizens as active as Louisville, and overbuilding in general. Skepticism was expressed by the then mayor and others on both the PC and Council. Today's controversy and resistance among some is nothing new for us. Ultimately, we did get approval and moved ahead with three other communities in Louisville. In the instance of the BRC, the then City leaders finally came to realize that a vibrant healthy city needed to take care of their seniors. In many instances, the homes those seniors were vacating would become available to people moving into the city with growing families who needed the space that a single family homes provided. The traffic generated by the first community and subsequent ones proved to be exceedingly light and the property's quiet activities never created a nuisance to the neighboring businesses and residences.

Tonight, we will have several residents come up and offer their experiences of living at Balfour, and express their desire to see a new, state of the art assisted-living community built near their current home at Balfour. It would provide them with a superior living experience than is possible to offer in our nearly 20 year old building at BRC.

Today, Balfour has four of its five communities in Louisville. Of the five senior living communities in Louisville, four are Balfour and one by a different company. Three of those communities, two independent living and one assisted and nursing care, were all developed ground up by Balfour and are on parcels totaling 12 acres in the Alvenus Park subdivision adjacent to North End. They were developed in 1997 to 1999, 2003 to 2005, and 2007 to 2009. A fourth Balfour community, one on McCaslin Blvd, was purchased out of bankruptcy after its developer, a nationally publicly traded company, went bust. Balfour turned that project around in under one year.

At this point, I think it might be helpful if I provided a few definitions of terms. Staff thought it might be useful. There are four categories of commonly lumped together terms of "senior housing." The first is active adult and this is essentially an apartment building that has age restrictions on who can live there. It is typically 55 years old which is the federal law. These are properties that have virtually no services at all, probably have a building maintenance person, and a leasing agent. They have about 15-20% stairways, hallways, and very little open space. The second type from no services to in depth services is independent living. Balfour has two buildings, the Lodge and the Residences. These are unlicensed buildings with neither the federal government nor the state licensing them. There is no medical or nursing care provided by the owner. There is an array of services and amenities such as table service dining, fitness activities, transportation, assembly rooms, and housekeeping. Typically, they come with one or two meals per day included. Common areas in these buildings are typically 30-40%, non-rentable space. The third type which is most pertinent to what is before you this evening is assisted living. This is licensed by the state but with no federal oversight. It has around-the-clock coverage by a caregiver. In our case, that is always a nurse or health professional. In a lot of buildings, it may be a nurse's assistant. There is a high ratio of staff to residents, three meals a day, and a full range of amenities because the residents usually have some form of mobility challenges. As a result, common areas typically represent 40-50% of the space because it is important that folks get out of their apartments and have activities and spaces to go. Unlike the independent living folks, assisted living folks do not get out and about. Virtually, nobody in

assisted living has a car. It is not a flat-out prohibition but almost no one has a car. Then fourth type is skilled nursing which we have in the BRC but it is not relevant to this building. The federal government and state government inspections are very rigorous. There are three meals per day and around the clock registered nurse coverage.

The project we are proposing tonight is for 54 units of assisted living only. A community of this type has a lot of common space (40-50%). I think we are close to 50% in this building. The typical age of the residents in our communities is somewhere from low 80s to 100. There is not much age differential between folks in independent living, assisted living, and skilled nursing; it tends to be a matter of their health status. Among the four communities now operating in Louisville, Balfour employs 350 people and provides housing and services for approximately 400 seniors. The average age across this continuum is 86 years old. Over the years, in our 190 units of independent living, 62 units of assisted, 84 units of skilled, and 52 units of memory care and until very recently, the in-patient unit of the TRU hospice which was a tenant in our BRC building, we estimate that we have cared for between 3,000 and 4,000 seniors. Half of these were already living in Louisville and the environs. Interestingly, Colorado is quite unique in this fashion. Half of our residents come from out-of-state because their adult children and grandchildren and some cases great grandchildren are living here and they move. Colorado is not thought of as a mecca for retirement such as Arizona or south Florida. In fact, because so many transplants come here and love the lifestyle, when it gets to the moment when they are no longer comfortable having Mom or Dad living alone in the old big house, they bring Mom or Dad out here rather than move back to Peoria or wherever. It is important to note that a good number of our residents come from modest backgrounds; they have been frugal and saved. They have equity out of their homes coupled with Social Security. There is a prevailing image that everyone is terrifically well-to-do at a Balfour community. That is simply not the case.

The communities we developed in Louisville have won numerous design and landscaping awards including the American Institute of Architects, Colorado Chapter, the West Coast Builders Association, and the Colorado Landscape Contractors. I mention this because it is a relevant aspect. We take great pride in the design of our buildings, both the exterior and landscaping, and the interior functionality and use. We are proud of the Balfour brand and the sense of pride our seniors have about where they live. We happen to believe, but have no proof, that the quality of the Balfour communities may, in some small way, have contributed to Louisville's national reputation for being the best small city in the country to live in. As a good corporate citizen, we note that we pay our fair share of property taxes every year. In the tax year of 2015, we paid over \$381,000 in real estate over the four communities. For the last three years, that total exceeds \$1 million. In addition, over the years, we have supported numerous local charities and causes including, but not limited to, the Monarch High School Scholarship Fund, Louisville Heat Relief Dinner, Louisville Senior Dinner, Louisville Street Faire, Louisville Labor Day Parade where the Balfour float has been frequent winner, TRU Hospice Annual Gala, the Parkinson Association, the Rockies Support Group, and The WISE Program with Louisville elementary school students involving a cross generational pen pal program. For the last three years, we have harbored a family of ducks that come every year to our courtyard. The Greenwood Wildlife Center looks after them and then escorts them out when they reach a certain level. It is a coyote-proof all enclosed courtyard.

In short, during its 17 years of operation, Balfour has made what we believe is a significant contribution to the quality of life in Louisville; caring for a vulnerable population helping families reunite, bringing recognition and honor to its city, participating heavily in its civic life, bringing memorable models of architecture and landscaping to Louisville's northern gateway entrance, and contributing significantly to the City's treasury.

As you have heard from Staff, Balfour appears tonight to present our plan for our first new assisted living community in Louisville in over 18 years. Our one and only assisted living community is Balfour Retirement Community and is nearly 20 years old; it has floorplans and common spaces that might have been leading edge when they were designed in 1996, but in today's modern world, are more than a little anachronistic. We have been spending mightily to renovate that building, but there are limits to what you can do, because once the bones of the building have been set (small apartments, low ceiling heights, inadequate outdoor living spaces). Yet we are still able to operate the assisted living wing of that BRC building with 61 units at over 90%. In the meantime, new assisted living communities are being built, several in the last year, such as the Morningstar project on South Boulder Road, the Landmark community that will be opening up shortly, and the Affinity project in Lafayette. We feel we have a need to stay competitive. We also believe that a certain number of units need to be built for the project to be economically feasible. We have a significant number of fixed costs, not the least of which stem from State of Colorado regulations which are appropriate and un-waivable. They are necessary due to the frail nature of many of our assisted living residents. We feel, given market rents and competition and the fixed costs of operating a quality assisted living community with the amenities found in our other award winning communities, we need to have that number of units. We have taken a lot of time, as you will see in a moment, to try to figure out how to address that. We believe that we have accommodated many, if not all, of the concerns of the neighbors while still designing a building that works functionally and financially. We understand the concerns of the neighbors, most of who have been in their homes less than two years. They should have been aware of a building coming onto this site given its long time PCZD zoning. Their concerns arise out of a request for a waiver of the height standard. I will leave it to Dave Williams of DTJ to discuss the design in more detail and address the building's heights, the budget, and what we believe to be negligible impact on the views from Hecla and from most, if not all, of the North End community.

Let me make a few points about heights and waivers in the Alvenus Park and North End neighborhoods of Louisville. The BRC was approved in 1997, built in 1998, and opened in 1999, and was granted a height waiver of 9.5'. The highest part of the building was 44.5'. For the Lodge, approved in 2003 and opened in 2004, a height waiver of 20' was granted and the top of that building was 55'. For the Residences, approved in 2007 and opened in late 2008, a height waiver of 24' was granted and the highest point of that building is 59'. All of those buildings were subject to the 35' height limitation that applied to Alvenus Park and to North End. We went through this waiver process each time and always got approval, both from the PC and City Council. In short, I submit that this entire neighborhood in Louisville has long had a history of waivers from the height limitations originally imposed on it. In fact, one of the Markel projects to the east sought and received a waiver to exceed the height limitation applicable to that project. All of this should not be overly surprising given that this has been a neighborhood in some transition, one whose purposes and uses has been transformed from mining to cowboy rodeos to a shopping center that still operates to a new residential neighborhood made up of single family duplexes, condominiums, and apartments for singles, empty nesters, and senior housing. DTJ Design was our architect for the Lodge project which has garnered a great number of awards and spawned a lot of imitations around the state.

David Williams, DTJ Design, 3101 Iris Street, Boulder, CO

I am a principal with DTJ Design. We are the architects and landscape architects for the new proposed assisted living community. Some associates are with me who will be available to help answer questions you may have. I will move through this presentation and try not repeat what Michael and Lauren said. I will elaborate on previous questions.

SITE LOCATION: Regarding one of the taller buildings adjacent to single family residential, the Lodge is at 55' and is adjacent to the south of a future phase of North End. Those residents do

not live there yet, but this building predates it. This is a location where a building is adjacent to residential. The Balfour Retirement Community is the oldest building and is located directly across Plaza Drive from the proposed project. The Lodge at Balfour is the building you are most familiar with along 95th Street. It has the cottages that back up to the street with the larger building behind. The Residences are directly to the south of Hecla Drive and is the newest of the three buildings and part of the overall Balfour campus. Our proposed Balfour at Lavender Farms will finish out the Balfour campus in this part of Louisville.

SITE PLAN: It is a U-shaped building with the courtyard oriented to the south, connecting to the detention pond and open space directly to the south. The building is located generally in the middle of the overall site. It exceeds the required minimum setbacks by quite a bit in each case. The arrival zone is off two spots on Plaza Drive with a drop off location. We have guest parking along the front part of the building and then staff parking and overflow guest parking in the rear. We do not anticipate the residents of this community to have vehicles. One criterion in locating the building on this site is the existing mine shaft of the old Hecla Mine. We will put a new cap on the existing mine, but we are not allowed to build any vertical structure or construction over it. This is a constraint we have to work with in terms of locating building on this site.

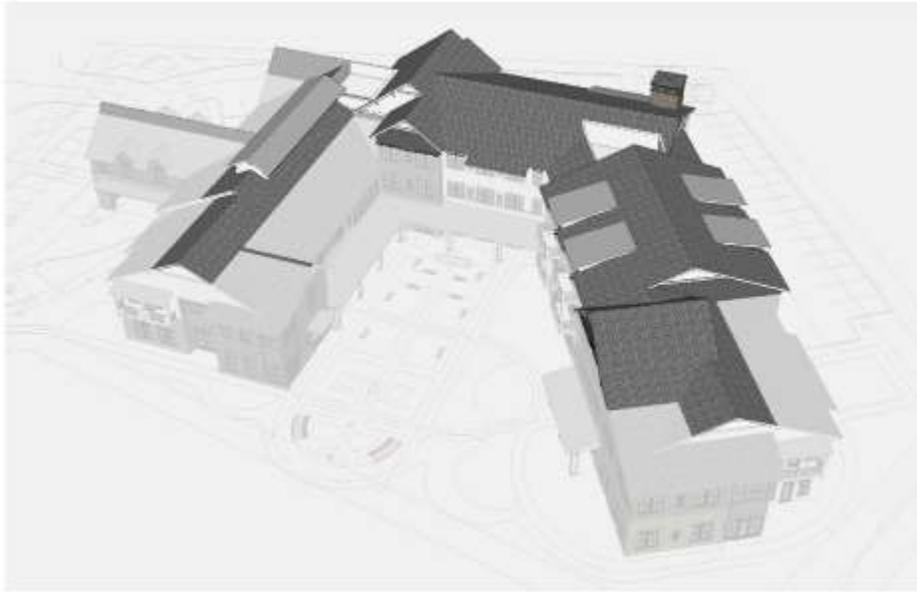
HISTORIC ELEMENT: The historic element is down in the corner and there will be access for the public. We believe this element was part of the system to bring coal cars up and down out of the mine.

FLOOR PLAN: The main plan has a lobby and club room. Balfour tends to have a room called the Jockey Club which will have an outdoor porch, so residents will have a front porch associated with their environment. The dining room will have access directly to the courtyard on the south side. On the first floor, the resident wing is on the northeast side. The administrative and other amenity functions are in the south wing.

SETBACK: The front yard setback is 20' and the guidelines ask for 15' along Plaza Drive based on it being a local street versus a collector street. We have 10' setbacks required on all other sides. The building is placed generally in the middle of the site. The front is about 53.5' back from the property line. On the south side, it is about 21'-23' and it is the two ends of these wings. This is double the minimum requirement for setback. On the north and northeast side, with a 10' setback requirement, the building setback ranges anywhere from 31' up to 80' which is 3 to 8 times the required minimum setback. I don't have an exhibit that speaks to the north-west setback, but it is in the neighborhood of 40' which is up to 4 times what the minimum requirement would be. Part of the important part of the criteria for locating the building was getting the site circulation emergency access ready for the Fire Department. We want to make sure they are satisfied with our access points. They can use either entrance off Plaza Drive. There is a lane in front of the driveway so that the larger vehicles can get past without doing under the porta cochere to drive to the back. There is a variance request to pave to the property line to that the fire trucks can back up.

SECOND AND THIRD FLOOR PLANS: The second floor is the bulk of our resident lodging. There are two elevators. The third floor is contained to the middle of the building. The east end has been moved back so it steps down on that end. Assisted living residents tend to be less mobile than those in independent living. We want to reduce the amount of travel distance from a resident's apartment to the main amenities such as the dining room. Keeping the travel distances as short as we can is an important consideration.

We have a material sample board. The accessory building which we call a character building was inspired by the idea of an old ice house or smoke house that accompanied a historic farm. This is an iconic element as part of the entrance to the community.



Roof height above 35 feet



South Elevation



Perspective view of proposed structure from Sweet Clover Lane residences

ELEVATIONS: The west elevation which faces Plaza Drive shows a blue line indicating the 35' height standard. We have a variety of materials and variety of heights and gable elements to focus in on the farmhouse type of character. The upper peak of that portion of the building extends beyond the 35' in this case and the roof monitor. On the south elevation, you remember from the site plan that this two-story leg of the wing and this two-story leg of this wing is the only part to come close to the south property line. The bigger part of the building is 75' to 80' back from south line in the northern wing of the building. The east side (we have been working with Staff) to step the southeast corner down so it is a two-story height. There is a little portion of it exceeding the 35'. The northern part of the building is where the bulk of the mass occur which

again, more towards the center of the site in the overall scheme. Two diagrams were included in the application. One diagram speaks to roof height over 45' and areas in darker gray are above 45', recognizing that the sloping roofs will incrementally go down. The only part of the building that hits the 52' limit that we are asking for is the little chunk which is generally on the northwest portion of the building. In the area where there are third story of the residences, that ridgeline is at 49'6" and slopes down to 45'. Our roof monitor over the west side is at 44'8". The balance of this going down to the 35' which comes at the eave line of the third floor portion of the building, these areas of the west wing that get to 40' and a piece of the southeastern corner that achieves 40'. I want everybody to understand that this is not a 52' high building, ground to roof, in all places. A very limited piece gets to that place.



VICINITY MAP

HEIGHT WAIVERS

All of the Balfour campus has received height waivers before; the Lodge, the Residences, the BRC, and this project. The condos that North End has under construction will request a height waiver coming before you soon on an amendment to build the balance closer to South Boulder Road.

BUILDING HEIGHTS AND LANDSCAPING

Staff asked us very early on to look at some perspective views of our proposed project from various locations. The first was from the north side of Hecla Lake. You can see the line of the mountains, the edge of the lake, and the existing vegetation. You can see how the building nests into the site on that location from this vantage point. The Lodge is over here and very difficult to see in this image. The North End residents in the northern portion are here. In our first round of comments, Staff asked us to look at a couple other locations. This view is at the intersection of the trail on the south side of Hecla Lake at the eastern end looking west. The view shows an inserted 35' high building mass with a flat roof. The next view is our building as currently designed. Even in our tallest building, there are still tree tops that poke above that. At Staff's suggestion, by stepping down this east end, it actually has less impact from this particular vantage point than a 35' building would be at this location. We are using this based on the footprint and location of the building that we have currently proposed, which is well inside the minimum setbacks allowed in this particular location. Here is the view from the fence line of one of the residences immediately adjacent to the site looking directly to the west from the east. This is the photo we took and you can see through the fairly dense collection of cottonwoods. The middle photo shows the building at a 35' height. The third photo shows it as currently designed. By my eye, what we have currently proposed has less impact than a 35' tall building in that location. Since then, we have been in dialogue with Staff about an idea of mature

landscaping versus not. We agree that we will have a solid proposal prepared before City Council, but I will show you where we are headed at this moment. In addition to the mature trees that Staff has recommended, we are looking at trying to preserve the existing vegetation down at the corner of the site with the collection of cottonwoods. We think if we reconfigure the drainage there a little bit, we can leave a significant area of that corner undisturbed. I'm showing a photo of trees with the leaves more leafed out. You can't really see the existing house behind this screen of existing vegetation. The middle photo shows proposed locations for mature landscaping with a hint of what the building will be. We believe you won't really see it because of the density of this if we are able to preserve the existing trees. The lower photo is more of a winter view where we would see the building ghosted in behind the fairly dense tree cover along with these new trees planted along the edge. We are looking at a combination of evergreen trees, probably Ponderosa pines, along with a deciduous tree our landscape architect can speak to in more detail later. It is a crimson spire oak which works well in our western climate but it has a leaf structure that goes down to the bottom, not just a canopy on top. This particular form of oak tends to hold on to its leaves all winter long. This is an added benefit to using this tree. You can see in this sketch a line of evergreens that we will plant on the north side. There are existing Russian olive trees along that edge and Staff has asked us to remove those because they are considered an invasive species and replace them with these evergreens.

SHADOWS ON TRAILS

Another comment we've heard about is impact of the sun and shade from the building. We looked at it from the winter solstice, at three times during the day. Even on a long shadow day, the shadows from the building never make it to the trails. It will get better in the spring, summer, and fall. Because of its location near the center of the site and the way the building is articulated, we will not have any shade or shadow problems on the trails in the open space.

LANDSCAPING

We are trying to work through the drainage scheme to get to the detention pond and not disturb any of the area that is green. Anything from the line to the property line, we will leave alone with the exception of hand-carting in and planting a couple of evergreens and oaks. In addition to where the evergreens are on the north side where Staff asked us to plant, we are suggesting some very tall perennial grasses that will stay in place throughout the winter. The scheme for the site itself is that we are trying to play up the notion of this being a lavender farm, which has some therapeutic qualities. We are setting it up in such a way that the patterns of the grasses and the lavender will create the appearance that the building and parking lot were inserted into these rows of lavender. We think this will be a terrific amenity, not only for the residents but for anyone surrounding the site.

We are available for questions on any topic.

Emails and materials board entered into record:

Rice makes a motion and **Hsu** seconds to enter emails and materials board into the record. Motion passes by voice vote.

Commission Questions of Applicant:

Moline says do you look at designing a building that met all the constraints on site and what that looked like. If you did that, why did you choose to go in the direction you've gone?

Williams says we did not explore options that would do that for a couple of reasons. We had a fairly limited area of where we could fit this building based on the constraints we had, especially around the mine itself. There was a character and level of quality precedent with the other communities at Balfour that drove us in that direction. We knew that getting a height exception had occurred with the other three communities. This is the next extension of a fairly successful campus and we felt the qualities that this community would bring forward would be on par with the others, and would receive similar consideration for that height variance.

Schonbrun says Balfour views itself as being on the leading edge nationally in senior housing, not simply warehousing folks, putting them in a box, feeding them the same meat and potatoes meals, and having ordinary and cheaper products. We have this balance between affordable rents and expense, but trying to anticipate the needs of seniors. As we enter the era of the baby boomers and the Eisenhower generation who are the current residents, they will become more particular. As a business matter, they are going to expect that.

Moline says regarding the mine shaft you mentioned, the only constraint you had was avoiding that particular area which will be capped. There are no other subsidence issues. Obviously, you have looked at it from a geotechnical perspective.

Williams says we had on-site drilling all the way down to the old mine workings, and all of those have collapsed which is good news for us on this site. The primary constraints for locating the building were the shaft itself and making sure we get that drive for the emergency vehicles in front of the porte cochere. They don't want to drive underneath it to access the back of the site.

Moline asks about the need for a setback for the six compact parking spaces. Does it tie into the need for the fire lane?

Williams says we could push the building back further and get those spaces out of the setback in front, but that puts the building further to the east. It pinches the back side. There is a single row of parking with the drive lane. I am not confident we can get all of the parking we need on the back side without encroaching in the rear setback. We are dealing with mitigation of that and make them compact spaces. Having spaces up front is important for visitors so they have convenient access to the building. We have a series of walls along the rows of lavender which we think will take away any kind of appearance that these cars are facing directly on the street.

Moline asks if the fire regulations require the two accesses. Could you have a single access for fire access purposes and would that allow you to do things differently?

Williams says based on our experience with other communities much like this, having more than one access point into a site is typically required. We just did it and we didn't ask the question of whether it would be okay to not have it. We do it as a normal course of business. We could talk with the fire department and see if they are willing to look at another alternative.

Rice says I think it is no secret that the main controversy is the height waiver being requested. My questions are geared toward understanding the justification for that. If we went with the 35' limit, can you build a three story building there?

Williams says it would be tight and be a significantly different level of quality and finish in terms of its appearance. The floor to floor heights would have to be reduced to allow that to happen. As Michael mentioned, there is definitely a trend at trying to get higher ceiling heights in these residences because people expect it when they are paying the kind of rent they are paying for these places. It would also require that we go to a flat roof. I don't think we could get these pitched roofs inside of a 35' limit. It would be a flat roof box with some articulation horizontally. It would be a definitely different project entirely.

Rice says because of this need to not have people walk a great distance to get to the elevator or the common facilities, is that why you build vertically as opposed to going out? I appreciate the graphics you prepared that show the areas of where the roof exceeds the 35'. It shows me what I'm looking at in terms of the waiver being requested. How much of this over 35' is driven by the fact that we're going with sloped roofs?

Williams says that is the major driver of all of this. 35' in a three story portion of the building comes just under where the eave line of the sloping roof. If we had a flat roof there, there might not be a need for the height waiver. Where the two story section is, we might be able to incorporate some sloping roofs. You are exactly right; the place where we get above 35' is where the roofs begin their slope.

Rice says I was able to divine from looking at this is that if you take those ceiling heights and make them higher, then put the sloped roofs on, that's when we get the need to go over the 35'.

Schonbrun says in speaking about the ceiling height issues. The assisted living apartments in this building will be a good deal larger than what we have in our first building, but they are still small. They will be 500 sf or 600 sf. The experience in our other buildings is when you get to

more volume and height, there is a sense of much more comfort and living space. The roof issue is an esthetic one. Balfour has a certain brand and expectation. We think it has benefited not only the company but Louisville itself in having some outstanding architecture on our campus. The issue of the heights of the apartments themselves is essential in terms of providing that kind of living experience. I suppose the PC has to decide whether the subjective experience of the residents in our senior living communities is of equal or greater importance than of the handful of folks who are concerned about whatever the impact is on your views. That is a balancing of the equities.

Rice asks how many units are on the third floor?

Williams says seventeen.

Rice asks **Williams** to put the slide up with the perspective of the mature landscaping as it currently exists, leafed out. The top pane is the trees there now. How tall are those trees?

Williams says he doesn't know but with the building behind it being more than 35' at that peak, admittedly back from where those trees are, they must be north of 20' and maybe taller.

Rice says when I look at that, it looks like it would completely cover the building. The building is 52'. Is it because we are looking up? These look like pretty good-sized trees.

Williams says when you have a screen that is closer to you, the things further back will be obscured. Knowing this was a significant topic, this is why we are trying to preserve as many of those as we possibly can at that corner.

Schonbrun says I just walked around today, getting ready for tonight. I wish I had taken a laser measurement. The trees are quite tall, well in excess of 30'-40'. I was right underneath.

Tengler asks about a slide that intrigued me. I think it is the issue of perspective. In the bottom slide, it looks as though the height of the building is significantly low, but I think that would be on the back side of the property from that view.

Williams says that is the eastern corner where, in our earliest submittal, there were actually units on the third floor at that corner. In working with Staff, we have pulled some back so it is basically a two-story portion of the building at that end of the wing, and then you see the gable and roof.

Tengler says it appears to cut down on the up front massing.

Hsu says we received a number of comments that there has been limited community outreach. Can you speak of what outreach you have had with the neighboring community?

Schonbrun chose not to have an all-community hands meeting. There have been discussions with our development vice president, Hunter McLeod, on an ad hoc basis. Our belief is that our public hearing is before the Louisville Planning Commission. We have had enough experience in other projects to know that folks really prefer status quo. To begin to move to the least common denominator of the project that nobody would find offensive and that they could all live with was, frankly, not anything we desired. We thought by working with the Staff and by having the occasional conversation were sufficient. I stand by that. To get quality buildings, it's like the discussion about the design of the camel by a committee. We think we need to work with quality architects who understand our functions best, the issue of the length of hallways, the height of the building, all of those issues, and the constraint that the site had with the mine openings. We spent a lot of time studying where all the pathways would be. We have probably underestimated or understated the constraints this site has had. For years, it has been a bit of an eyesore, even during the period we have owned it. It would seem to us that this was such a huge improvement both for the neighborhood and for the city at large that working with the Staff and coming before the PC and soon City Council would be sufficient. I own that one.

Hsu says with regard to the mature landscaping and the trees, you mention there will be a more "flushed out" proposal to present at City Council. Do you think there will be a height requirement for those trees? How will you define mature trees?

Williams says that is a great question. As Lauren mentioned, our landscape architect has been in direct dialogue with the City's landscape architect and we can get the City forester involved as well. There is a point where relocating or finding trees that are above a certain height will be challenging and then to assure their survivability. Once trees get established, it is very difficult to

relocate them. You need to find nursery that has big trees. Without consulting our landscape architect, my memory is that we can certainly get evergreens in the 12-15' high range without too much effort. They might not be available in Colorado. The oak trees are certainly going to be in that same neighborhood.

Hsu asks about the neighboring Balfour properties. They all have waivers for going over the 35' maximum. Did any of those have accommodations like the eastern side where you tried to go below 35' and the rest of it was above?

Schonbrun says with the exception of the cottages which line 95th Street as part of the Lodge building, every other building that has been built in the Alvenus Park subdivision has been well above 35'.

Williams says other than maybe one little corner of the Lodge, they all go to three stories or, in two cases, four stories all around the building. There is no stepping down to speak of in those other locations.

Tengler says there are 350 current employees at Balfour. What do you anticipate the new building will bring?

Schonbrun says the total number of employees there will probably be 35. The daytime shift is obviously the largest. We would expect 20 or so at that point. The evening shift is probably 15. The overnight shift is probably 5 to 8. In terms of parking, there is a transition period where we think the number spots we have will be sufficient even during the overlap in the change in shifts.

Public Comment:

Natasha Bond, 1841 Sweet Clover Lane, Louisville, CO

I am one of the properties that backs up to the planned development. I am here to express some significant concerns about the PUD application. In the words of the great Dr. Seuss, I am the Lorax and I am here to speak for the trees. We have heard a lot this evening about trees. As you may be aware, adjacent to the planned development are two large, very old cottonwoods in the drainage area. The area is also inhabited by a surprising large range of wildlife. The cottonwoods are shallow-rooted trees and according to the University of California, Berkeley, there is an anticipated required root protection zone of 2-3 times the diameter of the canopy of those trees in order to adequately protect their longstanding livelihood from construction. I do not believe that the current development has allowed for that zoning and gives them enough space. We have heard this evening of the plan to preserve the existing smaller cottonwoods (when I say smaller, I do think they are more like 25' tall), along the north and east side of the developments. Those additionally will require the same root protection zone. I did not see that on the plans presented this evening. Therefore, I propose that the planned construction is not protecting the trees. It is merely leaving them there to be damaged and later removed. If Balfour genuinely intends to protect those trees, I suggest they give them the space they need biologically. We have also heard a lot this evening about the plan for mature planting. Again, according to the University of California, Berkeley, and substantiated by the website of SaveaTree.com which is a well-established industry organization, a mature tree is one over 10 years of age and having a 6' diameter trunk. There are a couple of problems with mature planting. Firstly, mature trees do not transplant well. It is extremely difficult to uproot, move, and replant a tree of that size without disturbing their root ball. To the extent, Save A Tree says "the transplanting of mature trees causes growth retardation in the majority of cases, often affecting tree growth for up to 20 years". It means that if we do plant trees of 12' to 15' height, it could well be two generations before those trees are actually screening the property in the way we have seen in the images. This brings me to my final point which is that of privacy. I actually think the Louisville City Council does an excellent job of trading the balance between allowing the area to develop and grow and maintaining a very rural feel. The privacy of my home, access to the very peaceful trails around Hecla, the unimpeded views of the Flatirons, and the convenience of living in a city such as Louisville and the neighborhood is something I put a huge value on. The planned Balfour building will significantly impact the privacy of my home and those of my neighbors. As I shown with the lack of planting and the lack of the proper protection

of the existing tree growth, the upper two stories of the planned Balfour residence will have virtually unimpeded views into my home, my garden, and that of my neighbors. I'd like you to take that into account. I think this is further exacerbated by Balfour choosing to place the majority of the three story structure on the north and east of the plot, furthest from their own campus and furthest from the major thoroughfare. I draw your attention to the City Code that was mentioned earlier, 17.28.120. I submit to you that the Balfour plan does not meet the spirit and intent of the code in the following ways:

1. In Section 4, for functional open space and preservation of the natural features including trees
2. In Section 6, in the maintenance of privacy in terms of the needs of individuals, families, and neighbors
3. In Section 10, in terms of landscaping of total site in terms of purpose, such a screening, suitability, and the effect on the neighborhood.

I have been very surprised at the lack of outreach into the community by Balfour and their lack of willingness to have open dialogue with the community. I am stunned to learn this evening that they have not attempted to design within the limits of the height restrictions. I am, therefore, asking you to reject the planned application and refuse the height waiver in order to give us, the community, an opportunity to work with Balfour to do an appropriate senior living facility on that site.

Pamela Forcey, 1331 Hecla Drive, Louisville, CO

I have lived at the Lodge in independent living very happily for almost 12 years. At some point, I may realize I have to go to assisted living. If so, it would be very encouraging to think that I could go to a new state-of-the-art building and stay in this community. I hope it can go forward.

Shirley Asche, 1855 Plaza Drive, #1002, Louisville, CO

Like Pamela before me who has been at Balfour a couple more months than I, unlike where she has always lived at the Lodge, my husband and I went into one of the Cottages (we were one of the first tenants there). He left me in 2010 and I had to leave for a couple of years. I came back and asked to be at the Lodge. I am now down at the Villa in the assisted living. I can honestly say that I have slept around. When I knew I was going to have to go into assisted living, there was a brand new facility much nearer to where my daughter lives. I thought as much as I hated to leave Balfour, this would be much more convenient for my family. It was a new facility and everything sounded just great on paper. The second day I was there, my daughter wanted me to move out, and I kept saying, "Oh no, it can't be this bad." It wasn't like Balfour. I lasted two months and I pleaded to let me back into Balfour. I like Michael's idea of what he wants to do. I would really like to see this new assisted building go through. The thought behind it and the emotional output behind it cannot be overstated. I really mean that. Unfortunately, I would love to go past three minutes, but I will bow to your rule.

Kerrie Merkel, 1849 Sweet Clover Lane, Louisville, CO

I want to thank you for your work and service and for the opportunity to speak before you. I am here tonight to address my personal concerns regarding the proposed Balfour development. I live in one of the houses that will be directly behind the proposed building on the south side. In fact, some of the pictures you saw are from my fence line. We bought our house because it backs to the open space and to Hecla Lake. We also knew that when we bought our house, the land just to the north of us would be developed some day. What we didn't expect was that the future development would ignore existing building guidelines, specifically the 35' height limit. I am not against change or development. In fact, I have been on the other side of this myself when we built our Montessori School in Erie. What I am against is a waiver of a requirement for a PUD without any concern for the greater public. My concerns echo those of my neighbors who will be speaking and I feel that the justifications for the height waiver are weak. I do not see any benefit to the common good. It is unclear to me how interrupting mountain views with a three story building benefits the greater public. I do not understand how a private courtyard or what is considered open space or a handful of mature trees which has yet to be defined or a 20' connection path to City trails really benefits the general public. I would argue that given the

choice, the public would rather keep their mountain views, see a building built within development guidelines surrounded by existing mature trees, and continue to enjoy the nature preserve that is Hecla Lake. Granting a waiver for a local business to stay competitive certainly does not fit within the spirit of the guidelines. On a personal level, I am extremely concerned about the landscaping that is proposed to be around this building. This land is currently very densely populated with mature trees. On the south edge of the property which is essentially just over the fence of my backyard, there is a line of mature cottonwood trees that we have been talking about. I want to make note that those trees are 35' tall. These already existing trees would really help to provide much needed privacy from the proposed building as well as help to screen any new lighting or headlights of cars driving in the parking lot that will soon be shining in my bedroom window. I am pleased to hear about the latest landscape developments. I wish this would have been communicated with us and we could have had conversations about it. I urge you to require that these trees be included in the development plan. As I said before, I am not against business development. In fact, I love the idea of having senior citizens as my neighbors. I love the conversations I currently have with them when I walk around the lake. I would have appreciated the opportunity to work with Balfour prior to this point in time. In fact, I am confident that a common ground can be found if we are given time to work together. However, the lack of outreach thus far is disheartening. I ask that you please take these concerns as well as my neighbors and reject the application for the PUD at this time.

Moline says the applicant has portrayed some of the height needs in order to make the buildings more architecturally pleasing. What are your thoughts? Would you rather see that 35' high cap with the building has a flat roof or something that extends above and has a little more architectural perspective to it?

K. Merkel says of course, I want to keep the mountain views and I love what they've done so far in efforts. I know they have been working with Staff to lower the end of the building that is right outside my back door. I am super grateful for that. But I don't understand why the highest points of those buildings can't be pushed to the front towards Plaza Drive and to keep it away from the residents, the single family homes would be more ideal.

Tim Merkel, 1849 Sweet Clover Lane, Louisville, CO

First, I'd like to thank you for all the hard work and the long nights and all that the Staff and Commission do. We have already seen you make great progress on this project without us getting involved. I am excited by all the development that is happening in and around our neighborhood, and I look forward to having senior citizens as our neighbors. It beats the heck out of a frat house. We love the senior citizens but that is not what this is about. We always expected this property to be developed. However, I do not support Balfour's current plans and this application. Specifically, I am opposed to the height waiver to would allow the building that is 50% higher than the CDDSG allows and 50% higher than any other building adjacent to Hecla Lake. I want to make that distinction. We have been talking about the residences, but there are thousands of people who use Hecla Lake Trail who will be negatively impacted by this. I think that is more important at this point than the residential impact. Sloped roofs, interesting architecture, and trees won't disguise the fact that this building does not have an appropriate relationship to the surrounding area which is one of the criteria in Section 28.28.120. The applicant's primary justification for a height waiver is that the plan contains 47% open space; however, this number is very misleading. Over 9,000 sf of the open space is contained with an inner courtyard that is not visible from Plaza Drive on the west, Hecla Lake on the north, or the North End community on the east. The only people who will benefit from this inner courtyard are the future Balfour residents. If you remove this 9,000 sf courtyard from the open space calculation, the new number is reduced to within 7% of what the CDDSG requires. This is hardly enough justification for disregarding the CDDSG and the character surrounding the lake and the community. If these plans are approved, the beauty of Hecla Lake will be diminished simply so that Balfour can lease a handful of additional units that have a view of Hecla Lake and the mountains. I would jump at the opportunity to collaborate with the developer; however, there has been no proactive communication with me or my neighbors. In order to give the developer

proper time to work the community, I ask that you reject this application and the associated height waiver.

Gayle Parker, 1310 E. Hecla Drive, Louisville, CO

Thank you for the opportunity of giving my opinions about the additional construction. I moved into Balfour Senior Living the first of July, 2014. For the five years prior to that, I lived in Virginia and South Carolina. During that five year period, I visited 13 different retirement communities, also in California and Colorado. I had an opportunity to come to Colorado because my daughter lives here and I wanted to be near her. It was a privilege when I first visited Balfour because I had visited all those other places and there was nothing like Balfour. It is far superior and I am so glad that I moved here. I welcome the opportunity to respond in any way. I will say it is a real pleasure to live in Balfour Senior Living.

Ruth Heyvaert, 1331 E Hecla Drive, #318, Louisville, CO

I am so lucky to be at Balfour. I moved in right after they opened up. We had looked around the metro area to find something so I could be close to my daughter. We had also looked in Arizona where we were. We moved into Balfour sight unseen of our apartment. It was under construction and we were here in February and moved into Balfour in September. Balfour is wonderful. The food is exceptional. We have over 300 activities a month. This is something that Louisville should be so proud of. I do hope that they find a way to build the new assisted living.

Georg Tritschler, 1833 Sweet Clover Lane, Louisville, CO

I am in favor of a senior living facility. I am not against it but I want to express my objection against the height. It is definitely a concern. It is a nature paradise on Hecla Lake. There are owls nesting every year and a lot of people from the community come out there. I cannot picture a building with that height fitting in that area. I am a little bit disappointed that nobody reached out and worked with us. I think we are all open to work with Balfour. I am also a little concerned about the traffic because if I look at the streets along the existing Balfour, they seem pretty full. I don't buy into that there is no cost. I think it is some concern. I am very concerned about the existing landscape. I had a hard time seeing the plans on the screen. I don't think a nature paradise is easy to rebuild, so it is something to be considered as well as putting in a provision in the plan. The height is something I definitely object to.

Roz Squires, 1331 Hecla Drive #204, Louisville, CO

I live at the Balfour. I have lived here for six years on a permanent basis. My daughter, Laura, has lived in Louisville for 30 years. She lived over in the Harper Lake division, McStain division, so I have been visiting for almost 30 years. When I moved to Balfour permanently, the North End was just starting. I remember visiting some open houses there at the top end of the street. I do remember the drainage ditch and that Hecla Lake was dry. There was no water there at all. I walked around that lake. In 6 years, I've grown a little bit older and I'm a little more fragile. Now, I can walk with a walker around the lake. At some point in time, I would expect that I would need assisted living. The BRC assisted living is very nice but it is 20 years old. It is good enough, but we need a brand new one. I would like the state of the art. I see myself, hopefully, living well and fully and needing additional help. I urge you to give this approval and for me to have it in the campus. This is our campus. This is our home. This is where we live.

Lorna Cahill, 1331 E. Hecla Drive, Louisville, CO

I am one of the ones privileged to live at Balfour Senior Living. I have been there 7 years. It is a real privilege for us to be there and live in Louisville. I don't honestly understand all the details of the height and what it will do to the people that live around it. I do know that Michael will do all that he can to make it pleasant for everybody. He has done that where we are, and I think he will continue to do so. I would love to see it go up.

Kate Ripley, 1763 Sweet Clover Lane, Louisville, CO

My issue really has nothing to do with Balfour. I think it is a great community and it sounds like it is a lovely place to live. Senior citizens, as Tim said, are much better than a frat house in our backyard. The height waiver is definitely where my issue comes in. Given that we live in a pretty modern neighborhood in the North End, if they were to take into account the fact that they are surrounded by modern style homes, it would play a big part in some of their architectural design

elements versus a farm. I do wish as a person who lives in the neighborhood, I would have been consulted in some respect as to the height or told about the development. We knew it was going to be developed; we just didn't know it was going to be so tall. With the trees and the paths and things that go around it, it would be so much nicer to be able to see the mountains clearly without the rooflines. It would be interesting if they could move the taller parts of the building to Plaza Drive. For these reasons, I request that you reject the application for the PUD and the height waiver.

Mark Cathcart, 1763 Sweet Clover Lane, Louisville, CO

The first perspective we were shown was presented as the north. Everyone knows that the mountains are west of Louisville; therefore, the perspective could only be from the east. Secondly, none of the height variances that were granted to the existing Balfour properties were granted to adjacent existing residential properties. The new ones in the area being built now are over height buildings. Thank you for letting me speak tonight. I live immediately south of the subject application. This is my first time in front of you. I am not an expert or professional in planning law as it applies in Colorado, so excuse me if I have misunderstood the intent of any legal aspect of this application. As far as I am aware, the point as you well know about planning and zoning regulations is that the community through its officers and elected officials decide is certain growth and development restrictions are necessary for public benefit. I was surprised to find this application coming as a planned unit development or PUD. It is essentially a single building with a single use on two relatively small plats which do not themselves make a sub-district. This seems to be simply an end around the community agreed regulations, specifically the height restrictions entirely for commercial benefit. I have listened to the application and the Board and I am not convinced that this application has met the required burden of proof for approval and waivers for the planning restrictions. As we heard from the applicant's architect, there are no unique circumstances for the property or general conditions of the neighborhood that would require approval. The City is not in dire need of this type of property or accommodation for the site. The applicant didn't speak demand. Granting a height waiver will adversely affect the property and the locality by allowing the building to be much more visible from the open space and the adjacent lake trails. The land can yield a reasonable return without approval and waivers. The owner knew the zoning and planning restrictions when acquiring the property. No hardship has been taken by an owner or prior owner that would warrant a waiver or approval of this PUD. In short, there seems to be no special circumstances that would warrant approval. There also seem to be numerous other ways the property can be developed without waivers. I'd like to submit for the record five pictures which you should have in your packet that were taken today. If the height waiver is granted, the proposed building will be visible from the east, north, and south sides of the public open space and trails, and will interrupt the views of the Flatirons. It will overlook the single family residential homes. I believe this is inconsistent with the primary intention of the City of Louisville's own design standards and guidelines to maintain and enhance property values within Louisville. I'd like to ask that you reject this application and the associated height waiver.

Brian Topping, 1550 White Violet Way, Louisville, CO

I appreciate all the work you have done on this. From what we've seen and from where it started and where it's at now, I was actually a little bit surprised and impressed with some of the progress on this. That said, I came with a written document. To your point, Mr. **Tengler**, I don't want to repeat what my neighbors have already said. I do want to know some of the meta-issues I have noticed in watching this session today. We haven't been consulted or contacted at all through this process, and I feel basic contempt for the neighborhood, as well as some of these people have only lived there a year. This is really upsetting after spending a lot of money to move into this rather nice location; to have a gentleman who lives up in Niwot say, "well, you guys don't really matter, we are going to build this anyway, and we don't accept your camel by committee." I felt it was a little contemptuous. Could we build this in Niwot? I think that is a really good observation that may be fine for everybody. Sorry for my snarkiness on this but it was a difficult investment to get in here, and I am behind the commercial development of Louisville. It

is a very vibrant and promising community that will continue to be so regardless of the outcome of this, but for the purposes of this request, I really request that you reject this waiver and the PUD attached to it until we can get more time to work with Balfour, get these things ironed out, and get a good understanding between the community and Balfour itself.

Michael Menaker, 1827 W Choke Cherry Drive, Louisville, CO

I didn't really think I was going to need a second medical opinion, but since Dr. Seuss was introduced, the thing that flashed through my brain was Spock. The needs of the many outweigh the needs of the few. In essence, that is what you are juggling tonight. I am 66 years old. We just had our last goodbye to my mother-in-law two weeks ago. I am very aware that my time is coming and I will say this, for the 20 years that Balfour has been there, every time we drive by, we say a little prayer and hope that we can afford it when we need it. I think that when I look at the needs of an aging community, my neighbors, and my friends who have aging parents that may need to relocate, the need for a continuum of care proposed by this unit is demonstrative. I was concerned about the height. I am less concerned now that I see how diverse height variances are and how few come to the highest request. Had this been a 54' monolithic building, I would have different views on this. I am also intrigued and remember that when the North End builds out, it will be building its final units adjacent to 54' high buildings that are part of the original Balfour development. On balance, when I look at the needs of the community as a whole, while I understand the concerns of the neighbors to the east, I am in support of this project. I am always struck, when I come to these meetings, by residential communities newer than mine (built in the early 1980s) make many of the same arguments from newer residents against something new next to them that were made before their houses were built. We hear the same things over and over. On balance, I support this project and urge you to do the same. I would make one final note. I think "mature trees" is a bad definition. It is almost undefinable. What I do think is, if that condition is going to be part of your approval, it be something like "vegetation and trees as large as feasible" with the sign off from the City Landscaper and City Forester, and with their expertise and guidance. How big is really feasible and valuable in planning the largest landscaping we can do there? Thank you very much for your time.

Sherry Sommer, 910 South Palisade Court, Louisville, CO

I want to thank all the people from Sweet Clover Lane who spoke. I agree with everything they said. They were very articulate and they care passionately about this town. I appreciate that they have a relationship with seniors in the area and that they care about senior housing. I don't think it is a zero sum game that we are talking about. I am very sad for our community that it is presented as such. The reason why Louisville is such a great place to live is because it is a community. It has been where people can get along and where it isn't so contentious. The way this is being set up without any communication to the neighbors is reprehensible. I live nowhere near this development, but I would be very sad, and I know many of my neighbors would be sad, if these waivers are granted. It seems to be a slippery slope and we care about the whole community including the seniors and the neighbors, and we should have more compromise.

Questions to Staff and Applicant from Commission:

Moline says can you explain the public open space aspect of the criterion that has been discussed a number of times this evening? I think there is an misunderstanding among some that open space needs to have a direct public benefit. Can you elaborate on how Staff used that open space?

Trice says for those of you who are not aware, open space is defined in the CDDSG a little differently than we typically use open space. It is anything that isn't buildings or roadways. That helps to specify that. There is a criterion in 17.28.120, for reviewing waivers, a reference back to the open space.

However any such requirements may be waived or modified through the approval process of the planned unit development if the spirit and intent of the development criteria in 17.28.120 are met and City Council finds that the development plan contains areas allocated for usable open space in common park area in excess of public use dedication use requirements or that the

modification of the waiver is warranted by the design An amenity is incorporated in the development of the plan and the needs of the residents for usable and functional open space as buffer areas can be met.

Moline asks do you think when it is speaking of public benefit, does that mean the people who would be using it on the site or is that of the general public?

Trice says I think it can be interpreted as both.

Hsu asks the applicant, in the perspective views with the development and the trees, how tall are the trees in those graphics, the new trees?

Williams pulls up the image. We looked at what we believe is available and survivable Day One. This is what you would see the day after they are planted. The presumption is that they will thrive and grow larger. These are in the 12'-15' high range as a Day One situation. We didn't want to overstate what the impact was going to be at the initiation of construction. I also think it is important to note that the additional landscape, if we are successful in preserving much of that corner, is a complement or supplement to the existing landscaping. It should be something that will evolve overtime.

Tengler says Mr. **Cathcart** mentioned that one of the elevations you showed seemed to have the wrong orientation.

Williams says if we did, we have may mislabeled something. This is from the north side of Hecla Lake generally looking southwest. We are not looking north, we are looking west-southwest on the north side of the lake. It may be better to say northeast corner of the lake.

Tengler says one of the other speakers referenced some photographs that they wanted entered in. Can Staff put those up on the screen?

Cathcart says the photos were taken this afternoon to give clear impressions of the landscaping.

Photos entered into the record:

Moline makes motion to enter slides into record, **Rice** seconds the motion. Passed by voice vote.

Summary and request by Staff and Applicant:

Staff recommends Planning Commission move to approve Balfour Senior Living Plat/PUD Amendment: Resolution 14, Series 2016. A resolution recommending approval of a Planned Unit Development (PUD) and final plat to allow for a 54-unit assisted living community on Lots 2 and 3 of Louisville Plaza Filing 2, with the following condition:

1. Prior to the City Council hearing, the applicant shall incorporate a minimum of six mature trees into the overall landscape plan on the east and northeast side of the site. The trees will be a mix of deciduous and evergreen trees which will provide a mature landscape buffer and appropriate transition to the surrounding public open space and single family residential neighborhood.

Applicant has nothing to add.

Closed Public Hearing and discussion by Commission:

Hsu says this is a tough issue. In my mind, I have gone back and forth. I appreciate the work that has gone into the development of the design. I think it looks very nice and I think the perspective drawings show accommodation for trying to deal with the height issues, especially since the eastern part is adjusted for that. I appreciate the comments from the senior residents and the general survey results from the City that show people are in favor of more senior housing. I am particularly concerned about the lack of community outreach. While that is not one of the criteria we have before us, I think that goes to criterion #1 and the privacy criterion that we as Commissioners are trying to decide. We are making a judgment on whether or not those criteria are met. It becomes particularly tough when every single neighbor coming here today speaks out against it. I think it is often true that people are against new development coming in, and they will come to the PC meetings and speak. I think in some cases, this is a

little different. There hasn't been an outreach and there is no requirement for outreach, but it can shift the discussion and time before coming to the PC and CC. We've spent two hours already on this, going over public comment. It is extremely difficult right now. We have two balancing interests and both are fine, but taking the residents at their word, I think they want to make this work. I don't think they are saying "no" development whatsoever, which is not always the view I see from some residents about development. I think I am going to vote against this development. I think it is in the interest of the community and the interest of the developer and the residents to at least discuss this a little bit. I don't think the design is too far off what residents may be okay with; I think that people don't like surprises. People haven't had time to understand everything about it. I think that needs to be "flushed up" before PC approves.

Rice says every time we have one of these difficult circumstances where we have significant interest on both sides of the issue, it is a truism that we won't please all of the people all of the time. In those cases, I always come back to the word of balance. In this case, I think the balance tips in favor of approval of this project and there are three reasons in particular that I would assign to that conclusion that I have reached.

1. The first and the most significant one to me is if we were going to keep this at a 35' height limit in this area, the time to do that was many years ago. I think the year assigned is 1997, so we are talking 20 years ago. If Louisville as a community wanted this to be a 35' height area, that was the time to do it. We have allowed a tremendous amount of development in this very same area, right adjacent to it, at heights in excess of what is being requested through this proposal.
2. The second thing I think is important is this is not open space. This is zoned property that they have a right to develop. Albeit, they have asked for waivers here, but the idea that this can be kept as open space for the public's enjoyment, is not our role at all. This is private property zoned for development. These folks have brought a very well-conceived development plan before us.
3. The third thing I think is important is that having senior living is a really compelling need for this community. This is not only senior living; this is very well-considered senior living. I think from a community perspective is very significant.

The last thing I will say is that I agree with Mr. **Menaker** that there has to be some consideration given to a condition that would allow for an optimal result in terms of how we are going to do the landscaping. There has been a lot of discussion about "what is a mature tree" and whether we can preserve what is there. Somehow, we have to write a condition that allows some collaboration with all the interests, including the City Forester and City Landscape Architect to make sure we get this done right. I'd like to see a condition that requires there be some additional work done on that landscaping.

O'Connell says first I will say is that Balfour is a tremendous asset to the Louisville community. It seems like it is a great neighbor and is a great place to live. I look at these plans and see a really well-designed, beautiful building that will be functional as well. However, I look at the criteria and this is a tremendous balancing act. I am finding myself falling on disapproval of the height waiver. The criteria I am looking at in particular is criterion #1, the appropriate relationship to the surrounding area and criterion #6, the privacy in terms of the needs of the individuals, families, and neighborhoods. Some reference was made to the fact that in this area, most of the Balfour buildings are already over 50' high. That is true, but at the same time, they was all put in before there were residences in place. Now we are dealing with having to apply these criteria in a different environment which involves other new residential development. This strip of land where this project is proposed is, from what I see, in a buffer zone. If there is a time to transition away from the 50' tall buildings towards the residential, this is the place to do it. The CDDSG is there for a reason and those guidelines are there for a reason. It was determined to be in the best interest of the community to have those limits. I think we are up against that, the balance of making Balfour a stronger place and having a stronger community, but also looking at the CDDSG and other guidelines and asking, is this what is best for the city overall. I am leaning towards not approving the waiver, but I am open to hearing what the rest of the

Commissioners have to say. I also want to say that if we are leaning towards approving it, I agree with putting in a condition changing away from mature trees to requiring that the City Forester be involved in the process.

Moline says I think the hearing today is a pretty good example that we have a great community. There are great communities on both sides of the fence. We have some wonderful new neighbors in North End and we have a wonderful community in Balfour. I don't think we are that far apart. I think there is some room here and we will be able to find something that will work for everybody. I feel confident that we will be able to find a solution here. I heard the applicant mention that they viewed this hearing as their community meeting. If we take that perspective, we will have these kinds of serious discussions and this might be the preliminary stage of those discussions. We might not be able to come to a resolution if this is the first of those public meetings. You might want to consider some collaboration with the neighborhood before and perhaps, you could work some of these things out beforehand. If you look at this as your first public meeting, maybe you don't end up with the resolution. I also am in agreement with some of my fellow Commissioners in that I think the height here does need to be considered. I am not ready to approve the proposal here. I would consider some waiver in the future for a development that respected the neighbors. The reason I can say that is because those initial buildings in Balfour are taller in a part of town where the adjacency to residences is either minimal and doesn't exist. They back up to King Sooper's Plaza area or back up to residences on some of the earlier phases that have an open space buffer first, and then back up to residences in the North End. There is some rationale for those other portions of Balfour being taller but I am not sure that this same rationale exists for this particular facility. It backs to a little open space buffer between this new Balfour proposal and the existing North End development. There is a little slice of city open space in there. I think we might be able to please everyone in the end. I think we can come to a resolution that will work for everyone.

O'Connell says I want to address the comments about the collaboration with the community. I am in total agreement with the developers in saying that this is a proper public forum. This is your chance to be heard. There is no requirement that any developer collaborate with communities. We encourage it and it's great, and it might avoid long meetings like this. This is the opportunity and is why we have public notice and all the other rules surrounding open discussion and open forum. I don't think in any way we have any right to penalize the developer because of not communicating with the community. I think it is an eye opener to see what happens when you don't; you get an outrage. It rubs me the wrong way and it is influencing the way I feel to learn that there was no attempt to adhere to the CDDSG prior to coming here. The rules are in place and we are dealing with a completely different environment and context with this development than we were in the previous and initial Balfour developments. There should have been some attempt or something brought forward that is an attempt to adhere to those guidelines. Without that, it makes me even less inclined to approve this.

Tengler says like the rest of the Commissioners, I am pulled in both directions on this. Michael and David, I think you did an amazing job putting this project together. I think it is a terrific design and I think it is unbelievably thoughtful. The only thing I would say is that I am inclined to go along with my fellow Commissioners in terms of the height of the building near the new residential; it is the thing that troubles me the most. I am not fussed at all about the fact that there is another structure on this property over 35'. I think that bell has been rung and you can't un-ring it. I do wish there had been a little more collaboration with some of the neighbors to figure out if there was another way to address the size that you are looking for with the 55' new residences. Build it more toward the existing Balfour structures rather than the new residential. I am also cognizant of the fact that Commissioner **Pritchard** and Commissioner **Brauneis** are not here. With as much ambivalence we have about this, and what appears to be leaning toward a "no" vote, I am going to suggest one of two things to my fellow Commissioners. Either a "no" vote with some recommendations to the developer in terms of what we can do to bring this back next month or continue this. I think a "no" vote would be a more appropriate way to

push this forward, give it back to the developer, and ask that they reconsider based on some of the feedback from the neighbors. I put it back to the four of you and ask your thoughts on that.

Rice says with regard to the suggestion of a continuance, it would not allow the other two Commissioners to participate. We'd have to have a new hearing because they aren't here. It doesn't expand the base of the Commissioners who could continue it. I think we should make a motion and have a vote this evening. I would make a motion, but I know I don't have a second. I am having some trouble coming up with language for the condition with regard to the landscaping.

Zuccaro says I would say that even the way it is written now, the expectation is that they would work with Staff which includes the City Forester and the City's Landscape Architect. Simply adding that for clarification to the motion would be fine. We have struggled with that concept of what a "mature tree" is, trying to balance survivability, and having a thriving tree versus what mature is. We are trying to rely on their landscape expert and the City's landscape expert. Having that collaboration specified in the motion would be the most appropriate way.

Rice says the way the condition is now written, it speaks to the incorporation of new mature trees. I think what we are looking for is that and, in addition, working to preserve what is there.

Hsu says it seems that if we are leaning toward a "no" vote, I am not certain why we need to worry about the condition.

Rice says if I am making a motion, I want one that I will vote for.

Motion made by **Hsu** to approve **Balfour Senior Living Plat/PUD Amendment: Resolution 14, Series 2016**. A resolution recommending approval of a Planned Unit Development (PUD) and final plat to allow for a 54-unit assisted living community on Lots 2 and 3 of Louisville Plaza Filing 2. , with the following condition:

1. Prior to the City Council hearing, the applicant shall incorporate a minimum of six mature trees into the overall landscape plan on the east and northeast side of the site. The trees will be a mix of deciduous and evergreen trees which will provide a mature landscape buffer and appropriate transition to the surrounding public open space and single family residential neighborhood.

No second. Resolution dies.

Motion made by **Rice** to approve **Balfour Senior Living Plat/PUD Amendment: Resolution 14, Series 2016**. A resolution recommending approval of a Planned Unit Development (PUD) and final plat to allow for a 54-unit assisted living community on Lots 2 and 3 of Louisville Plaza Filing 2. , with the following condition:

1. Prior to the City Council hearing, the applicant shall incorporate a minimum of six mature trees into the overall landscape plan on the east and northeast side of the site. The trees will be a mix of deciduous and evergreen trees which will provide a mature landscape buffer and appropriate transition to the surrounding public open space and single family residential neighborhood; *that the applicant and the City work collaboratively to preserve as much as feasible of the existing landscaping.*

seconded by Moline. Roll call vote.

Name	Vote
Chris Pritchard	n/a
Cary Tengler	No
Ann O'Connell	No
Jeff Moline	No
Steve Brauneis	n/a
Tom Rice	Yes
David Hsu	No
Motion passed/failed:	Fail

Motion fails 4-1.

Commission directs Staff to bring forth a **Resolution of Denial** at the August 11, 2016. Motion made by **O'Connell**, seconded by **Moline**. Roll call vote.

Name	Vote
Chris Pritchard	n/a
Cary Tengler	Yes
Ann O'Connell	Yes
Jeff Moline	Yes
Steve Brauneis	n/a
Tom Rice	Yes
David Hsu	Yes
Motion passed/failed:	Pass

Motion passes 5-0.

Break from 9:00 to 9:15 pm. Reconvene.

- **McCaslin Blvd Small Area Plan:** A request to review a draft copy of the McCaslin Blvd Small Area Plan. **Continued from June 23, 2016**
 - Staff member: Scott Robinson, Planner II

Motion made by **Rice** to move the McCaslin Blvd Small Area Plan to the August 11, 2016 Planning Commission meeting seconded by **O'Connell**. Passed by voice vote.

- **824 South Street Final PUD: Resolution 18, Series 2016.** A resolution recommending approval of a Planned Unit Development (PUD) and Special Review Use (SRU) to allow for the remodel of the existing house, and outdoor sales at 824 South Street.
 - Applicant and Representative: Hartronft Associates (Erik Hartronft)
 - Owner: Ronda Grassi and Nancy Welch
 - Case Manager: Scott Robinson, Planner II

Conflict of Interest and Disclosure:

None.

Public Notice Certification:

Published in the Boulder Daily Camera on June 16, 2016. Posted in City Hall, Public Library, Recreation Center, and the Courts and Police Building and mailed to surrounding property owners and property posted on June 26, 2016.

Staff Report of Facts and Issues:

Robinson presented from Power Point:

- This project came before the Planning Commission in November 2015 and recommended denial of the initial application. The applicant has redesigned the proposal with a new design.
- Staff requests that PC look at this as a new proposal, not in comparison to the November proposal.

LOCATION

- 824 South Street, southwest corner of South Street and Main Street.
- Existing residential house on the west end of the lot, set back from Main Street.

PROPOSED SITE PLAN

- Keep existing house on west side, remove existing garage
- Build new two story commercial structure on east portion of lot
- Buildings would be up against each other on south end with a small courtyard separating them further north.



PARKING

- Proposed five parking spaces at the back of the property, included one ADA space
 - **With ADA access in ROW**
 - 11 spaces required
 - 5 spaces provided
 - 6 spaces fee-in-lieu = \$21,600
 - **With ADA access on property**
 - 11 spaces required
 - 4 spaces provided
 - 7 spaces fee-in-lieu = \$25,200

ARCHITECTURE

Northeast corner of building, broken up into different massing with commercial building, appearance of false façade facing Main Street and taller gabled structure along South Street. Building looks like smaller structures put together instead of one large structure.



MATERIALS

Siding or composite material that looks like siding compatible with Design Handbook for Downtown Louisville. Staff feels this design complies with the Design Handbook for Downtown Louisville.



East Elevation



House – North Elevation

Proposal to remove existing garage but existing house will remain.

SPECIAL REVIEW USE

- Outdoor dining or outdoor sales.
- Front portion on property along Main Street
- Portion of courtyard between the proposed new structure and existing structure, and along South Street

Five criteria that must be met in order for a Special Review Use to be approved. Staff Report lists them and finds all five criteria have been met and recommends approval of the SRU.

Staff Recommendations:

Staff recommends Planning Commission move to approve **824 South Street Final PUD: Resolution 18, Series 2016**. A resolution recommending approval of a Planned Unit Development (PUD) and Special Review Use (SRU) to allow for the remodel of the existing house, and outdoor sales at 824 South Street.

with two conditions:

1. The access area for the handicap parking space shall be moved on to the property
2. The items outlined in the Public Works memo dated June 23, 2016 shall be satisfied before recordation of the PUD.

Email entered into record:

Moline makes motion to enter email into the record, **Hsu** seconds the motion. Motion passed by voice vote.

Commission Questions of Staff:

Moline asks about parking issue and the money the applicant can contribute into the City parking fund. How does that translate into creating more parking and City parking issues?

Robinson says the money can go towards acquiring parking elsewhere in downtown which the City is actively pursuing. The property at the corner of Elma and Front has recently been paved and is public parking. Once the South Street Underpass is finished (it is under construction now with BNSF), the City has acquired land on the other side for public parking.

Rice says am I correct that there is no waiver being sought.

Robinson says no waiver is being sought; just a request to pay parking fee-in-lieu instead of providing parking.

Rice says the controversy is whether we make them pay for six or seven parking spaces. The Special Review Use is for the outdoor dining. If memory serves me right, what caused the proposal to be denied last time was the waivers being sought.

Applicant Presentation:

Eric Hartrnft, 950 Spruce Street, Suite 2A, Louisville, CO

Not all of you were here when we presented in November. As was pointed out, the last proposal looked at a 35' building, but there were three stories. The transition area of Downtown Louisville guidelines states that buildings should be no more than two stories, 35'. We are coming back with a two story building that does not exceed 35'. The area that is up to 35' is a small area for a stair tower to get to the roof. The building as you see it is lower than 35'. The gables are probably 32' to 33'.

The site is across the street from the Louisville Museum and is a different part of town than other areas that are more active. One thing about this area from a retail standpoint is that some businesses have suffered in the northern part of the 900 block because of the lack of foot traffic. How do we make downtown as vibrant as we can? Rhonda and Nancy have come forward with this site because it is a keystone piece for downtown to welcome people in. It is a gateway, not only from the Main Street traffic driving south but also from the new traffic coming through the underpass. It is at a crossroads and is an important piece.

Design Drivers

- Significant Gateway to Downtown
- Address the corner – from north Main Street and east
- Provide rich pedestrian experience
- Opportunities for outdoor dining and “hang out”
- Accommodate owner’s business
- Provide opportunity for new Main Street business
- Maintain the existing house if possible
- Relate to surrounding residential and commercial
- Respect Old Town and Downtown Design Guidelines

We have eliminated the third floor where Rhonda and Nancy wanted to live. Without the third floor, we cannot accommodate the loft. They will continue to use the residence on site as a rental property. We looked at the possibility of taking down the existing house on the property, but there are reasons to leave it. It helps to transition into the neighborhood from the site. The Historic Preservation aspect of the house is important. It is not our most historic residence in town, but it is a piece of our historic fabric. When you look at Old Town, this house fits in. It has some unique character. The owners have decided it is desirable to keep the house instead of putting more parking there.

Proposed Site Plan

The previous version had a larger courtyard between the residence and the building. Part of the feedback we had was that the building previously was pretty close to the property line on the east side, so we pushed the building back. It caused us to lose a functional courtyard, so it is now just an entryway to get to a stair and back door of the existing residence. It shifted the open space to Main Street, so now we have a lot of more space adjacent to the public sidewalk. Where the property line is, there is a porch element that comes out from the building. That is in line with the existing building to the south, and then back another 6' from that is the actual building line. We pushed the building back quite a ways from the property line.

In the previous version, you can see how much closer the building was to the property line. It did give us a really nice courtyard but again, in responding to the comments that we heard from the neighbors and neighboring business, we felt it was cutting off their visual access to Main Street. We are able to create a better site plan that will be friendlier to the neighbors by pushing that back. One of the things happening in either version is that we have eliminated a curb cut that used to come back to the garage. There is another parallel parking space that gets created on the site here. We don't get credit for this space, but it is one more space downtown. Regarding parking in the back, we try to find as many parking spaces as we can. Land in Downtown Louisville is a precious resource and we have to use it as well as we can. I am all for mixing public and private uses if we can conserve land. One of the things we have done on other properties is to actually utilize sidewalks for the loading areas for handicapped space. My mom had a stroke seven years ago and we bought one of these vans with a ramp that comes out the side. It sticks out about 3-4' and often, we will park in one of these parallel parking spaces, put the ramp out onto the sidewalk, she gets out, and then the ramp goes in. For about 2 minutes, the ramp is out and then it's gone. It works quite well functionally because we do it all the time. In terms of conserving land downtown, we felt this was a good place to do it. You have approved a similar situation on 945 Front Street, where they are also utilizing a public sidewalk for part of their loading area. To meet the ADA requirements, you need a space that is 8' wide. The ramps and platforms that come out of vans don't take that space, but that gives you room to maneuver. On 945 Front, I think it only comes about halfway out into the sidewalk. The problem here is we can't really push the parking down.

On the front, there is a space created between the property line, the public sidewalk, and the building. It is very ample for outdoor seating. We have tried to activate the public realm along the sidewalk. We think this building will be a good addition to Downtown. It doesn't take a lot of room to create activity along the edges of buildings and we think this can be another really vital place Downtown that will add to what everybody loves about Downtown now.

We talked about the architectural concept of trying to use the traditional western storefront, false front façade architecture, updated for a historic context. We have a small gable element that runs down South Street to relate to the gable roof on the house, splitting up the longer façade with another false front element with the porch. We are trying to create these things with the architecture. The guidelines talk about the type of fenestration, windows, and doors and we comply with that as well as the building form itself.

The garage is being removed so additional parking is available off the alley.

On South Street, we have almost wide enough "curb to curb" to do angled parking. We would have to widen it just a little more to get the required clearances for firetrucks. But we think it is worth looking into and perhaps some of the parking money that goes into the fund can go to angled parking. It creates quite a few new spaces Downtown if it can be done. We have noticed that the lot behind the museum seems to be under-utilized. I don't think a lot of people know it is there. Having a new building here will get utilization of our parking. If you went through

Planning's parking study, utilization is the key. Not just creating more spaces, but getting people to where the parking is and getting the parking where the people are. We think this project does that.

The only thing we'd like to ask tonight is if you could see your way to modify the condition to add the following: the access area for the handicapped parking space shall be moved onto the property *if the City determines in the future that the access area unduly restricts the public sidewalk after the project is completed and in use*. It is just about striping at that point. If we go ahead and do it the way we've planned it, we can try it out. If it becomes a problem, then we will eliminate a space, pay the fee, and move on down the road. Anytime we can get even one more parking space Downtown, we think that is a benefit. Paying the fee is not an issue; it is about having more parking spaces adjacent to this building. If we can make it work, that would be great.

Commission Questions of Applicant:

Hsu says regarding the parking spaces, are those going to be customer parking or completely open to the public?

Hartronft says the way the parking regulations work, we have this one dwelling unit on site which is the existing house. We have to provide two parking spaces for that house. Those two spaces will have to be reserved for the residents. The other three spaces are probably going to be "private" in terms of the people going to the store and the tenants in the building wanting their customers to be able to park there. They will probably put up signs as you see in some of the lots Downtown, for customer parking only.

Commission Questions of Staff:

Tengler asks about letter submitted from Emily Kean which asks about enforced 2-hour parking for both employees and customers which would require the employees to find alternate parking, but to keep parking turnover.

Robinson says it is feasible and Staff would have to look at the parking study done two years ago. Generally, my recollection is there is less parking demand in the north part of Downtown and generally more availability with angled parking on South Street east of Main Street. The museum parking lot often is not full as well. From our studies and our perspective, there is no need for enforced 2-hour parking on South Street. It is enforced on Main Street which is all 2-hour. If this becomes an issue, that is an easy change to make.

Tengler says relative to the angled parking that Eric mentioned, is that feasible and something Staff has looked at?

Robinson says it is something that Public Works has looked at. It hasn't gone forward at this point. I don't remember exactly why it hasn't happened and it may be that it is not quite wide enough to accommodate it. As demand increases, it is something that will likely be revisited.

Rice asks what Staff's response to Eric's proposed modified condition.

Robinson says our preference is still for the condition as presented in the Staff Report. If you want to go with the modified condition, I don't think it will be an undue burden. Our preference is still for moving the access onto the property.

Rice asks what the difference is with 945 Front Street?

Robinson says the space doesn't extend as far off the property and it doesn't extend onto the sidewalk so the entire width of the sidewalk is still purely sidewalk, and then there is an area of pavers between the sidewalk and the property line that is to be used for ADA access.

Rice says in that case, they are actually on the public property for their ADA access, but the difference is it isn't on the paved sidewalk.

Hsu says regarding the proposed modification, if we found there is an undue burden later on, would the applicant still be required to pay the fee afterwards?

Robinson says if we end up having to remove a space to move it on there, they would have to pay the fee at that point. The applicant said he is okay with that.

Public Comment:

Michael Menaker, 1827 Choke Cherry Drive, Louisville, CO

Very quickly on the parking. There are plans to redo the parking lot at South Street to the east when the South Street Gateway Underpass under the railroad tracks opens. That street went one way for those with short memories when we built the new library. It was a construction mitigation design issue. It was really supposed to be reversed once the library was built. We have been challenged to get that to execute. We are promised that it will go back to a two-way street with parking on both sides of the street, probably still angled, when the Gateway is done. That opens up a lot of parking because those spaces are rarely full during the day because they are not apparently assessable. There is also some consideration about redoing South Street to the west to provide more parking with angled parking, but also to put in a bike corridor that will connect to existing bikeways in the City. When you look at it all in mass, add to that the newly acquired paved parking and the recently announced acquisition by the City of Blue Parrot's parking lot which now, once again, reopens a discussion on structured parking on land that the City controls. I see no reason to be overly concerned about the parking impacts on the least busy end of Downtown corridor. I am intrigued and supportive of the outdoor dining which I think will provide a restaurant anchor and allow traffic to flow. Compared to where this project was before, this new design answers many of the concerns this Commission had. Even in its previous incarnation, I am reminded there was tremendous support from the neighbors and business community. The Chamber was here in force and other business owners up and down the street were here in force. Eric did this to answer the height modifications in that dwelling unit on the top. I see no reason for you to not approve this unanimously.

Summary and request by Staff and Applicant:

Staff recommends Planning Commission move to approve 824 South Street Final PUD: Resolution 18, Series 2016. A resolution recommending approval of a Planned Unit Development (PUD) and Special Review Use (SRU) to allow for the remodel of the existing house, and outdoor sales at 824 South Street.

with two conditions:

1. The access area for the handicap parking space shall be moved on to the property
2. The items outlined in the Public Works memo dated June 23, 2016 shall be satisfied before recordation of the PUD.

Applicant has nothing to add.

Closed Public Hearing and discussion by Commission:

Rice says the only issue in my mind is how we deal with the handicapped parking spot. I have listened to both sides of the discussion and I find both of them to have merit and I haven't decided which way to go.

Hsu says I agree with what Tom said. That area, I agree, is easier to park on. It is on the north side and usually, you can find parking pretty easily a block or so away. I don't know which way that swings the consideration, whether having more parking available means that we should move the handicapped space. We could take away one parking space as one way to read it. If this becomes a more thriving part of Downtown, then maybe we do need more parking in that area.

O'Connell says because I am not sure, I am in favor of the way Eric proposes it. If it turns out to be a nightmare, then we can always come back and make them change it.

Moline says I agree with Ann on this. I am compelled by the things Eric mentioned. I think it is great to have a space that can have some dual uses, be it sidewalk but also be used for ADA access when that occasionally happens. It seems like a great way to get another parking space right Downtown where people are going to want it. I am in support of the applicant's proposed modified condition. I think the building will be a great asset to Main Street. I think you have done a wonderful job.

Tengler says I am excited about it. We are all in agreement that this is a good project. I applaud the effort of Eric. I feel a lot better about this project because I was one who really felt like it was too much. It was more of a barrier than a gateway. I like what you have done, pushing it off the sidewalk and maintaining the outdoor dining. I appreciate the work you have done to bring this back. I'd like to go with the amendment to the condition that Eric has proposed.

Motion made by **O'Connell** to approve **824 South St Final PUD: Resolution 18, Series 2016**. A solution recommending approval of a Planned Unit Development (PUD) and Special Review Use (SRU) to allow for the remodel of the existing house, and outdoor sales at 824 South Street with two conditions, #1 being modified:

1. The access area for the handicap parking space shall be moved on to the property *if the City determines in the future that the access area unduly restricts the public sidewalk after the project is completed and in use.*
2. The items outlined in the Public Works memo dated June 23, 2016 shall be satisfied before recordation of the PUD.

Seconded by **Rice**. Roll call vote.

Name	Vote
Chris Pritchard	n/a
Cary Tengler	Yes
Ann O'Connell	Yes
Jeff Moline	Yes
Steve Brauneis	n/a
Tom Rice	Yes
David Hsu	Yes
Motion passed/failed:	Pass

Motion passes 6-0.

Planning Commission Comments: None.

Staff Comments:

Next month, we will have the two items that were continued tonight, Balfour Resolution of Denial and McCaslin Blvd Small Area Plan. Centennial Pavilions has been pushed to September.

Items Tentatively Scheduled for the regular meeting: August 11, 2016

- **Delo Lofts Final Plat/PUD/SRU:** A request for a final Plat and planned unit development (PUD) and special review use (SRU) to allow for eight live/work units and 33 apartment units in the Hwy 42 Revitalization Area.
 - Applicant: Delo East, LLC (Justin McClure)
 - Owner: Boom, LLC (Elizabeth Law-Evans)
 - Representative: RMCS, Inc (Justin McClure)
 - Case Manager: Scott Robinson, Planner II
- **Centennial Pavilions Final Plat:** A request for a re-plat of Centennial Pavilions Filing No. 1 to create three separate legal lots. September
 - Applicant and Representative: NexGen Properties (Sean Sjodin)
 - Owner: NexGen Properties, Walorado Partners LLC, Centennial Pavilion Lofts Owner's Association
 - Case Manager: Lauren Trice, Planner I
- **RUPES PUD:** A request for a Planned Unit Development for 30,000 SF office and manufacturing building.
 - Applicant and Representative: Rupes USA (Don Blake)
 - Owner: George Cavanaugh
 - Case Manager: Scott Robinson, Planner II

Adjourn:

Moline made motion to adjourn, **O'Connell** seconded. **Tengler** adjourned meeting at 9:53 P.M.

Planning Commission Meeting Minutes

**August 11, 2016
City Hall, Council Chambers
749 Main Street
6:30 PM**

Call to Order – Pritchard called the meeting to order at 6:28 PM.

Roll Call was taken and the following members were present:

Commission Members Present: Chris Pritchard, Chair
Ann O’Connell, Secretary
Steve Brauneis
David Hsu
Tom Rice

Commission Members Absent: Jeff Moline

Staff Members Present: Rob Zuccaro, Dir. of Planning and Building Safety
Scott Robinson, Planner II
Susie Bye, Minutes Secretary

Approval of Agenda:

Brauneis moved and **Rice** seconded a motion to approve the August 11, 2016 agenda. Motion passed by voice vote.

Approval of Minutes:

No quorum of Commission members from previous meeting so July 14, 2016 minutes not approved. **Continued to September 8, 2016 meeting.**

Public Comments: Items not on the Agenda

None.

Regular Business:

- **RUPES PUD: Resolution No. 19, Series 2016.** A resolution recommending approval of a final planned unit development (PUD) to construct a 30,000 square foot industrial/manufacturing building with associated site improvements on Lots 11 & 12, Block 3, CTC Filing 1.
 - Applicant and Representative: Rupes USA (Don Blake)
 - Owner: George Cavanaugh
 - Case Manager: Scott Robinson, Planner II

Conflict of Interest and Disclosure:

None.

Public Notice Certification:

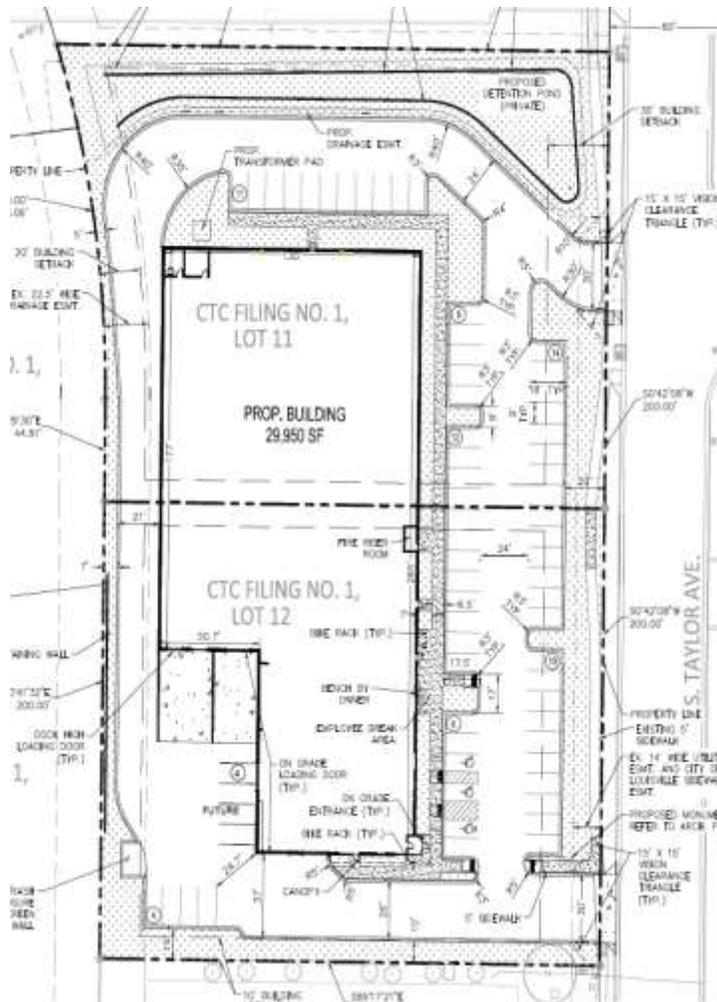
Published in the Boulder Daily Camera on July 24, 2016. Posted in City Hall, Public Library, Recreation Center, and the Courts and Police Building and mailed to surrounding property owners and property posted on July 22, 2016.

Staff Report of Facts and Issues:

Robinson presented from Power Point:

LOCATION

- Located on Taylor Avenue at the intersection of Boxelder Street in the CTC
- Property zoned Industrial (I)
- Required to follow the IDDSG
- 25% landscape coverage, minimum required in the IDDSG
- Two access points off Taylor. North access will line up with Boxelder intersection. South access leads to Taylor Street.
- Main entrance at southeast corner with sidewalk access



PARKING

- 68 parking spaces required under IDDSG
- 64 parking spaces provided
- 4 deferred parking spaces in back; will block off a portion of the loading dock
- Given proposed use and applicant's projected employee counts, the 64 spaces should be adequate to provide for the intended use. If, in the future, the use of the building changes, Staff will re-evaluate the parking.

ARCHITECTURE

- Approximately 34' tall, less than the 40' maximum height allowed in IDDSG
- Tilt-up concrete and board-formed concrete
- Variation of materials and articulation in height and setback

- Meets design requirements of the IDDSG

SIGNS

- No signs requested but future signage must comply with IDDSG

Staff Recommendations:

Staff recommends Planning Commission move to approve **RUPES PUD: Resolution No. 19, Series 2016**. A resolution recommending approval of a final planned unit development (PUD) to construct a 30,000 square foot industrial/ manufacturing building with associated site improvements on Lots 11 & 12, Block 3, CTC Filing 1.

Commission Questions of Staff:

None.

Applicant Presentation:

Casey Adragna, Intergroup Architects, 2000 W. Littleton Blvd, Littleton, CO

Rupes is an Italian company out of Milan, Italy. This is a 30,000 sf manufacturing office with 10,000 sf of office. They want to put an emphasis on design and not look like an empty box. It was nice working with Rupes to try and create a pleasing atmosphere to the exterior and for their employees.

Steve Hartel, Rupes USA, Director of Manufacturing

Italian manufacturer of small detail equipment such as car polishers, aircraft polishers, etc. They were founded in 1947 and are privately held. They purchased Cyclo Toolmakers, Inc. in 2015 which was a Colorado-based manufacturer of detail equipment founded in 1953. Now jointly, we are manufacturing both types of polishers and plan doing it here in Louisville.

Commission Questions of Applicant:

None.

Public Comment:

None.

Summary and request by Staff and Applicant:

Staff recommends approval.

Closed Public Hearing and discussion by Commission:

Hsu says this is straightforward and there are no waivers other than deferred parking. The building looks nice. Thank you for complying with all guidelines because it makes our job easier. I am voting in favor.

Brauneis in favor. **O'Connell** in favor.

Rice says it makes it really easy when the applicant meets all of the design guidelines we have created. There is no substantive waiver being sought. I want comment about the robust pace of development in the CTC. I think it is fantastic.

Motion made by **O'Connell** to approve **RUPES PUD: Resolution No. 19, Series 2016**. A resolution recommending approval of a final planned unit development (PUD) to construct a 30,000 square foot industrial/ manufacturing building with associated site improvements on Lots 11 & 12, Block 3, CTC Filing 1, seconded by **Brauneis**. Roll call vote.

Name	Vote
Chris Pritchard	Yes
Ann O'Connell	Yes
Jeff Moline	n/a
Steve Brauneis	Yes
Tom Rice	Yes

David Hsu	Yes
Motion passed/failed:	Pass

Motion passes 5-0.

- **Balfour Senior Living Plat/PUD Amendment: Resolution 14, Series 2016.** A resolution recommending disapproval of a planned unit development (PUD) and final plat to allow the construction of a 54-unit assisted living community on Lots 2 and 3 of Louisville Plaza Filing No. 2, located at 1800 and 1870 Plaza Drive.
 - Applicant, Owner, and Representative: Balfour Senior Living (Hunter MacLeod)
 - Case Manager: Lauren Trice, Planner I

No Commission quorum present from July 14, 2016 meeting. **Resolution of Denial continued to September 8, 2016 meeting.**

- **McCaslin Blvd Small Area Plan: Resolution 17, Series 2016.** A resolution recommending approval of the McCaslin Blvd Small Area Plan.
 - Staff Member: Scott Robinson, Planner II

Emails entered into the record:

Rice makes motion to enter emails into the record, seconded by **Hsu**. Motion passed by voice vote.

Staff Report of Facts and Issues:

Zuccaro presents from Power Point:

Good evening, Mr. Chairman, and members of the Planning Commission. I am Robert Zuccaro with the Planning Department for the City. Before Scott Robinson makes the presentation, I wanted to provide a background and context for this review. As you know, this is the continuance of the initial review from June and I probably should have made this introduction back then. I do want to go back a little bit and talk about background and context for how this plan was developed. I will try to keep it brief but I think it is important to define this. Some minor changes have been made since June as well, and Scott will go over those.

The idea of creating the Small Area Plan comes from the City Comprehensive Plan that was updated in 2013. That plan called for the creation of these small area plans and neighborhood plans to provide more specific recommendations for areas of the City that needed a deeper review, vision, and definition of what the City's goals were. The McCaslin Blvd area that you see up on the slide is one of those areas identified. This is, in effect, an extension of that Comp Plan effort; to take a more detailed look at a very important area of the City.

The Small Area Plan has a 20 year time horizon. It is intended to provide a vision and policy direction for how this area should be maintained and developed over this time. It is intended to define how the area should feel and function, insure it continues to be a desirable commercial core for the City, and continue to make significant contributions to the economic sustainability of the City. It is also important to recognize that this is not a regulatory document; this is a policy document that provides policy guidance to the City. There is a lot of follow-up that needs to take place in order to implement this plan once it is approved. It defines both public and private improvements in the area. In reality, what this can lead to are changes to the municipal code, zoning, and the creation of design regulations. These are all the types of things that are called for from the plan. It also provides guidance for City Capital Improvement Expenditures in the short, medium, and long term. These are in the plan as well and this is just guidance. Every year, Staff works with the City Manager and City Council on refining these priorities. It helps to provide guidance to developers and Staff working with developers on both private and public infrastructure that comes out of these developments and development reviews you see on a

regular basis. It also helps the City apply for grant funding and provides the context for regional planning. Despite the 20 year horizon of the analysis in the plan, it is only intended to reflect the community's current desires but with an eye to the future. It is a living document and needs to be reviewed, reconsidered, and updated on a regular basis. Even though this has been a process going on for several years, it is ongoing vision. We are trying to encapsulate the community's current vision and desires for the City. This may be different five years from now and we need to look at this on a regular basis as we move forward once a plan does get adopted. I did want to go over the vision, core values, and core principles that the Comp Plan and the Small Area Plan are based on. It is important to provide the context for what you are reviewing tonight.

Vision Statement

Established in 1878, the City of Louisville is an inclusive, family-friendly community that manages its continued growth by blending a forward-thinking outlook with a small-town atmosphere which engages its citizenry and provides a walkable community form that enables social interaction. The City strives to preserve and enhance the high quality of life it offers to those who live, work, and spend time in the community. Louisville retains connections to the City's modest mining and agricultural beginnings while continuing to transform into one of the most livable, innovative, and economically diverse communities in the United States. The structure and operation of the City will ensure an open and responsive government which integrates regional cooperation and citizen volunteerism with a broad range of high-quality and cost-effective services.

Everything in this Plan should be a reflection of this vision. Out of the Comp Plan, there were also fourteen Core Community Values. Here are some of the values I wish to highlight.

Core Community Values

The following Core Community Values are the foundation upon which the City of Louisville will make decisions and achieve the Community's vision.

We Value...

A Sense of Community . . . where residents, property owners, business owners, and visitors feel a connection to Louisville and to each other, and where the City's character, physical form and accessible government contribute to a citizenry that is actively involved in the decision-making process to meet their individual and collective needs.

Our Livable Small Town Feel . . . where the City's size, scale, and land use mixture and government's high-quality customer service encourage personal and commercial interactions.

[How is the community designed? Is the government friendly and accessible?](#)

A Healthy, Vibrant, and Sustainable Economy . . . where the City understands and appreciates the trust our residents, property owners, and business owners place in it when they invest in Louisville, and where the City is committed to a strong and supportive business climate which fosters a healthy and vibrant local and regional economy for today and for the future.

[Is this a place supportive of business investments? These are things we are trying to accomplish with the Comp Plan and Small Area Plan.](#)

A Connection to the City's Heritage . . . where the City recognizes, values, and encourages the promotion and preservation of our history and cultural heritage, particularly our mining and agricultural past.

Sustainable Practices for the Economy, Community, and the Environment . . . where we challenge our government, residents, property owners, and our business owners to be innovative with sustainable practices so the needs of today are met without compromising the needs of future generations.

Unique Commercial Areas and Distinctive Neighborhoods . . . where the City is committed to recognizing the diversity of Louisville's commercial areas and neighborhoods by establishing customized policies and tools to ensure that each maintains its individual character, economic vitality, and livable structure.

A Balanced Transportation System . . . where the City desires to make motorists, transit customers, bicyclists and pedestrians of all ages and abilities partners in mobility, and where the City intends to create and maintain a multimodal transportation system to ensure that each user can move in ways that contribute to the economic prosperity, public health, and exceptional quality of life in the City.

[Are we providing mobility for all ages and abilities and modes of transportation?](#)

Families and Individuals . . . where the City accommodates the needs of all individuals in all stages of life through our parks, trails, and roadway design, our City services, and City regulations to ensure they provide an environment which accommodates individual mobility needs, quality of life goals, and housing options.

Integrated Open Space and Trail Networks . . . where the City appreciates, manages and preserves the natural environment for community benefit, including its ecological diversity, its outstanding views, clear-cut boundaries, and the interconnected, integrated trail network which makes all parts of the City accessible.

Are we creating connections and improving mobility and access?

Safe Neighborhoods . . . where the City ensures our policies and actions maintain safe, thriving and livable neighborhoods so residents of all ages experience a strong sense of community and personal security.

Ecological Diversity . . . where the City, through its management of parks and open space and its development and landscape regulations, promotes biodiversity by ensuring a healthy and resilient natural environment, robust plant life and diverse habitats.

Excellence in Education and Lifelong learning . . . where the City allocates the appropriate resources to our library services and cultural assets and where the City actively participates with our regional partners to foster the region's educational excellence and create a culture of lifelong learning within the City and Boulder County.

Civic Participation and Volunteerism . . . where the City engages, empowers, and encourages its citizens to think creatively, to volunteer and to participate in community discussions and decisions through open dialogue, respectful discussions, and responsive action.

Open, Efficient and Fiscally Responsible Government . . . where the City government is approachable, transparent, and ethical, and our management of fiscal resources is accountable, trustworthy, and prudent.

As we move into the Small Area Plan process, all of the Vision and Core Values were analyzed. There was extensive public input in the public process with the Comp Plan. We included that with the Small Area Plan and the purpose of that is defining the Vision as it relates to the McCaslin Blvd Small Area Plan context. The Vision and those Core Values were translated into some very important principles rather than Core Values, but they are functioning much in the same way. On page 15 of the plan, there is a section that states "what needs improvement." Based on the Vision and Core Values of the Comp Plan, what needs improvement in this area?

What Needs Most Improvement:

- Sense of Community
- Sustainability – Economy/Community/Environment
- Unique Commercial Areas/Distinctive Neighborhoods

What came out of the public process was a sense of community and sustainability. Sustainability means economic community and environmental sustainability. These are all connected concepts. You can't have one without the other; a unique commercial area with distinctive neighborhoods. These were the things that, through the public input process, were determined to need improvement for the McCaslin Blvd area. This led into the Principles for the plan. These needs and principles were reviewed by the PC and CC and it has been about one year since that happened. This was an important check-in during the planning process to make sure we were going in the right direction.

Six Principles

- Development to Meet Fiscal and Economic Goals
- Encourage Desired Uses/Facilitate Redevelopment of Vacant Buildings
- Improve Connectivity and Accessibility
- Enhance Bicycle and Pedestrian Connections
- Create Public and Private Gathering Spaces
- Create Design Regulations that Reflect Community Vision and Promote Creative Design

These are the principles this plan is based on. As you are reviewing the plan this evening, my recommendation is to keep the Vision, the Core Values of the Comp Plan, the Needs, and the Principles of the Small Area Plan in mind. We can ask ourselves, are we achieving what the Vision, Core Values, Needs, and Principles outlined through the planned elements? This evening, Staff is looking for community input and feedback from the Commission on the content on this draft plan with the idea of ultimately recommending a version of this plan to City Council. Some areas of the plan likely still need discussion and final direction before moving on to City

Council. We are looking forward to having that conversation this evening with the Commission and the public.

Hsu says I have a question about how this is implemented. If CC passes the Small Area Plan basically the way it is, can you chart out what that means to the community, the Planning Department, and the City in the next six months to a year?

Zuccaro says at the end of the plan, there is an implementation table that points out the time frame for these items. Some of the short term items would be looking at new ordinances and regulations for the area to reflect the land use plan and creation of design guidelines. There is also some infrastructure that would come in the early stages and recommended as Capital Improvements.

Robinson presents from Power Point.

Here is a quick recap of what was presented at the June 23, 2016 meeting. The Small Area Plan came out of the Comprehensive Plan and is intended to guide development in the corridor.

Study Area



1. Defines desired land uses for the corridor;
2. Establishes preferred physical character (design guidelines);
3. Outlines public infrastructure priorities

You will see some renderings in this presentation which are not specifically proposed. This is not something the City is going to build. This is to give an idea of, if and when the property owners decide they want to redevelop these properties, what these design guidelines would call for and what it would look like. The City is not planning on tearing down any businesses or rebuilding anything.

Project Schedule

- February 2015 – Kick-off Meeting
- August 2015 – Walkability Audit/Placemaking Workshop #1
- November 2015 – Placemaking Workshop #2
- February 2016 – Placemaking Workshop #3

- Three Development scenarios
- Urban design elements
- Roadway improvements

Plan Outline

- Introduction
- Process
- Context Principles
- The Plan
- Implementation

We will focus on the Plan Section.

Community Design Principles

- Improve McCaslin
 - Safer and more pleasant street to use for all
 - Clear distinction between street and driveways
 - Buildings that face the street and are accessible from the sidewalk
- Connect residents to amenities
 - Safer and simpler east/west connections
 - Improvements to Cherry/Centennial and Century Drive
 - Additional green fingers connecting to Davidson Mesa
- Smaller Blocks
 - Facilitate incremental development with smaller blocks
 - Create transportation options with additional street
 - Eliminate confusion between driveways and roads

Development Types

- Edge – Similar to what is in Centennial Valley Office Park currently. Larger developments with a focus on more natural landscaping creating clusters of development with open spaces in between.
- Corridor – Similar to standard suburban development.
- Center – Closer to the interchange and transit stop. Higher density, more walkable and more pedestrian friendly. More mix of uses between office and retail and allowing residential.

Placemaking Concepts

- Center
 - Creating gateway park
 - Allowing views into the site instead of consistent street wall
 - Smaller Blocks
- Corridor
 - Active Edge
 - Views into the site
 - Core retail street
 - Internal gathering spaces
- Edge
 - Cluster buildings
 - Green fingers

Urban Design Plan



- Blue: Office in Centennial Valley
- Red: General commercial, allowing both retail and office along McCaslin
- Orange: Retail/Office/Residential
 Parcel O, Sam's Club site
 Centennial Valley Center

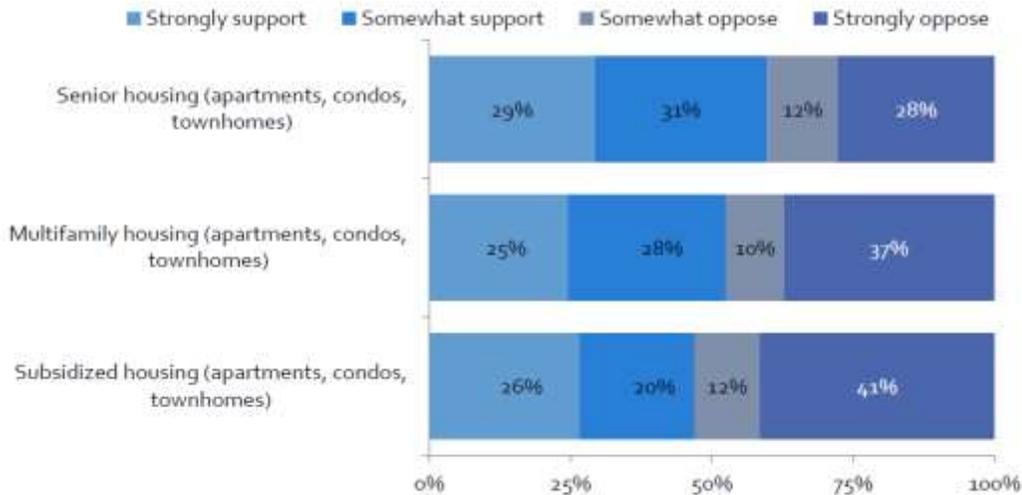
Even if Orange is approved and if and when the property owner wants to redevelop, it would go through a re-zoning process. The City will not come in and evict these businesses, and then build apartments. This is also only allowing this through Special Review Use (SRU). It must be appropriate for the site.

At the last meeting, the PC asked for results from the city-wide Community Survey done every four years. There were two questions asked about residential in the McCaslin Blvd area. It asked about three types of residential housing – senior housing, multifamily housing, and low-income housing. While there is support for all three types, there are also quite a few people who strongly oppose all three types. It is something we have seen throughout the plan process; the divided opinion on whether to allow residential, what type of residential, where to allow it, and if it is allowed in the corridor. If residential is to be allowed in the McCaslin area, should it be adjacent to existing residential development. In the draft plan, it allows residential through re-zoning and SRU, but only adjacent to the existing residential. It does not allow it in the Colony Square area. If PC and CC want to see it there, Staff can re-evaluate it. Staff wanted to present a draft that is consistent with the adopted Comp Plan and the direction received three years ago when it was adopted.

Parcel O, the former Sam's Club Area

Figure 24: Level of Support for Housing Options for Former Sam's Club Area

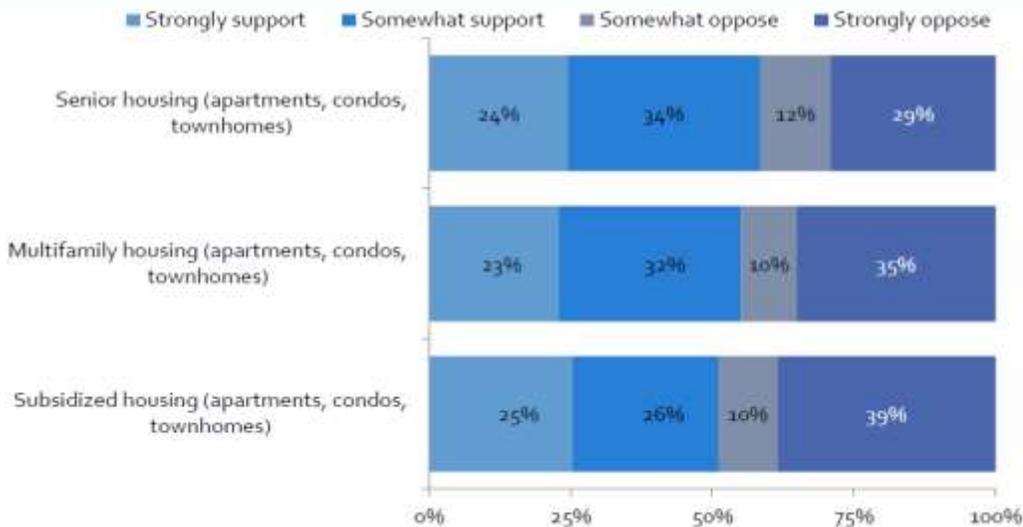
Most of the land zoned for residential uses in Louisville has been built out. In the former Sam's Club shopping area residential development is currently not allowed. If this area was to redevelop with retail and offices, to what extent would you support or oppose including any of the following types of housing?



US 36/ McCaslin area/ Colony Square/ Movie Theater/ BRT Station

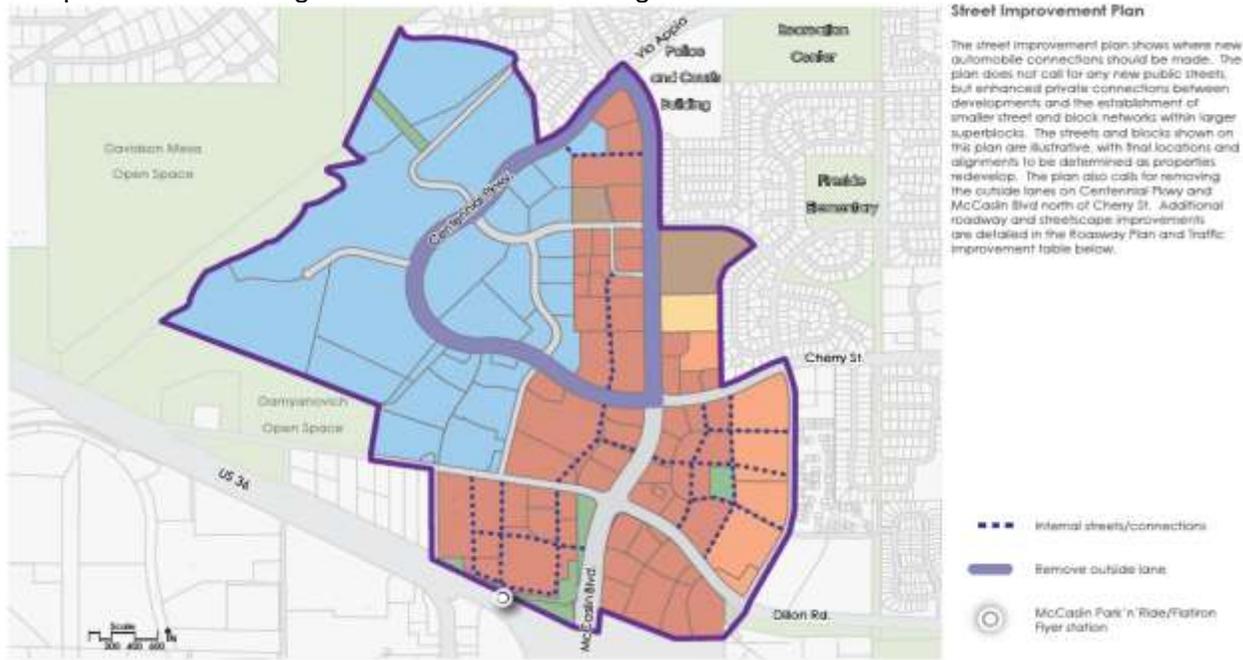
Figure 25: Level of Support for Housing Options for US36/McCaslin Area

In the area near the US36/McCaslin transit/bus station residential development is currently not allowed. If this area was to redevelop with retail and offices, to what extent would you support or oppose including any of the following types of housing?



Street Improvement Plan

The plan has not changed since the June meeting.

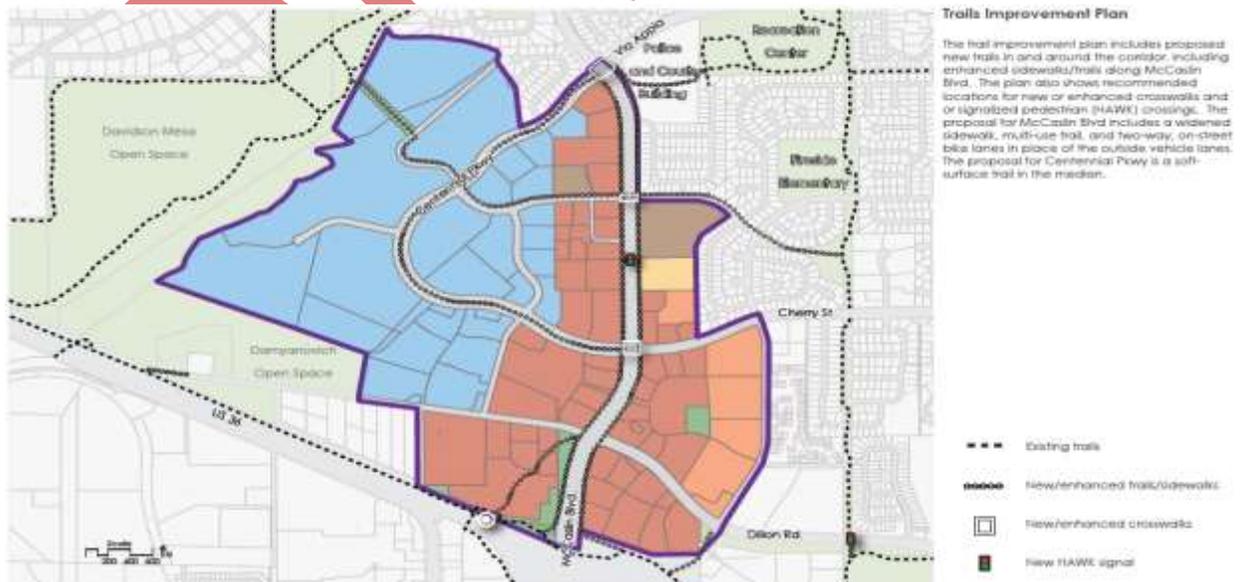


Trails Improvement Plan

The only change is when Staff met the Open Space Advisory Board (OSAB), they requested a trail across the Police Department property connecting to the existing trails on the Recreation Center property to the intersection at Via Appia and McCaslin. We met with Parks and Public Landscaping Advisory Board (PPLAB) and their request was, if new parks are added such as at Sam's Club site or new trailhead in Centennial Valley, to insure they are well connected to either new or existing trails.

Advisory Boards

- PPLAB: Ensure any new parks are well connected to trails and other parks
- OSAB: Include trail connection through Police property



Roadway Improvement Plan

The plan has not changed since the June meeting.



Building Height Plan

This is the biggest change you will see since the June meeting. The lighter purple would allow up to three stories, which is what current zoning allows. Based on public input we have received, we would like to see a maximum to two stories along McCaslin so we don't get the "canyon" feel or create an enclosed space along McCaslin. Staff wants to create residential protection standards which are already in the Plan, but we want to make it more explicit and include it in the graphic. The darker purple along the adjacent residential allows a maximum of two stories to minimize any impacts on the current residents and property owners.



Urban Design Elements – Center

Renderings have not changed since the June meeting. There is nothing stopping property owners from re-developing now. They would go through the PUD process. The current zoning allows three stories. In reducing some of the allowed height within the corridor, we are reducing the total amount of allowed development. We are not looking to make anybody re-develop at this point.

COLONY SQUARE



PARCEL O (FORMER SAM'S CLUB SITE)



Urban design elements – Corridor
CENTURY DRIVE



Centennial Pavilions Concept Illustrative
 Corridor Development Type

- Introduction of new roads creates smaller blocks
- Development faces out onto primary and secondary streets
- 1-3 story buildings along McCosh
- Not a consistent street wall
- Sidewalk, trail, and bike lane



- Up to 3 stories within the development
- Mix of hard and soft landscaping
- A variety of building styles
- 10-20 foot setbacks
- Well-landscaped parking lots
- Views into the development

CENTENNIAL VALLEY



Centennial Valley Concept Illustrative
 Edge Development Type

- Smaller, clustered office buildings preserve open space and access to Davidson mesa
- Larger setbacks
- Natural landscaping
- Buildings up to 3 stories



- Trails connect to open space
- Office grows from office
- Mix of sidewalks and trails

FISCAL IMPACT

Existing Development in Study Area		
Retail	897,781	Square feet
Office	1,769,692	Square feet
Residential	277	Units
Employees	7,993	People
Residents	333	People

Projected 20 year Increase over Existing		
Retail	296,308	Square feet
Office	2,223,745	Square feet
Residential	391	Units
Employees	8,923	People
Residents	539	People

20 Year Cumulative Fiscal Impact	
<i>Revenue by Fund</i>	
General Fund	\$49,520,000
Urban Revitalization District Fund	\$0
Open Space & Parks Fund	\$5,584,000
Lottery Fund	\$0
Historic Preservation Fund	\$2,112,000
Capital Projects Fund	\$17,761,000
TOTAL REVENUE	\$74,978,000
<i>Expenditures by Fund</i>	
General Fund	\$35,870,000
Urban Revitalization District Fund	\$0
Open Space & Parks Fund	\$626,000
Lottery Fund	\$0
Historic Preservation Fund	\$0
Capital Projects Fund	\$31,812,000
TOTAL EXPENDITURES	\$68,308,000
<i>Net Fiscal Result by Fund</i>	
General Fund	\$13,650,000
Urban Revitalization District Fund	\$0
Open Space & Parks Fund	\$4,959,000
Lottery Fund	\$0
Historic Preservation Fund	\$2,112,000
Capital Projects Fund	(\$14,051,000)
NET FISCAL IMPACT	\$6,670,000

ANALYSIS FROM BOULDER VALLEY SCHOOL DISTRICT

Staff received a letter from Glen Segrue with BVSD dated July 22, 2016. They say they can accommodate projected development in the McCaslin corridor. They are seeing significant growth from Superior at Monarch High School, but they believe they can accommodate that and any development in Louisville through restricting open enrollment.

“Fireside has virtually no new housing potential and could easily absorb these new students. Monarch K-8 and Monarch High... are going to see significant growth in the next few years from Superior, they can both likely accommodate these students by restricting the number of new open enrollment students from outside their attendance area.”

IMPLEMENTATION

- Draft and adopt design standards and guidelines
- Timeline
- Cost estimates given in ranges

Commission Questions of Staff:

Rice says I have three areas I want to ask about. The first has to do with the residential development mostly on the southeast corner of the study area. The second thing has to do with the transit plaza, and then the third, I want to revisit the fiscal analysis again. If we go to page 23 of the Plan, what we see is this residential area on the southeast corner. It is designated as retail/office/residential. Is this what we would typically refer to as mixed use development?

Robinson says it would allow for mixed use. If the property owners want to keep it commercial, retail, or office, they would be allowed to do that. It would be allowed as use by right. If they want to redevelop, they would have to go through the PUD process like any commercial development, but they would not have to have a special request for the use of retail or office. If they wanted to do residential, it would require rezoning which does not allow residential. The proposal would require another process, an SRU, which goes through PC and CC.

Rice says if we look at some of the emails received from citizens tonight, people are critical of the use of the SRU as a means to rezone. I want to make sure I understand that. What we are saying is that if somebody did want to build residential on the property that is designated retail/office/residential, they would first have to go through the rezoning process. After that, they would still have to go through the SRU process. There are no short cuts there. Can you tell me anyplace in Louisville where we have retail/office/residential development that is working?

Robinson says it can be done a few different ways. When people here say mixed-use, they think of residential over retail. We have the eye doctor and hair salon on south Main Street that has condos above those businesses. That is our only example and it is in downtown. Another form of mixed use is residential next to retail such as the Alfalfa's development, which we consider mixed use because they are all on the same property. It has apartments about to open.

Rice says here is my concern. I've seen this pattern develop in that we have this concept of mixed use, and then people come back and say, we can't make the commercial work so we'd like to double up on the residential. I take a very dim view of that. To review the numbers, what I understand is that according to the plan as it currently exists, we are talking about 391 additional residential units possible, but not saying we will have that many. That is the outside limit and it is over a period of 20 years.

Robinson says that is a projection. It is how many could be built under the maximum allowed density in the projected lifespan of the plan and at projected build-out.

Rice says that 391 units translates into 539 new residents over a 20 year period. **Robinson** says based on average occupancy rates in the City.

Rice asks about the transit plaza near the Colony Square. This BRT area is part of our Principles in the Comp Plan; to enhance the use of mass transit as part of the Plan. We have a new transit plaza with new office workers in the new office buildings who will use it to arrive and

leave from work. Where in our plan do we discuss how we are going to implement any of this? How do we get people from the transit plaza to the offices?

Robinson says we are looking at improving the bicycle and pedestrian connectivity in the area, and creating smaller blocks that are easier to walk throughout. We also have the first and final mile plan done in conjunction with US 36 Commuting Solutions and other communities in the corridor. It had some suggestions on getting people to and from that transit stop. One of the things we have looked at is a bike share in conjunction with other communities.

Rice says some of these new offices might be built in the northern part of Centennial Valley. That is not a walkable thing for most people. How do we get people there? Shouldn't that be part of the plan if it is a key element of what we are doing here in a Principle? Shouldn't we be looking at how the plan envisions moving those people from the transit plaza to their offices?

Robinson says there is the RTD 228 bus service which runs up and down McCaslin and serves the transit stops. As we get increased density and we get more office workers and more people using the bus, we can look at increasing service on the 228 for more frequency. That is the best option for getting service further north.

Rice says regarding the fiscal analysis on page 33, it looks like we are talking about adding roughly 300,000 sf of additional retail over the 20 year period. The office space will be more than doubled. In those offices, we will add nearly 9,000 new employees. I understand these are projections, but then we build a fiscal analysis off those projected numbers. What we end up with is a net fiscal impact of just short of \$7 million positive over the 20 year period. How can we more than double the office space at 300,000 sf of retail, bring in 9,000 new employees, and only have something to the order of \$300,000 per year positive fiscal impact?

Robinson says a lot of this is driven by the way office development is treated in the model, which we are re-evaluating with the finance committee currently. The model looks at revenue coming from two sources, square footage of retail space and the number of residents and how much they spend. The model does not capture office worker spending directly through office workers. It is captured through additional retail square footage. Currently, the area is little over-retailed, so some of the new office would be filling up existing retail, and providing demand for the additional 300,000 sf.

Rice says can the fiscal model be amended to try and capture that. I presume this net fiscal impact is going to increase and be more positive. Dollars spent by these office workers has real value if they are not residents. We are not providing services.

Robinson says the model is set up to assume they do use some City services such as parks and open space at lunch or after work. There is some cost attributed to new office workers but not nearly to the extent of a resident.

O'Connell says when we looked at the community input on new residential, the only area where there was a majority of approval was for senior housing. Where in the plan do we deal with senior housing? At what point in the residential rezones of the SRU process would that come up to accommodate seniors?

Robinson says currently, there is nothing in the plan specific to limit housing to seniors. It could be addressed through the rezoning and SRU criteria. If they are rezoned to allow residential, there could be conditions placed to allow for senior housing. This is one source of input and it showed strong support for senior housing. We have heard a strong desire for first-time homebuyers or young families struggling to find housing in Louisville. We are not meeting the demand for lower income housing.

O'Connell says if we want to fine tune the type of residential, it would come up during the re-zoning portion.

Zuccaro says that is the mechanism for doing it. If there is a desire to have a policy to promote that, this is a good time to add that into the plan. It can turn into a guideline or a regulation that Staff would then implement with those re-zonings and SRUs. It is hard for the City to request or require an amount of certain types of housing. There is no policy to support it.

Brauneis says regarding the Building Height Plan, ultimately I think it is a good neighbor policy to try and restrict some of this along the adjacent existing residential. What type of impact would

it have on the properties? They are currently zoned for three stories and that has the potential to upset some existing property owners.

Robinson says the plan is reducing the allowed height in some places. It is within the City's power to set zoning and design guidelines. The property owners have been involved in this planning process throughout. There is little three story development out there now and we have not seen a strong demand for three story development. This does not totally eliminate the possibility of three stories in the corridor, but it does create a better transition to residential neighborhoods which is a good community value. It would make a more successful development if and when they redevelop.

Hsu says many of the comments from citizens are basically about "small town character" and making the McCaslin area an urban corridor rather than suburban or "small town". Can you speak broadly about what the plan is or is not?

Robinson says as Rob went over the broad policies and the Comp Plan which laid out the 14 Core Community Values. At the first public meeting, we had everyone look at them and identify the ones where they felt the community was lacking and how we could change that. One that received the most votes was the lack of "small town feel" and character in the McCaslin area. What that seemed to mean to people was creating friendlier development, more pedestrian friendly, more bike friendly, and creating some community gathering spaces in the area. Right now, it feels like McCaslin is someplace you go to shop or grab lunch or see a movie, but not somewhere you walk around and spend time and meet people. While we are not trying to recreate Downtown, we want to create something uniquely Louisville that had those same kinds of characteristics. With the Design Guidelines, we are trying to create a more pedestrian friendly feel, make better connections across McCaslin and throughout the corridor, and make it easier to get to, easier get around, and easier to spend time.

Hsu says the Plan tries to limit building heights to two stories. Can you speak about what limits the density of the building as far as area?

Robinson says we will get into that in the design guidelines. Currently, we limit how much can be built through landscape coverage requirements. The commercial guidelines require 30% of the site to be landscaping, and parking requirements limits how much building can be built on a property. Those are the main tools right now.

Hsu says Principle 2 is about having public and private gathering spaces. There is one park in Parcel O. Why is that specific area envisioned for a park?

Robinson says the reason we are looking at that area is because under the current plan proposal, it would allow for residential and commercial uses. It would create greater demand for the park as opposed to across the street which is commercial and office. If and when this property would redevelop, we would work with the property owner and developer to acquire that land for a park, either through requiring it as part of redeveloping or purchasing it at that time.

Hsu says I notice in the Implementation Table, the park purchase has no cost associated with it. It seems to be unrealistic.

Robinson says ideally, when this redevelops and we work with the developer, we will have it dedicated to the City. What can we require a developer to do and grant to the City at that time? How would that space be dealt with and maintained? Would it be privately owned with a public access easement or dedicated to the City and owned and maintained by the Parks Department.

Hsu says when I look at this area, we have a parks area in Parcel I, the Gateway Park which is already existing. At the last meeting, it was mentioned that it is really not a park, but more an entry way for trails. What would it take and how can we get more parks?

Robinson says there are a few options. Instead of the City acquiring parks, the City can work with developers to create private gathering areas as these properties redevelop. They would be privately owned and maintained, but publicly accessible. The highest level option is to buy property. Some of these parcels are on the Open Space acquisition priority list. They are not top priorities, but the OSAB is tracking them. If it becomes a higher priority or the properties become available, that is an option. It should be noted that when Centennial Valley was first developed, the City acquired Davidson Mesa Open Space through their dedication requirement. We have

significant public space. It's not an actively used gathering space, but it is a great amenity. One of the main goals of the plan is how do we get people to that amenity from this area.

Hsu says you mentioned the Comp Plan states the land around the transit area be commercial rather than residential. If we want to pursue residential, is there an option to do that?

Robinson says Staff will want direction from the PC that they think residential is appropriate and something to be included. It can be included in your recommendation to CC and Staff will present it. Ultimately, it is up to CC whether to include that in the plan. It may require rezoning. Colony Square is zoned Commercial Business which already allows residential as a SRU. Currently, it is not consistent with the adopted Comp Plan.

Public Comment:

Debbie Haseman, 247 S Lark Avenue, Louisville, CO. Submitted email August 9, 2016.

We have lived in Louisville for 25 years. I appreciate the overview of the Mission Statement and the Principles. What I heard concerning these guiding principles resonated in a positive way with me. I think those are important to remember. I think there are many unanswered questions that need attention. I do love Louisville. I love the size of Louisville that it is now. I am concerned about losing that, growing too big, and not being a small town anymore. With development comes more traffic, more congestion, and longer waits in restaurants. It is already harder to find parking. It has been great to pull into a parking space, but now I have to look around more. I do understand the need for smart development and redevelopment of areas that are in need of attention and fixing up. I support green space. I appreciate the questions about parks and more landscaping along the major streets and an increase in safe bike trails and walkways. I think careful consideration of any new retail or commercial business needs to be given. I am against increasing new residential developments and increasing any height of existing or new buildings. I don't want Louisville to become like other cities that have developed for the sake of developing, and have lost their special character. Please continue to make all of the Principles and the Mission Statement a priority in your considerations. Please consider the quality of life of the current citizens of Louisville.

Charles Haseman, 247 S Lark Avenue, Louisville, CO

Our house is right at the bend of that purple area. We have apartment buildings behind us. The last time I spoke in front of the CC and the PC was during the development of those buildings. The neighbors had quite a lot of input in getting the buffer we needed as homeowners, but also accommodating some high density housing. I think when we moved to Louisville, we always knew that this area was going to be developed and that infill would come at some future date. In the 25 years I have been lived here, I have experienced increased traffic, more noise on McCaslin, loud cars, and when the Fire Station was built, more siren noise. With more people comes more congestion and noise. We raised two girls and they went through the schools in Louisville. We have enjoyed our time here. I believe we are already a good city in many ways. There is a quote by Voltaire, "perfection is the enemy of good". I believe we are at "good" right now and if we continue to try to find perfection, we may lose what we have right now. This design is going to allow three story buildings that will impact our neighborhood. I would like to see the plan restrict all commercial on McCaslin to two stories. It will maintain the views we have right now. The development in Boulder along Valmont where they have three story buildings close to the road makes you feel like you are in a canyon. I want to emphatically state that I would be against that. We need to keep the two story limit along McCaslin and protect the homeowners there now. McCaslin is bordered by residential from South Boulder Road south until we get to our neighborhood. We are looking for a buffer and I hope you keep that in mind. Most of the people here are concerned about redevelopment. Staff stated that an owner of that property could decide to redevelop and build a building to the three stories allowed. I think the neighbors want that to be eliminated and not allowed. Staff mentioned the transit station. For the residents now, the 228 bus does not really serve us. The route goes to South Boulder Road, goes east and back to Downtown, then back around. We don't utilize the bus. That route is for office people who come to town from Broomfield or those going north. I work in Boulder and for

me to use RTD from that transit station, I would have to go into Boulder and then ride out to my job on Arapahoe Road, or catch the DASH, ride into Louisville, and then ride into Boulder. The only RTD we can utilize is the Call N Ride. There needs to be more planning around transit. We have been waiting for parks in our neighborhood for a long time. The closest park to us is Fireside Elementary where my kids could go and play. The next closest one is Heritage Park on Dillon Road. There is plenty of open space but no organized facilities except those provided through the school district. There would have to be more park space in this plan to make this acceptable to us. Louisville is a great place and I appreciate your service to the community.

Curtis Paxton, 383 Meeker Court, Louisville, CO

Thank you for the opportunity to speak tonight. I would like to direct the PC to the map on page 32 of the plan regarding building heights along McCaslin Blvd. There are now three versions of this map; the one from the July meeting, the one publicly available on the website, and the one in your packet tonight which is not publicly available. I figured out the map had changed because the revision date in very tiny print of nondescript color in the lower left hand corner of the title page had changed. That is concerning to me as a resident. Why is this map changing? I believe in the value of a document like this and in the details. First, in your packet on pages 29-31, there isn't a concept of what development would look like in the northeast corner of McCaslin and Cherry. This is exactly behind our house. This is an area where the plan is closest to existing residences. Second, the plan seems to advocate development of protections for existing residences outside the scope. I personally believe that the most difficult part of this plan will be integrating it with existing residences, especially along McCaslin, along Cherry, and the corner. The integration in my mind should be at least significantly matured or better finalized prior to this commission approving this draft and submitting it to CC. It is the single most important issue surrounding the plan. More broadly, I'd like to highlight one note from the McCaslin Small Area Survey Results. Those were in the plan presented in July and are no longer attached to the plan. I believe they are in the meeting packet. In those survey results, respondents preferred one and two story buildings for commercial use. I would urge this PC and the planning department to take that into account because it does not seem that residents want three story buildings. In the July meeting, Commissioner Rice said it would be hard not to approve a building extension exemption for Balfour because of the precedence of other height exemptions that had been granted in the immediate area. As such, I recommend that the PC reject the McCaslin Blvd Small Area Plan at this time until the following updates are made because of the precedence the plan sets. First, deliberately update the map on page 32 with realistic building height recommendations. This may require a special meeting and community involvement. Second, develop and mature the interface plan between the McCaslin Blvd Small Area Plan and existing residences and protection standards for those residences adjacent to proposed development. I think the big deal here is a sense of fear in the community. I personally fear, like many of my neighbors you are seeing here tonight, the high density large scale Boulder-ish development immediately behind my home. The head of the planning department assures me that this kind of development is not at all what is intended, but in reading the document of the Small Area Plan and the context of the 2013 Comp Plan, I see nothing that explicitly speaks out against it. Until such time where I can read the plan and not feel that such development will happen by my home, I cannot support it.

Hsu asks with the map as it was presented today, there is a two story buffer along existing residential development. Does that satisfy your concerns or does it not?

Paxton says that's a really good question and I don't know how to answer that. For reference, these are presently spaced out apartment buildings. There is a lot of land between McCaslin and these apartments. When they were built, there were deliberate setbacks from McCaslin and the houses. Once you get to the corner which is Centennial Liquor and Rico's Burritos and a three story building against McCaslin, the buildings directly along the existing homes are one story. A two story development puts it outside our bedroom windows. Developing this small corner in the context of the larger plan has us concerned.

Bronwyn Paxton, 383 Meeker Court, Louisville, CO

As a civil environmental engineer formerly in land development, I have significant concerns with the proposed draft of the McCaslin Blvd Small Area Plan. I understand the necessity of the plan in order to insure an appropriate tax base to sustain City services over the long haul. However, from an engineering perspective, I feel there is insufficient information on the cost of public improvements as well as fiscal impacts. From a personal perspective, I think that if implemented, the proposed draft of the small area plan irrevocably changes the character of Louisville. A lot of the development density and the setbacks are inconsistent with the rest of Louisville and more consistent with an urban area, which I believe it something you have been hearing. My next comments I need to preface as being prepared relative to the old building height map. I am a resident of the Cherrywood neighborhood and our views are afternoon sun. The quality of life in our neighborhood would be negatively impacted. It feels like land use with three story construction, although currently allowed by zoning, is inconsistent with the CDDSG for the City of Louisville. In general, I would like to see more concrete design specifications incorporated into the Small Area Plan and additional specifics as to how wide the buffer to existing residential would be. Finally, I feel that a targeted survey of residents immediately adjacent who would be impacted by the Small Area Plan would be really helpful. I know there were approximately 1200 survey respondents to the previous survey, which is about 5% of the entire population of Louisville, which does not account for those of us who are close to this. I am hopeful that the PC will take the comments of existing residents into account moving forward.

Anna Wyckoff, 367 Meeker Court, Louisville, CO

This 20 year vision plan is awesome. We need something like this with careful planning. This is what we are here for, to get everyone's voice in. My concern is the height limitation behind the commercial property. My backyard is right behind the commercial piece and if built to three stories, it will ruin the views that I have appreciated for 20 years. Besides the height limitations my neighbors are concerned about, I am concerned about traffic and the increased population on the schools. Our little Fireside Elementary School is almost at full capacity and this raises some concerns. How will the traffic in the morning be addressed?

Barbara Knafelc, 362 S Lark Avenue, Louisville, CO

We have lived here for five years and we are not opposed to development, but the thing that is going to impact us the most is residential in back. According to what I see on the plans, the strip of current businesses behind our homes is planned for apartment buildings. Even if you limit it to two stories, the noise is going to impact all of us. We deal with a great deal of noise from the businesses currently there, from truck deliveries and trash trucks. If there are apartment buildings back there, the noise is going to impact us tremendously. As my neighbors have all said, the other thing that impacts us is the traffic. As Deb pointed out, parking in Louisville currently is impossible. If you put in businesses and apartment buildings in this very small area, there will be no parking. I love Louisville and it's why we live here. I am disturbed by the gentrification of the town. People are tearing down small houses to build McMansions, and it's changing the character of our town. If we start building these canyons of apartment buildings, we are going to look like Prospect and Boulder. I really don't want that for Louisville.

Cyndi Bedell, 662 W Willow Street, Louisville, CO

I have lived on Willow Street for almost 20 years. First of all, you probably never hear this enough, but we appreciate all your time sitting here for these late meetings and giving respective audience to all the different opinions. I thank you for that. It occurs to me that it might be helpful to define "small town character". We have been hearing that but what is that? It could be something that means something different to everybody. My opinion is low traffic. It is quiet and not living next to Colfax Avenue or Sheridan or Federal. There are view sheds, openness, and we know our neighbors. One of my concerns is the market for high density apartments. As we have more rental units and lesser other types of properties, I can assume we will have more turnover of people living in Louisville. There are studies that show a lot of turnover means less engagement in the community. We know each other less. I don't think we should confuse high density with affordability. The new high density units going in behind Alfalfa are not affordable.

The new townhouses going in at DELO are worth \$150,000 more than my tiny little ranch house. Sometimes, some of the older properties that are small detached housing may be more affordable than all the high density that we have pressure to build. Also, what creates small town character is the design of new buildings. For example, the Santa Fe restaurant was torn down and a new little shopping center was built with a much larger footprint and a tall flat roof. To me, that is not charming or representative of small town character. Easy parking is also part of small town character. When I hear about 9,000 office workers coming to a town of 19,000, I think to myself, "okay, it would be fantastic if we had a circulator or public transportation." I think we should investigate all the options. Even so, how will we handle all this density without wall-to-wall parking or parking structures? To me, driving around a parking structure is not a "small town" quality of life. Ease of access is "small town" quality of life. I have a question about the CENTER development on the plan. On the image, I do not see the movie theater or Home Depot. Another amenity is having a small town is that it's easy to get around in. However, we also have amenities such as a rec center, a movie theater, and a charming downtown. Finally, I want to bring up the dark night sky ordinance as we look at the design standards, especially as we continue to develop and grow. Dark night sky actually provides safer and better lighting from the little I know about it, but also preserves some of our view shed. We can walk at night and see the stars.

Sherry Sommer, 910 S Palisade Court, Louisville, CO

I live in Cherrywood, very close to this area. We are proposing a much bigger and busier area. We talk about 9,000 office workers and 500 residents. That is about one-third of the Louisville population. I agree with every comment made tonight. People have been so eloquent. I have lived here four years and am a Colorado native. I have noticed a difference in noise, pollution, and busy-ness. My main concern is this Parcel O. It looks like it stretches from Cherry to behind Albertsons and Sam's Club.

Robinson says Parcel O is the entire block from Cherry on the north to Dillon on the south, Dahlia on the east to McCaslin on the west.

Sommer says a large portion of that is a drainage area and not beautiful, but it is a green space and almost like a park. It has lots of trees in it. Trees clean the air and mitigate noise. We take it for granted because it is not very well designed, but it is a huge amount of buffer. I think it would be sad to eliminate that. We are talking about adding parks, but in fact, we are eliminating a very large green space that we could enjoy. We may have to buy parks and negotiate to get some back. That doesn't make any sense to me. We talk about small town values and knowing one another and building community. We talk about the buildings and physical look of our town. I really object to the idea of SRU as a part of this process. Part of what we're building is community. We say thank you to you and you listen to us. This is what community is about ... the people and feeling of trust. I think this SRU adds a lot of contention and a lot of unease among people. I would ask that we don't add that as part of the zoning.

Michael Menaker, 1827 W Choke Cherry Drive, Louisville, CO

I have lived here almost 29 years. A couple of observations. I was mapping where everybody lived and I know the area. Those houses were built about 1991. The shopping center adjacent to it was there before I was here. It was the only shopping center in the valley. In the Centennial Valley, we had the 7-11, the A&W, those three fingered monuments across the street, and an empty Centennial Valley. There is no question that there have been changes. The zoning has been in place before the houses. That doesn't mean that I am in favor of building apartment buildings where the shopping center is now, but I would remind the PC that the zoning has more standing and longer tenure than the residences built adjacent to it. That zoning was well known. What concerns me most about the conversations we're having is summed up this way. It has never been truer than it is now in Louisville that everybody wants progress but nobody wants change. Yet, change happens hourly. The traffic we are experiencing on South Boulder Road and McCaslin is not of our creation. Every traffic study and every traffic projection shows ever increasing (up into the 60th percent as noted in the existing Comp Plan, McCaslin, South Boulder Road, and Via Appia) trips that neither originate or end in Louisville are regional. That

traffic is going to exist. We do have an opportunity to have some of those trips start and stop in Louisville which I submit to you is probably better for the City. Most of that traffic is not a result of any residential development that has occurred along those corridors, particularly near these neighbors. It is a function of the times we live in. When I moved to Colorado, we experienced OUT migration. The state was losing population. We are not losing population anymore. I am concerned about locking ourselves in with an inflexible plan and a rigid vision in a changing world. We will be relying more and more on the BRT along the US36 corridor. PC member Scott Russell opined before he left the dais to not leverage that and build some transit-oriented development. To leverage the only mass transit we're going to get in Louisville would be foolish and criminal. I urge you to build in the flexibility to allow for some TOD-oriented density in approximation to the BRT plaza. That just makes good sense, not only for Louisville but for regional planning. I would think we would want to be flexible, particularly with the 20 year vision, on what we would allow on the Sam's Club site. I am a member of the Urban Renewal Authority. There are things I know that I can't talk to you about, but I can say this, "that isn't a done deal." Our inability to plan or acknowledge the likelihood of change left Safeway vacant for over five years. We are approaching six years of vacancy at Sam's Club with no certain end in sight. We have 11 years of massive vacancy because we did not envision or allow for inevitable change. I would submit to you that the big boxes (Home Depot and Lowe's) will not last forever. Nothing lasts forever. Look down the street at the big boxes at Flatirons. These are the major chain stores that have closed in 2016: Macy's announced 100 today; Wal-Mart, 154 USA store closings in 2016: Sports Authority closed 460 stores; Aeropostale closed 154 stores; K-mart and Sears closed 78; and Ralph Lauren closed 50. What I would urge you to consider as you adopt this plan is building in the flexibility necessary to accommodate change. We have the ability to shape it and manage it to a certain extent. The change is going to happen with or without our approval or consent, and it will happen all around us and affect us all. The opportunity is to recognize that fact and build flexibility into our long term planning documents, not rigidity.

Questions from the Commission to Staff:

Rice says I want to talk about this whole building height issue. There are three different things to talk about. The first is what exists now? The second is how this plan, if at all, changes what exists now. The third is the general philosophy of what the Small Area Plan recommends with regard to building height issues. We have heard a lot of talk about building height on the eastern edge of the study area. What currently exists there and what is the building height allowed by the zoning?

Robinson says the current zoning allows a maximum building height of 35' which can generally accommodate three stories.

Rice says that is what exists today and has existed for a long time. How does this Small Area Plan change that?

Robinson says it would reduce the maximum height along McCaslin south and adjacent to existing residential neighborhoods to a maximum height of two stories to be further defined through the adoption of the design guidelines. This map is intentionally fuzzy and we have not defined a specific height for what two stories means. We will work out more detail in the design guidelines which is the following phase of the planning process.

Rice asks is that a matter of philosophy of the area plan, or that a matter of actually changing zoning.

Robinson says this is a policy document, so this is gathering community input and putting it into an adopted policy. To actually regulate the land, we have to follow through with additional changes which are the design guidelines. It will take an additional step before we actually change what is allowed. The first step is to adopt a policy of how we want new development in the McCaslin corridor to interact with the existing residential areas.

Rice says right now, we have 35' which could accommodate three stories. What we're talking about is including a policy statement that would allow for some of those areas to be reduced

from that. Would that require a separate process to go through a rezoning to change that height?

Robinson says not necessarily a rezoning. It could be done through the adoption of design guidelines. These properties are governed by CDDSG which allows the 35' height. The intention is, after the adoption of this plan, to draft new design guidelines to replace the CDDSG.

Rice says that would require a separate step from the small area plan. **Robinson** says we will take this step anyways.

Rice says we want this area to look like less than three stories in certain areas. I think some of the concern we have heard tonight is that it seems to be evolving and leaves some insecurity. They look at this drawing and from time to time, the purple fuzzy area changes. How can we give them some assurance that we know the policy is for two stories?

Robinson says the first version of this map had just the darker purple along McCaslin. In the text on the side, it talks about putting in residential production standards. That was not reflected on the map. We heard there was concern from residents so we wanted to make it more clear and explicit that there would NOT be three story buildings against existing residential neighborhoods. We added the second purple stripe adjacent to the residential neighborhoods.

Rice says what is being proposed tonight in the small area plan would result in a reduction of the building height, not an increase.

Bronwyn Paxton says my question is regarding the existing zoning regulations and the CDDSG. In the design guidelines, there is a transition zone between existing residential and a building of significantly taller height. Although they are zoned to have a capacity to go to 35', there would have to be a transition zone. Is that correct?

Sherry Sommer says they may allow 35' now under the existing zoning, but if you change it to residential, there is much more demand for residential and it is more likely to redevelop. If there was a demand for three story commercial, it would have redeveloped already. This is a 20 year plan and if it is rezoned residential, this will happen quickly and to the outside limit of whatever is allowed.

Hsu says a comment was made that "small town character" is not really defined. I have heard CC say everyone loves that, but no one really knows what it is. Do we articulate that somewhere or hint at what the City's view is of "small town character"?

Robinson says this is what the plan document is. In the guiding principles, creating the plan is to create the small town character. One of the things we heard is that it is not present in McCaslin right now. People really don't like the character of McCaslin so how can we change it? The Urban Design Principles are what, in going through the process, we identified and the elements needed to create it.

Brauneis says I think one of the confusing issues has been our use of the word suburban and urban. We think of urban as Manhattan. We think of suburban as most of Louisville currently including Downtown. Can you clarify your common usage of those two words?

Robinson says when we talk about urban and suburban, it is really about how the streets and blocks are set up, and how the buildings and development relate to those streets. We consider Downtown to be an urban environment because it is small blocks set up on a connected street grid. The buildings front the street and interact consistently with the street. Most of the rest of Louisville, we would consider suburban with larger blocks, larger streets, buildings set back further from the street, and not as many pedestrian amenities. McCaslin is a very suburban environment.

Brauneis says I am aware of that space behind Kohl's which is a green space. That is a setback requirement from the original development. The concern is that we see blocks that represent potential future buildings and we think all the green space will disappear.

Robinson says we haven't defined what the exact design parameters are going to be. There will still be setback requirements and there will be landscaping requirements. The area may change and is likely to change if those buildings redevelop either under the current design guidelines or the adopted new design guidelines. Even if this plan is adopted as it currently is, there would still be requirements for landscaping on any new development.

Zuccaro says to add on the relationship of the setbacks and how that needs to be defined through new guidelines, there is a visual preference survey done through this that would inform, to some extent, the design guidelines. There will be additional community input when we start working on the design guidelines to refine it. We have some baseline information. There are concepts on what creates an auto-oriented versus pedestrian-oriented scale, and what is most comfortable depending on your use. Trying to find the right mix of setback and open space and building height to best enhance those types of environments is what we would look at within the context of the “small town” feeling. It doesn’t really define “small town” in the Comp Plan. I will read it quickly, “where the City size, scale, and land use mixture and government’s high quality customer service encourage personal and commercial interactions.” That doesn’t specifically define it in detail, but that is what we are trying to create.

Brauneis says we had looked at some conceptual renderings of trying to develop or hoping a builder might develop something on a more walkable scale within that area. In particular, we had looked at the area adjacent to the bus stop. What happened and if we want to discuss that tonight, do we have any specifics we can discuss surrounding that potential for residential or transit-oriented development adjacent to the bus stop.

Robinson says it came up during the Comp Plan. There were four different options in the plan of different levels of residential. What ended up being adopted was different from what the PC recommended. City Council went with a different option. If there is a desire to look at it in detail as part of this planning process (we used the Comp Plan as a guide), we can do some further study to address it.

Brauneis says it was refreshing to hear dark sky ordinance, after having discussed it for many years.

Curtis Paxton says we pulled up the CDDSG and for reference, Section 4.1 was all buildings within a proposed development should be visually and physically compatible with one another and with existing buildings on adjacent sites. Under the standards and guidelines sections, Part A, buildings should be located so they will not obscure desired views from existing and proposed buildings and buildings should be located to create pedestrian plazas and gathering places. I think the crux of where my concern is if I look at this from a development standpoint, this looks like I am implicitly allowing two story development right up against this outside of the context of the CDDSG. If you look at this map outside the context of the CDDSG, this can be completely developed with two stories or developed with three story buildings. There is no green space inside of this map and that is the cause for concern.

Brauneis says I think one of the concerns is with the existing developments out there, we know there is a lot of undeveloped land that is privately owned that one way or another, is going to be built on. We don’t own that land at this point. The concern is if we have double of the same, do we want more of the same? Are we looking for something that is a little bit different? Do we want something that is better? Is there the potential to get something if we continue down the path we’re on without the Small Area Plan?

Recess at 8:23 PM, reconvene at 8:27 PM.

Closed Public Hearing and Commission Discussion:

Hsu says I want to thank Charles Haseman who is not here for quoting my favorite quote which is, don’t let perfect be the enemy of good. I love that quote and use it a lot. I view this plan in a different light than I think he views it. I think from feedback and my own view that the McCaslin corridor is on the side of “not good” compared to “good”. We are trying to make it good and in doing that with the Small Area Plan, there are going to be imperfections. I think the Small Area Plan does a good job of identifying the problems with the McCaslin corridor in trying to fix those issues. I think people mostly agree on the Principles. I do have a suggestion for Staff to not number them, because it seems like they are in order even though it says they are not. I thank Staff for including the survey results. I looked through theme and was particularly interested in how those broke down between people who wanted development and those who don’t. To a

good approximation, I think people are voting in their own interests. I think some significant support for development was from people who generally rent or lived here less than five years and people in attached houses. People in support of more housing are looking for more housing. On the flip side, people who have housing often are against new housing, or people nearing the age of looking at senior housing are interested in that. Regarding the transit area, I strongly believe we should have some residential development in that transit area. I think it's a great opportunity and speaks to sustainability which is one of those CORE values of economic sustainability. I look at how transit areas can be a great hub for development. In particular, I think of Union Station in Denver which is really the center of downtown versus the financial district. The other side is the balance where we don't want too much density and too many people moving in. We talked a little bit about the financial model. I have talked to Staff about this before. I am hesitant to draw any conclusions from the financial model. I'd like to see some sensitivity analysis with regard to the assumptions used there. It is hard to figure out how much value to put in a single number without understanding how the different things affect it. I'd like to see Monte Carlo method analysis. I would like to see more public gathering spaces, not just private gathering spaces. Looking at the map, I feel the one park envisioned is too small for this area, particularly for people on the northeastern side. I prefer a public gathering place more than a private gathering place because it is the community's duty and government's function to provide for public gathering. There are a lot of comments from people regarding the transitions between McCaslin and the residents living nearby. We are talking about the current status. There are three stories allowed and those CDDSG say that the policy is to have an appropriate relationship, but the language is not strong. The policy in the Small Area Plan will improve and protect your view shed more so than if we didn't have it. There are guidelines in addition to the Small Area Plan. I would to hear the other commissioners' thoughts.

Brauneis says I think part of the public areas issue and parks in the larger area comes down to how we end up shaping the whole area. If it stays strictly office/retail, there is room for a little bit of park, but not the resident base to utilize it. If you know of the pavilion in the Kohl's parking lot, not a lot of people use that and it is under-utilized. Great care has to be taken in where and how those are all situated. When I look at what we currently have in sustainability and talk about economic, environmental community-oriented sustainability, I don't think that is sustainable right now and more of the same will make it even less sustainable, particularly from a community perspective. We know the economic pressures will do what they do over time, and we know it hasn't enjoyed full occupancy for some time, if ever. What I look forward to is this ongoing process over many years that will improve the McCaslin area as a whole.

O'Connell says I am encouraged by the discussion tonight. On the mechanics of the plan, as direction for Staff, one of the things I am taking away from this is that the hypothetical concept drawings are causing more confusion than they may be worth. People are really reading this Small Area Plan and this is good. The drawings show apartments knocked down and new buildings built. It may be confusing. The same goes for the building height plan map which obviously created more confusion. What we have learned is that opening the door to making changes to the maximum height requirements appears to be what residents want. It will make it easier for residents to make sure there are no mega-buildings next to them. The note in the building height plan says "these conditions and standards are to be further defined in the new standards and guidelines for the corridor". It will be a good opportunity to get more input from the surrounding residents. We heard about the influx of traffic and concerns about more traffic. What I see in the plan is some ways to mitigate the regional influx of traffic. We have some roundabouts suggested and the creation of bike lanes versus existing lanes. We heard the number 60% of traffic is driving through. That might cause people to change their ways of travel to work or make it easier for residents to get around. If we leave that flexibility in this plan, which is what we're looking for, we can address that as these new developments come up over many years. I agree with what Michael said about this plan needing to be a flexible document. As the plan is written and as we've dug into it tonight, I am pleased with it and am good to go forward.

Rice says I have four thoughts about this. The first has to do with the process that got us here. I think we need to remember that this document didn't get written yesterday. It has been a long process with many public meetings including a series of public hearings before this body where input was received and discussion occurred between the Commission. What we see is the byproduct of all that. I view this as a consensus document. Is it perfect? Probably not. I don't agree with everything that's in it and I doubt that anybody on this panel would say they agree with everything. On the other hand, it stands as a consensus document and I think that commends it to our passing it forward to CC. This is exactly what we set out to do; to create a consensus document within our community. The second point goes back to our long discussion where we talked about the Principles that were reviewed this evening. The Principle that I emphasized was that the McCaslin corridor is one of the economic engines of this community. The numbers would show that about 40% of our tax revenue comes from the McCaslin corridor. It is the engine that drives our ability to provide the City services. Without that, we can't provide those services. We don't want to do anything with this plan that detracts from that. We should try to do something with this plan that enhances that. We have done so and it is important we not lose sight of that. The third thing is that we can't confuse a general planning document like this with the specific planning that happens with regard to a given project. When we talk about design criteria, those are how we adjust the equities with regard to a specific project being proposed. If someone wants to put a 35' brick wall next to some houses, it would probably meet some stiff resistance from Staff and from this group. That is not the way we go through the planning process. This is a general policy document; it's not an attempt to outline how we will handle any specific project that might come before us. That is the subject of a whole different set of proceedings. The last point is that I personally oppose housing near the transit station, but if that is something that is a matter of discussion, we shouldn't try to move that through this evening. That is a major change to this document and I think it is inconsistent with the Comp Plan. If the idea is that we want to consider housing near the transit station, it means we stop and step backwards in terms of the process. We'd need more input from a lot of people and then square that with the Comp Plan. I support moving this document forward to CC as it is currently drafted.

Pritchard says this is a policy document just like the Comp Plan is. Why don't we have any housing down by the transit center? Because CC determined that it was not something they wanted to entertain. This PC made the recommendation to do so at the last Comp Plan review in 2013. We had addressed some of these issues and CC did not feel they were appropriate, and they made the determination. I agree with Tom that if CC directs us to take it into consideration, then we will. This ultimately is a document for CC to implement. In terms of open space, people don't talk about the Rec Center and the big parcels there. We do have some open space. It may not be on the west side of McCaslin, but that is zoned light industrial and office. We will have to work with the property owners if we want to accomplish parks. We may have to purchase the land and if the community is interested in that, then we address it. This plan is a flexible document and it has to be effective. We have gone over this for over a year. It is not a perfect document. We have gone to the citizens and asked for input. It is time to move on from this PC. I think the concerns of the citizens are valid. This Plan gives us more direction to keep the building height down to two stories. Overall, this document has been vetted and checked for accuracy. CC will do what they feel is in the best interest of the community. In creating the guidelines, we will have property owners and citizens and Staff involved. As it moves forward, some of the gray areas will be clearly defined such as height. I have lived here for 23 years and the McCaslin area has under-performed. I am in favor of moving this matter on to CC.

Hsu asks a point of clarification. I am okay with the Plan as far as the Comp Plan issue with no residential by the transit area. Can we pass this and then make a recommendation to CC to revisit it?

Pritchard says if there is a consensus to do that, we can ask CC to look at this area.

Rice says if we make a motion to approve the resolution as currently drafted, I don't want to cloud it with asking CC to revisit the Comp Plan. I will not vote in favor of that.

Pritchard asks Staff to inform CC that the PC would like residential reconsidered at the transit area and the Comp Plan to be revisited.

Zuccaro says detailed minutes will be sent to CC and it will be mentioned in the Staff Report.

Motion made by **Rice** to approve **McCaslin Blvd Small Area Plan: Resolution 17, Series 2016**. A resolution recommending approval of the McCaslin Blvd Small Area Plan, seconded by **O'Connell**. Roll call vote.

Name	Vote
Chris Pritchard	Yes
Ann O'Connell	Yes
Jeff Moline	n/a
Steve Brauneis	Yes
Tom Rice	Yes
David Hsu	Yes
Motion passed/failed:	Pass

Motion passes 5-0.

Planning Commission Comments:

Cary Tengler resigned due to a residency issue. PC is one member short. He was the vice chair. **Pritchard** recommends that **O'Connell** become Vice Chair (from Secretary) and **Brauneis** become Secretary. No discussion from PC. Approved unanimously by voice vote.

Hsu asks about a replacement for **Tengler**.

Pritchard says the mayor can appoint someone soon with support of CC or it could be in December 2016 when usual interviewing occurs.

Hsu asks about CDDSG and IDDSG. Why are there no residential guidelines?

Zuccaro says the Comp Plan, in addition to calling for Small Area Plans, calls for neighborhood level plans. Staff will have discussions for PC and CC on how to proceed. It is different than residential design guidelines for different areas in the City.

Robinson says a discussion the future of residential design guidelines for neighborhoods can be scheduled for a future meeting which it can be noticed on the agenda and Staff can prepare for it.

Pritchard asks Staff about when the discussion of neighborhood guidelines might happen.

Zuccaro says it depends on the area of town. There is a sense that the Old Town and Downtown areas might be a priority. We have not determined where we would address any type of design guidelines outside of South Boulder Road and McCaslin Blvd. My understanding is the residential design of single family development outside of Old Town and Downtown was not within the scope to be addressed in neighborhood plans.

Brauneis says within the last eight months, the number of tear downs in Old Town has created increased concern. Zoning already restricts what can or cannot be built on personal property.

Staff Comments:

Balfour will be added to the September 8 meeting. Centennial Pavilions Final Plat will probably be moved to the October meeting.

Items Tentatively Scheduled for the regular meeting: September 8, 2016

- **DELO Lofts Final Plat/PUD/SRU:** A request for a final Plat and planned unit development (PUD) and special review use (SRU) to allow for eight live/work units and 33 apartment units in the Hwy 42 Revitalization Area.
 - Applicant: DELO East, LLC (Justin McClure)
 - Owner: Boom, LLC (Elizabeth Law-Evans)
 - Representative: RMCS, Inc (Justin McClure)
 - Case Manager: Scott Robinson, Planner II
- **Centennial Pavilions Final Plat:** A request for a re-plat of Centennial Pavilions Filing No. 1 to create three separate legal lots.
 - Applicant and Representative: NexGen Properties (Sean Sjodin)
 - Owner: NexGen Properties, Walorado Partners LLC, Centennial Pavillion Lofts Owner's Association
 - Case Manager: Lauren Trice, Planner I
- **McCaslin Marketplace Easement Vacation:** A request to vacate a utility easement at 944 W Dillon Road.
 - Applicant and Owner: McCaslin Retail, LLC (Scott Reichenberg)
 - Representative: Sanitas Group, LLC (Curtis Stevens)
 - Case Manager: Rob Zuccaro, Director of Planning and Building Safety

Adjourn:

Brauneis made motion to adjourn, **Rice** seconded. **Pritchard** adjourned meeting at 9:07 PM.

DRAFT

ITEM: Case #16-021-FS, 994 W. Dillon Road/McCaslin Marketplace
Utility Easement Vacation

PLANNER: Robert A. Zuccaro, AICP

APPLICANT: McCaslin Retail, LLC
Mr. Scott Reichenberg
3434 47th Street, Suite 220
Boulder, CO 80301

OWNER: Same as applicant

EXISTING ZONING: Planned Community Zone District – Commercial (PCZD-C)

LOCATION: Lot 1A, Centennial Valley Parcel H, Filing 3

TOTAL SITE AREA: 75,083 square feet

REQUEST: Approval of Resolution No. 20, Series 2016, recommending approval of a request to vacate a utility easement on Lot 1A, Centennial Valley Parcel H, Filing 3 (994 W. Dillon Road/McCaslin Marketplace)

VICINITY MAP:



No other known utilities are located in the subject easement. Although there are no specific review criteria for easement vacations, as long as adequate easements are provided for a development, unused general utility easements of this kind may be vacated at the discretion of City Council. Staff finds that the easement vacation is consistent with the PUD approval and there are no other utilities that require the subject easement to provide service. The Commission is being asked to make a recommendation on the easement vacation prior to submittal of the request to City Council.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 20, Series 2016, recommending approval of a request to vacate a utility easement on Lot 1A, Centennial Valley Parcel H, Filing 3.

ATTACHMENTS:

1. Resolution No. 20, Series 2016
2. Application Materials
3. McCaslin Marketplace Final PUD and GDP Amendment
4. August 16, 2016 Exclusive Utility Easement Deed

**RESOLUTION NO. 20
SERIES 2016**

**A RESOLUTION RECOMMENDING APPROVAL
OF A REQUEST TO VACATE A UTILITY EASEMENT ON
LOT 1A, CENTENNIAL VALLEY PARCEL H, FILING 3**

WHEREAS, the owner of Lot 1A, Centennial Valley Parcel H, Filing 3 has submitted to the City of Louisville a request to vacate a utility easement as described in Exhibit A to this resolution; and

WHEREAS, the utility easement to be vacated was dedicated on the Final Plat for Centennial Valley Parcel H, Third Filing, recorded on March 7, 1996, under Reception Number 1589632.

WHEREAS, on July 14, 2015 a Planned Unit Development was approved for redevelopment of the property that included relocation of a water main outside of the easement to be vacated, with a condition that following relocation of the water main a new easement covering the location of the new water main would be recorded and provided to the City; and

WHEREAS, the water main in the easement to be relocated has been abandoned, the replacement water main has been constructed and a new easement recorded and submitted to the City; and

WHEREAS, after a duly noticed public hearing on September, 8 2016, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated September 8, 2016, the Planning Commission finds that easement vacation should be approved.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of the request to vacate a utility easement on Lot 1A, Centennial Valley Parcel H, Filing 3

PASSED AND ADOPTED this 8th day of September, 2016.

By: _____
Chris Pritchard, Chairman
Planning Commission

Attest: _____
Ann O'Connell, Secretary
Planning Commission

EXHIBIT "A"

LOCATED IN THE SOUTH HALF QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH,
RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO
SHEET 1 OF 2

VACATE EXISTING 20' UTILITY EASEMENT ACROSS A PORTION OF LOT 1A CENTENNIAL VALLEY PARCEL H, THIRD FILING, RECEPTION NUMBER 1589632 DATED 3/7/96, LOCATED IN THE SOUTH HALF OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EASTERLY LINE OF LOT 1A TO BEAR SOUTH 27°41'52" WEST, A DISTANCE OF 348.02 FEET BETWEEN A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379" AND A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 1A, THENCE 133.02 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1795.58 FEET, A DELTA ANGLE OF 04°14'41" ALONG THE EASTERLY LINE OF SAID LOT 1A TO A POINT ON SAID EASTERLY LINE; THENCE SOUTH 72°59'37" EAST, A DISTANCE OF 33.34 FEET TO THE POINT OF BEGINNING; THENCE NORTH 17°30'26" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 72°29'34" EAST, A DISTANCE OF 45.50 FEET; THENCE SOUTH 62°18'08" EAST, A DISTANCE OF 92.68 FEET; THENCE NORTH 27°41'52" EAST, A DISTANCE OF 10.29 FEET; THENCE SOUTH 62°18'08" EAST, A DISTANCE OF 19.14'; THENCE SOUTH 27°41'52" WEST, A DISTANCE OF 30.29 FEET; THENCE NORTH 62°18'08" WEST, A DISTANCE OF 110.03 FEET; THENCE NORTH 72°29'34" WEST, A DISTANCE OF 43.72 FEET TO THE POINT OF BEGINNING.

SAID VACATED EASEMENT CONTAINING 3,308 SQ.FT. OR 0.08 ACRES, MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



JOHN B. GUYTON
COLORADO P.L.S. #16406
CHAIRMAN/CEO, FLATIRONS, INC.

JOB NO. 15-66,410

JOB NUMBER: 15-66,410
DRAWN BY: M. BECKETT
DATE: SEPTEMBER 11, 2015

THIS IS NOT A "LAND SURVEY PLAN" OR "IMPROVEMENT SURVEY PLAN" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Surveying, Engineering & Geomatics
3825 885 AVE, STE 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
www.Flatirons.com

BY: BECKETT FILE: 66410 - ESMF - VACANTE.DWG DATE: 9/11/2015 9:05 AM

EXHIBIT "A"

LOCATED IN THE SOUTH HALF OF SECTION 18,
TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2



LINE	BEARING	DIST.
L1	N17°30'28"E	20.00'
L2	S72°29'34"E	45.50'
L3	S62°18'08"E	92.68'
L4	N27°41'52"E	10.29'
L5	S62°18'08"E	19.14'
L6	S27°41'52"W	30.29'
L7	N62°18'06"W	110.03'
L8	N72°29'34"W	43.72'



JOB NUMBER: 15-66,410
DRAWN BY: W. BECKETT
DATE: SEPTEMBER 11, 2015

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Surveying, Engineering & Geomatics
3825 IRIS AVE, STE 395
BOULDER, CO 80301
PH: (303) 443-7001
FAX: (303) 443-9830
www.FlatironsInc.com

LAND USE APPLICATION

CASE NO. _____

APPLICANT INFORMATION

Firm: McCaslin Retail, LLC

Contact: Scott Reichenberg

Address: 3434 47th Street, Suite 220
Boulder, CO 80301

Mailing Address: Same as above

Telephone: 303.449.2131

Fax: 303.449.8250

Email: scott@coloradogroup.com

OWNER INFORMATION

Firm: McCaslin Retail, LLC

Contact: Scott Reichenberg

Address: 3434 47th Street, Suite 220
Boulder, CO 80301

Mailing Address: Same as above

Telephone: 303.449.2131

Fax: 303.449.8250

Email: scott@coloradogroup.com

REPRESENTATIVE INFORMATION

Firm: The Sanitas Group, LLC

Contact: Curtis Stevens

Address: 801 Main Street, St. 210
Louisville, CO 80027

Mailing Address: Same as above

Telephone: 720.346.1656

Fax: _____

Email: cstevens@thesanitasgroup.com

PROPERTY INFORMATION

Common Address: 994 West Dillon Rd

Legal Description: Lot 1A Blk _____
 Subdivision Centennial Valley Parcel H

Area: _____ Sq. Ft.

TYPE (S) OF APPLICATION

- Annexation
- Zoning
- Preliminary Subdivision Plat
- Final Subdivision Plat
- Minor Subdivision Plat
- Preliminary Planned Unit Development (PUD)
- Final PUD
- Amended PUD
- Administrative PUD Amendment
- Special Review Use (SRU)
- SRU Amendment
- SRU Administrative Review
- Temporary Use Permit: _____
- CMRS Facility: _____
- Other: (easement / right-of-way; floodplain; variance; vested right; 1041 permit; oil / gas production permit)

PROJECT INFORMATION

Summary: Vacation of existing utility easement across a portion of the lot due to relocation of water main.

Easement area to be vacated does not impact adjacent properties and was identified on the approved PUD as to be vacated once the existing water main was relocated.

Current zoning: CC Proposed zoning: CC

SIGNATURES & DATE

Applicant: McCaslin Retail, LLC by: [Signature], manager

Print: by: W. Scott Reichenberg 5/26/16

Owner: McCaslin Retail, LLC by: [Signature], manager

Print: by: W. Scott Reichenberg 5/26/16

Representative: _____

Print: _____

CITY STAFF USE ONLY

- Fee paid: _____
- Check number: _____
- Date Received: _____

1 June 2016

City of Louisville
Department of Planning & Building Safety
749 Main Street
Louisville, CO 80027
Attn: Lauren Trice

Re: Written Statement/Cover Letter
McCaslin Retail – 944 W. Dillon Road
Lot 1A - Centennial Valley Parcel H, Third Filing
Request for Easement Vacation

File: B1028

Dear Lauren,

On behalf of McCaslin Retail, LLC we are submitting this request for an Easement Vacation on Lot 1A, Centennial Valley Parcel H, Third Filing. The project site is located at the southeast corner of McCaslin Blvd and Dillon Road, with Lot 1A being addressed as 994 West Dillon Road.

A PUD was recently review and approved by the City of Louisville for the McCaslin Retail development that is currently under construction on the subject site. The approved PUD is dated 5/14/15. Associated with the recently approved PUD was a civil engineering construction document set of the associated site improvements that was approved by the Public Works Department on 9/29/15. As part of the approved improvements for the McCaslin Retail project was the realignment of an existing 12” public water main running through the site. Once the 12” water main was realigned, a portion of the existing utility easement was noted as to be vacated. This is the portion of easement we are requesting vacation of at this time.

In the spring of 2016 the proposed 12” water main realignment was constructed and the portion of water main in the area where the easement vacation is being requested was taken off line and abandoned. Dedication of a new easement for the new water main alignment is currently in the process of being dedicated through the Public Works Department.

As there is no longer an active public utility located within the subject area of existing utility easement, we are requesting the initiation of the necessary Land Use Review process to vacate a portion of utility easement as described in the included documents.

The owner of Lot 1A, McCaslin Retail, LLC, is serving as the applicant for this project. As discussed during our pre-application meeting with City staff, the subject easement area does not benefit or impact the adjacent property owners and therefore letters from the abutting property owners are not necessary as part of this application.

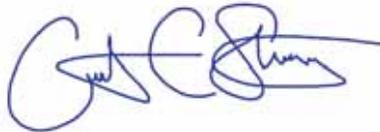
A summary of documents included with this written statement is as follows:

- A - Land Use Application
- B - Cover Letter (This Letter)
- C - Proof of Ownership (Special Warrant Deed)
- D - Application Fee
- G - Current Title Commitment
- I - Supporting Plan Documents
 - (1) Final Subdivision Plat
 - (4) ALTA Survey
 - (5) Utility Plans
- P - Legal Description & Exhibit for Easement Vacation
- R - CD of Submittal Documents

As discussed with City staff, we will coordinate with staff on the list of property owners within 500-foot and the public notice envelope mailing requirements. Please do not hesitate to contact me with any questions or concerns at 720.346.1656 or email me at cstevens@thesanitasgroup.com.

Sincerely,

The Sanitas Group, LLC

A handwritten signature in blue ink, appearing to read 'C. Stevens', written over a light blue circular stamp.

Curtis C. Stevens, P.E., CFM
Principal/Civil Engineer

CC: Scott Reichenberg - Colorado Group
Neil Littmann - Colorado Group

EXHIBIT "A"

LOCATED IN THE SOUTH HALF QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2

VACATE EXISTING 20' UTILITY EASEMENT ACROSS A PORTION OF LOT 1A CENTENNIAL VALLEY PARCEL H, THIRD FILING, RECEPTION NUMBER 1589632 DATED 3/7/96, LOCATED IN THE SOUTH HALF OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EASTERLY LINE OF LOT 1A TO BEAR SOUTH 27°41'52" WEST, A DISTANCE OF 348.02 FEET BETWEEN A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379" AND A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379" ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 1A, THENCE 133.02 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1795.58 FEET, A DELTA ANGLE OF 04°14'41" ALONG THE EASTERLY LINE OF SAID LOT 1A TO A POINT ON SAID EASTERLY LINE; THENCE SOUTH 72°59'37" EAST, A DISTANCE OF 33.34 FEET TO THE POINT OF BEGINNING; THENCE NORTH 17°30'26" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 72°29'34" EAST, A DISTANCE OF 45.50 FEET; THENCE SOUTH 62°18'08" EAST, A DISTANCE OF 92.68 FEET; THENCE NORTH 27°41'52" EAST, A DISTANCE OF 10.29 FEET; THENCE SOUTH 62°18'08" EAST, A DISTANCE OF 19.14"; THENCE SOUTH 27°41'52" WEST, A DISTANCE OF 30.29 FEET; THENCE NORTH 62°18'08" WEST, A DISTANCE OF 110.03 FEET; THENCE NORTH 72°29'34" WEST, A DISTANCE OF 43.72 FEET TO THE POINT OF BEGINNING.

SAID VACATED EASEMENT CONTAINING 3.308 SQ.FT. OR 0.08 ACRES, MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.



JOHN B. GUYTON
COLORADO P.L.S. #16406
CHAIRMAN/CEO, FLATRONS, INC.
JOB NO. 15-66,410

JOB NUMBER: 15-66,410
DRAWN BY: W. BECKETT
DATE: SEPTEMBER 11, 2015

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EXHIBIT "A"

LOCATED IN THE SOUTH HALF OF SECTION 18,
TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2



LINE	BEARING	DIST.
L1	N17°30'26"E	20.00'
L2	S72°29'34"E	45.50'
L3	S62°18'08"E	92.68'
L4	N27°41'52"E	10.29'
L5	S62°18'08"E	19.14'
L6	S27°41'52"W	30.29'
L7	N62°18'08"W	110.03'
L8	N72°29'34"W	43.72'

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JOB NUMBER: 15-66,410
DRAWN BY: W. BECKETT
DATE: SEPTEMBER 11, 2015



BY: W. BECKETT FILE: 66410-ESMT-VACATE.DWG DATE: 9/11/2015 9:08 AM



Special Warranty Deed
(Pursuant to 38-30-115 C.R.S.)

State Documentary Fee
Date: February 12, 2010
\$ 70.60

THIS DEED, made on February 12, 2010 by

GUARANTY BANK AND TRUST COMPANY

Grantor(s), of the County of WELD and State of COLORADO for the consideration of (\$706,000.00) **** Seven Hundred Six Thousand and 00/100 **** dollars in hand paid, hereby sells and conveys to

MCCASLIN RETAIL, LLC, A COLORADO LIMITED LIABILITY COMPANY

Grantee(s), whose street address is 3434 47TH ST #220 BOULDER, CO 80301, County of BOULDER, and State of COLORADO, the following real property in the County of Boulder, and State of Colorado, to wit:

LOT 1A, CENTENNIAL VALLEY PARCEL H, THIRD FILING, COUNTY OF BOULDER, STATE OF COLORADO.
also known by street and number as: 994 W. DILLON RD. LOUISVILLE CO 80027

with all its appurtenances and warrants the title against all persons claiming under the Grantor(s), subject to all taxes and assessments for the year 2010 and the matters stated in Section 13 (transfer of title) of the Contract to Buy and Sell Real Estate dated February 9, 2010, by and between the Grantor and the Grantee: (a) those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Section 8.1 (Title Review); (b) distribution utility easements (including cable TV); (c) those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Section 8.2 (Matters not Shown by the Public Records) and Section 8.3 (Survey Review); (d) inclusion of the Property within any special tax district.

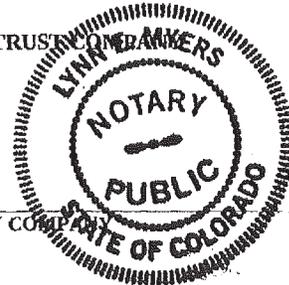
GUARANTY BANK AND TRUST COMPANY


BRAD SCHWINDT AS SENIOR VICE PRESIDENT

State of COLORADO)
County of ^{Weld} BOULDER) ss.

The foregoing instrument was acknowledged before me on this day of February 12, 2010 by BRAD SCHWINDT AS SENIOR VICE PRESIDENT OF GUARANTY BANK AND TRUST COMPANY


Notary Public
My commission expires 11/13/2013 My Commission Expires 11/13/2013



When Recorded Return to: MCCASLIN RETAIL, LLC, A COLORADO LIMITED LIABILITY COMPANY
3434 47TH ST #220
BOULDER, CO 80301





Customer Distribution

Our Order Number: ABZ70465440.1

Date: 05-26-2016

Property Address: 994 W DILLON RD, LOUISVILLE, CO 80027

For Title Assistance

KIM ZIMMERMAN
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
720-406-2083 (phone)
303-393-4842 (fax)
kzimmerman@ltgc.com

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

Buyer/Borrower

MCCASLIN RETAIL LLC
Attention: SCOTT REICHENBERG OR NEIL LITTMAN
3434 47TH ST # 220
BOULDER, CO 80301
scott@coloradogroup.com,neil@coloradogroup.com
Delivered via: Electronic Mail



Land Title Guarantee Company

Estimate of Title Fees

Order Number: ABZ70465440.1

Date: 05-26-2016

Property Address: 994 W DILLON RD, LOUISVILLE, CO 80027

Buyer/Borrower: MCCASLIN RETAIL, LLC, A COLORADO LIMITED LIABILITY COMPANY

Visit Land Title's website at www.ltgc.com for directions to any of our offices.

Estimate of Title Insurance Fees	
ALTA Loan Policy 06-17-06	\$0.00
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Total	\$0.00
THANK YOU FOR YOUR ORDER!	

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B-1

(Requirements)

Order Number: ABZ70465440.1

The following are the requirements to be complied with:

Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

THIS COMMITMENT IS FOR INFORMATION ONLY, AND NO POLICY WILL BE ISSUED PURSUANT HERETO.

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABZ70465440.1

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. EXISTING LEASES AND TENANCIES, IF ANY.
9. ALL MINERALS AS RESERVED IN DEED FROM THE COWDERY COMPANY RECORDED NOVEMBER 12, 1952 IN BOOK 917 AT PAGE [131](#).
10. TERMS, CONDITIONS AND PROVISIONS OF ANNEXATION AGREEMENT RECORDED DECEMBER 4, 1979, UNDER RECEPTION NO. [373012](#) AND AMENDED BY SUPPLEMENT AND MODIFICATION TO ANNEXATION AGREEMENT RECORDED MAY 17, 1984, UNDER RECEPTION NO. [621627](#) AND THE ASSIGNMENT AND ASSUMPTION THERETO RECORDED AUGUST 29, 1984, UNDER RECEPTION NO. [643233](#).
11. TERMS, CONDITIONS AND PROVISIONS OF AMENDED AND RESTATED DEVELOPMENT AGREEMENT RECORDED MAY 17, 1984, UNDER RECEPTION NO. [621626](#) AND SECOND AMENDMENT THERETO RECORDED FEBRUARY 13, 1987, UNDER RECEPTION NO. [826993](#) AND THIRD AMENDMENT RECORDED MAY 10, 1991, UNDER RECEPTION NO. [1102505](#) AND ASSIGNMENT AND ASSUMPTION THERETO RECORDED AUGUST 29, 1984, UNDER RECEPTION NO. [643233](#) AND FIFTH AMENDMENT RECORDED AUGUST 7, 1995 UNDER RECEPTION NO. [1537633](#), AND SIXTH AMENDMENT RECORDED MARCH 27, 1996 AT RECEPTION NO. [1594651](#), AND INSTRUMENT RECORDED SEPTEMBER 22, 1995 AT RECEPTION NO. [1549446](#).

NINTH AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT RECORDED SEPTEMBER 10, 2015 UNDER RECEPTION NO. [03472997](#).
12. TERMS, CONDITIONS AND PROVISIONS OF AGREEMENT RECORDED FEBRUARY 9, 1982, UNDER

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABZ70465440.1

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

RECEPTION NOS. [482949](#), [482950](#), [482951](#), [482952](#), [482953](#) AND [482954](#) AND AMENDMENT THERETO RECORDED APRIL 19, 1985, UNDER RECEPTION NO. [683686](#).

ASSIGNMENT OF RETAIL DEVELOPMENT RIGHTS RECORDED SEPTEMBER 22, 1995 UNDER RECEPTION NO. [1549446](#).

13. TERMS, CONDITIONS AND PROVISIONS OF MEMORANDUM OF AGREEMENT RECORDED JUNE 10, 1983 UNDER RECEPTION NO. [554952](#).

14. EASEMENT AND RIGHT OF WAY FOR PIPELINE PURPOSES AS GRANTED TO NORTHERN NATURAL GAS COMPANY BY INSTRUMENT RECORDED JANUARY 13, 1983, UNDER RECEPTION NO. [528310](#).

SPECIAL USE REVIEW IN CONNECTION THEREWITH RECORDED JANUARY 13, 1983 AT RECEPTION NO. [528313](#), AND ASSIGNMENT OF SAID EASEMENT TO ENRON MOUNTAIN GATHERING, INC., A DELAWARE CORPORATION, RECORDED JANUARY 8, 1996 UNDER RECEPTION NO. [1574845](#).

15. TERMS, CONDITIONS AND PROVISIONS OF CENTENNIAL VALLEY GENERAL DEVELOPMENT PLAN RECORDED DECEMBER 19, 1983, UNDER RECEPTION NO. [593903](#) AND AMENDMENT THERETO RECORDED SEPTEMBER 15, 1988, UNDER RECEPTION NO. [942355](#).

16. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE RECORDED PLAT OF CENTENNIAL VALLEY, PARCEL H, SECOND FILING RECORDED SEPTEMBER 22, 1995 AT RECEPTION NO. [1549439](#).

17. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN PARCEL H-FINAL PLANNED UNIT DEVELOPMENT CENTENNIAL VALLEY RECORDED SEPTEMBER 22, 1995 UNDER RECEPTION NO. [1549440](#).

18. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AGREEMENT RECORDED SEPTEMBER 22, 1995 UNDER RECEPTION NO. [1549441](#).

ASSUMPTION AND RELEASE RECORDED SEPTEMBER 22, 1995 UNDER RECEPTION NO. [1549445](#).

19. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN SUBDIVISION AGREEMENT RECORDED SEPTEMBER 22, 1995 UNDER RECEPTION NO. [1549443](#).

20. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED SEPTEMBER 22, 1995 UNDER RECEPTION NO. [1549444](#).

21. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS RECORDED SEPTEMBER 25, 1995 UNDER RECEPTION NO. [1549767](#) AND RE-RECORDED APRIL 16, 1996 UNDER RECEPTION NO. [1599753](#).

22. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN EASEMENT AGREEMENT RECORDED SEPTEMBER 25, 1995 UNDER RECEPTION NO. [1549768](#).

23. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABZ70465440.1

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

RECORDED PLAT OF CENTENNIAL VALLEY PARCEL H, THIRD FILING RECORDED MARCH 7, 1996 AT RECEPTION NO. [1589632](#).

24. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN PLANNED UNIT DEVELOPMENT CENTENNIAL VALLEY LOT 1A PARCEL H THIRD FILING RECORDED MARCH 07, 1996 UNDER RECEPTION NO. [1589633](#) AND SITE PLAN RECORDED JANUARY 30, 1997 UNDER RECEPTION NO. [1674052](#).
25. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF LOUISVILLE AND MCCASLIN RETAIL, LLC RECORDED AUGUST 31, 2015 UNDER RECEPTION NO. [03470413](#).
26. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF LOUISVILLE AND MCCASLIN RETAIL, LLC RECORDED SEPTEMBER 11, 2015 UNDER RECEPTION NO. [03473120](#).
27. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN GENERAL DEVELOPMENT PLAN CENTENNIAL VALLEY (EXHIBIT B) RECORDED SEPTEMBER 14, 2015 UNDER RECEPTION NO. [03473445](#).
28. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ADMINISTRATIVE PLANNED UNIT DEVELOPMENT, CENTENNIAL VALLEY PARCEL H, THIRD FILING & LOT 1A, CENTENNIAL VALLEY PARCEL H RECORDED SEPTEMBER 14, 2015 UNDER RECEPTION NO. [03473446](#).
29. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN FINAL PUD, CENTENNIAL VALLEY PARCEL H, MCCASLIN MARKETPLACE (RETAIL, INC.) RECORDED SEPTEMBER 14, 2015 UNDER RECEPTION NO. [03473447](#).
30. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PEDESTRIAN SIDEWALK MAINTENANCE EASEMENT DEED RECORDED SEPTEMBER 16, 2015 UNDER RECEPTION NO. [03473849](#).
31. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DECLARATION OF RESTRICTIVE COVENANT RECORDED SEPTEMBER 18, 2015 UNDER RECEPTION NO. [03474373](#).
32. DEED OF TRUST DATED SEPTEMBER 22, 2015, FROM MCCASLIN RETAIL, LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF BOULDER COUNTY FOR THE USE OF HOME STATE BANK TO SECURE THE SUM OF \$3,903,538.00 RECORDED SEPTEMBER 25, 2015, UNDER RECEPTION NO. [03475751](#).

SAID DEED OF TRUST WAS FURTHER SECURED BY ASSIGNMENT OF RENTS RECORDED SEPTEMBER 25, 2015, UNDER RECEPTION NO. [03475778](#).

DISBURSER'S NOTICE IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED SEPTEMBER 25, 2015, UNDER RECEPTION NO. [03475779](#).



**JOINT NOTICE OF PRIVACY POLICY OF
LAND TITLE GUARANTEE COMPANY,
LAND TITLE GUARANTEE COMPANY - GRAND JUNCTION,
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY
LAND TITLE INSURANCE CORPORATION AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

This Statement is provided to you as a customer of Land Title Guarantee Company and Meridian Land Title, LLC, as agents for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- ▶ applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - ▶ your transactions with, or from the services being performed by, us, our affiliates, or others;
 - ▶ a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- ▶ the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- ▶ We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- ▶ We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- ▶ Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- ▶ We regularly access security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows. Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



LAND TITLE GUARANTEE COMPANY

LAND TITLE GUARANTEE COMPANY - GRAND JUNCTION

DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- A) The Subject real property may be located in a special taxing district.
- B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property)
- C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 3-5-1, Paragraph G of Article VII requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B-2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- D) The Company must receive payment of the appropriate premium.
- E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.



Commitment to Insure

ALTA Commitment - 2006 Rev.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Minnesota corporation, (Company) for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the requirements; all subject to the provisions of Schedule A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company. All liability and obligation under this commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

CONDITIONS AND STIPULATIONS

1. The term "mortgage", when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and the Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at www.alta.org.

STANDARD EXCEPTIONS

In addition to the matters contained in the Conditions and Stipulations and Exclusions from Coverage above referred to, this Commitment is also subject to the following:

1. Rights or claims of parties in possession not shown by the Public Records.
2. Easements, or claims of easements, not shown by the Public Records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey or inspection of the Land would disclose and which are not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue
Suite 600
Denver, Colorado 80206
303-321-1880

John E. Freyer
President

Authorized Officer or Agent



Old Republic National Title Insurance Company
a Stock Company
400 Second Avenue South
Minneapolis, Minnesota 55401
(612)371-1111

Mark Bilbrey
President

Rande Yeager
Secretary



Unofficial Copy

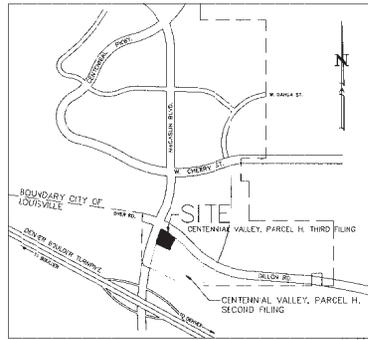
A FINAL PLAT
FOR
CENTENNIAL VALLEY PARCEL H, THIRD FILING
A REPLAT OF LOT 1, CENTENNIAL VALLEY, PARCEL H, SECOND FILING
LOCATED IN A PART OF THE SOUTH ONE-HALF OF
SECTION 18, T. 1 S., R. 69 W., OF THE 6TH P.M.
CITY OF LOUISVILLE, COUNTY OF BOULDER,
STATE OF COLORADO

SHEET 1 OF 2

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED BEING THE OWNER OF ALL OF LOT 1, CENTENNIAL VALLEY, PARCEL H, SECOND FILING, LOCATED IN A PART OF THE SOUTH ONE-HALF OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO.

HAS LAID OUT, SUBDIVIDED AND PLATTED SAID LAND AS PER DRAWING HEREON CONTAINED UNDER THE NAME AND STYLE OF CENTENNIAL VALLEY PARCEL H, THIRD FILING, A SUBDIVISION OF PART OF THE CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE CITY OF LOUISVILLE AND THE PUBLIC, THE INGRESS-EGRESS AND FIRE LANE EASEMENTS AS SHOWN ON THE ACCOMPANYING PLAT FOR VEHICULAR, PEDESTRIAN AND EMERGENCY ACCESS FOR THE PUBLIC USE THEREOF FOREVER AND DOES FURTHER DEDICATE TO THE USE OF THE CITY OF LOUISVILLE AND ALL MUNICIPALLY OWNED AND/OR FRANCHISED UTILITIES AND SERVICES, THOSE PORTIONS OF SAID REAL PROPERTY WHICH ARE SO DESIGNATED AS EASEMENTS AND RIGHT-OF-WAYS FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT FOR ALL SERVICES, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, TELEPHONE AND ELECTRIC LINES, WORKS, POLES AND UNDERGROUND CABLES, GAS PIPELINES, WATER PIPELINES, SANITARY SEWER LINES, STREET LIGHTS, CULVERTS, HYDRANTS, DRAINAGE DITCHES AND DRAINS AND ALL APPURTENANCES THERETO IT BEING EXPRESSLY UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT ALL EXPENSES AND COSTS INVOLVED IN CONSTRUCTING AND INSTALLING SANITARY SEWER SYSTEM WORKS AND LINES, GAS SERVICE LINES, ELECTRICAL SERVICE WORKS AND LINES, STORM SEWERS AND DRAINS, STREET LIGHTING, GRADING AND LANDSCAPING, CURBS, GUTTERS, STREET PAVEMENT, SIDEWALKS AND OTHER SUCH UTILITIES AND SERVICES SHALL BE GUARANTEED AND PAID FOR BY THE SUBDIVIDER OR ARRANGEMENTS MADE BY THE SUBDIVIDER THEREOF WHICH ARE APPROVED BY THE CITY OF LOUISVILLE, COLORADO, AND SUCH SUMS SHALL NOT BE PAID BY THE CITY OF LOUISVILLE, COLORADO, AND THAT ANY ITEM SO CONSTRUCTED OR INSTALLED WHEN ACCEPTED BY THE CITY OF LOUISVILLE, COLORADO, SHALL BECOME THE SOLE PROPERTY OF SAID CITY OF LOUISVILLE, COLORADO, EXCEPT PRIVATE ROADWAY CURBS, GUTTER AND PAVEMENT AND ITEMS OWNED BY MUNICIPALLY FRANCHISED UTILITIES AND/OR U.S. WEST COMMUNICATIONS, INC. WHICH WHEN CONSTRUCTED OR INSTALLED, SHALL REMAIN THE PROPERTY OF THE OWNER AND SHALL NOT BECOME THE PROPERTY OF THE CITY OF LOUISVILLE, COLORADO.



VICINITY MAP
(NOT TO SCALE)

WITNESS OUR HANDS AND SEALS THIS 23rd DAY OF February, 1996
OWNER: HSG LOUISVILLE LLC BY: Steven S. Gitelman MANAGER
STATE OF Colorado ATTEST: Steven S. Gitelman
COUNTY OF Denver SS BY: Steven S. Gitelman
THE ABOVE AND FOREGOING DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS 23rd DAY OF February, 1996, BY Steven S. Gitelman AS Manager AND BY _____ AS _____ OF HSG LOUISVILLE LLC

MY COMMISSION EXPIRES: 6/2/97 WITNESS MY HAND AND OFFICIAL SEAL
Charles F. Salmon
1515 E. Arkansas Ave # 224
Denver, Co 80231
BY: _____

DATE OF PREPARATION
13 JULY, 1995
REVISED: 31 AUGUST, 1995
13 FEBRUARY, 1996

SIGNATURE BLOCKS

PLANNING COMMISSION CERTIFICATE

APPROVED THIS 8th DAY OF AUGUST, 1995, BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE,
COLORADO, RESOLUTION No. 43 SERIES 1395
CHAIRMAN: Bill Bales

CITY COUNCIL CERTIFICATE

APPROVED THIS 19th DAY OF SEPTEMBER, 1995, BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE,
COLORADO, RESOLUTION No. 47 SERIES 1995
MAYOR: Tom Davidson
CITY CLERK: _____

CLERK AND RECORDER CERTIFICATE
COUNTY OF BOULDER
STATE OF COLORADO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED WITH THIS OFFICE AT 2:55 O'CLOCK P.M. THIS 7th DAY OF March, 1996, AND RECORDED IN PLAN FILE P-36 F-2 #31432 FOR \$21.00 PAID _____
FILM No. 2111 RECEPTION 1589632
RECORDER: Charlotte Houston
DEPUTY: William R. Zube

SURVEYORS CERTIFICATE

THIS FINAL PLAT AND THE SURVEY ON WHICH IT WAS BASED WERE PREPARED UNDER MY DIRECT SUPERVISION BEARING IN MIND THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN ASSUMED TO BEAR S 88°39'10" W BETWEEN FOUND MONUMENTS AS SHOWN HEREIN.
P. D. L. 2-19-96
PETER D. STEIGER, PROFESSIONAL LAND SURVEYOR
COLORADO REGISTRATION No. 25379
FOR AND ON THE BEHALF OF
ADAMS-AVERY, LTD.

ADAMS-AVERY, LTD.
Development Consultants and Consulting Engineers
1360 Lawrence St., Suite 670, Denver, CO 80202
303.836.4434 Fax 300-0730

Unofficial Copy

A FINAL PLAT
FOR
CENTENNIAL VALLEY PARCEL H, THIRD FILING
A REPLAT OF LOT 1, CENTENNIAL VALLEY, PARCEL H, SECOND FILING
LOCATED IN A PART OF THE SOUTH ONE-HALF OF
SECTION 18, T. 1 S., R. 69 W., OF THE 6TH P.M.
CITY OF LOUISVILLE, COUNTY OF BOULDER,
STATE OF COLORADO

SHEET 2 OF 2

TRACT A
DEDICATED BY CENTENNIAL VALLEY
LOT 1A PARCEL H SECOND FILING

MCCASLIN BLVD

DILLON ROAD

LOT 1A
73,117 SQ. FT.
OR 1.68 ACRES

TRACT C
17,497 SQ. FT.
OR 0.36 ACRES

LOT 1B
66,398 SQ. FT.
OR 1.53 ACRES

LINE	BEARING	DISTANCE
L1	N17°30'26"E	26.00'
L2	S72°29'34"E	45.50'
L3	S62°18'08"E	92.68'
L4	N27°41'52"E	16.29'
L5	S62°18'08"E	19.14'
L6	S27°41'52"W	30.29'
L7	N62°18'08"W	110.03'
L8	N72°29'34"W	43.72'
L9	N27°41'52"E	30.01'
L10	S33°46'37"W	30.24'
L11	N83°25'30"W	44.45'
L12	N27°41'52"E	87.89'
L13	N27°41'52"E	165.73'
L14	S62°59'41"E	12.00'
L15	S27°41'52"W	242.99'
L16	S27°41'52"W	12.01'
L17	S27°41'52"W	185.74'
L18	S84°54'55"W	20.95'
L19	S33°35'54"E	20.95'
L20	S68°41'38"E	20.95'
L21	S21°18'22"W	24.00'
L22	N68°41'38"W	20.95'
L23	N33°35'54"W	138.85'
L24	N62°18'08"W	26.00'

CURVE	CENTRAL ANGLE	RADIUS	LENGTH
C1	35°05'43"	20.00'	12.25'
C2	35°05'43"	44.00'	26.95'
C3	28°42'14"	20.00'	10.02'



DATE OF PREPARATION
13 JULY 1995
REVISED 31 AUGUST, 1995
REVISED 13 FEBRUARY, 1996

SW CORNER SEC. 18, T. 1S, R. 69W
FOUND 3" ALUM. CAP

SOUTH LINE OF THE SW 1/4 SECTION 18
S 88°39'10" W
S 1/4 CORNER SEC. 18, T. 1S, R. 69W
FOUND 1" BRASS CAP

ADAMS-AVERY, L.T.D.
Development Consultants and General Engineers
1988 Lawrence St., Suite 870, Denver, CO 80202
303 851-4624 Fax 852-0733

FOUND #5 REBAR WITH YELLOW PLASTIC CAP
STAMPED "CLC INC. L5# 24964"
SET #4 REBAR 18" LONG WITH YELLOW PLASTIC CAP
STAMPED "L.S. #25379"

Handwritten signature and date: 2-19-96

Parcel Description

(PROVIDED BY LAND TITLE GUARANTEE COMPANY)

LOT 1A,
CENTENNIAL VALLEY PARCEL H, THIRD FILING,
CITY OF LOUISVILLE,
COUNTY OF BOULDER,
STATE OF COLORADO

ALTA/ACSM LAND TITLE SURVEY

LOT 1A, CENTENNIAL VALLEY PARCEL H, THIRD FILING, LOCATED IN A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

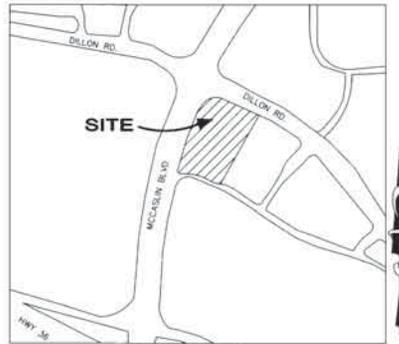
SHEET 1 OF 2

TOTAL AREA = 73,116 SQ FT, OR 1.68 ACRES, MORE OR LESS

Notes

- 1) LAND TITLE GUARANTEE COMPANY, COMMITMENT NUMBER W80030081-5, DATED JULY 9, 2009 AT 5:00 P.M., WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
- 2) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 3) THIS ALTA/ACSM LAND TITLE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF GUARANTY BANK AND TRUST, LAND TITLE GUARANTEE COMPANY, MOCASIN RETAIL, LLC, AND PACKARD AND DIERKING, LLC, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
- 4) THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
- 5) BASIS OF BEARINGS: SOUTH LINE OF LOT 1A BEARS N65°02'35"W BETWEEN MONUMENTS AS SHOWN AND DESCRIBED HEREON. PER THE RECORDED PLAT AT CENTENNIAL VALLEY PARCEL H, THIRD FILING.
- 6) THE LOCATIONS FOR UNDERGROUND UTILITIES ARE BASED UPON VISIBLE SURFACE EVIDENCE, MARKS FROM UTILITY LOCATOR SERVICE AND MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANIES AND MUNICIPALITIES. LOCATIONS OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES AND STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES AND STRUCTURES. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY OR UTILITY COMPANY PRIOR TO ANY EXCAVATION, PURSUANT TO C.R.S. SEC. 9-1-5-103.
- 7) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC 18-4-506.
- 8) THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
- 9) THE CONTOURS REPRESENTED HEREON WERE INTERPOLATED BY AUTODESK LAND DESKTOP (DIGITAL TERRAIN MODELING) RELEASE 2009 SOFTWARE BETWEEN ACTUAL MEASURED SPOT ELEVATIONS. DEPENDING ON THE DISTANCE FROM A MEASURED SPOT ELEVATION AND LOCAL VARIATIONS IN TOPOGRAPHY, THE CONTOUR SHOWN MAY NOT BE AN EXACT REPRESENTATION OF THE SITE TOPOGRAPHY. THE PURPOSE OF THIS TOPOGRAPHIC MAP IS FOR SITE EVALUATION AND TO SHOW SURFACE DRAINAGE FEATURES. ADDITIONAL TOPOGRAPHIC OBSERVATIONS MAY BE NECESSARY IN SPECIFIC AREAS OF DESIGN.
- 10) BENCHMARK INFORMATION: ONE DERIVED ELEVATION BASED ON NGS POINT OVERLOOK WITH A PUBLISHED ELEVATION OF 5679.34 FEET (NAVD 83), DISK STAMPED OVERLOOK 1985 LOCATED 67 FEET NORTH FROM THE CENTERLINE OF THE WESTBOUND LANE OF U.S. HIGHWAY 36, 16 FEET NORTH FROM HIGHWAY ROADCUT AND 13 FEET IN THE PARK AREA FOR OVERLOOK. ON-SITE BENCHMARK FOUND "1" BRASS TAG WITH SCREW ON THE WESTERLY PROPERTY LINE WITH A CALCULATED ELEVATION OF 5488.72 FEET.
- 11) SUBSURFACE BUILDINGS, IMPROVEMENTS OR STRUCTURES ARE NOT NECESSARILY SHOWN. BUILDINGS AND OTHER IMPROVEMENTS OR STRUCTURES ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE (5) FEET FROM ANY OF THE PROPERTY LINES OF THE SUBJECT PROPERTY ARE NOT NECESSARILY SHOWN.
- 12) FLOOD INFORMATION: THE SUBJECT PROPERTY IS LOCATED IN ZONE X UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NO. 080130058-G, DATED OCTOBER 4, 2002. FLOOD INFORMATION IS SUBJECT TO CHANGE.
- 13) DATES OF FIELD WORK: JULY 15 & 21, 2009.
- 14) THE FOLLOWING DOCUMENTS ARE MENTIONED IN THE ABOVE REFERENCED TITLE COMMITMENT AND APPEAR TO AFFECT THE SUBJECT PROPERTY BUT CANNOT BE SHOWN GRAPHICALLY. THE FOLLOWING LIST CONTAINS THE TITLE COMMITMENT EXCEPTION NUMBER, DATE RECORDED, RECEPTION NUMBER AND/OR BOOK AND PAGE.

12) NOV. 12, 1952	BOOK 917, PAGE 131	MINERAL RIGHTS
14) DEC. 4, 1976	REC. NO. 373052	TERMS, CONDITIONS & PROVISION OF ANNEX. AGREEMENT
MAY 17, 1984	REC. NO. 637627	AMENDED ANNEX. AGREEMENT
AUG. 29, 1984	REC. NO. 643233	ASSIGNMENT & ASSUMPTION OF ANNEX. AGREEMENT
15) MAY 17, 1984	REC. NO. 627628	TERMS, COND. & PROV. OF AMENDED & RESTATED DEVELOPMENT AGREEMENT
FEB. 13, 1987	REC. NO. 826993	SECOND AMENDMENT
MAY 10, 1991	REC. NO. 1102905	THIRD AMENDMENT
AUG. 29, 1984	REC. NO. 643233	ASSIGNMENT & ASSUMPTION
AUG. 7, 1995	REC. NO. 1537653	FIFTH AMENDMENT
MAR. 27, 1996	REC. NO. 1594857	SIXTH AMENDMENT
SEPT. 22, 1995	REC. NO. 1549448	INSTRUMENT
16) FEB. 9, 1982	REC. NO. 482948	TERMS, COND. & PROV. OF AGREEMENT
	482950, 482951, 482952	
APR. 19, 1985	REC. NO. 683686	AMENDMENT
SEPT. 22, 1995	REC. NO. 1549446	ASSIGNMENT OF RETAIL DEVELOPMENT RIGHTS
17) JUN. 10, 1983	REC. NO. 594952	TERMS, COND. & PROV. OF MEMORANDUM OF AGREEMENT
18) JAN. 8, 1996	REC. NO. 1574849	GAZ PREDLINE EASEMENT (NO SPECIFIC LOCATION IN DOCUMENT)
19) DEC. 19, 1983	REC. NO. 593903	TERMS, COND. & PROV. CENTENNIAL VALLEY GENERAL DEVELOPMENT PLAN
SEPT. 15, 1988	REC. NO. 842355	AMENDMENT
21) SEPT. 22, 1995	REC. NO. 1549440	TERMS, COND., PROV., BURDENS & OBLIGATIONS
22) SEPT. 22, 1995	REC. NO. 1549441	TERMS, COND., PROV., BURDENS & OBLIGATIONS
SEPT. 22, 1995	REC. NO. 1549445	ASSUMPTION & RELEASE
23) SEPT. 22, 1995	REC. NO. 1549443	TERMS, COND., PROV., BURDENS & OBLIGATIONS
24) SEPT. 22, 1995	REC. NO. 1549444	TERMS, COND., PROV., BURDENS, OBLIG. & EMTS (SEE NOTE 15)
25) SEPT. 20, 1999	REC. NO. 1549787	TERMS, COND., PROV., BURDENS, OBLIG. & EMTS (SEE NOTE 15)
APR. 16, 1996	REC. NO. 1599753	RE-RECORDED



VICINITY MAP (NOT TO SCALE)

Mapcheck

ARC LENGTH: 101.83	RADIUS: 71.15	DELTA: 81-50-45
COURSE: S 63-26-30 E	DISTANCE: 169.13	
COURSE: S 27-41-52 W	DISTANCE: 348.02	
COURSE: N 69-02-35 W	DISTANCE: 59.13	
ARC LENGTH: 64.76	RADIUS: 193.00	DELTA: -19-13-31
COURSE: N 84-16-06 W	DISTANCE: 48.03	
ARC LENGTH: 223.42	RADIUS: 1765.58	DELTA: 8-05-11
COURSE: N 19-37-03 E	DISTANCE: 58.11	
PERIMETER: 1102.24		
AREA: 73115.62	1.68 ACRES	
MAPCHECK CLOSURE - (USES LISTED COURSES & COGO UNITS)		
ERROR OF CLOSURE: 0.001	COURSE: S 11-33-49 W	
PRECISION: 1: 90788.13		

Notes contd.

- 15) EXCEPTION DOCUMENT NO. 24, IN THE ABOVE REFERENCED TITLE COMMITMENT, RECORDED SEPT. 22, 1995 AT REC. NO. 1549444 DESCRIBES A RECIPROCAL ACCESS AND CONSTRUCTION EASEMENT FOR CENTENNIAL VALLEY PARCEL H, SECOND FILING AND CANNOT BE SHOWN GRAPHICALLY.
- 16) EXCEPTION DOCUMENT NO. 25, IN THE ABOVE REFERENCED TITLE COMMITMENT, RECORDED SEPT. 25, 1995 AT REC. NO. 1549767 & APR. 16, 1996 AT REC. NO. 1599753 DESCRIBES A RECIPROCAL STREET, PATHWAY AND UTILITY EASEMENT FOR LOT 1 OF CENTENNIAL VALLEY PARCEL H, SECOND FILING AND CANNOT BE SHOWN GRAPHICALLY.
- 17) THE FOLLOWING DOCUMENTS ARE MENTIONED IN THE ABOVE REFERENCED TITLE COMMITMENT AND DO NOT APPEAR TO AFFECT THE SUBJECT PROPERTY. THE FOLLOWING LIST CONTAINS THE TITLE COMMITMENT EXCEPTION NUMBER, DATE RECORDED, RECEPTION NUMBER AND/OR BOOK AND PAGE.

10) APR. 24, 1946	BOOK 777, PAGE 541	MINERAL RIGHTS
11) APR. 24, 1946	BOOK 777, PAGE 542	MINERAL RIGHTS
13) FEB. 21, 1953	BOOK 922, PAGE 237	COAL RIGHTS
- 18) THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- 19) THE TOTAL AREA OF THE SUBJECT PROPERTY IS 73,116 SQ. FT. OR 1.68 ACRES, MORE OR LESS.
- 20) THE SUBJECT PROPERTY IS ZONED, P.C.Z.D., PLANNED COMMUNITY ZONING DISTRICT, PER CITY OF LOUISVILLE, AS RESEARCHED ON THE CITY WEBSITE ON JULY 21, 2009. THE RESTRICTIONS ARE AS FOLLOWS:

FOR ARTERIAL STREET:	30 FT
COLLECTOR STREET:	20 FT
INTERNAL/COMMON PROPERTY BOUNDARY:	10 FT
INTERNAL/PRIVATE DRIVEWAY (TO BACK OF CURB):	15 FT
MAXIMUM BUILDING HEIGHT:	35'
FLOOR SPACE AREA:	BUILDINGS LESS THAN OR EQUAL TO 30,000 SQ. FT.
- 21) THERE ARE 159 REGULAR PARKING SPACES, AND 5 HANDICAP SPACES ON THE SUBJECT PROPERTY FOR A TOTAL OF 114 PAINTED PARKING STALLS ON THE SUBJECT PROPERTY.
- 22) THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF SURVEY.
- 23) THERE WAS NO OBSERVABLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SLUMP OR SANITARY LANDFILL AT THE TIME OF SURVEY.
- 24) THERE WAS NO OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT OF WAY LINES OR STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT TIME OF SURVEY.
- 25) THE SIGN LOCATED AT THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY EXTENDS ACROSS THE WESTERLY PROPERTY LINE AND IS OUTSIDE THE EASEMENT AS SHOWN HEREON.
- 26) ALL STORM SEWER MANHOLES AND AREA DRAIN WERE MEASURED TO THE BOTTOM OF STRUCTURES AT FLOWLINE DUE TO THE SHAPE AND CONSTRUCTION OF MANY OF THE STRUCTURES. SPECIFIC PIPE INVERTS AND SIZES WERE NOT OBTAINABLE AT ALL LOCATIONS.
- 27) THE PUBLIC SIDEWALK CROSSES INTO THE WESTERLY SIDE OF THE SUBJECT PROPERTY AS SHOWN HEREON.
- 28) UTILITIES EXIST ON THE SUBJECT PROPERTY OUTSIDE OF A RECORDED EASEMENT AS SHOWN HEREON.
- 29) THE SUBJECT PROPERTY APPEARS TO SHARE ACCESS WITH THE PROPERTY TO THE EAST.

Surveyor's Certificate

TO GUARANTY BANK AND TRUST, LAND TITLE GUARANTEE COMPANY, MOCASIN RETAIL, LLC, AND PACKARD AND DIERKING, LLC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE UNDER MY DIRECT SUPERVISION, IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPSI IN 2005, AND INCLUDES ITEMS 1-6, 7A, 8-10, 11B, 13, 14, AND 16-18 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NPSI AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.



JOHN B. DUTTON
COLORADO P.L.S. #16406
CHAIRMAN & CEO, FLATIRONS, INC. FSJ JOB NO. 09-56,181

Depositing Certificate

SUBMITTED TO BOULDER COUNTY LAND USE FOR RECORDING ON THIS 12th DAY OF February 2010

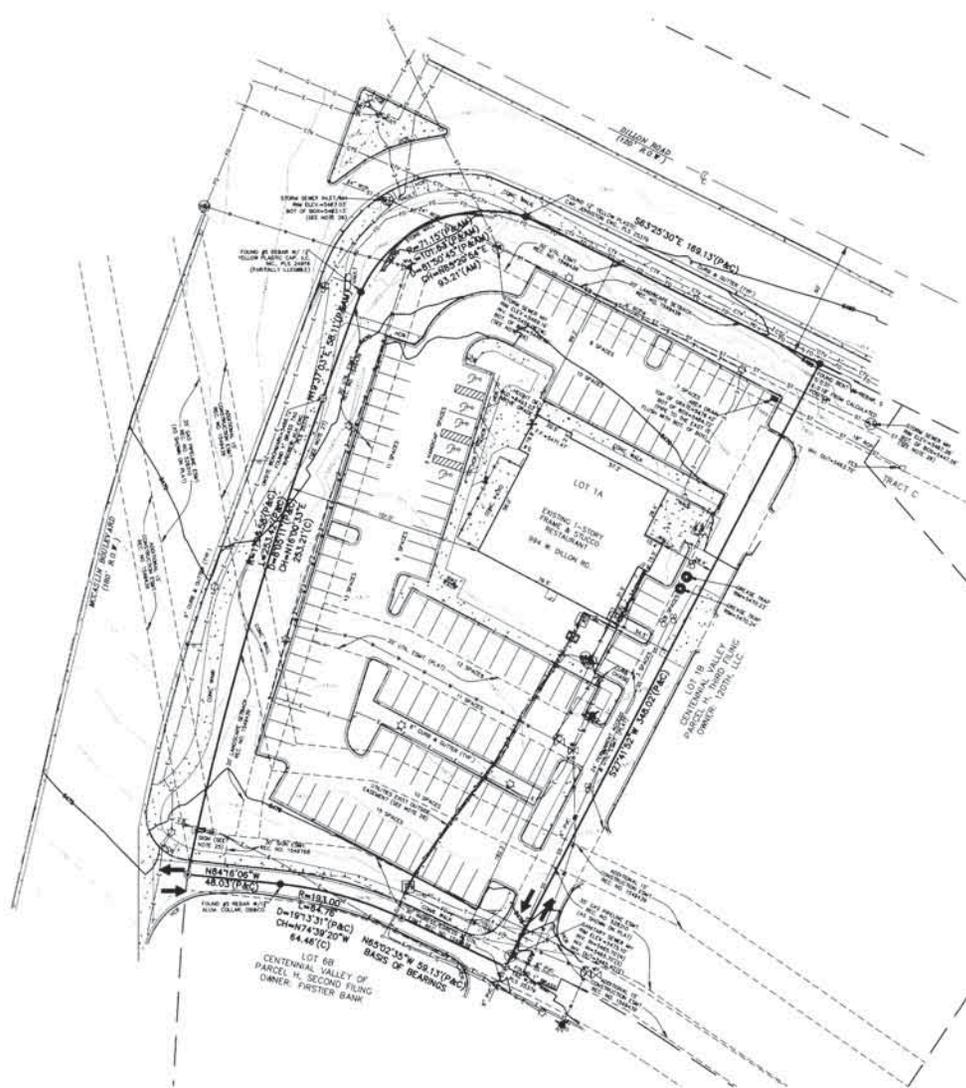
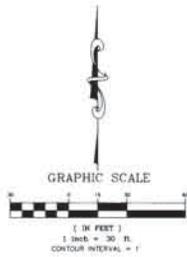
ALTA/ACSM LAND TITLE SURVEY			
Guaranty Bank and Trust & Others (See Note 3)			
SHEET 1 OF 2			
DRAWN BY:	E. DAVIS		
DATE:	JULY 23, 2009		
FSJ JOB NO.:	09-56,181		
FLATIRONS, INC. Surveying, Engineering & Geomatics		OS: 7/27/09	
MAN OFFICE:	3025 9th Ave. Ste. 100	BRANCH OFFICE:	635 FOXEY AVENUE
BOULDER CO. REG. NO.:	10000	LIMONIGHT CO. REG. NO.:	10000
PH: (303) 443-9000	FAX: (303) 443-9030	PH: (303) 776-1731	FAX: (303) 776-1355
CHECKED BY:		DATE:	
COPYRIGHT 2009 FLATIRONS, INC.			

ALTA/ACSM LAND TITLE SURVEY

LOT 1A, CENTENNIAL VALLEY PARCEL H, THIRD FILING, LOCATED IN A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2

TOTAL AREA = 73,116 SQ FT, OR 1.68 ACRES, MORE OR LESS



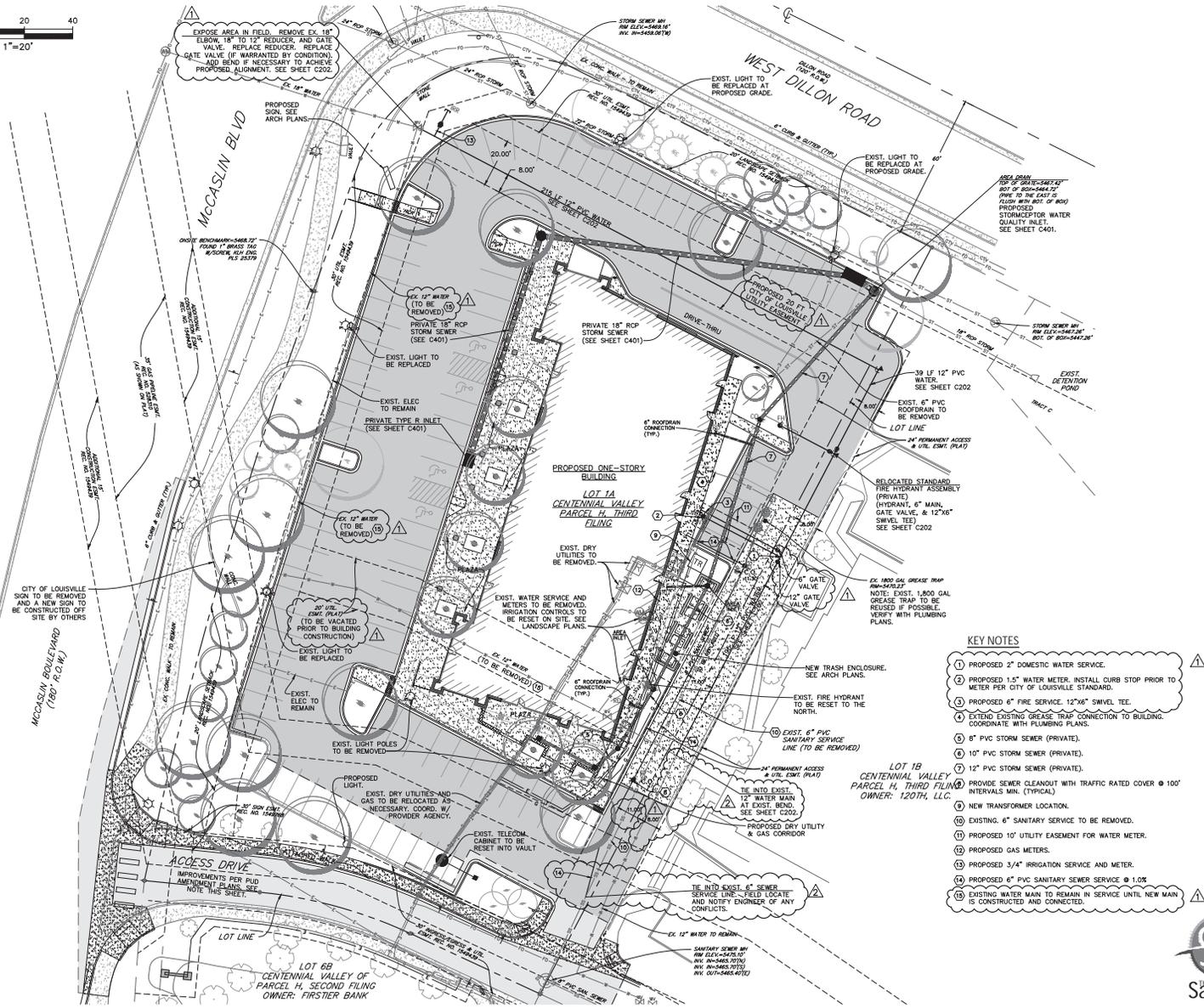
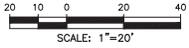
Legend

- FOUND MONUMENT AS DESCRIBED
- ⊙ FOUND BRASS TAG AS DESCRIBED
- ⊙ SET #5 REBAR WITH 1 1/2" ALUMINUM CAP FLATIRON'S SURV 1640E
- (AM) AS MEASURED AT TIME OF SURVEY
- (C) CALCULATED FROM RECORD AND AS MEASURED INFORMATION
- (P) AS PER THE PLAT OF CENTENNIAL VALLEY PARCEL H, THIRD FILING
- CONCRETE
- ⊙ LIGHT POLE
- FENCE
- SIGN
- BOLLARD
- HANDICAP PARKING
- NO PARKING
- WATER LINE (PAINTED)
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- SANITARY SEWER LINE
- SANITARY SEWER MANHOLE
- CLEANOUT
- STORM DRAINAGE LINE
- STORM DRAINAGE MANHOLE
- GRATE INLET
- ELECTRICAL LINE (PAINTED)
- ELECTRICAL TRANSFORMER
- ELECTRICAL RISER
- TRAFFIC LIGHT
- CABLE TV LINE (PAINTED)
- FIBEROPTIC LINE (PAINTED)
- TELEPHONE LINE (PAINTED)
- TELEPHONE RISER (PAINTED)
- GAS LINE (PAINTED)
- GAS METER
- GREASE TRAP MANHOLE
- FINISH FLOOR ELEVATION
- LOCATION OF BUILDING HEIGHT
- CENTERLINE
- INDICATION OF ACCESS
- HCR HANDICAP RAMP
- RCP REINFORCED CONCRETE PIPE
- FES FLARED END SECTION
- PVC POLYVINYL CHLORIDE



ALTA/ACSM LAND TITLE SURVEY			
Prepared for			
Guaranty Bank and Trust			
&			
Others (See Note 3)			
SHEET 2 OF 2			
DRAWN BY: E. DAVIS			
DATE: JULY 23, 2009			
FSD JOB NO: 09-56-18			
BRANCH OFFICE		BRANCH OFFICE	
3025 805 AVE., STE. 100		853 QUINCY AVENUE	
BOULDER, CO 80501		LONGMONT, CO 80501	
PH: (303) 443-3001		PH: (303) 778-1723	
FAX: (303) 443-8830		FAX: (303) 778-4335	
COPYRIGHT 2009 FLATIRONS, INC.			
OS	DATE	INT.	DATE
	7/27/09		
REVISIONS:			
CHECKED BY: HWL/BJV			

LS 10.0026 y/c



UTILITY LEGEND

PROPERTY LINE	.....
EASEMENT	-----
RIGHT-OF-WAY	-----
EX. FENCES	.....
EX. STORM SEWER	..... ST
EX. SANITARY SEWER	..... SS
EX. WATER LINE	..... W
EX. NATURAL GAS LINE	..... G
EX. FIBER OPTIC LINE	..... FO
EX. UNDERGROUND ELECTRICAL LINE	..... E
EX. OVERHEAD ELECTRICAL LINE	..... OE
EX. LIGHT POLE	.....
EX. POWER POLE	.....
PROPOSED WATER LINE	..... 8" PVC
PROPOSED WATER VALVE	.....
PROPOSED TEE WITH THRUST BLOCKING	.....
PROPOSED HORIZONTAL BEND WITH THRUST BLOCKING	.....
PROPOSED FIRE HYDRANT	.....
PROPOSED REDUCER	.....
PROPOSED WATER SERVICE	.....
PROPOSED FIRE SERVICE	.....
PROPOSED SANITARY SEWER	..... 6" PVC
PROPOSED SANITARY SEWER SERVICE	.....
PROPOSED ELECTRICAL LINE	.....
PROPOSED ELECTRICAL TRANSFORMER	..... TR
PROPOSED LIGHT POLE	.....
PROPOSED GAS LINE	.....
PROPOSED GAS METER	..... GMS
PROPOSED TELEPHONE LINE	.....
PROPOSED TREES	.....
PROPOSED STORM SEWER	.....

DRY UTILITY NOTE:
 THE CONTRACTOR SHALL COORDINATE WITH UTILITY PROVIDERS FOR ELECTRIC, GAS, TELECOM AND CABLE SERVICES. DRY UTILITIES SHOWN ON THIS PLAN ARE SCHEMATIC AND SHOWN FOR INFORMATION AND PLANNING ONLY. FINAL LOCATIONS MAY VARY BASED ON UTILITY PROVIDER DIRECTIONS, SITE CONDITIONS, ETC.

PARCEL H ACCESS IMPROVEMENTS PER PARCEL H FINAL PUD AMENDMENT PLANS DATED JULY 22, 2015 (NOT PART OF THIS PLAN SET).

- KEY NOTES**
- PROPOSED 2" DOMESTIC WATER SERVICE.
 - PROPOSED 1.5" WATER METER. INSTALL CURB STOP PRIOR TO METER PER CITY OF LOUISVILLE STANDARD.
 - PROPOSED 6" FIRE SERVICE. 12"x6" SWIVEL TEE.
 - EXTEND EXISTING GREASE TRAP CONNECTION TO BUILDING. COORDINATE WITH PLUMBING PLANS.
 - EX. 6" PVC STORM SEWER (PRIVATE).
 - 10" PVC STORM SEWER (PRIVATE).
 - 12" PVC STORM SEWER (PRIVATE).
 - PROVIDE SEWER CLEANOUT WITH TRAFFIC RATED COVER @ 100" INTERVALS MIN. (TYPICAL).
 - NEW TRANSFORMER LOCATION.
 - EXISTING. 6" SANITARY SERVICE TO BE REMOVED.
 - PROPOSED 10" UTILITY EASEMENT FOR WATER METER.
 - PROPOSED GAS METERS.
 - PROPOSED 3/4" IRRIGATION SERVICE AND METER.
 - PROPOSED 6" PVC SANITARY SEWER SERVICE @ 1.0%
 - EXISTING WATER MAIN TO REMAIN IN SERVICE UNTIL NEW MAIN IS CONSTRUCTED AND CONNECTED.



4.	10/29/15	RE-ISSUE FOR PERMIT
2.	8/12/15	ISSUE FOR PERMIT
1.	8/12/15	REGIONAL DEVELOPMENT REVIEW
NO. DATE		

PEH ARCHITECTS
 1319 Spruce Street Suite 207
 Boulder, CO 80302
 303-442-0408 fax: 303-447-1905
 e-mail: peh@peharchitects.com



801 MAIN STREET
 LOUISVILLE, CO 80027
 303.981.9139

PROJECT CONTACT:
 CURTIS STEVENS, P.E.

McCaslin Marketplace
 994 West Dillon Road
 Louisville, Colorado 80027

SHEET TITLE
MASTER UTILITY PLAN

PROJECT:	2015.06	SHEET NUMBER
DATE:	03/12/15	C201
DRAWN BY:	CCS	
CHECKED BY:	CCS	

MASTER UTILITY PLAN
 1" = 20' 0" 0 10 20

04475447
 04/15/15
 07/15/15

FINAL PUD

(AMENDMENT TO APPROVED PUD FOR 994 WEST DILLON ROAD, RECORDED ON MARCH 7, 1996)

CENTENNIAL VALLEY PARCEL H, McCASLIN MARKETPLACE (RETAIL, INC)

LOT 1A, CENTENNIAL VALLEY PARCEL H, THIRD FILING, LOCATED IN A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

994 WEST DILLON ROAD
 LOUISVILLE, COLORADO 80027

PROJECT DIRECTORY

OWNER:
 McCaslin Retail, LLC
 801 Main Street
 300A 47th Street, Suite 200
 Boulder, CO 80502
 P: (303) 442-2134
 F: (303) 442-8252
 V: Scott MacIntyre, Co-Manager
 smacintyre@mcclain.com

ARCHITECT:
 PEH Architects
 1519 Spruce Street, Suite 207
 Boulder, CO 80502
 P: (303) 442-0989
 F: (303) 442-1955
 E: phelmz@peharchitects.com
 V: John Pehe, PEH, PE, Principal
 V: Scott MacIntyre, PEH, PE, Project Manager, LEED AP
 smacintyre@mcclain.com

LANDSCAPE ARCHITECT:
 Nelson's Group
 15074 Nelson Circle Road
 Ardenmore, CO 80503
 P: (303) 442-3333
 F: (303) 442-5444
 E: nelson@nelsonsgroup.com
 V: Rudy Matlock
 rmatlock@nelsonsgroup.com

PROJECT DESCRIPTION

DESIGNED EXTEND SINGLE STORY RESTAURANT AND CONSTRUCT A NEW 12,732 SF SINGLE STORY BUILDING WITH RETAIL AND RESTAURANT SPACE, IMPROVE EXISTING PARKING LOT AND IMPROVE SURFACE PAVING.

LEGAL DESCRIPTION:
 CERTAIN VALLEY PARCEL H, THIRD FILING, LOCATED IN A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

PROJECT AREA:
 1.68 ACRES (CL116 SP)

LANDMARKS:
 15074 Nelson Circle Road
 Ardenmore, CO 80503

ADJACENT PROPERTIES:
 TO THE WEST: 15074 Nelson Circle Road
 TO THE EAST: 15074 Nelson Circle Road
 TO THE SOUTH: 15074 Nelson Circle Road
 TO THE NORTH: 15074 Nelson Circle Road

LAND USE:
 12,732 SF (0.29 ACRES) 17%
 26,216 SF (0.60 ACRES) 33%
 29,816 SF (0.68 ACRES) 30%
 73,116 SF (1.68 ACRES) 100%

NOTES:
 1. ALL HEIGHTS SHALL BE MEASURED TO THE FINISHED GRADE.
 2. ALL HEIGHTS SHALL BE MEASURED TO THE FINISHED GRADE.
 3. ALL HEIGHTS SHALL BE MEASURED TO THE FINISHED GRADE.
 4. ALL HEIGHTS SHALL BE MEASURED TO THE FINISHED GRADE.
 5. ALL HEIGHTS SHALL BE MEASURED TO THE FINISHED GRADE.

SHEET INDEX

SHEET NUMBER	SHEET TITLE
0000	COVER SHEET & CODE INFORMATION
0100	CENTENNIAL VALLEY PARCEL H, McCASLIN MARKETPLACE (RETAIL, INC) SITE & BUILDING PRELIMINARY PLAN
0200	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
0300	LANDSCAPE PLAN
0400	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
0500	LANDSCAPE PLAN
0600	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
0700	LANDSCAPE PLAN
0800	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
0900	LANDSCAPE PLAN
1000	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
1100	LANDSCAPE PLAN
1200	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
1300	LANDSCAPE PLAN
1400	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
1500	LANDSCAPE PLAN
1600	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
1700	LANDSCAPE PLAN
1800	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
1900	LANDSCAPE PLAN
2000	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
2100	LANDSCAPE PLAN
2200	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
2300	LANDSCAPE PLAN
2400	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
2500	LANDSCAPE PLAN
2600	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
2700	LANDSCAPE PLAN
2800	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
2900	LANDSCAPE PLAN
3000	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
3100	LANDSCAPE PLAN
3200	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
3300	LANDSCAPE PLAN
3400	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
3500	LANDSCAPE PLAN
3600	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
3700	LANDSCAPE PLAN
3800	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
3900	LANDSCAPE PLAN
4000	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
4100	LANDSCAPE PLAN
4200	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
4300	LANDSCAPE PLAN
4400	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
4500	LANDSCAPE PLAN
4600	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
4700	LANDSCAPE PLAN
4800	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY
4900	LANDSCAPE PLAN
5000	LANDSCAPE DETAILS AND EXISTING LANDSCAPE INVENTORY



VIEW from CORNER OF McCASLIN BLVD & W. DILLON ROAD



VIEW from SW CORNER OF PROPERTY



VICINITY MAP (EXISTING AERIAL PHOTO)
 NOT TO SCALE

OWNERSHIP SIGNATURE BLOCK
 By signing this PUD, the owner acknowledges and accepts all the requirements and intent set forth in this PUD. Witness my (our) hand(s) seal(s) this 14 day of August, 2015.

By: John A. Pehe
 Owner Name and Signature
 Notary Name (print) _____ (Notary Seal)
John A. Pehe
 Notary Signature
 My Commission Expires August 22, 2015

PLANNING COMMISSION CERTIFICATE
 Approved this 9 day of July, 2015 by the Planning Commission of the City of Louisville, Colorado.
 Resolution No. 20 Series 2015

CITY COUNCIL CERTIFICATE
 Approved this 28 day of July, 2015, by the City Council of the City of Louisville, Colorado.
 Resolution No. 46 Series 2015
John A. Pehe
 Mayor Signature
John A. Pehe
 City Clerk Signature

CLERK AND RECORDER CERTIFICATE
 (COUNTY OF BOULDER, STATE OF COLORADO)
 I hereby certify that this instrument was filed in my office on 3/14 at 10:00 P. M., this 14 day of September, 2015, and is recorded in Plan File _____ Fee \$121.00 paid _____ Film No. 13473-147 Reception.

Hilary Hall
 Clerk & Recorder
Michelle
 Deputy

2. 8/15/15 FINAL PUD SUBMITTAL
 04/15/15 PUD SUBMITTAL
 07/15/15 PUD SUBMITTAL

PEH ARCHITECTS
 1519 Spruce Street Suite 207
 Boulder, CO 80502
 303-442-0408, fax: 303-447-1905
 e-mail: peh@peharchitects.com

McCaslin Marketplace
 PUD
 994 West Dillon Road
 Louisville, Colorado 80027

SHEET TITLE
 COVER SHEET & CODE INFORMATION

PROJECT: 04/15/15
DATE: 07/15/15
DRAWN BY: JAP
CHECKED BY: PH

SHEET NUMBER
 A000

Parcel Description (PROVIDED BY LAND TITLE GUARANTEE COMPANY) LOT 1A, CENTENNIAL VALLEY PARCEL H, THIRD FILING, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO.

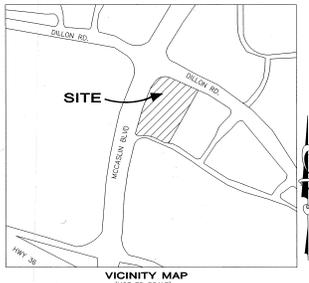
ALTA/ACSM LAND TITLE SURVEY

LOT 1A, CENTENNIAL VALLEY PARCEL H, THIRD FILING, LOCATED IN A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2 TOTAL AREA = 73,116 SQ FT, OR 1.68 ACRES, MORE OR LESS

Notes

- 1) LAND TITLE GUARANTEE COMPANY, COMMITMENT NUMBER H00023565, DATED JANUARY 28, 2010 AT 5:00 P.M. WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
2) ACCORDING TO COLORADO LAW YOU MUST COMMANDE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
3) THIS ALTA/ACSM LAND TITLE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF GUARANTY BANK AND TRUST, LAND TITLE GUARANTEE COMPANY, PACKARD AND DIERING, LLC AND MOCULAN RETAIL, LLC, A COLORADO LIMITED LIABILITY COMPANY NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMED SAID PERSON.
4) THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
5) BASIS OF BEARINGS: SOUTH LINE OF LOT 1A BEARS H5502'20"W BETWEEN MONUMENTS AS SHOWN AND DESCRIBED HEREON. PER THE RECORDED PLAT AT CENTENNIAL VALLEY PARCEL H, THIRD FILING.
6) THE LOCATIONS FOR UNDERGROUND UTILITIES ARE BASED UPON VISIBLE SURFACE EVIDENCE, MARKS FROM UTILITY LOCATOR SERVICES AND MAPS PROVIDED BY THE APPROPRIATE UTILITY COMPANIES AND MUNICIPALITIES. LOCATIONS OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES AND STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES AND STRUCTURES. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY OR UTILITY COMPANY PRIOR TO ANY EXCAVATION, PURSUANT TO C.R.S. SEC. 9-15-103.
7) ANY PERSON WHO KNOWLEDGELY REMOVES, ALTERS OR DEFEATS ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMETS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC. 18-15-508.
8) THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
9) THE CONTOURS REPRESENTED HEREON WERE INTERPOLATED BY AUTOCROSS LAND DESIGNS (DIGITAL TERRAIN MODELING) RELEASE 2009 SOFTWARE BETWEEN ACTUAL MEASURED SPOT ELEVATIONS. DEPENDING ON THE DISTANCE FROM A MEASURED SPOT ELEVATION AND LOCAL VARIATIONS IN TOPOGRAPHY, THE CONTOUR SHOWN MAY NOT BE AN EXACT REPRESENTATION OF THE SITE TOPOGRAPHY. THE PURPOSE OF THIS TOPOGRAPHIC MAP IS FOR SITE EVALUATION AND TO SHOW SURFACE DRAINAGE FEATURES. ADDITIONAL TOPOGRAPHIC OBSERVATIONS MAY BE NECESSARY IN SPECIFIC AREAS OF DESIGN.
10) BENCHMARK INFORMATION: GPS DERIVED ELEVATION BASED ON NGS POINT OVERLOOK WITH A PUBLISHED ELEVATION OF 4973.14 FEET (VDOT 883). 95% STAMPED OVERLOOK WAS LOCATED 67 FEET NORTH FROM THE CENTERLINE OF THE WESTBOUND LANE OF U.S. HIGHWAY 36, 16 FEET NORTH FROM HIGHWAY ROADCUT AND 13 FEET IN THE PARK ARE FOR OVERLOOK. ORIENT BENCHMARK: FOUND "T" BRASS TAG WITH SOWEN ON THE WESTERLY PROPERTY LINE WITH A CALCULATED ELEVATION OF 5488.72 FEET.
11) SUBSURFACE BUILDINGS, IMPROVEMENTS OR STRUCTURES ARE NOT NECESSARILY SHOWN. BUILDINGS AND OTHER IMPROVEMENTS OR STRUCTURES ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE (5) FEET FROM ANY OF THE PROPERTY LINES OF THE SUBJECT PROPERTY ARE NOT NECESSARILY SHOWN.
12) FLOOD INFORMATION: THE SUBJECT PROPERTY IS LOCATED IN ZONE X UNSHADDED, AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NO. 08B130555B C, DATED OCTOBER 4, 2002. FLOOD INFORMATION IS SUBJECT TO CHANGE.
13) DATES OF FIELD WORK: JULY 15 & 21, 2009
14) THE FOLLOWING DOCUMENTS ARE MENTIONED IN THE ABOVE REFERENCED TITLE COMMITMENT AND APPEAR TO AFFECT THE SUBJECT PROPERTY BUT CANNOT BE SHOWN GRAPHICALLY. THE FOLLOWING LIST CONTAINS THE TITLE COMMITMENT EXCEPTION NUMBER, DATE RECORDED, RECEPTION NUMBER AND/OR BOOK AND PAGE.
15) NOV. 12, 1952 BOOK 017, PAGE 131 MINERAL RIGHTS
16) DEC. 4, 1976 REC. NO. 375212 TERMS, CONDITIONS & PROVISION OF ANNEX AGREEMENT
MAY 17, 1984 REC. NO. 625927 MODIFIED ANNEX AGREEMENT
AUG. 29, 1984 REC. NO. 642323 ASSIGNMENT & ASSUMPTION OF ANNEX AGREEMENT
17) MAY 17, 1984 REC. NO. 625926 TERMS, COND. & PROV. OF AMENDED & RESTARTED DEVELOPMENT AGREEMENT
FEB. 13, 1987 REC. NO. 826993 SECOND AMENDMENT
MAY 10, 1991 REC. NO. 1102505 THIRD AMENDMENT
AUG. 23, 1994 REC. NO. 642325 ASSIGNMENT & ASSUMPTION
AUG. 7, 1995 REC. NO. 15137633 FIFTH AMENDMENT
MAR. 27, 1996 REC. NO. 15186051 SIXTH AMENDMENT
SEPT. 22, 1995 REC. NO. 1548446 INSTRUMENT
18) FEB. 6, 1982 REC. NOS. 482949, 482950, 482951, 482952 TERMS, COND. & PROV. OF AGREEMENT
APR. 19, 1985 REC. NO. 683686 AMENDMENT
SEPT. 22, 1995 REC. NO. 1548446 ASSIGNMENT OF RETAIL DEVELOPMENT RIGHTS
19) JUN. 10, 1983 REC. NO. 1548446 TERMS, COND. & PROV. OF MEMORANDUM OF AGREEMENT
15) JAN. 6, 1996 REC. NO. 15184865 GAS PIPELINE EASEMENT (NO SPECIFIC LOCATION IN DOCUMENT)
16) DEC. 19, 1983 REC. NO. 593903 TERMS, COND. & PROV. CENTENNIAL VALLEY GENERAL DEVELOPMENT PLAN
SEPT. 15, 1989 REC. NO. 942355 AMENDMENT
18) SEPT. 22, 1995 REC. NO. 1548440 TERMS, COND. PROV., BURDENS & OBLIGATIONS
19) SEPT. 22, 1995 REC. NO. 1548441 TERMS, COND. PROV., BURDENS & OBLIGATIONS
20) SEPT. 22, 1995 REC. NO. 1548442 ASSUMPTION & RELEASE
21) SEPT. 22, 1995 REC. NO. 1548443 TERMS, COND. PROV., BURDENS & OBLIGATIONS
22) SEPT. 22, 1995 REC. NO. 1548444 TERMS, COND. PROV., BURDENS, OBLIG. & ESMTS (SEE NOTE 15)
23) SEPT. 25, 1995 REC. NO. 1548767 TERMS, COND. PROV., BURDENS, OBLIG. & ESMTS (SEE NOTE 16)
APR. 16, 1996 REC. NO. 1549753 REC-RECORDED



VICINITY MAP (NOT TO SCALE)

Mapcheck table with columns: ARC LENGTH, COURSE, DISTANCE, DELTA, RADIUS, PERIMETER, AREA, MAPWORK CLOSURE, ERROR OF CLOSURE, PRECISION.

Notes contd.

- 15) EXCEPTION DOCUMENT NO. 21, IN THE ABOVE REFERENCED TITLE COMMITMENT, RECORDED SEPT. 22, 1995 AT REC. NO. 1548444 DESCRIBES A RECIPROCAL ACCESS AND CONSTRUCTION EASEMENT FOR CENTENNIAL VALLEY PARCEL H, SECOND FILING AND CANNOT BE SHOWN GRAPHICALLY.
16) EXCEPTION DOCUMENT NO. 22, IN THE ABOVE REFERENCED TITLE COMMITMENT, RECORDED SEPT. 25, 1995 AT REC. NO. 1549767 & APR. 16, 1996 AT REC. NO. 1549753 DESCRIBES A RECIPROCAL STREET, PATHWAY AND UTILITY EASEMENT FOR LOT 1 OF CENTENNIAL VALLEY PARCEL H, SECOND FILING AND CANNOT BE SHOWN GRAPHICALLY.
17) THE WORD "CENTER" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
18) THE TOTAL AREA OF THE SUBJECT PROPERTY IS 73,116 SQ. FT. OR 1.68 ACRES, MORE OR LESS.
19) THE SUBJECT PROPERTY IS ZONED PCDD, PLANNED COMMUNITY ZONING DISTRICT, PER CITY OF LOUISVILLE, AS RESEARCHED ON THE CITY WEBSITE ON JULY 21, 2009. THE RESTRICTIONS ARE AS FOLLOWS:
FOR ARTERIAL STREET: 30 FT
COLLECTOR STREET: 20 FT
INTERNAL/COMMON PROPERTY BOUNDARY: 10 FT
INTERNAL/PRIVATE DRIVEWAY (TO BACK OF CURB): 10 FT
MAXIMUM BUILDING HEIGHT: 35'
FLOOR SPACE AREA: BUILDINGS LESS THAN OR EQUAL TO 30,000 SQ. FT.
20) THERE ARE 109 REGULAR PARKING SPACES, AND 5 HANDICAP SPACES ON THE SUBJECT PROPERTY FOR A TOTAL OF 114 PAINTED PARKING STALLS ON THE SUBJECT PROPERTY.
21) THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF SURVEY.
22) THERE WAS NO OBSERVABLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL AT THE TIME OF SURVEY.
23) THERE WAS NO OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT OF WAY LINES OR STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT TIME OF SURVEY.
24) THE SIGN LOCATED AT THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY EXTENDS ACROSS THE WESTERLY PROPERTY LINE AND IS OUTSIDE THE EASEMENT AS SHOWN HEREON.
25) ALL STORM SEWER MANHOLES AND AREA DRAIN WERE MEASURED TO THE BOTTOM OF STRUCTURES AT FLOWLINE. DUE TO THE SHARPE AND CONSTRUCTION OF MANY OF THE STRUCTURES, SPECIFIC PIPE INVERTS AND SIZES WERE NOT OBTAINABLE AT ALL LOCATIONS.
26) THE PUBLIC SIDEWALK CROSSES INTO THE WESTERLY SIDE OF THE SUBJECT PROPERTY AS SHOWN HEREON.
27) UTILITIES EXIST ON THE SUBJECT PROPERTY OUTSIDE OF A RECORDED EASEMENT AS SHOWN HEREON.
28) THE SUBJECT PROPERTY APPEARS TO SHARE ACCESS WITH THE PROPERTY TO THE EAST.

Surveyor's Certificate

TO GUARANTY BANK AND TRUST, LAND TITLE GUARANTEE COMPANY, PACKARD AND DIERING, LLC AND MOCULAN RETAIL, LLC, A COLORADO LIMITED LIABILITY COMPANY. THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPSI IN 2005, AND INCLUDES ITEMS 1-6, 7A, 8-16, 18, 19, 21, 14, AND 16-18 OF TABLE A HEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NPSI AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, THE RELATIVE PROFESSIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

JOHN B. GUYTON COLORADO P.L.S. #16436 FSJ JOB NO. 09-56181 CHAIRMAN & CEO, FLATRONS, INC.

ALTA/ACSM LAND TITLE SURVEY PROVIDED FOR Guaranty Bank and Trust Others (See Note 3) SHEET 1 OF 2. Includes drawing info, date (JULY 23, 2009), and contact info for FLATRONS, INC. (3035 885 AVE, STE 100, BOULDER, CO 80502).

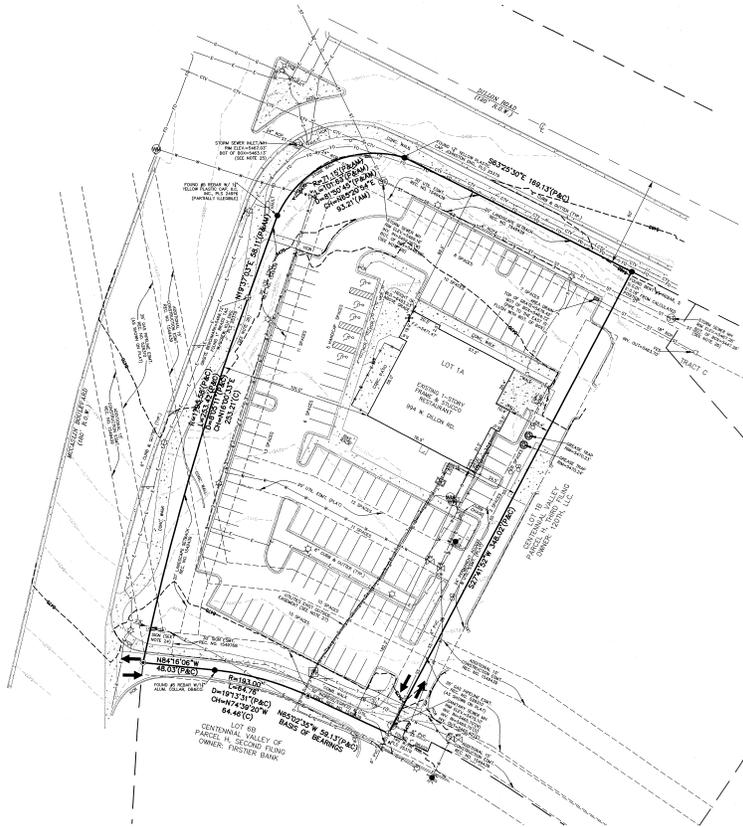
Depositing Certificate SUBMITTED TO BOULDER COUNTY LAND USE FOR RECORDING ON THIS DATE OF _____ 20__

ALTA/ACSM LAND TITLE SURVEY

LOT 1A, CENTENNIAL VALLEY PARCEL H, THIRD FILING, LOCATED IN A PART OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2

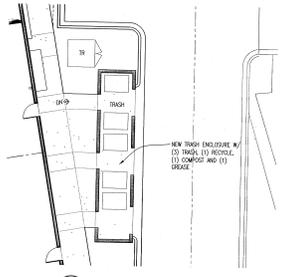
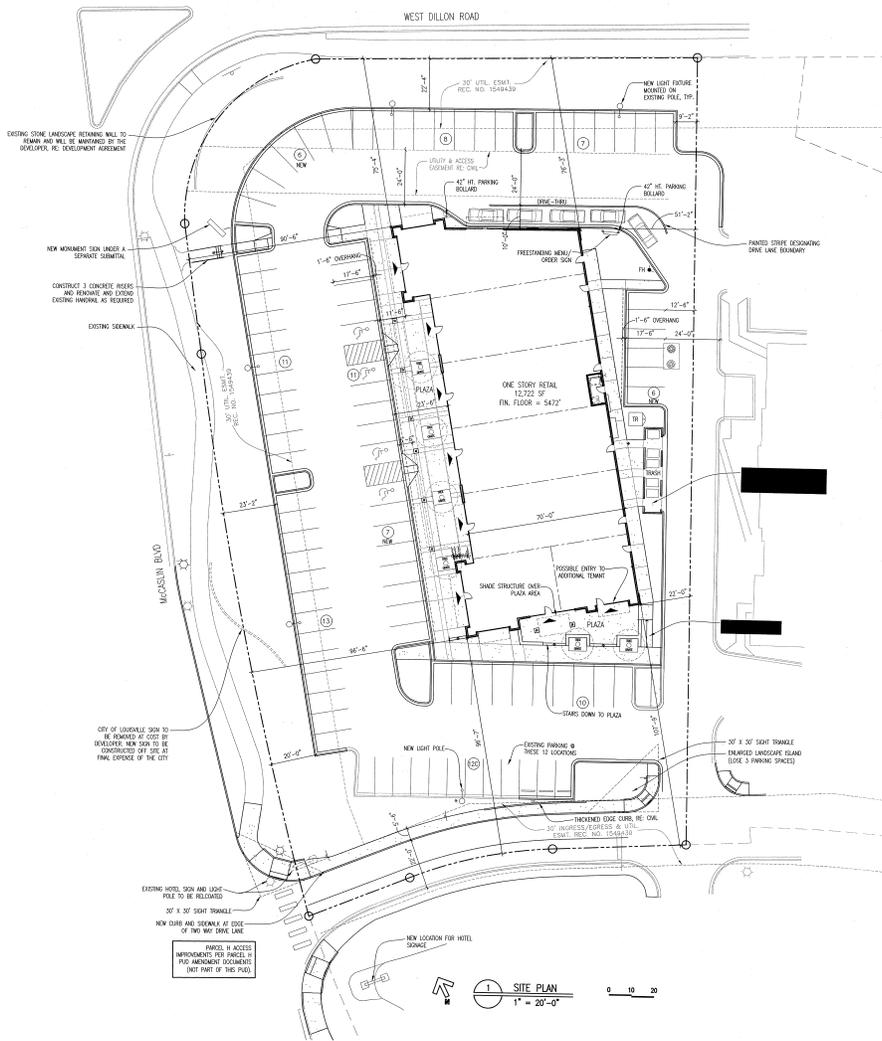
TOTAL AREA = 73,116 SQ. FT. OR 1.68 ACRES, MORE OR LESS



Legend

- FOUND MONUMENT AS DESCRIBED
- ⊙ FOUND BRASS TAG AS DESCRIBED
- SET AS REBAR WITH 1 1/2" ALUMINUM CAP "FLATIRON SURV 16406"
- (M) AS MEASURED AT TIME OF SURVEY
- (C) CALCULATED FROM RECORD AND AS MEASURED INFORMATION
- (F) AS PER THE BLAT OF CENTENNIAL VALLEY PARCEL H, THIRD FILING
- CONCRETE
- ⊗ LIGHT POLE
- FENCE
- SIGN
- BOLLARD
- ♿ HANDICAP PARKING
- NO PARKING
- WATER LINE (PAINTED)
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ FIRE HYDRANT
- SANITARY SEWER LINE
- ⊕ SANITARY SEWER MANHOLE
- ⊕ CLEANOUT
- STORM DRAINAGE LINE
- ⊕ STORM DRAINAGE MANHOLE
- ⊕ GRATE INLET
- ELECTRICAL LINE (PAINTED)
- ⊕ ELECTRICAL TRANSFORMER
- ⊕ ELECTRICAL RISER
- ⊕ TRAFFIC LIGHT
- CABLE TV LINE (PAINTED)
- FIBEROPTIC LINE (PAINTED)
- TELEPHONE LINE (PAINTED)
- ⊕ TELEPHONE RISER (PAINTED)
- GAS LINE (PAINTED)
- ⊕ GAS METER
- ⊕ GREASE TRAP MANHOLE
- ⊕ FINISH FLOOR ELEVATION
- ⊕ LOCATION OF BUILDING HEIGHT
- ⊕ CENTERLINE
- ➔ INDICATION OF ACCESS
- HR HANDICAP RAMP
- ROP REINFORCED CONCRETE PIPE
- FIS FLARED END SECTION
- PVC POLYVINYL CHLORIDE

ALTA/ACSM LAND TITLE SURVEY		
PREPARED FOR: Guaranty Bank and Trust & Others (See Note 3)		
SHEET 2 OF 2		
DRAWN BY: E. Davis	Flatirons, Inc. Surveying, Engineering & Geomatics	TAC 92.70/10
DATE: JULY 23, 2008	305 BLS AVE. STE. 100 BOULDER, CO 80501 PH: (303) 443-7000 FAX: (303) 443-8400 www.flatirons.com	05/12/27/09
PROJ. NO. 08-3618		REVISIONS: CHECKED BY: WV/LTB/AV
COPYRIGHT 2008-2010 FLATIRONS, INC.		

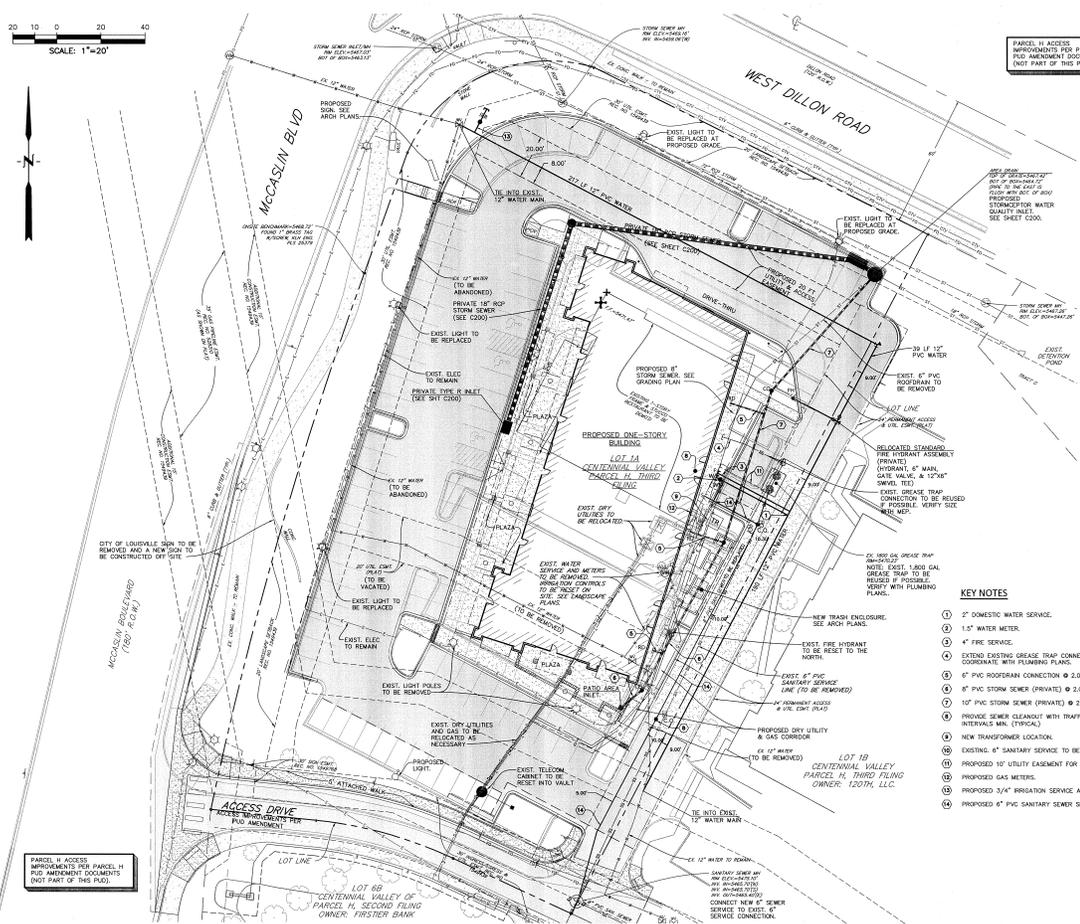
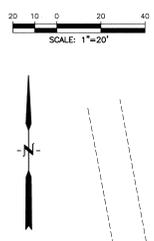


1" = 10'-0"

EXISTING	NEW	TOTAL
STANDARD	10	10
COMPACT	12	12
BIKE	7	7
TOTAL	29	29

- GENERAL NOTES:**
 REFER TO G&L AND LANDSCAPE PLANS FOR MORE DETAILED INFORMATION.
- LEGEND:**
 [Symbol] PROPOSED BUILDING ENTRY
 [Symbol] NEW PARKING
 [Symbol] EXISTING DRIVEWAY
 [Symbol] EXISTING DRIVEWAY TRAMP
 [Symbol] PARKING SPACE TOTALS
 [Symbol] COMPACT PARKING SPACE TOTALS
 [Symbol] NEW LIGHT FIXTURE - 100 WATT LED DOWNLIGHT MOUNTED ON EXISTING POLE
 [Symbol] NEW LIGHT POLE
 [Symbol] NEW LIGHT POLE - 100 WATT LED DOWNLIGHT ON 24" POLE, TYP.
 [Symbol] EXISTING OVERHEAD LIGHT POLE TO BE RELOCATED AS SHOWN.
 [Symbol] ONE BAY TRUCK (MAXIMUM 10'-10" x 16' BAYES PER BAY)
 TR = RELOCATED TRANSFORMER
 FH = FIRE HYDRANT, RE. ONE.

2.	5/15/15	FINAL P&I SUBMITTAL
1.	2/25/15	PRELIMINARY
NO.	DATE	REVISION
PEH ARCHITECTS		
1515 Spruce Street, Suite 200 Boulder, CO 80502 303-442-0408, fax: 303-441-1905 e-mail: peh@peharchitects.com		
McCaslin Marketplace PUD		
994 West Dillon Road Louisville, Colorado 80027		
SHEET TITLE		
SITE PLAN		
PROJECT:	2015.04	SHEET NUMBER
DATE:	05/15/15	A100
DRAWN BY:	PH	
CHECKED BY:	PH	



PARCEL H ACCESS IMPROVEMENTS FOR PARCEL H PUD AMENDMENT DOCUMENTS (NOT PART OF THIS PUD)

UTILITY LEGEND

PROPERTY LINE	---
EASEMENT	----
ROAD-TO-WALK	.....
EX FENCES	.....
EX STORM SEWER	.....
EX SANITARY SEWER	.....
EX WATER LINE	.....
EX NATURAL GAS LINE	.....
EX FIBER OPTIC LINE	.....
EX UNDERGROUND ELECTRICAL LINE	.....
EX OVERHEAD ELECTRICAL LINE	.....
EX LIGHT POLE	.....
EX POWER POLE	.....
PROPOSED WATER LINE	.....
PROPOSED WATER VALVE	.....
PROPOSED TEE WITH THRUST BLOOMING	.....
PROPOSED HORIZONTAL BEND WITH THRUST BLOOMING	.....
PROPOSED FIRE HYDRANT	.....
PROPOSED REDUCER	.....
PROPOSED WATER SERVICE	.....
PROPOSED FIRE SERVICE	.....
PROPOSED SANITARY SEWER SERVICE	.....
PROPOSED SANITARY SEWER SERVICE	.....
PROPOSED ELECTRICAL LINE	.....
PROPOSED ELECTRICAL TRANSFORMER	.....
PROPOSED LIGHT POLE	.....
PROPOSED GAS LINE	.....
PROPOSED GAS METER	.....
PROPOSED TELEPHONE LINE	.....
PROPOSED TREES	.....
PROPOSED STORM SEWER	.....

NOTES:
1. THIS PLAN IS INTENDED FOR FINAL PUD AND IS NOT A CONSTRUCTION/BUILDING PERMIT DOCUMENT.
2. PARCEL H ACCESS IMPROVEMENTS ARE NOT PART OF THIS PLAN AND AREA IS SHOWN FOR REFERENCE ONLY.

- KEY NOTES**
- ① 2" DOMESTIC WATER SERVICE
 - ② 1.5" WATER METER
 - ③ 4" FIRE SERVICE
 - ④ EXTEND EXISTING GREASE TRAP CONNECTION TO BUILDING. COORDINATE WITH PLUMBING PLANS.
 - ⑤ 6" PVC ROOFDRAIN CONNECTION @ 2.0%.
 - ⑥ 8" PVC STORM SEWER (PRIVATE) @ 2.0%.
 - ⑦ 10" PVC STORM SEWER (PRIVATE) @ 2.0%.
 - ⑧ PROVIDE SEWER CLEANOUT WITH TRAFFIC RATED COVER @ 10' INTERVALS MIN. (TYPICAL)
 - ⑨ NEW TRANSFORMER LOCATION.
 - ⑩ EXISTING 4" SANITARY SEWER TO BE REMOVED.
 - ⑪ PROPOSED 10" UTILITY EASEMENT FOR WATER METER.
 - ⑫ PROPOSED GAS METER.
 - ⑬ PROPOSED 3/4" ISOLATION SERVICE AND METER.
 - ⑭ PROPOSED 6" PVC SANITARY SEWER SERVICE @ 1.0%

FINAL PUD
DATE: 07/18/15

2. 06/18/15 CITY COMMENTS
1. 10/09/15 PER COMMENTS
NO. DATE REVISION

PEH ARCHITECTS
1310 Spruce Street Suite 201
Boulder, CO 80302
303-442-0405, fax: 303-447-1905
e-mail: peh@peharchitects.com

McCaslin Marketplace
PUD
604 West Dillon Road
Louisville, Colorado 80027

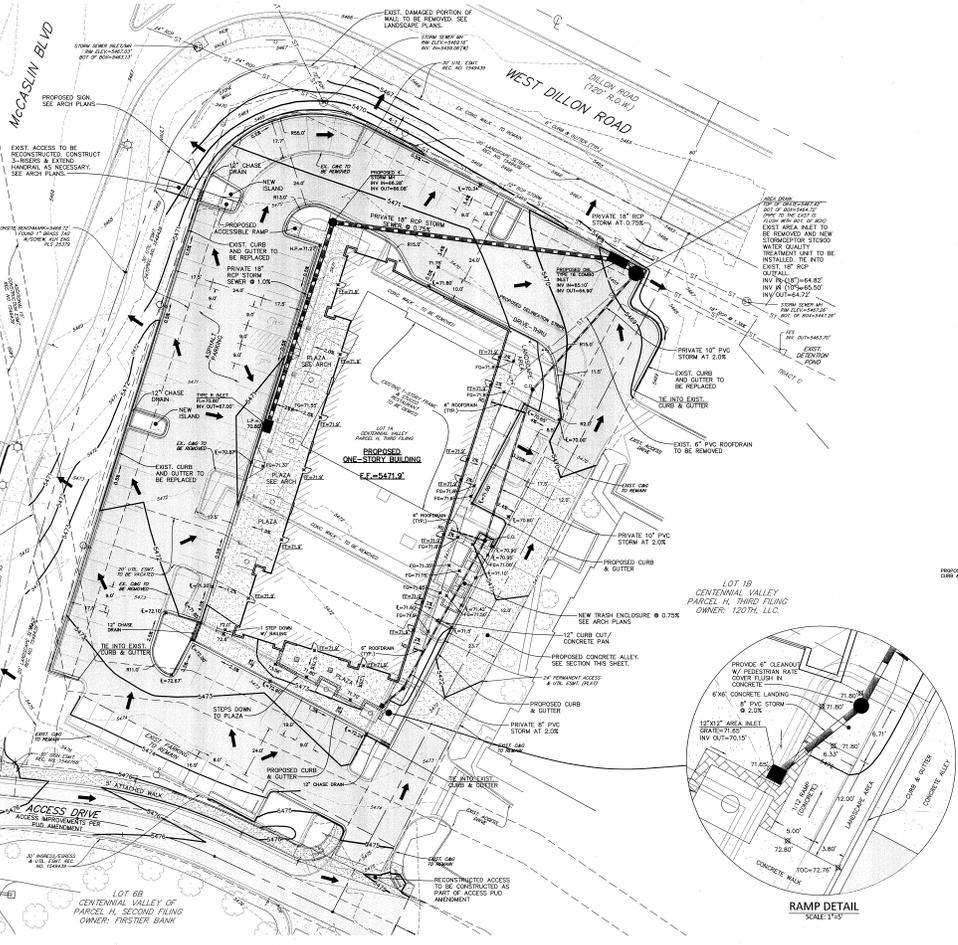


MASTER UTILITY PLAN
1" = 20'-0" 0 10 20

SHEET TITLE: **MASTER UTILITY PLAN**

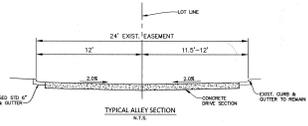
PROJECT: 2015.06
DATE: 02/09/15
DRAWN BY: CS
CHECKED BY: CCS

SHEET NUMBER: **C100**
OF 07



GRADING LEGEND

PROPERTY LINE	---
EASEMENT	----
RIGHT-OF-WAY	-----
EX. FENCES	.....
PROPOSED SWALE	.....
EX. INTERMEDIATE CONTOUR	.....
EX. INDEX CONTOUR	.....
PROPOSED INTERMEDIATE CONTOUR	.....
PROPOSED INDEX CONTOUR	.....
EXISTING SPOT ELEVATION	.....
PROPOSED SPOT ELEVATION	.....
PROPOSED GRADE	.....
PROPOSED SLOPE	.....
DIRECTION OF FLOW	.....
PROPOSED STORM SEWER	.....
HIGH POINT	HP
GRADE BREAK	GB
LOW POINT	LP
FLOWLINE	FL
EDGE OF ASPHALT	EA
FINISHED FLOOR ELEVATION	FF ELEV
PROPOSED ROOF DRAIN LOCATION	RD
PROPOSED NEW FULL DEPTH ASPHALT SECTION	.....
PROPOSED CONCRETE AREAS	.....
PROPOSED TREES	.....



- NOTES:**
1. THIS PLAN IS INTENDED FOR FINAL PUD AND IS NOT A CONSTRUCTION/BUILDING PERMIT DOCUMENT!
 2. PARCEL H ACCESS IMPROVEMENTS ARE NOT PART OF THIS PLAN AND AREA IS SHOWN FOR REFERENCE ONLY.

FINAL PUD
DATE: 6/16/19

2. 05/15/15 CITY COMMENTS
1. 05/05/15 PHS SUBMITTAL
NO. 05/05/15 REVISION

PEH ARCHITECTS
1510 Spruce Street, Suite 207
Boulder, CO 80502
303-442-0400, fax: 303-447-1905
e-mail: pehenz@peharchitects.com



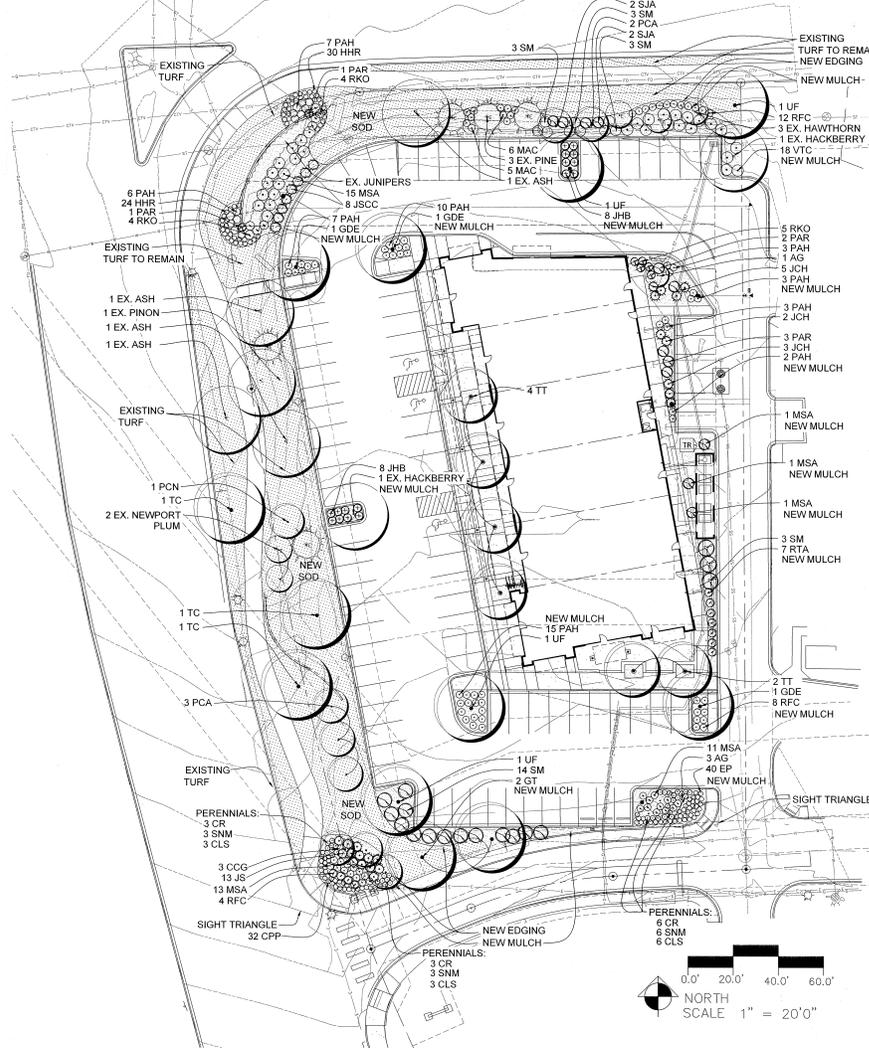
McCaslin Marketplace
PUD
894 West Dillon Road
Louisville, Colorado 80027

PROJECT TITLE: MASTER GRADING PLAN
PROJECT: 2015-08
DATE: 02/09/19
DRAWN BY: CCS
CHECKED BY: CCS

SHEET NUMBER: C200

MASTER GRADING PLAN
1" = 20'-0" 0 10 20

NEW LANDSCAPING PLAN

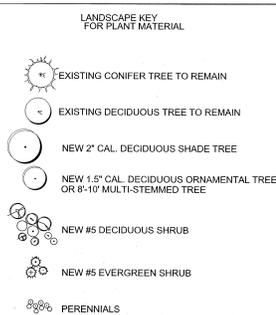


THIS STREETSCAPE DESIGN COMPLIES WITH THE TREE COUNT ESTABLISHED ON THE EXISTING APPROVED P.U.D. DATED 7/18/1995.

APPROVED TREE COUNT EXISTING P.U.D.	28
EXISTING TREES TO BE REMOVED	13
NEW TREES PROPOSED WITH THIS PLAN	13

THE LANDSCAPE DESIGN COMPLIES WITH THE STANDARDS ESTABLISHED IN THE CDDSG:

DESCRIPTION	REQUIRED	PROVIDED
PERIMETER ADJACENT TO McCasin Blvd. (273 L.F.) Attached sidewalk configuration: 1 tree per 20 L.F.	14	8 existing 10 new
PERIMETER ADJACENT TO Dillon Road (104 L.F.) Attached sidewalk configuration: (existing detached configuration does not meet required width) 1 tree per 20 L.F.	10	7 existing 3 new
PERIMETER ADJACENT TO Private road (154 L.F.) Attached sidewalk configuration: 1 tree per 20 L.F.	8	0 existing 2 new
INTERIOR PARKING LOT (87 spaces) 1 tree per 8 spaces	11	2 existing 9 new
PERIMETER ADJACENT TO BUILDING 25% of building perimeter (128 L.F.) planted with small trees	4	7
TOTAL TREES	47	48



PLANT LIST

note: plant quantities provided in a courtesy only. If discrepancy between plan and plant cover exists, plan takes precedence.

| NO. | HIGHWAY | LOWWAY | NO. PLANTS PER 100' PERMANENT |
|-----|---------|--------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| 1 | Highway | Lowway | 10-20 plants per 100' per season |
| 2 | Highway | Lowway | 10-20 plants per 100' per season |

NO.	SYMBOLOGY	COMMON NAME	SIZE	PLANTING	MATURE	HEIGHT	SPREAD
1	UF	ULMUS	12"	10'	10'	10'	10'
2	SJA	SALIX	2"	10'	10'	10'	10'
3	SM	SMILAX	3"	10'	10'	10'	10'
4	MAC	MAHONIA	6"	10'	10'	10'	10'
5	CR	CORNUS	3"	10'	10'	10'	10'
6	SNM	SARAWATIA	3"	10'	10'	10'	10'
7	CLS	CLAYTONIA	3"	10'	10'	10'	10'
8	CPP	CORONILLA	3"	10'	10'	10'	10'
9	AG	AGAVE	12"	10'	10'	10'	10'
10	EP	ERIOGONUM	12"	10'	10'	10'	10'
11	RP	RUPERTIA	12"	10'	10'	10'	10'
12	YD	YUCCA	12"	10'	10'	10'	10'
13	DA	DAPHNE	12"	10'	10'	10'	10'
14	HA	HAMAMELIS	12"	10'	10'	10'	10'
15	MA	MAGNOLIA	12"	10'	10'	10'	10'
16	SP	SPARGANGLIUM	12"	10'	10'	10'	10'
17	SA	SARAWATIA	12"	10'	10'	10'	10'
18	SA	SARAWATIA	12"	10'	10'	10'	10'
19	SA	SARAWATIA	12"	10'	10'	10'	10'
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23	SA	SARAWATIA	12"	10'	10'	10'	10'
24	SA	SARAWATIA	12"	10'	10'	10'	10'
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79	SA	SARAWATIA	12"	10'	10'	10'	10'
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94	SA	SARAWATIA	12"	10'	10'	10'	10'
95	SA	SARAWATIA	12"	10'	10'	10'	10'
96	SA	SARAWATIA	12"	10'	10'	10'	10'
97	SA	SARAWATIA	12"	10'	10'	10'	10'
98	SA	SARAWATIA	12"	10'	10'	10'	10'
99	SA	SARAWATIA	12"	10'	10'	10'	10'
100	SA	SARAWATIA	12"	10'	10'	10'	10'

2 5/24/05 FINAL PUD SUBMITTAL
1 2/22/05 PRELIMINARY DESIGN

PEH ARCHITECTS
1519 Spruce Street, Suite 207
Boulder, CO 80302
303-442-0408, fax: 303-447-1905
e-mail: peh@peharchitects.com

McCasin Marketplace
PUD
994 West Dillon Road
Louisville, Colorado 80027

SHEET TITLE: **LANDSCAPE PLAN**

PROJECT: 051006
DATE: 05/12/05
DRAWN BY: BSA
CHECKED BY: BSA

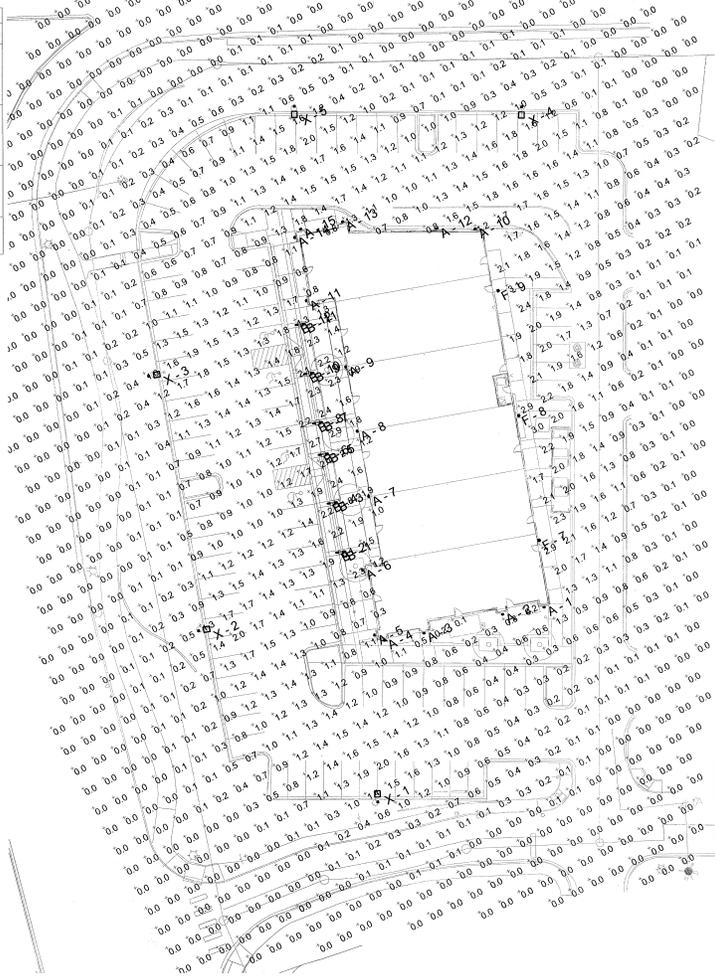
SHEET NUMBER: **L100**

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	X	5	Lithonia Lighting	DSX1 LED BIC 530 SK T&M MVOLT HS	DSX1 LED WITH (3) 30 LED LIGHT ENGINES, TYPE T&M OPTIC, 5000K, @ 530MA WITH HOUSE SHIELD	LED	1	DSX1_LED_60C_530_SK_T&M_VOLT_HS.kia	8130.865	0.92	99
	B	12			PROJECT:4023-WL-18_F30		2	4923-WL-18_F30.kia	2850	0.85	66
	F	3	Lithonia Lighting	DSXW1 LED 200-1000 SK T&M MVOLT	DSXW1 LED WITH 2 LIGHT ENGINES, 20 LED's, 1000MA DRIVER, 5000K LED, TYPE 4 MEDIUM OPTIC	LED	1	DSXW1_LED_200_1000_SK_T&M_MVOLT.kia	6122.418	0.92	75
	A	15	BETA CALCO INC	312202		LED	1	312202.kia	1155	0.85	16.5

Luminaire Locations											
No.	Label	X	Y	Z	MH	Orientation	Tilt	X	Y	Z	
1	A	-2.00	-2.25	8.00	8.00	201.95	0.00	-2.00	-2.25	0.00	
2	A	-19.75	5.50	8.00	8.00	201.95	0.00	-19.75	5.50	0.00	
3	A	-54.50	14.25	8.00	8.00	201.95	0.00	-54.50	14.25	0.00	
4	A	-71.50	19.50	8.00	8.00	201.12	0.00	-71.50	19.50	0.00	
5	A	-74.25	23.50	8.00	8.00	-48.20	0.00	-74.25	23.50	0.00	
6	A	-65.50	51.50	8.00	8.00	-48.20	0.00	-65.50	51.50	0.00	
7	A	-48.00	79.00	8.00	8.00	-48.20	0.00	-48.00	79.00	0.00	
8	A	-39.00	107.00	8.00	8.00	-48.20	0.00	-39.00	107.00	0.00	
9	A	-30.25	134.50	8.00	8.00	-48.20	0.00	-30.25	134.50	0.00	
10	A	49.00	162.00	8.00	8.00	26.57	0.00	49.00	162.00	0.00	
11	A	-32.00	168.50	8.00	8.00	-48.75	0.00	-32.00	168.50	0.00	
12	A	34.00	170.00	8.00	8.00	26.57	0.00	34.00	170.00	0.00	
13	A	-1.50	192.00	8.00	8.00	12.88	0.00	-1.50	192.00	0.00	
14	A	-23.50	195.75	8.00	8.00	-45.66	0.00	-23.50	195.75	0.00	
15	A	-19.50	197.75	8.00	8.00	10.95	0.00	-19.50	197.75	0.00	
1	B	-69.50	62.63	8.00	8.00	108.10	0.00	-69.50	62.63	0.00	
2	B	-71.64	63.45	8.00	8.00	-71.28	0.00	-71.64	63.45	0.00	
3	B	-62.51	83.56	8.00	8.00	108.10	0.00	-62.51	83.56	0.00	
4	B	-64.86	84.38	8.00	8.00	-71.28	0.00	-64.86	84.38	0.00	
5	B	-55.93	104.47	8.00	8.00	108.10	0.00	-55.93	104.47	0.00	
6	B	-58.27	105.29	8.00	8.00	-71.28	0.00	-58.27	105.29	0.00	
7	B	-51.73	118.08	8.00	8.00	108.10	0.00	-51.73	118.08	0.00	
8	B	-54.07	118.90	8.00	8.00	-71.28	0.00	-54.07	118.90	0.00	
9	B	-44.84	139.16	8.00	8.00	108.10	0.00	-44.84	139.16	0.00	
10	B	-47.29	139.98	8.00	8.00	-71.28	0.00	-47.29	139.98	0.00	
11	B	-38.21	160.15	8.00	8.00	108.10	0.00	-38.21	160.15	0.00	
12	B	-40.55	160.98	8.00	8.00	-71.28	0.00	-40.55	160.98	0.00	
7	F	9.65	26.94	16.00	16.00	106.44	0.00	9.65	26.94	0.00	
8	F	27.39	79.97	16.00	16.00	106.44	0.00	27.39	79.97	0.00	
9	F	45.10	133.09	16.00	16.00	106.44	0.00	45.10	133.09	0.00	
1	X	-107.50	42.83	24.00	24.00	209.74	0.00	-107.50	42.83	0.00	
2	X	-142.50	81.08	24.00	24.00	107.24	0.00	-142.50	81.08	0.00	
3	X	-109.50	171.38	24.00	24.00	106.56	0.00	-109.50	171.38	0.00	
4	X	92.50	200.38	24.00	24.00	209.74	0.00	92.50	200.38	0.00	
5	X	3.50	247.38	24.00	24.00	207.47	0.00	3.50	247.38	0.00	

Statistics							
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min	Avg/Max
Calc Zone #1	+	0.6%	3.1%	0.0%	N/A	N/A	0.21

Note
 1.file=visual-files-may2015-mccaslin4.vsl



2	5/16/15	FINAL, PLO SUBMITTAL
1	3/16/15	PLO SUBMITTAL
0	01/16/15	PRELIMINARY

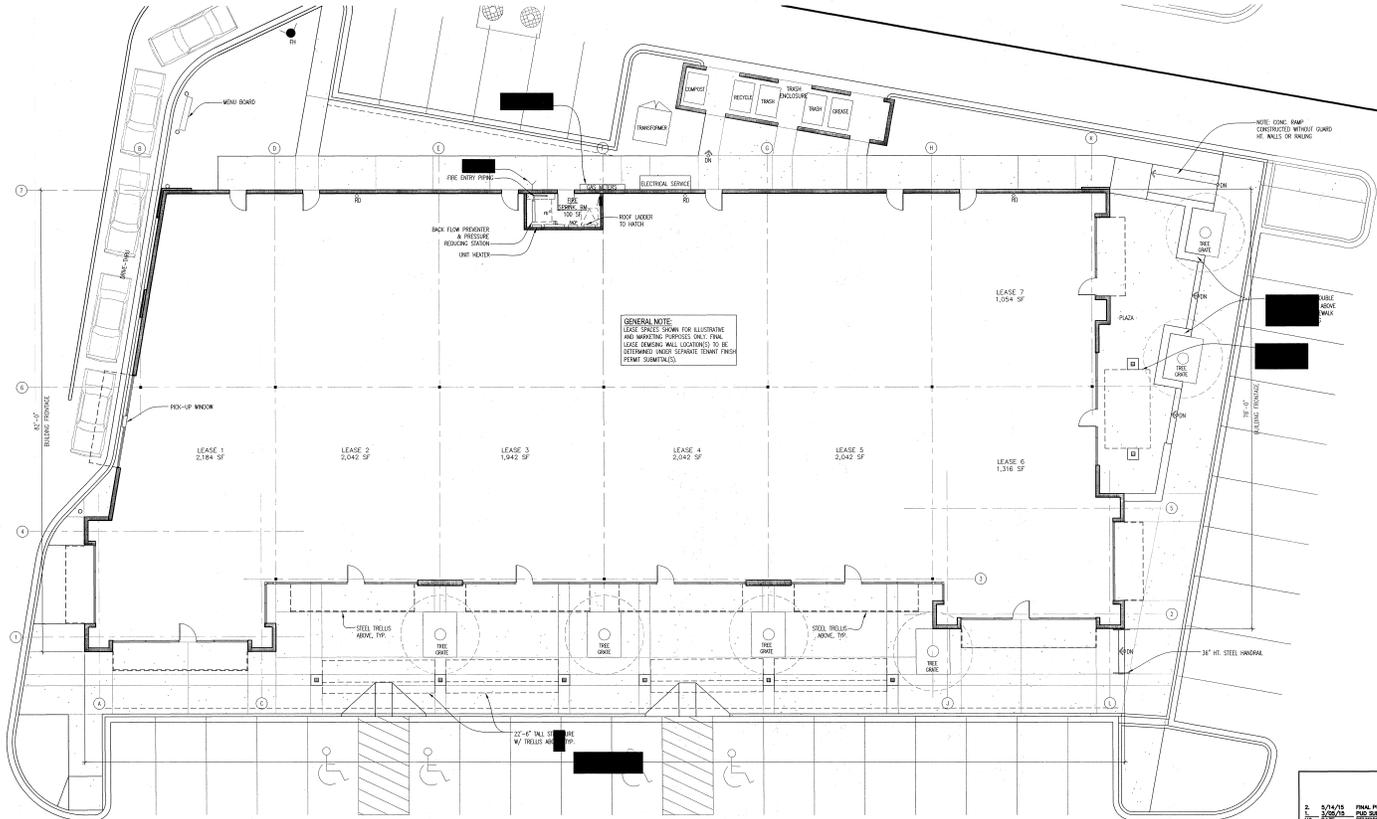
PEH ARCHITECTS
 1319 Spruce Street, Suite 207
 Boulder, CO 80502
 303-442-0408, fax: 303-447-1905
 e-mail: pehenz@peharchitects.com

McCaslin Marketplace
 PUD
 994 West Dillon Road
 Louisville, Colorado 80027

SHEET TITLE
SITE & BUILDING
PHOTOMETRIC PLAN

PROJECT: 2015.04
 DATE: 03/16/15
 DRAWN BY: JSP
 CHECKED BY: PPH

SHEET NUMBER
A101



NOTE: CONC. RAMP CONSTRUCTED WITHOUT GUARD RAIL WALLS OR RAILING

FLOOR PLAN
 1/8" = 1'-0"

2. 2/19/15 3. 3/02/15 REV. 015	FINAL P&I SUBMITTAL P&I SUBMITTAL PERSON
PEH ARCHITECTS 1319 Spruce Street Suite 207 Boulder, CO 80502 303-442-0408, fax: 303-447-1905 e-mail: pehen2@peharchitects.com	
McCasin Marketplace PUD 994 West Dillon Road Louisville, Colorado 80027	
SHEET TITLE FLOOR PLAN	
PROJECT: 2015.06 DATE: 03/13/15 DRAWN BY: JSP CHECKED BY: PPH	SHEET NUMBER A200

R Residential 3.69 AC.
 S5 Open Space 28.69 AC.

S4 Open Space 15.6 AC.

DESIGNATED USES	PLANNING AREAS	ACREAGE	AVERAGE DENSITY	DWELLING UNITS	GROSS BUILDING AREA
RESIDENTIAL					
SINGLE FAMILY	A D E J N Q R T	155.48	3.92	609	-
MULTI-FAMILY	N O	37.26	13.70	511	-
TOTAL RESIDENTIAL		192.75	6.81	1120	N/A
NON-RESIDENTIAL					
RETAIL	H L M O G1	62.98	.20	-	522,259 SF
RESEARCH / OFFICE	B C F G L	181.19	.08	-	2,858,400 SF
MIXED USE	O E H M	47.39	.08	-	477,600 SF
TOTAL NON-RESIDENTIAL		291.56	.31	N/A	3,888,159 SF
TOTAL DEVELOPMENT		487.31 AC.	N/A	1120	3,888,159 SF
OPEN SPACE					
OPEN SPACE PARCELS		295.01			
ARTERIAL ROADS		60.46			
TOTAL OPEN SPACE		355.47			
SCHOOL SITE		9.22			
TOTAL LAND		852.00 AC.			

USE FOR EACH PARCEL ALLOWABLE UNDER DESIGNATED USES (1)

PARCEL L	CORPORATE USER / RETAIL / MIXED USE
PARCEL B C F G	RESEARCH / OFFICE / RETAIL
PARCEL E	MIXED USE / COMMERCIAL
PARCEL M	RETAIL / OFFICE
PARCEL O	MIXED USE / RETAIL
PARCEL H	HOTEL / MIXED USE / RETAIL
PARCEL N	TOWNHOUSE AND MULTI-FAMILY
PARCEL A D E J N Q R T	SINGLE FAMILY DETACHED
PARCEL K - K2	OPEN SPACE
PARCEL S1 - S5	OPEN SPACE

(1) UNDESIGNATED PORTIONS OF PERMITTED LAND USES AND DESIGNATED FOR EACH PARCEL REFERRED ON THE SDP MAY BE FOUND IN THE CENTENNIAL VALLEY AMENDED AND RESTATED DEVELOPMENT AGREEMENT AS INDICED.

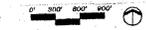
OWNERSHIP SIGNATURE BLOCK
 By signing this PUD, the owner acknowledges and accepts all the requirements and intent set forth in this PUD. Witness my hand(s) this 11th day of August 2015.
 Notary Name and Signature: *Rose A. Sobiech*
 Notary Name (print): *Rose A. Sobiech* (Notary Seal)
 Notary Signature: *R.A.S.*
 My Commission Expires: *April 22, 2018*

CITY COUNCIL CERTIFICATE
 Approved this 26 day of JULY 2015 by the City Council of the City of Louisville, Colorado.
 Resolution No. 1676 Series 2015
 Mayor Signature: *John W. Miller*
 City Clerk Signature: *Mary Carr*

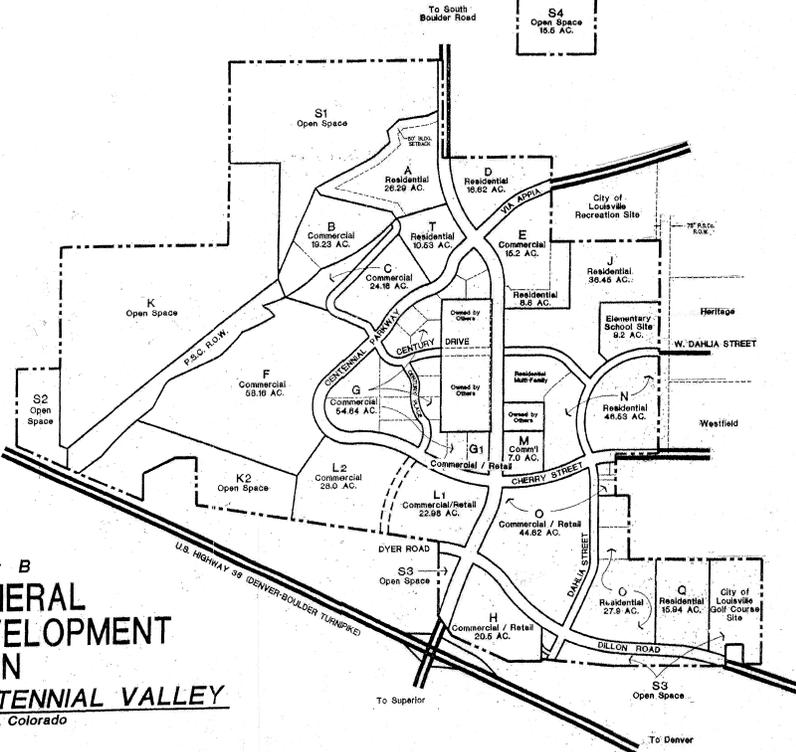
PLANNING COMMISSION CERTIFICATE
 Approved this 9 day of JULY 2015 by the Planning Commission of the City of Louisville, Colorado.
 Resolution No. 16 Series 2015

CLERK AND RECORDER CERTIFICATE
 (COUNTY OF BOULDER, STATE OF COLORADO)
 I hereby certify that this instrument was filed in my office at 3:14 o'clock P.M. on the 14th day of September, 2015, and is recorded in Plan File _____ Fee \$ 11.00 paid _____ Firm No. 03473445 Reception.
 Clerk & Recorder: *Hilary Hall*
 Deputy: *Mary Carr*

Exhibit B
GENERAL DEVELOPMENT PLAN
CENTENNIAL VALLEY
 Louisville, Colorado



Revised and Amended
 September 2007



EXCLUSIVE UTILITY EASEMENT DEED

THIS EASEMENT DEED is made this 16th day of August, 2016 by and between McCaslin Retail, LLC, a Colorado limited liability company, located at c/o W. Scott Reichenberg, The Colorado Group, Inc., 3434 47th Street, Suite 220, Boulder, Colorado 80301 (hereinafter "Grantor"), and the City of Louisville, a Colorado home rule municipal corporation organized and existing under and by virtue of the laws of the State of Colorado, whose address is 749 Main Street, Louisville, Colorado, 80027 (hereinafter "Grantee"):

WITNESSETH:

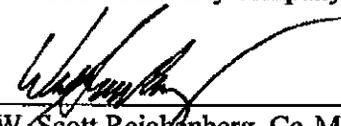
THAT THE GRANTOR, for and in consideration of the sum of Ten Dollars paid to the Grantor by the Grantee, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee a perpetual and exclusive utility easement for the construction, installation, operation, maintenance, repair and replacement of water main piping and appurtenances over, on, under, across and through the parcels as more particularly described on Exhibit A, Exhibit B and Exhibit C, attached hereto and incorporated herein by this reference (the "Easement Area"). Grantee shall have exclusive use and occupancy of the Easement Area for underground utilities, and no other underground utilities or facilities shall be placed in the Easement Area without Grantee's written consent. Grantor retains the right to use and occupy the surface of the Easement Area for at-grade parking, landscaping improvements other than trees, and other improvements as depicted on City-approved development plans.

TOGETHER WITH the right of ingress and egress and all the rights and privileges as are necessary or incidental to the reasonable and proper use of such exclusive utility easement.

GRANTOR, for itself, its heirs, successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the ensembling and delivery of these presents, Grantor is well seized of the property on which the Easement above conveyed is located, and has good, sure, perfect, absolute and indefeasible estate, in law, in fee simple, and has good right, full power and authority to grant, bargain, sell, and convey the same in manner and form as set forth above, and that the property is free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances, and restriction of whatever kind or nature, except those of record.

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the date first above written.

GRANTOR: MCCASLIN RETAIL, LLC,
a Colorado limited liability company

By: 

W. Scott Reichenberg, Co-Manager

ACKNOWLEDGEMENT

STATE OF COLORADO)
)ss
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 11th day of August, 2016, by W. Scott Reichenberg, as Co-Manager of McCaslin Retail, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires on: April 02, 2018

(SEAL)

Renee Marie Sobering
Notary Public

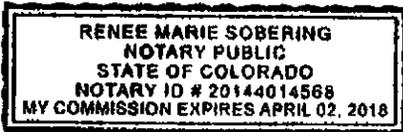


EXHIBIT "A"

LOCATED IN THE SOUTH HALF QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH,
RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2

A 20 FOOT CITY OF LOUISVILLE EXCLUSIVE UTILITY EASEMENT ACROSS A PORTION OF LOT 1A CENTENNIAL VALLEY PARCEL H, THIRD FILING, RECEPTION NUMBER 1589632 DATED 3/7/96, LOCATED IN THE SOUTH HALF OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EASTERLY LINE OF LOT 1A TO BEAR SOUTH 27°41'52" WEST, A DISTANCE OF 348.02 FEET BETWEEN A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379" AND A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1A, THENCE SOUTH 43°21'10" WEST, A DISTANCE OF 44.47 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 27°41'52" WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 82°18'08" WEST, A DISTANCE OF 186.30 FEET; THENCE NORTH 17°30'26" EAST, A DISTANCE OF 12.04 FEET; THENCE NORTH 74°14'23" EAST, A DISTANCE OF 11.85 FEET; THENCE SOUTH 62°18'08" EAST, A DISTANCE OF 179.82 FEET; TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 3,721 SQ.FT. OR 0.09 ACRES, MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOHN B. GUYTON
COLORADO P.L.S. #16406
CHAIRMAN/CEO, FLATIRONS, INC.

FSI JOB NO. 15-66,410



JOB NUMBER: 15-66,410
DRAWN BY: W. BECKETT
DATE: MAY 12, 2016

THIS IS NOT A "LAND SURVEY PLAN" OR "IMPROVEMENT SURVEY PLAN" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Surveying, Engineering & Geomatics



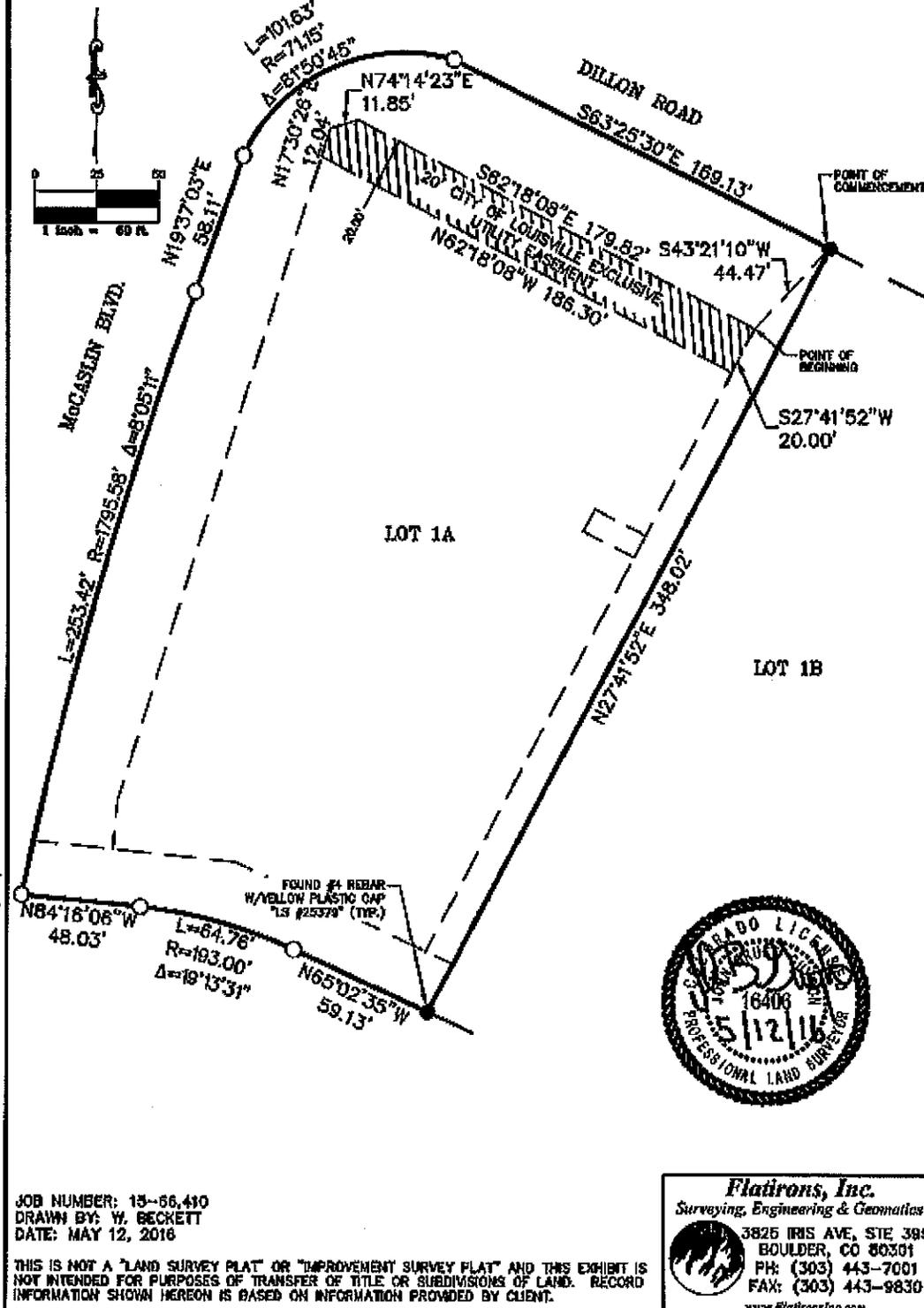
3825 IRIS AVE, STE 395
 BOULDER, CO 80301
 PH: (303) 443-7001
 FAX: (303) 443-8830
www.FlatironsInc.com

BY:BECKETT FILE:66410-ESMT-DESC-A.DWG DATE:5/12/2016 1:55 PM

EXHIBIT "A"

LOCATED IN THE SOUTH HALF OF SECTION 18,
TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2



BY: BECKETT FILE: 66410-ESMT-DESC.A.DWG DATE: 5/12/2016 1:57 PM

JOB NUMBER: 15-66,410
DRAWN BY: W. BECKETT
DATE: MAY 12, 2016

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatrons, Inc.
 Surveying, Engineering & Geomatics
 3825 IRIS AVE, STE 395
 BOULDER, CO 80301
 PH: (303) 443-7001
 FAX: (303) 443-9830
www.FlatronsInc.com

EXHIBIT "B"

LOCATED IN THE SOUTH HALF OF SECTION 18, TOWNSHIP 1 SOUTH,
RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO
SHEET 1 OF 2

A 15 FOOT CITY OF LOUISVILLE EXCLUSIVE UTILITY EASEMENT ACROSS A PORTION OF LOT 1A CENTENNIAL VALLEY PARCEL H, THIRD FILING, RECEPTION NUMBER 1589632 DATED 3/7/98, LOCATED IN THE SOUTH HALF OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EASTERLY LINE OF LOT 1A TO BEAR SOUTH 27°41'52" WEST, A DISTANCE OF 348.02 FEET BETWEEN A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379" AND A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1A, THENCE SOUTH 32°43'58" WEST, A DISTANCE OF 136.73 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 27°41'52" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 62°17'28" WEST, A DISTANCE OF 22.67 FEET; THENCE NORTH 27°42'32" EAST, A DISTANCE OF 15.00 FEET; THENCE SOUTH 62°17'28" EAST, A DISTANCE OF 22.67 FEET; TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 340 SQ.FT. OR 0.007 ACRES, MORE OR LESS.

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOHN B. GUYTON
COLORADO P.L.S. #16406
CHAIRMAN/CEO, FLATIRONS, INC.

FSI JOB NO. 15-66,410



JOB NUMBER: 15-66,410
DRAWN BY: W. BECKETT
DATE: MAY 12, 2016

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Surveying, Engineering & Geomatics



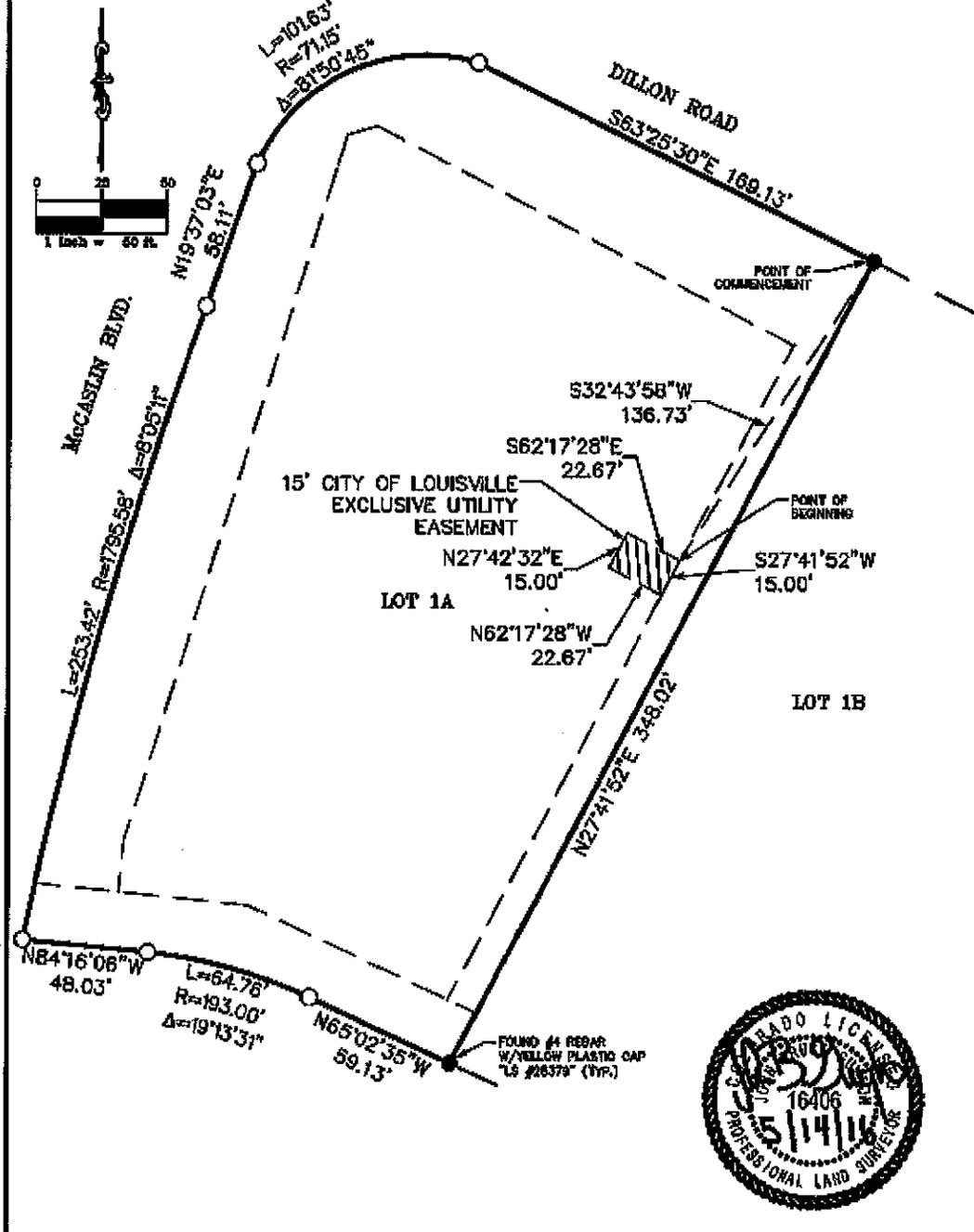
3825 IRIS AVE, STE 385
 BOULDER, CO 80301
 PH: (303) 443-7001
 FAX: (303) 443-9830
www.FlatironsInc.com

BY: BHAAAS FILE: 66-410-ESMT-DESC.B.DWG DATE: 5/14/2016 10:15 AM

EXHIBIT "B"

LOCATED IN THE SOUTH HALF OF SECTION 18,
TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

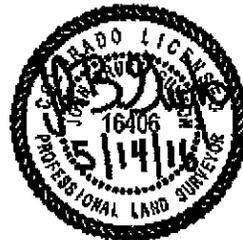
SHEET 2 OF 2



BY: BHAA5 FILE: 66-410-ESMT-DESC.B.DWG DATE: 5/14/2016 10:17 AM

JOB NUMBER: 15-66,410
DRAWN BY: W. BECKETT
DATE: SEPTEMBER 11, 2016

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.



Flatirons, Inc.
 Surveying, Engineering & Geomatics
 3825 IRRS AVE, STE 395
 BOULDER, CO 80301
 PH: (303) 443-7001
 FAX: (303) 443-9630
 www.FlatironsInc.com

EXHIBIT "C"

LOCATED IN THE SOUTH HALF QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH,
RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2

A CITY OF LOUISVILLE EXCLUSIVE UTILITY EASEMENT OVER AND ACROSS A PORTION OF LOT 1A, CENTENNIAL VALLEY PARCEL H, THIRD FILING, AS DESCRIBED IN THE RECORDS OF BOULDER COUNTY, RECORDED ON 03/07/1996 AT RECEPTION NUMBER 1589632, LOCATED IN THE SOUTH HALF OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 8TH PRINCIPAL MERIDIAN, CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE EASTERLY LINE OF LOT 1A TO BEAR SOUTH 27°41'52" WEST, A DISTANCE OF 348.02 FEET BETWEEN A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379", AT THE NORTHEAST CORNER OF LOT 1A AND A FOUND #4 REBAR WITH YELLOW PLASTIC CAP STAMPED "LS #25379", AT THE SOUTHEAST CORNER OF LOT 1A, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1A; THENCE ALONG THE EASTERLY LINE OF SAID LOT 1A, NORTH 27°41'52" EAST, A DISTANCE OF 305.62 FEET TO THE POINT OF BEGINNING, THENCE DEPARTING SAID EASTERLY LINE, NORTH 62°18'08" WEST, A DISTANCE OF 12.00 FEET; THENCE SOUTH 27°41'52" WEST, A DISTANCE OF 0.41 FEET; THENCE NORTH 62°18'08" WEST, A DISTANCE OF 3.00 FEET; THENCE NORTH 27°41'52" EAST, A DISTANCE OF 12.52 FEET; THENCE SOUTH 63°25'30" WEST, A DISTANCE OF 16.00 FEET TO A POINT ON SAID EAST LINE; THENCE SOUTH 27°41'52" WEST, ALONG SAID EAST LINE, A DISTANCE OF 12.40 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 185 SQ.FT., MORE OR LESS

I, JOHN B. GUYTON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE FOR AND ON BEHALF OF FLATIRONS, INC., THAT THIS PARCEL DESCRIPTION AND ATTACHED EXHIBIT, BEING MADE A PART THEREOF, WERE PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE AT THE REQUEST OF THE CLIENT AND IS NOT INTENDED TO REPRESENT A MONUMENTED LAND SURVEY OR SUBDIVIDE LAND IN VIOLATION OF STATE STATUTE.

JOHN B. GUYTON
COLORADO P.L.S. #16406
CHAIRMAN/CEO, FLATIRONS, INC.

FSI JOB NO. 16-66,410



BY-SPENNING FILE:65410-ADDTL-ESMT-DESC DWG DATE:6/29/2016 4:37 PM

JOB NUMBER: 16-66,410
DRAWN BY: W. BECKETT
DATE: 06/27/2016

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

Flatirons, Inc.
Surveying, Engineering & Geomatics

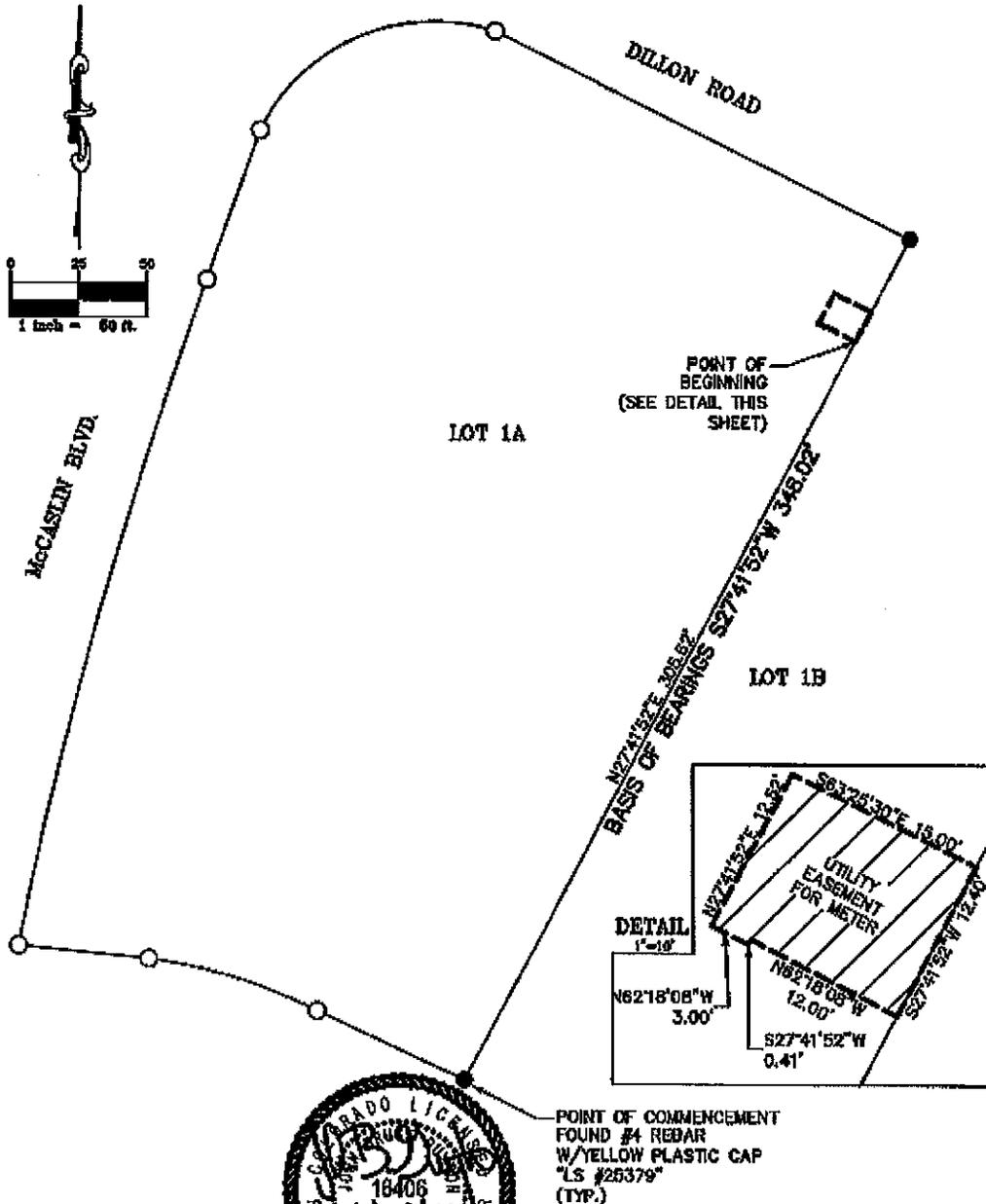


3825 IRIS AVE, STE 305
 BOULDER, CO 80301
 PH: (303) 443-7001
 FAX: (303) 443-9830
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EXHIBIT "C"

LOCATED IN THE SOUTH HALF OF SECTION 18, TOWNSHIP 1 SOUTH,
RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2



BY:BBECKETT FILE:66410-ADDTL-ESMT-DESC.DWG DATE:6/28/2016 4:27 PM

JOB NUMBER: 16-66,410
DRAWN BY: W. BECKETT
DATE: 06/27/2016



POINT OF COMMENCEMENT
FOUND #4 REBAR
W/YELLOW PLASTIC CAP
"LS #25379"
(TYP.)

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MEMORANDUM

To: Planning Commission

From: Department of Planning and Building Safety

Subject: Case #16-011-FP/FS/UR, Lofts at Delo

Date: **September 8, 2016**

The applicant requests to continue the Lofts at Delo final plat, final planned unit development, and special review use public hearing to the October 13, 2016 Planning Commission meeting in order to resolve outstanding issues.

MEMORANDUM

To: Planning Commission

From: Department of Planning and Building Safety

Subject: Case #16-014-FS, Centennial Pavilions Replat

Date: **September 8, 2016**

The applicant requests to continue the Centennial Pavilions Replat public hearing to the October 13, 2016 Planning Commission meeting in order to resolve outstanding issues with Public Works.

Memorandum

Date: September 8, 2016
To: Planning Commission
From: Planning Division
Subject: Case No. 16-009-FS/FS Balfour Senior Living PUD/Plat Resolution

Attached is the draft resolution recommending denial of the Balfour Senior Living PUD/Plat application as requested by Planning Commission during the July 14, 2016 meeting.

The resolution enumerates the reasons Planning Commission denied the application, as staff heard them at the meeting. Staff requests that Planning Commission make any necessary changes so the resolution accurately reflects the Commission's reasons for denial, and pass the resolution.

Attachment – Draft Resolution

**RESOLUTION NO. 14
SERIES 2016**

A RESOLUTION RECOMMENDING DISAPPROVAL OF A PLANNED UNIT DEVELOPMENT (PUD) AND FINAL PLAT TO ALLOW THE CONSTRUCTION OF A 54-UNIT ASSISTED LIVING COMMUNITY ON LOTS 2 AND 3 OF LOUISVILLE PLAZA FILING NO. 2 LOCATED AT 1800 AND 1870 PLAZA DRIVE

WHEREAS, there has been submitted to the Louisville Planning Commission an application for approval of a Planned Unit Development (PUD) and Final Plat to allow the construction of a 54-unit assisted living community on Lots 2 and 3 of Louisville Plaza Filing No. 2 Subdivision located at 1800 and 1870 Plaza Drive (the "Property"); and

WHEREAS, the Planning Commission held a properly noticed public hearing on July 14, 2016, where evidence and testimony were entered into the record, including without limitation the application and supporting materials, the Louisville Planning Commission Staff Report dated July 14, 2016 and all attachments included with such staff report, the City Comprehensive Plan, the Commercial Development Design Standards and Guidelines, the City zoning ordinance set forth in title 17 of the Louisville Municipal Code, and additional written statements and other documents, as well as testimony from the staff and applicant; and

WHEREAS, the Planning Commission by this Resolution desires to set forth its findings, conclusions and ruling with respect to the application.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. The foregoing recitals are incorporated herein.

Section 2. Based on the testimony of the witnesses and the documents and other evidence made a part of the record of the hearing before the Planning Commission, the Planning Commission finds as follows:

a. The application is for a Final PUD and Final Plat for the construction of a new 54-unit assisted living facility. The applicant is Balfour Senior Living.

b. The Property is zoned Planned Community Zone District (PCZD-C).

c. The Property is located adjacent to the North End Subdivision to the east with single family residences directly adjacent to the Property. A trail runs along the east side of the Property leading to the Hecla Open Space and Hecla Lake Reservoir to the north. To the west and across Plaza Drive are additional Balfour Senior Living facilities. A detention pond for the surrounding area is located south of the Property.

d. The project proposed by the application is a three-story, gable-roofed, U-shaped structure that is 52 feet at its highest point. The structure is designed to be two stories along Plaza Drive. The project would contain 14,400 square feet for residences and amenities, including 54 dwelling units, a wellness center, kitchen, dining room, activity rooms and salon. It would also include 1,200 square feet of administrative offices and an interior courtyard.

e. The project proposed by the application is required to comply with the City's Commercial Development Design Standards and Guidelines, which set forth design criteria and minimum standards for commercial developments, including maximum building heights and required setbacks.

d. The project proposed by the application is requesting waivers from the building height and setback standards in the Commercial Development Design Standards and Guidelines as follows: a waiver to allow a building height of up to 52 feet where 35 feet is allowed; a waiver to reduce the front yard setback for the accessory structure from 35 feet to 26 feet; a waiver to reduce the parking setback along Plaza Drive from 15 feet to 10 feet; and a waiver to use the 10 foot side yard setback for fire access.

e. The decision criteria that apply to the applicant's proposed final planned unit development are set forth in Chapter 17.28 of the Louisville Municipal Code (LMC), and primarily in Section 17.28.120 of that Chapter.

f. Section 17.28.110 of the LMC allows waivers or modifications of the requirements applicable to the underlying zoning district "if the spirit and intent of the development plan criteria contained in section 17.28.120 are met and the city council finds that the development plan contains areas allocated for usable open space in common park area in excess of public use dedication requirements or that the modification or waiver is warranted by the design and amenities incorporated in the development plan, and the needs of residents for usable or functional open space and buffer areas can be met."

Section 3. Based on the foregoing findings and the evidence and testimony presented at the hearing, the Planning Commission hereby concludes that the application should be denied for the following reasons:

a. The project proposed by the application does not meet criteria A.1, A.6, A.8, A.11, B.1, B.4, B.5, and B.15 of Section 17.28.120 of the LMC, and the requested waiver to the maximum building height does not meet the criteria for waivers in Section 17.28.110 of the LMC. In particular, the Planning Commission concludes that: the scale of the proposed PUD is not compatible with the adjacent single-family residential neighborhood; a 52-foot high structure impedes the privacy of the adjacent single-family property owners; the PUD does not promote harmonious transitions and

scale in character in areas of different planned uses; and the plan fails to preserve and incorporate existing vegetation on the Property. Further, the Planning Commission concludes that the proffered design and amenities incorporated into the PUD, including the proposed landscaping, preservation of the historic mine element and Hecla mine interpretive sign, do not warrant an increase in building height from 35 feet to 52 feet. The requested waiver would result in a project of a scale that is not appropriate to the surrounding area.

Section 4. In accordance with the above findings and conclusions, and based upon the evidence and testimony presented at the hearing, the Planning Commission of the City of Louisville hereby recommends disapproval of the proposed Final PUD and Final Plat for a 54-unit assisted living community on Lots 2 and 3 of Louisville Plaza Filing No. 2 Subdivision located at 1800 and 1870 Plaza Drive.

PASSED AND ADOPTED this 8th day of September, 2016.

By: _____
Chris Pritchard, Chairman
Planning Commission

Attest: _____
Steve Brauneis, Secretary
Planning Commission

MEMORANDUM

To: Honorable Chair and Members of the Planning Commission

From: Planning Division

Subject: Election of Officers

Date: September 8, 2016

At the August meeting the Commission voted to elect a new vice-chair and secretary following the resignation of former Vice-Chair Tengler. Because officer elections were not on the agenda for the August meeting, staff requests the Commission redo the election at the September 8, 2016 meeting for which proper notice has been provided. The Bylaws do not establish any formal process the Commission must follow in the election of officers. The Commission may take nominations and vote to elect officers at the September 8 meeting.