City of Louisville
COLORADO • SINCE 1878

City Council

Agenda

Tuesday, March 19, 2019
City Hall
749 Main Street
7:00 PM

Note: The time frames assigned to agenda items are estimates for guidance only. Agenda items may be heard earlier or later than the listed time slot.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

4. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Council requests that public comments be limited to 3 minutes. When several people wish to speak on the same position on a given item, Council requests they select a spokesperson to state that position.

5. CONSENT AGENDA

The following items on the City Council Agenda are considered routine by the City Manager and shall be approved, adopted, accepted, etc., by motion of the City Council and roll call vote unless the Mayor or a City Council person specifically requests that such item be considered under "Regular Business." In such an event the item shall be removed from the "Consent Agenda" and Council action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Council Minutes in their proper order.

A. Approval of Bills
B. Approval of Minutes: March 5, 2019; March 12, 2019
C. Award Landscape Maintenance Services Contract
D. Approve Appointment to the Business Retention & Development Committee
E. Approve Resolution No. 8, Series 2019 – A Resolution Approving a Business Assistance Agreement with Quicksilver Scientific, Inc. for an Economic Development Project in the City of Louisville

6. COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA (Council general comments are scheduled at the end of the Agenda.)

7. CITY MANAGER'S REPORT

Citizen Information

If you wish to speak at the City Council meeting, please fill out a sign-up card and present it to the City Clerk.

Persons with disabilities planning to attend the meeting who need sign language interpretation, assisted listening systems, Braille, taped material, or special transportation, should contact the City Manager's Office at 303 335-4533. A forty-eight-hour notice is requested.

8. REGULAR BUSINESS

7:15 – 8:30 PM

A. TERRACES ON MAIN, 712 & 722 MAIN STREET

i. RESOLUTION NO. 9, SERIES 2019 – A RESOLUTION APPROVING THE TERRACES ON MAIN FINAL PLANNED UNIT DEVELOPMENT, WHICH INCLUDES A 22,020 SQUARE-FOOT COMMERCIAL BUILDING WITH 5,802 SQUARE-FOOT PARKING GARAGE ON TWO LOTS TOTALING 14,114 SQUARE FEET, ZONED CC; A FINAL PLAT TO VACATE THE LOT LINE BETWEEN LOTS 8 & 9, BLOCK 3, TOWN OF LOUISVILLE; AND A SPECIAL REVIEW USE FOR A PARKING GARAGE AND OUTDOOR SALES FOR RETAIL GOODS AND EATING AND DRINKING ESTABLISHMENTS – *PUBLIC HEARING – CONTINUED FROM 2/19/19*

- Mayor Opens Public Hearing
- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Mayor Closes Public Hearing
- Action

ii. RESOLUTION NO. 10, SERIES 2019 – A RESOLUTION APPROVING THE PROPERTY TAX INCREMENT REBATE AGREEMENT WITH 712 MAIN LLC AND 722 MAIN LLC PURSUANT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE LOUISVILLE REVITALIZATION COMMISSION AND THE CITY OF LOUISVILLE

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

8:30– 9:00 PM

B. RESOLUTION NO. 11, SERIES 2019 – A RESOLUTION SETTING CERTAIN WATER, WASTEWATER, STORMWATER, AND OTHER FEES, RATES, AND CHARGES FOR THE CITY OF LOUISVILLE, COLORADO

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

9:00 – 9:15 PM **C. 2019 STREET RESURFACING AND RECONSTRUCTION**

i. AWARD BID FOR 2019 STREET RESURFACING PROJECT

ii. AWARD BID FOR 2019 STREET RECONSTRUCTION PROJECT

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

9:15 – 9:30 PM **D. DISCUSSION/DIRECTION/ACTION – COLORADO COMMUNITIES FOR CLIMATE ACTION REQUESTED POLICY AGENDA CHANGE**

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Questions & Comments
- Action

9. CITY ATTORNEY'S REPORT

10. COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

11. ADJOURN

CASH ACCOUNT: 001000 101001 WARRANT: 022819 02/28/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14164	ALPINE BANK	#5300177601 SOLAR PANEL L	5,429.18
14164	ALPINE BANK	#5300089001 SOLAR PANEL L	3,986.70
11298	DELTA DENTAL OF COLORADO	#007562-0000 MAR 19 EMPLO	13,221.29
5255	FAMILY SUPPORT REGISTRY	Payroll Run 1 - Warrant 0	544.18
9750	LEGALSHIELD	#22554 FEB 19 EMPLOYEE PR	319.95
7735	LINCOLN FINANCIAL GROUP	000010008469 MAR 19 LIFE/	7,045.04
7735	LINCOLN FINANCIAL GROUP	0000100008470 MAR 19 LTD	3,667.57
14604	MEGAN DAVIS	TRAVEL ADVANCE 2/27-31/1/	161.00
99999	EMPIRE ELECTRIC INC	12/2018 CONSUMER USE TAX	43.34
99999	C&T ROOFING INC	2018 SALES TAX OVERPAYMEN	1,367.66
10951	PINNACOL ASSURANCE	WORKERS COMP PREMIUM 2 OF	20,464.18
14655	PREMIER MEMBERS CREDIT UNION	Payroll Run 1 - Warrant 0	426.26
13274	ROBERT P MUCKLE	TRAVEL ADVANCE 2/27-3/1/1	161.00
8442	VISION SERVICE PLAN	12 059727 0001 MAR 19 EMP	2,951.57
3875	XCEL ENERGY	JAN 19 GROUP ENERGY	80,504.29
	15 INVOICES	WARRANT TOTAL	140,293.21

CASH ACCOUNT: 001000 101001 WARRANT: 030119 03/01/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
6455	KAISER PERMANENTE	05920-01-16 MAR 19 EMPLOY	140,187.23
	1 INVOICES	WARRANT TOTAL	140,187.23

CASH ACCOUNT: 001000 101001 WARRANT: 030719 03/07/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
13656	AARON DEJONG	EXPENSE REPORT 1/30-2/28/	88.16
14154	ALLSTREAM	MAR 19 PHONE CIRCUITS	946.69
14697	ISAIAS HUIZAR	EXPENSE REPORT 2/4-2/28/1	234.32
99999	KEVIN BACK	UTILITY REFUND 402 FAIRFI	121.88
99999	MICHAEL & CHRISTINA EISENSTEIN	UTILITY REFUND 301 EAST S	258.00
99999	HEATHER KEATING	EXPENSE REPORT 1/31/-2/27	153.70
3735	PETTY CASH - KIM BAKER	PETTY CASH FRONT DESK	406.82
14276	SWEET SPOT CAFE LLC	REGIONAL COMMERCIAL BROKE	750.00
	8 INVOICES	WARRANT TOTAL	2,959.57

CASH ACCOUNT: 001000 101001 WARRANT: 031919 03/19/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
6866	4 RIVERS EQUIPMENT	John Deere Gator Engine U	3,103.35
1	A WAY OF LIFE FITNESS CONSULTI	CONTRACTOR FEES 17001-2	557.20
12838	ACCOUNTEMPS	Payroll Temp	1,114.03
12890	ADAMSON POLICE PRODUCTS	RIFLE KELLEY	1,391.53
12890	ADAMSON POLICE PRODUCTS	BALLISTIC VEST RAINERO	902.50
6195	AGITATOR DITCH CO	2019 Agitator Assessment	276.60
1006	ALL CURRENT ELECTRIC INC	BUILDING INSPECTIONS	8,480.00
14743	ALLWATER SUPPLY LLC	OUTPUT RELAYS SWTP	455.07
14623	ANOTHER MILESTONE LLC	Contractor Fees 16400-1	336.00
13928	APEX DESIGN PC	SH 42 TRAFFIC STUDY	1,596.36
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	16.49
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	22.00
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	87.97
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	109.98
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	13.74
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	21.99
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	16.49
500	BAKER AND TAYLOR	ADULT BOOKS AND MEDIA	21.99
500	BAKER AND TAYLOR	TEEN BOOKS AND MEDIA	21.99
7450	BASE LINE LAND & RESERVOIR CO	2019 Base Line Assessment	8,568.72
11605	BOBCAT OF THE ROCKIES LLC	PARTS UNIT 3205	87.40
640	BOULDER COUNTY	JAN 19 GATE FEE	3,009.90
640	BOULDER COUNTY	2019 KICP Annual Membersh	20,000.00
640	BOULDER COUNTY	BUSINESS CARDS PD	75.76
640	BOULDER COUNTY	FEB 19 BOULDER COUNTY USE	69,355.85
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	874.61
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	535.04
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	540.76
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	89.76
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	440.44
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	88.00
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	495.88
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	270.16
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	132.00
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	95.90
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	172.14
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Asphalt Purchase	89.76

CASH ACCOUNT: 001000 101001 WARRANT: 031919 03/19/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Road Base and Squeeg	1,228.44
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Road Base and Squeeg	802.08
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Road Base and Squeeg	838.12
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Road Base and Squeeg	831.30
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Road Base and Squeeg	860.90
7706	BRANNAN SAND & GRAVEL CO LLC	2019 Road Base and Squeeg	718.95
1122	BRETSA	LANGUAGE LINE PD	42.46
13344	BROWNS HILL ENGINEERING & CONT	PLC CHASSIS SWTP	520.00
13344	BROWNS HILL ENGINEERING & CONT	SCADA SCREEN REPAIRS NWTP	1,911.00
14461	C & R ELECTRICAL CONTRACTORS I	GFI Receptacles SC	646.10
10900	CAROL CREECH	NON-RESIDENT EXPAND FEES	176.00
248	CDW GOVERNMENT	3M PRIVACY FILTER LIB	90.00
248	CDW GOVERNMENT	SURGE PROTECTORS	52.00
248	CDW GOVERNMENT	SPEAKERS RSC	13.96
935	CENTENNIAL PRINTING CO	PLEA AGREEMENT FORMS	510.00
935	CENTENNIAL PRINTING CO	ENVELOPES HR	150.00
935	CENTENNIAL PRINTING CO	City Newsletter Printing	10,025.00
10773	CENTRIC ELEVATOR CORP	Elevator Repair RSC	1,160.25
10773	CENTRIC ELEVATOR CORP	MAR 19 ELEVATOR MAINT CH	299.11
10773	CENTRIC ELEVATOR CORP	MAR 19 ELEVATOR MAINT RSC	293.64
10773	CENTRIC ELEVATOR CORP	MAR 19 ELEVATOR MAINT LIB	499.62
10773	CENTRIC ELEVATOR CORP	MAR 19 ELEVATOR MAINT PC	274.42
13352	CGRS INC	COMPLIANCE INSPECTION CS	677.23
13352	CGRS INC	COMPLIANCE INSPECTION WTP	200.00
14427	CHRISTINE STANDEFER	CONTRACTOR FEES TRI TRAIN	277.20
14747	CHUCK HUGHES	SR PICNIC ENTERTAINMENT D	175.00
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WWTP	46.39
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WWTP	46.39
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WWTP	46.39
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	167.35
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	167.35
4785	CINTAS CORPORATION #66	UNIFORM RENTAL WTP	156.37
14011	CLOSE ASSOCIATES LLC	Backwash Tank Evaluation	2,360.60
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	157.50
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	122.50
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	766.00
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	279.80

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VENDOR	VENDOR NAME	PURPOSE	AMOUNT
1120	COLORADO ANALYTICAL LABORATORI	LAB ANALYSIS FEES WTP	157.50
11264	COLORADO DEPT OF PUBLIC HEALTH	BIOSOLIDS PERMIT CO002307	1,199.01
13578	COMPUTER HOUSE CALLS	CONTRACTOR FEES COMPUTERS	269.50
14736	CONFLUENCE CONSULTING LLC	CITY MANAGER EVALUATION P	2,500.00
13162	CORE & MAIN LP	VALVE BOX RISERS	2,130.00
6137	COTTONWOOD DITCH COMPANY	2019 Cottonwood Assessmen	1,080.00
10842	COZY CORNER TOWING	TOW PD VEHICLE	112.00
9973	CPS DISTRIBUTORS INC	Rain Bird Global Service	11,196.00
14680	CWA CONSULTING SERVICES LLC	Local Limits Re-evaluatio	3,475.00
1600	DAVIDSON DITCH & RESERVOIR CO	2019 DAVIDSON ASSESSMENT	11,219.92
6642	DAVIDSON HIGH LINE LATERAL DIT	2019 Davidson High Line L	4,680.00
375	DEERE AND COMPANY	John Deere Loader Attachm	11,578.14
13929	DHE COMPUTER SYSTEMS LLC	PROPERTY AND EVIDENCE EQU	2,419.36
13929	DHE COMPUTER SYSTEMS LLC	MONITOR FIN	303.26
6856	DRY CREEK #2 DITCH COMPANY	2019 DRY CREEK #2 ASSESSM	5,875.00
5295	DRY CREEK DAVIDSON DITCH CO IN	2019 Dry Creek Davidson A	490.00
11124	EJ USA INC	MANHOLE COVERS	2,277.30
6654	ENTERPRISE IRRIGATING DITCH CO	2019 Enterprise Irrigatin	1,360.90
6761	FARIS MACHINERY CO	PARTS UNIT 3426	342.19
12270	FASTENAL COMPANY	TOOLS	118.03
13615	FELSBURG HOLT & ULLEVIG INC	Quiet Zone Design and CM	6,095.63
13615	FELSBURG HOLT & ULLEVIG INC	Quiet Zone Design and CM	3,628.23
14720	GAIL MCKEAGUE	CONTRACTOR FEES 12196-1	672.00
14720	GAIL MCKEAGUE	CONTRACTOR FEES BIRTHDAY	210.00
14564	GEOSPATIAL URBAN INTERFACE LLC	2019 Geospatial Urban Int	6,779.50
2310	GRAINGER	LED LAMP RSC	197.05
2310	GRAINGER	ELEC BOX COVER CH	21.66
2310	GRAINGER	RECESSED TROFFER & TIMER	126.03

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VENDOR	VENDOR NAME	PURPOSE	AMOUNT
246	GREEN MILL SPORTSMAN CLUB	RANGE USE	300.00
2405	HACH COMPANY	Hach Service Contract	6,929.30
2405	HACH COMPANY	LAB SUPPLIES WTP	814.23
2405	HACH COMPANY	Instrumentation Service C	29,852.61
2415	HARCROS CHEMICALS INC	Sodium Silicofluoride NWT	1,440.00
14746	HEATHER MCCULLOUGH	HISTORIC ASSESSMENT 1124	900.00
14472	HILL AND POLLOCK LLC	JAN 19 WATER LEGAL SERVIC	432.00
14472	HILL AND POLLOCK LLC	FEB 19 WATER LEGAL SERVIC	382.50
5152	HOTSY EQUIPMENT COMPANY	Wash Bay Repair CS	452.45
6656	HOWARD DITCH COMPANY	2019 Howard Assessment	250.00
9710	INDUSTRIAL CHEMICALS CORP	Sodium Silicate NWTP	10,799.04
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	43.97
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	86.09
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	18.58
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	32.67
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	11.99
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	248.07
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	14.96
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	102.46
2615	INGRAM LIBRARY SERVICES INC	TEEN BOOKS AND MEDIA	36.44
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	18.11
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	168.14
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	162.79
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	53.22
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	101.99
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	11.37
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	64.28
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	123.12
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	161.15
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	66.85
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	35.83
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	388.61
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	133.58
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	251.38
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	38.73
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	301.13
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	127.45
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	23.05
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	19.78
2615	INGRAM LIBRARY SERVICES INC	CHILDRENS BOOKS AND MEDIA	139.16
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	244.42

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VENDOR	VENDOR NAME	PURPOSE	AMOUNT
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	173.82
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	51.94
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	85.47
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	39.88
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	13.75
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	117.94
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	52.96
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	15.39
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	110.61
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	174.00
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	141.87
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	38.44
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	610.55
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	89.70
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	283.46
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	4.99
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	232.22
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	104.19
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	34.02
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	34.10
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	98.18
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	313.02
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	88.49
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	69.11
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	15.37
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	44.03
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	128.65
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	10.17
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	75.77
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	29.54
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	76.87
2615	INGRAM LIBRARY SERVICES INC	ADULT BOOKS & MEDIA	60.57
13280	INSIGHT PUBLIC SECTOR INC	MICROSOFT OFFICE GCM	268.81
13280	INSIGHT PUBLIC SECTOR INC	ADOBE PHOTOSHOP SOFTWARE	133.51
13778	INVISION GIS LLC	GIS & AM Implementation S	16,155.00
13778	INVISION GIS LLC	GIS & AM Implementation S	8,323.75
13346	ISS FACILITY SERVICES DENVER	MAR 19 JANITORIAL SERVICE	30,282.72
14239	JC GOLF ACCESSORIES	Golf Gifts	640.64
14239	JC GOLF ACCESSORIES	Resale Merchandise	919.75
11289	JVA INC	Raw Water Lowering	1,000.00
14033	KDG ENGINEERING LLC	SH42/SHORT ST CROSSING DE	8,241.99
2360	KELLY PC	FEB 19 LEGAL SERVICES	30,074.20

CASH ACCOUNT: 001000 101001 WARRANT: 031919 03/19/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
13782	LEXISNEXIS RISK DATA MANAGEMEN	INFORMATION SEARCHES PD	278.25
5432	LOUISVILLE FIRE PROTECTION DIS	FEB 19 FIRE DISTRICT FEES	15,595.00
5432	LOUISVILLE FIRE PROTECTION DIS	BLOOD DRAWS 2/2-2/11/19	70.00
14748	MAIN STREET MARKETS LTD	HISTORIC ASSESSMENT 920 &	12,000.00
14071	MARY RITTER	CONTRACTOR FEES 13904-2	714.00
14071	MARY RITTER	CONTRACTOR FEES 13905-2	252.00
6763	MCGINN DITCH COMPANY	2019 McGinn Assessment	3,000.00
12161	MINDSHARE HDV LLC	CYPHER DMV CONNECTIVITY S	6,200.00
13712	MOORE IACOFANO GOLTSMAN INC	Median Renovation Design	1,711.69
13565	MOTT MACDONALD LLC	SCWTP Disinfection Design	9,600.00
2046	MOUNTAIN STATES IMAGING LLC	DOCUMENT STORAGE FEES PD	63.00
2046	MOUNTAIN STATES IMAGING LLC	DOCUMENT STORAGE FEES PD	63.00
14750	NATIONAL BUSINESS FURNITURE LL	WARDROBE CABINETS IT	1,693.50
11261	OFFICESCAPES	CHAIR SEAT CUSHION DEPOSI	802.02
99999	BLUE VALLEY ENERGY	CONTRACTOR LICENSE REFUND	100.00
99999	URBAN EXTERIORS LLC	PERMIT REFUND 832 PINEHUR	684.29
99999	DENVER ROOF PROS LLC	PERMIT REFUND 280 HOOVER	255.28
99999	DIANA BARNEY	ACTIVITY REFUND	144.00
99999	STAR2STAR COMMUNICATIONS LLC	TELEPHONE UTILITY TAX OVE	4.64
99999	FORMULA ROOFING AND REMODELING	PERMIT REFUND 1121 LINCOL	881.32
13986	OPEN MEDIA FOUNDATION	MAR 19 WEB STREAM SERVICE	500.00
14580	PARK PLACE TECHNOLOGIES LLC	SERVER HARDWARE MAINT CON	4,863.22
14728	PORTER LEE CORPORATION	THE BEAST Property Manage	2,265.49
9105	POSTMASTER	BULK MAIL PERMIT #15	235.00
14160	PRECISE MRM LLC	GPS SOFTWARE AND POOLED D	199.68
14086	PRESTIGE FLAG	Prism Flagsticks	1,187.12
14394	PROS PLUS LLC	BASKETBALL & SOCCER REFER	1,166.00
12840	QUALITY WATER BIOSYSTEMS INC	RESERVOIR TREATMENT CUTRI	2,400.00
11564	RAINBOW SIGNS INC	Interpretive Graphic Pane	3,722.00

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VENDOR	VENDOR NAME	PURPOSE	AMOUNT
13893	REBECCA TSUI	CONTRACTOR FEES TAI CHI	1,220.80
14352	RIVISTAS SUBSCRIPTION SERVICES	PRINT PERIODICALS	23.22
12447	ROCKY MOUNTAIN ACCESS CONTROLS	GATE REPAIR SWTP	250.00
14459	SAUNDERS CONSTRUCTION LLC	Construction Services RSC	1,128,195.25
5369	SGS NORTH AMERICA INC	LAB ANALYSIS FEES WWTP	497.50
14612	SOME LIKE IT GREEN	MAR 19 PLANT SERVICE	80.00
14396	SPRONK WATER ENGINEERS INC	Jan 19 Water Rights Engin	8,100.00
14749	STEPHEN FORBES	HISTORIC STRUCTURE ASSESS	900.00
14551	SWANNIES GOLF APPAREL CO	Resale Merchandise	508.00
11125	TERRACON CONSULTANTS INC	Oil and Gas Research	2,697.50
6644	THE EAST BOULDER DITCH COMPANY	2019 East Boulder Assess	150.00
14682	THE RMH GROUP INC	HVAC DESIGN HBWTP	630.00
14353	TRANSPARENT INFORMATION SERVIC	BACKGROUND CHECKS	462.15
6609	TRAVELERS	INSURANCE DEDUCTIBLE	25,000.00
14065	TYLER TECHNOLOGIES INC	Tyler ERP Continuing Impl	5,118.48
14065	TYLER TECHNOLOGIES INC	Tyler ERP Continuing Impl	5,252.92
14065	TYLER TECHNOLOGIES INC	Tyler ERP Continuing Impl	640.00
14065	TYLER TECHNOLOGIES INC	TYLER SUPPORT & UPDATE LI	63,550.51
4765	UNCC	FEB 19 LOCATES #48760	293.94
13426	UNIQUE MANAGEMENT SERVICES INC	Collection Services	80.55
4875	UNIVAR USA INC	Caustic Soda SWTP	8,120.76
13851	VELOCITY PLANT SERVICES LLC	Water Line Repair SWTP	2,263.00
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	1,000.00
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	2,577.34
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	3,377.22
13891	VERIS ENVIRONMENTAL LLC	Biosolids Hauling	1,471.31
4900	VRANESH AND RAISCH LLP	FEB 19 WINDY GAP LEGAL SE	1,264.82
11053	WATER TECHNOLOGY GROUP	Ground Water Pump Service	1,788.00

CASH ACCOUNT: 001000 101001 WARRANT: 031919 03/19/2019

VENDOR	VENDOR NAME	PURPOSE	AMOUNT
14373	WEIFIELD GROUP CONTRACTING INC	PRETREATMENT WIRING SWTP	442.50
14373	WEIFIELD GROUP CONTRACTING INC	OUTLET AND SWITCH REPAIR	655.00
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES CS	66.36
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES CH	24.23
9511	WESTERN PAPER DISTRIBUTORS INC	JANITORIAL SUPPLIES PC	97.34
14609	WILBUR-ELLIS COMPANY LLC	GRANULAR FUNGICIDE GCM	798.00
5115	WL CONTRACTORS INC	Feb 19 Traffic Signal Mai	5,391.00
10884	WORD OF MOUTH CATERING INC	SR MEAL PROGRAM 2/25-3/8/	2,554.00
3875	XCEL ENERGY	FEB 19 SPRINKLERS	97.72
13790	ZAYO GROUP LLC	MAR 19 INTERNET SERVICE	783.00

252 INVOICES WARRANT TOTAL 1,733,883.85

CITY OF LOUISVILLE
PURCHASE CARD SUMMARY
STATEMENT PERIOD 01/19/19 - 02/19/19

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
2019 SAVING PLACES CON	5712268300	ROBERT ZUCCARO	PLANNING	02/06/2019	40.00
2019 SAVING PLACES CON	5712268300	ROBERT ZUCCARO	PLANNING	01/23/2019	225.00
2019 SAVING PLACES CON	5712268300	ROBERT ZUCCARO	PLANNING	01/23/2019	225.00
4 RIVERS EQUIPMENT	GREELEY	CONNOR POWERS	GOLF COURSE	02/12/2019	701.53
4 RIVERS EQUIPMENT	GREELEY	MASON THOMPSON	OPERATIONS	02/05/2019	427.01
4IMPRINT	877-4467746	AMANDA PERERA	REC CENTER	02/15/2019	597.71
ACE EQUIPMENT AND SUPP	303-2882916	VICKIE ILKO	OPERATIONS	02/13/2019	430.00
ACT*ACTIVE EVENTS REG	800-646-2633	ANDY SQUIRES	IT	01/28/2019	950.00
ACT*ACTIVE EVENTS REG	800-646-2633	CHRISTOPHER NEVES	IT	01/18/2019	950.00
ACZ LABORATORIES, INC	STEAMBOAT SPR	JUSTIN ELKINS	WASTEWATER	02/15/2019	129.10
ACZ LABORATORIES, INC	STEAMBOAT SPR	JUSTIN ELKINS	WASTEWATER	02/12/2019	106.20
ACZ LABORATORIES, INC	STEAMBOAT SPR	JUSTIN ELKINS	WASTEWATER	02/07/2019	106.20
ACZ LABORATORIES, INC	STEAMBOAT SPR	JUSTIN ELKINS	WASTEWATER	02/07/2019	106.20
ACZ LABORATORIES, INC	STEAMBOAT SPR	JUSTIN ELKINS	WASTEWATER	02/07/2019	285.60
ACZ LABORATORIES, INC	STEAMBOAT SPR	JUSTIN ELKINS	WASTEWATER	02/07/2019	285.60
ACZ LABORATORIES, INC	STEAMBOAT SPR	JUSTIN ELKINS	WASTEWATER	02/07/2019	160.00
ADI-PX	602-437-2878	DEREK SNYDER	WASTEWATER	02/13/2019	220.00
ADM/SHOP DENVER MUSEUM	DENVER	KATIE BEASLEY	REC CENTER	02/07/2019	50.00
AGODA.COM	INTERNET	REMY RODRIGUES	IT	02/06/2019	723.69
AHEC PARKING SERVICES	DENVER	PAULA KNAPEK	HUMAN RESOURCES	02/15/2019	6.50
AIRGAS CENTRAL	TULSA	DAVID DEAN	GOLF COURSE	02/13/2019	65.49
AIRGAS CENTRAL	TULSA	IAN HARPER	OPERATIONS	01/28/2019	170.75
AIRGAS CENTRAL	TULSA	DAVID DEAN	GOLF COURSE	01/23/2019	65.49
AIS INDUSTRIAL SUPPL	DENVER	JACK MANIAN	OPERATIONS	02/06/2019	191.52
ALLDATA CORP #8601	ELK GROVE	MASON THOMPSON	OPERATIONS	02/01/2019	125.00
AMAZON.COM*MB0G617Z0 A	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/29/2019	63.74
AMERICAN AIRLINES	8004337300	DAWN BURGESS	CITY MANAGER	01/25/2019	38.53
AMERICAN AIRLINES	8004337300	DAWN BURGESS	CITY MANAGER	01/25/2019	267.30
AMERICAN PLANNING A	3124319100	ROBERT ZUCCARO	PLANNING	02/05/2019	250.00
AMERICAN PLANNING A	3124319100	ROBERT ZUCCARO	PLANNING	02/05/2019	815.00
AMERICAN PLANNING A	3124319100	LISA RITCHIE	PLANNING	01/22/2019	835.00
AMZN DIGITAL*MB5ND6932	888-802-3080	KURT KOWAR	PUBLIC WORKS	02/08/2019	27.15
AMZN DIGITAL*MI0Y95LQ1	888-802-3080	KURT KOWAR	PUBLIC WORKS	02/07/2019	24.43
AMZN DIGITAL*MI2GJ24C0	888-802-3080	KURT KOWAR	PUBLIC WORKS	02/07/2019	30.29
AMZN DIGITAL*MI2K08ZF1	888-802-3080	KURT KOWAR	PUBLIC WORKS	02/08/2019	32.58
AMZN DIGITAL*MI30P6L61	888-802-3080	KURT KOWAR	PUBLIC WORKS	02/08/2019	32.58
AMZN MKTP US*MB72L6K10	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/29/2019	35.97
AMZN MKTP US*MB7BO1991	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/30/2019	95.72

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
AMZN MKTP US	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/01/2019	-1.20
AMZN MKTP US*MB05G9650	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/24/2019	18.99
AMZN MKTP US*MB0HJ9221	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/28/2019	52.28
AMZN MKTP US*MB0V03GC2	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/24/2019	172.15
AMZN MKTP US*MB0VR8QJ1	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/24/2019	16.94
AMZN MKTP US*MB1J57MK1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/19/2019	99.07
AMZN MKTP US*MB1V96KY1	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/29/2019	226.04
AMZN MKTP US*MB1XR1YY2	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	02/12/2019	59.28
AMZN MKTP US*MB2CT9U61	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	01/31/2019	15.99
AMZN MKTP US*MB2UZ38V1	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	01/23/2019	20.98
AMZN MKTP US*MB35J66F0	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/24/2019	8.59
AMZN MKTP US*MB3TS95M2	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/28/2019	24.06
AMZN MKTP US*MB42985A0	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/19/2019	42.79
AMZN MKTP US*MB55E89S1	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/30/2019	116.25
AMZN MKTP US*MB55R62C0	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/27/2019	6.49
AMZN MKTP US*MB5S919O0	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	01/31/2019	38.06
AMZN MKTP US*MB5U90UC1	AMZN.COM/BILL	JAMES VAUGHAN	REC CENTER	01/31/2019	28.69
AMZN MKTP US*MB63G29A0	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/31/2019	214.75
AMZN MKTP US*MB67F5GW2	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/24/2019	61.74
AMZN MKTP US*MB6ET36T2	AMZN.COM/BILL	ERICA BERZINS	POLICE	02/03/2019	202.86
AMZN MKTP US*MB6HN6KO1	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/29/2019	47.92
AMZN MKTP US*MB6LV6GP2	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/24/2019	89.70
AMZN MKTP US*MB6ZY3SX0	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/26/2019	117.62
AMZN MKTP US*MB7AW9Q31	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	01/24/2019	49.98
AMZN MKTP US*MB8O08RQ1	AMZN.COM/BILL	JOANN MARQUES	REC CENTER	02/02/2019	27.90
AMZN MKTP US*MB8RQ18N0	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	01/22/2019	36.96
AMZN MKTP US*MB8V10W32	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/12/2019	11.99
AMZN MKTP US*MB9DJ8KK0	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/28/2019	11.10
AMZN MKTP US*MB9FH0E42	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/21/2019	19.98
AMZN MKTP US*MB9HJ4R71	AMZN.COM/BILL	JAMES VAUGHAN	REC CENTER	02/03/2019	4.49
AMZN MKTP US*MB9K50RM2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/11/2019	19.24
AMZN MKTP US*MB9LE0DR1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/25/2019	6.12
AMZN MKTP US*MB9Q62QW0	AMZN.COM/BILL	JAMES VAUGHAN	REC CENTER	01/24/2019	15.79
AMZN MKTP US*MB9XO2KW1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/29/2019	146.54
AMZN MKTP US*MI0GP3CN0	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/04/2019	32.48
AMZN MKTP US*MI0MI4T91	AMZN.COM/BILL	DAVID DEAN	GOLF COURSE	02/12/2019	15.35
AMZN MKTP US*MI0PB1O02	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/14/2019	24.89
AMZN MKTP US*MI0SI1N00	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	02/12/2019	75.77
AMZN MKTP US*MI1H724P1	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/07/2019	179.71
AMZN MKTP US*MI1K684S1	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	02/07/2019	59.80
AMZN MKTP US*MI1KI3FO2	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/14/2019	124.21
AMZN MKTP US*MI2DH0TF0	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	02/14/2019	59.70

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
AMZN MKTP US*MI3E25JB1	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	02/12/2019	9.95
AMZN MKTP US*MI4AI2OC0	AMZN.COM/BILL	GINGER CROSS	GOLF COURSE	02/05/2019	50.00
AMZN MKTP US*MI4H97C20	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	02/06/2019	19.99
AMZN MKTP US*MI4RI9N10	AMZN.COM/BILL	JESSE DEGRAW	REC CENTER	02/11/2019	81.80
AMZN MKTP US*MI5KP7CX1	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/05/2019	16.98
AMZN MKTP US*MI5N871X1	AMZN.COM/BILL	RANDY DEWITZ	BUILDING SAFETY	02/16/2019	44.98
AMZN MKTP US*MI6HC0ER1	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	02/14/2019	64.00
AMZN MKTP US*MI6UV6CT0	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	02/04/2019	125.69
AMZN MKTP US*MI7886L10	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	02/09/2019	199.99
AMZN MKTP US*MI7B76CI2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	02/13/2019	8.51
AMZN MKTP US*MI8QQ5NA0	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	02/12/2019	6.99
AMZN MKTP US*MI9ET0OF0	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	02/06/2019	30.60
AMZN MKTP US*MI9GN9EM1	AMZN.COM/BILL	JAMES VAUGHAN	REC CENTER	02/14/2019	33.98
AMZN MKTP US*MI9PQ7OA2	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	02/14/2019	110.37
AMZN MKTP US*MI9VX2A80	AMZN.COM/BILL	PAMELA LEMON	REC CENTER	02/14/2019	97.30
ANIMAL CARE EQUIPMENT	BROOMFIELD	LAURA LOBATO	POLICE	02/11/2019	23.18
AOG-USAFA	USAF ACADEMY	CHERYL KELLER	POLICE	02/13/2019	120.00
AOG-USAFA	USAF ACADEMY	RYAN MORRIS	POLICE	02/12/2019	120.00
AOG-USAFA	USAF ACADEMY	RICKY BLACKNEY	POLICE	02/11/2019	120.00
AOG-USAFA	USAF ACADEMY	MIKE MILLER	POLICE	02/11/2019	120.00
APPLE STORE #R182	BROOMFIELD	KURT KOWAR	PUBLIC WORKS	02/14/2019	242.00
ARC*SERVICES/TRAINING	800-733-2767	JAMES VAUGHAN	REC CENTER	02/10/2019	60.00
ARC*SERVICES/TRAINING	800-733-2767	DANIEL BIDLEMEN	REC CENTER	01/28/2019	114.00
ARC*SERVICES/TRAINING	800-733-2767	DANIEL BIDLEMEN	REC CENTER	01/22/2019	120.00
ARROW STAGE LINES QPS	402-7311900	KATIE BEASLEY	REC CENTER	02/05/2019	623.00
ARROW STAGE LINES QPS	402-7311900	KATIE BEASLEY	REC CENTER	01/25/2019	715.00
ARROW STAGE LINES QPS	402-7311900	KATIE BEASLEY	REC CENTER	01/17/2019	623.00
ARROWHEAD AWARDS	303-447-9407	DAWN BURGESS	CITY MANAGER	01/23/2019	24.00
ARROWHEAD AWARDS	BOULDER	MICHAEL TOWERS	PARKS	01/23/2019	45.00
AWWA.ORG	303-347-6197	GREG VENETTE	WATER	01/26/2019	79.00
AMAZON.COM	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/25/2019	-8.59
AMAZON.COM	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	01/22/2019	-79.99
AMAZON.COM*MB0QB5192	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/23/2019	123.25
AMAZON.COM*MB1IO0RK1	AMZN.COM/BILL	AMANDA PERERA	REC CENTER	02/02/2019	9.00
AMAZON.COM*MB1LB70Z2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/22/2019	45.22
AMAZON.COM*MB36E9P12	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/23/2019	11.29
AMAZON.COM*MB38O0DC2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/03/2019	55.95
AMAZON.COM*MB38Y2Y12	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	02/13/2019	20.83
AMAZON.COM*MB3ZW57A0	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	01/29/2019	530.00
AMAZON.COM*MB4M80281	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	01/28/2019	11.88
AMAZON.COM*MB5889WV0	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/04/2019	36.58
AMAZON.COM*MB60U5QF0	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	01/24/2019	119.99

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
AMAZON.COM*MB7A44UQ0	AMZN.COM/BILL	DAVID DEAN	GOLF COURSE	01/31/2019	50.80
AMAZON.COM*MB7OR41V2	AMZN.COM/BILL	DANIEL WOOLDRIDGE	IT	01/23/2019	74.00
AMAZON.COM*MB8UA4Q21	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	01/24/2019	45.36
AMAZON.COM*MB8UQ4BF2	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	01/30/2019	49.17
AMAZON.COM*MB9DD48G1	AMZN.COM/BILL	DRUSILLA TIEBEN	PARKS	01/23/2019	63.99
AMAZON.COM*MI0IF6AX1	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/13/2019	101.12
AMAZON.COM*MI17T3TY0	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	02/13/2019	155.96
AMAZON.COM*MI1XL6OP2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/13/2019	12.96
AMAZON.COM*MI2HP4JA1	AMZN.COM/BILL	JESSE DEGRAW	REC CENTER	02/12/2019	39.99
AMAZON.COM*MI3CW7C61	AMZN.COM/BILL	TERRELL PHILLIPS	WATER	02/04/2019	166.50
AMAZON.COM*MI5W17OO1	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/05/2019	9.99
AMAZON.COM*MI66A6J51	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	02/10/2019	32.88
AMAZON.COM*MI6KN6OC2	AMZN.COM/BILL	PATRICIA MORGAN	REC CENTER	02/14/2019	6.92
AMAZON.COM*MI7YH8JO0	AMZN.COM/BILL	KERRY HOLLE	PUBLIC WORKS	02/13/2019	27.94
AMAZON.COM*MI8W56OG0	AMZN.COM/BILL	JULIE SEYDEL	REC CENTER	02/06/2019	65.26
AMAZON.COM*MI95Z2LC2	AMZN.COM/BILL	JILL SIEWERT	LIBRARY	02/15/2019	49.48
BAD BOY POWER PARTS	WEST MONROE	CONNOR POWERS	GOLF COURSE	02/01/2019	79.10
BARNES&NOBLE.COM-BN	800-843-2665	MICHAEL CLEVELAND	OPERATIONS	02/02/2019	64.85
BC INTERIORS, INC.	BOULDER	ERIN OWEN	LIBRARY	02/12/2019	30.00
BC INTERIORS, INC.	BOULDER	ERIN OWEN	LIBRARY	01/24/2019	60.00
BEST BUY MHT 00002097	WESTMINSTER	DAVID BARIL	GOLF COURSE	02/06/2019	404.98
BESTBUYCOM805607947612	888-BESTBUY	JILL SIEWERT	LIBRARY	01/30/2019	60.96
BILL NUMBER 5	7272016718	KURT KOWAR	PUBLIC WORKS	02/01/2019	10.48
BIZWEST MEDIA LLC	19702215400	AARON DEJONG	CITY MANAGER	02/07/2019	49.99
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	02/14/2019	916.58
BK TIRE	FREDERICK	MASON THOMPSON	OPERATIONS	02/05/2019	40.00
BLACKJACK PIZZA OF LOU	LOUISVILLE	PEGGY JONES	REC CENTER	02/09/2019	85.00
BLACKJACK PIZZA OF LOU	LOUISVILLE	PEGGY JONES	REC CENTER	01/19/2019	61.43
BOBCAT COMMERCE CITY	3168588134	MICHAEL TOWERS	PARKS	01/30/2019	180.00
BOOT BARN #143	THORNTON	GREG VENETTE	WATER	01/25/2019	139.99
BOOT BARN #143	THORNTON	VICKIE ILKO	OPERATIONS	01/25/2019	137.99
BOULDER PARKIG-SPRUCE	BOULDER	AARON DEJONG	CITY MANAGER	01/24/2019	3.00
BROOMFIELD RENTALS INC	BROOMFIELD	MICHAEL CLEVELAND	OPERATIONS	01/23/2019	56.70
BUILDASIGN.COM	800-330-9622	GINGER CROSS	GOLF COURSE	01/30/2019	161.59
CACEO	ARVADA	LAURA LOBATO	POLICE	01/18/2019	45.00
CANDLELIGHT DINNER PLA	JOHNSTOWN	DIANE M KREAGER	FINANCE	02/07/2019	109.72
CANDLELIGHT DINNER PLA	JOHNSTOWN	DIANE M KREAGER	FINANCE	02/07/2019	1,097.20
CANVA FOR WORK YEARLY	8778877815	ERIN OWEN	LIBRARY	02/14/2019	119.40
CARRABBAS 0608	LOUISVILLE	DAWN BURGESS	CITY MANAGER	01/29/2019	431.76
CARROT TOP INDUSTRIES	919-7326200	PHIL LIND	FACILITIES	02/15/2019	272.22
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CBI ONLINE	8008820757	LESLIE RINGER	HUMAN RESOURCES	01/30/2019	6.85
CC GARAGE-3036401096	DENVER	EMILY KROPF	CITY MANAGER	02/14/2019	12.00
CDW GOVT #RCZ8803	800-808-4239	DAVID ALDERS	PARKS	02/15/2019	87.46
CENTENNIAL PRINTING CO	303-6650388	KERRY HOLLE	PUBLIC WORKS	02/13/2019	195.00
CENTENNIAL PRINTING CO	303-6650388	ERIN OWEN	LIBRARY	02/11/2019	84.65
CENTENNIAL PRINTING CO	303-6650388	GINGER CROSS	GOLF COURSE	02/08/2019	34.30
CENTENNIAL PRINTING CO	303-6650388	GINGER CROSS	GOLF COURSE	02/08/2019	83.00
CENTENNIAL PRINTING CO	303-6650388	GINGER CROSS	GOLF COURSE	02/08/2019	33.75
CENTENNIAL PRINTING CO	303-6650388	KATIE MEYER	REC CENTER	02/07/2019	83.05
CENTURYLINK/SPEEDPAY	800-244-1111	DIANE M KREAGER	FINANCE	01/30/2019	2,042.09
CGEAR	8777342458	DAVID DEAN	GOLF COURSE	01/31/2019	360.06
CO BOULDER CO SVS	3035343468	BRIDGET BACON	LIBRARY	01/22/2019	246.17
COAL CREEK GOLF COURSE	LOUISVILLE	DAVID BARIL	GOLF COURSE	02/15/2019	6.00
COGENT	816-221-0650	JUSTIN ELKINS	WASTEWATER	02/12/2019	40.00
COLORADO ASSOCIATION O	303-4636400	REBECCA CAMPBELL	LIBRARY	02/04/2019	95.00
COLORADO BARRICADE COM	DENVER	JACK MANIAN	OPERATIONS	02/11/2019	827.50
COLORADO MUNICIPAL LEA	303-8316411	EMILY KROPF	CITY MANAGER	02/01/2019	30.00
COMCAST CABLE COMM	800-COMCAST	KATHERINE ZOSS	CITY MANAGER	02/13/2019	109.95
COMCAST DENVER CS 1X	800-266-2278	DIANE M KREAGER	FINANCE	02/06/2019	33.93
COMCAST DENVER CS 1X	800-266-2278	JILL SIEWERT	LIBRARY	02/05/2019	298.44
COURTYARD BY MARRIOTT	LONG BEACH	MEREDYTH MUTH	CITY MANAGER	02/09/2019	843.32
COURTYARD BY MARRIOTT	LONG BEACH	MEREDYTH MUTH	CITY MANAGER	02/09/2019	843.32
CPS DISTRIBUTORS INC B	BOULDER	BRADLEY AUSTIN	PARKS	02/11/2019	220.45
CPS DISTRIBUTORS INC M	WESTMINSTER	DANIEL PEER	PARKS	02/14/2019	108.57
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	02/09/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	02/09/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	02/09/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	02/09/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	02/09/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	02/09/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	02/09/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	01/24/2019	25.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	01/24/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	01/24/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	01/24/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	01/24/2019	25.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	01/22/2019	50.00
CRAIGSLIST.ORG	4153995200	KIRSTIE AMBROSE-HARLEY	HUMAN RESOURCES	01/22/2019	50.00
DAILY CAMERA	3034443444	CHERYL KELLER	POLICE	01/22/2019	13.89
DEMCO INC	800-9624463	JILL SIEWERT	LIBRARY	02/14/2019	243.32
DEMCO INC	800-9624463	JILL SIEWERT	LIBRARY	02/11/2019	84.38
DEMCO INC	800-9624463	JILL SIEWERT	LIBRARY	02/01/2019	689.76
DENVER MART RSVP	DENVER	TRACY OKSANEN	GOLF COURSE	01/30/2019	60.00
DOLLAR TREE	LAFAYETTE	PATRICIA MORGAN	REC CENTER	01/31/2019	32.00
DOMINO'S 6286	303-449-7101	GREG VENETTE	WATER	02/13/2019	65.68
DROPBOX*DZ5WBN134F9R	DROPBOX.COM	EMILY KROPF	CITY MANAGER	02/18/2019	9.99
DROPBOX*HLMWNRFW2NBJ	DROPBOX.COM	EMILY KROPF	CITY MANAGER	01/18/2019	9.99
DSS*ACHIEVMNTPRODUCTS	800-482-5846	LANA FAUVER	REC CENTER	02/11/2019	76.42
DSS*ACHIEVMNTPRODUCTS	800-482-5846	LANA FAUVER	REC CENTER	01/30/2019	3.06
DTV*DIRECTV SERVICE	800-347-3288	DAVID BARIL	GOLF COURSE	02/11/2019	275.96
E 470 EXPRESS TOLLS	303-5373470	DIANE M KREAGER	FINANCE	02/01/2019	52.95
E 470 EXPRESS TOLLS	303-5373470	MASON THOMPSON	OPERATIONS	01/31/2019	52.95
E 470 EXPRESS TOLLS	303-5373470	MASON THOMPSON	OPERATIONS	01/31/2019	17.65
EARL'S SAW SHOP	BOULDER	MARYANN DORNFELD	PARKS	02/12/2019	26.48
EJ USA DENVER	DENVER	MICHAEL CLEVELAND	OPERATIONS	02/12/2019	454.41
EZGO FINANCE PAYMTS	800-448-7476	TRACY OKSANEN	GOLF COURSE	02/08/2019	159.01
FACEBK G4TEFJWQV2	MENLO PARK	ERIN OWEN	LIBRARY	01/20/2019	24.99
FASTENAL COMPANY01	LOUISVILLE	IAN HARPER	OPERATIONS	02/15/2019	187.00
FASTENAL COMPANY01	LOUISVILLE	CONNOR POWERS	GOLF COURSE	02/11/2019	23.50
FASTENAL COMPANY01	LOUISVILLE	IAN HARPER	OPERATIONS	02/08/2019	75.62
FASTENAL COMPANY01	LOUISVILLE	KERRY KRAMER	PARKS	02/01/2019	14.82
FASTENAL COMPANY01	LOUISVILLE	VICKIE ILKO	OPERATIONS	01/28/2019	-14.48
FASTENAL COMPANY01	LOUISVILLE	IAN HARPER	OPERATIONS	01/28/2019	108.98
FASTENAL COMPANY01	LOUISVILLE	VICKIE ILKO	OPERATIONS	01/28/2019	15.17
FASTENAL COMPANY01	LOUISVILLE	CONNOR POWERS	GOLF COURSE	01/23/2019	28.87
FASTENAL COMPANY01	LOUISVILLE	VICKIE ILKO	OPERATIONS	01/23/2019	34.35
FASTSIGNS	CENNTENIAL	AMANDA PERERA	REC CENTER	02/07/2019	597.71
FEDEX 467611119	MEMPHIS	TRACY OKSANEN	GOLF COURSE	01/28/2019	177.24
FIRST CHOICE-BOYER S C	303-9649400	TRACY OKSANEN	GOLF COURSE	02/13/2019	119.50
FIRST CHOICE-BOYER S C	303-9649400	TRACY OKSANEN	GOLF COURSE	02/06/2019	119.50
FOLDERPRINTERS.COM	3102806060	KATIE BEASLEY	REC CENTER	02/08/2019	750.00
FRONT RANGE SIGNARAMA	WESTMINSTER	JAMES VAUGHAN	REC CENTER	01/22/2019	230.91
FRONTIER	DENVER	DAWN BURGESS	CITY MANAGER	02/18/2019	-25.00
FRONTIER	DENVER	DAWN BURGESS	CITY MANAGER	01/29/2019	190.98

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
FRONTIER	DENVER	DAWN BURGESS	CITY MANAGER	01/22/2019	382.88
FS COM INC	2532773058	DIANE M KREAGER	FINANCE	02/16/2019	1,682.26
FS COM INC	2532773058	DANIEL WOOLDRIDGE	IT	02/12/2019	46.48
GAYLORD BROS INC	N. SYRACUSE	MEREDYTH MUTH	CITY MANAGER	01/30/2019	163.39
GCSAA EIFG	7858323651	DAVID DEAN	GOLF COURSE	01/28/2019	270.00
GENERAL AIR SERVICE &	7203419437	JUSTIN ELKINS	WASTEWATER	02/03/2019	38.66
GOBLE SAMPSON ASSOCIAT	801-268-8790	MARC DENNY	WASTEWATER	02/16/2019	598.25
GRAINGER	877-2022594	ANTHONY POHL	REC CENTER	02/13/2019	407.38
GRAINGER	877-2022594	MARC DENNY	WASTEWATER	01/30/2019	51.82
GREEN CO2 SYSTEMS	FORT COLLINS	PAUL BORTH	REC CENTER	02/18/2019	817.67
HOBBY-LOBBY #0034	LONGMONT	LARISSA COX	REC CENTER	02/12/2019	20.96
HOBBY-LOBBY #0034	LONGMONT	LARISSA COX	REC CENTER	01/25/2019	76.32
HOBBY-LOBBY #0034	LONGMONT	LARISSA COX	REC CENTER	01/17/2019	26.74
HOO*HOOTSUITE INC	778-5889767	EMILY KROPF	CITY MANAGER	02/11/2019	228.00
HOTEL COLORADO	GLENWOOD SPGS	EMILY KROPF	CITY MANAGER	02/08/2019	238.00
HOTEL COLORADO	GLENWOOD SPGS	MEGAN DAVIS	CITY MANAGER	02/08/2019	238.00
HOTEL COLORADO	GLENWOOD SPGS	HEATHER BALSER	CITY MANAGER	02/09/2019	357.00
IAPMO	909-4724100	MATT LOOMIS	PARKS	01/29/2019	400.00
IBI - SUPPLYWORKS #225	8565333261	ERIK SWIATEK	PARKS	02/06/2019	489.81
IBI - SUPPLYWORKS #225	8565333261	PATRICIA MORGAN	REC CENTER	01/30/2019	212.02
IBI - SUPPLYWORKS #225	8565333261	PATRICIA MORGAN	REC CENTER	01/17/2019	298.77
IBI - SUPPLYWORKS #225	8565333261	PATRICIA MORGAN	REC CENTER	01/17/2019	44.41
INDUSTRIAL SAFETY GEAR	419-8417720	PHIL LIND	FACILITIES	01/28/2019	155.98
INNOVATIVEUSERSGRP	5136527898	JILL SIEWERT	LIBRARY	02/14/2019	325.00
INT*IN *1-2-1 MARKETIN	407-3954701	DAVID BARIL	GOLF COURSE	02/05/2019	199.00
INT*IN *AQUATIC RESOUR	303-7959332	JAMES VAUGHAN	REC CENTER	02/13/2019	84.00
INT*IN *ARROWHEAD SCIE	913-8948388	ERICA BERZINS	POLICE	01/31/2019	280.26
INT*IN *COLORADO CHAPT	970-3700582	ELIZABETH SCHETTLER	PLANNING	02/15/2019	35.00
INT*IN *COLORADO GOVER	303-3015575	CHRISTOPHER NEVES	IT	01/18/2019	660.00
IT, COMPLIANCE, & ACA	8009983571	ROBIN BROOKHART	HUMAN RESOURCES	02/18/2019	212.43
INSTANT IMPRINTS LOUIS	LOUISVILLE	MARC DENNY	WASTEWATER	02/13/2019	43.46
INSTANT IMPRINTS LOUIS	LOUISVILLE	PAUL BORTH	REC CENTER	02/12/2019	553.26
INSTANT IMPRINTS LOUIS	LOUISVILLE	JORGE CALDERON	FACILITIES	02/04/2019	393.75
INSTANT IMPRINTS LOUIS	LOUISVILLE	MARC DENNY	WASTEWATER	01/18/2019	77.80
INSTANT IMPRINTS LOUIS	LOUISVILLE	JORGE CALDERON	FACILITIES	01/18/2019	65.63
JAX OUTDOOR GEAR	LAFAYETTE	MARYANN DORNFELD	PARKS	02/13/2019	109.99
JAX OUTDOOR GEAR	LAFAYETTE	CHAD ROOT	BUILDING SAFETY	02/11/2019	150.00
JAX RANCH & HOME	LAFAYETTE	CATHERINE JEPSON	PARKS	02/15/2019	100.00
JAX RANCH & HOME	LAFAYETTE	CATHERINE JEPSON	PARKS	02/15/2019	100.00
JAX RANCH & HOME	LAFAYETTE	MARC DENNY	WASTEWATER	02/11/2019	119.99
JAX RANCH & HOME	LAFAYETTE	JACK MANIAN	OPERATIONS	02/08/2019	31.96
JIMMY JOHNS - 2668 - M	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	01/23/2019	228.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
JOHN E. REID AND ASSOC	312-732-4289	CHERYL KELLER	POLICE	01/22/2019	695.00
JOHN E. REID AND ASSOC	312-732-4289	CHERYL KELLER	POLICE	01/22/2019	695.00
JUS BURRITOS LLC	BROOMFIELD	MICHAEL CLEVELAND	OPERATIONS	01/24/2019	100.00
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	02/14/2019	13.95
KING SOOPERS #0013	LOUISVILLE	MEREDITH KRAUTLER-KLEMI	REC CENTER	02/14/2019	27.55
KING SOOPERS #0013	LOUISVILLE	KERRY HOLLE	PUBLIC WORKS	02/13/2019	14.96
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	02/11/2019	13.96
KING SOOPERS #0013	LOUISVILLE	MEREDITH KRAUTLER-KLEMI	REC CENTER	02/07/2019	454.52
KING SOOPERS #0013	LOUISVILLE	CRAIG DUFFIN	PUBLIC WORKS	02/05/2019	28.59
KING SOOPERS #0013	LOUISVILLE	KERRY HOLLE	PUBLIC WORKS	02/04/2019	28.98
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	02/04/2019	153.00
KING SOOPERS #0013	LOUISVILLE	AMANDA PERERA	REC CENTER	02/01/2019	211.99
KING SOOPERS #0013	LOUISVILLE	MEREDITH KRAUTLER-KLEMI	REC CENTER	02/01/2019	38.87
KING SOOPERS #0013	LOUISVILLE	JIM GILBERT	PARKS	01/31/2019	7.99
KING SOOPERS #0013	LOUISVILLE	BETH GALLOVIC	REC CENTER	01/30/2019	42.85
KING SOOPERS #0013	LOUISVILLE	MEREDITH KRAUTLER-KLEMI	REC CENTER	01/30/2019	162.04
KING SOOPERS #0013	LOUISVILLE	DAWN BURGESS	CITY MANAGER	01/29/2019	141.04
KING SOOPERS #0013	LOUISVILLE	CATHERINE JEPSON	PARKS	01/29/2019	16.98
KING SOOPERS #0013	LOUISVILLE	KATIE BEASLEY	REC CENTER	01/25/2019	345.64
KING SOOPERS #0013	LOUISVILLE	KATIE BEASLEY	REC CENTER	01/25/2019	-366.71
KING SOOPERS #0013	LOUISVILLE	KATIE BEASLEY	REC CENTER	01/25/2019	366.71
KING SOOPERS #0013	LOUISVILLE	MEREDITH KRAUTLER-KLEMI	REC CENTER	01/24/2019	119.99
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	01/19/2019	215.43
KING SOOPERS #0013	LOUISVILLE	PATRICIA MORGAN	REC CENTER	01/19/2019	13.95
KMC HISTORY COLORADO C	DENVER	PATRICIA MORGAN	REC CENTER	01/23/2019	132.00
LAKESHORE LEARNING MAT	3105374778	LANA FAUVER	REC CENTER	01/18/2019	300.72
LAMARS DONUTS-	LOUISVILLE	DAVID BARIL	GOLF COURSE	02/09/2019	62.00
LAMARS DONUTS-	LOUISVILLE	DAVID BARIL	GOLF COURSE	02/10/2019	62.00
LAMARS DONUTS-	LOUISVILLE	GINGER CROSS	GOLF COURSE	02/08/2019	472.50
LAMARS DONUTS-	LOUISVILLE	KATIE BEASLEY	REC CENTER	01/26/2019	468.75
LEWAN TECHNOLOGY	3039682246	DIANE M KREAGER	FINANCE	02/14/2019	71.78
LEWAN TECHNOLOGY	3039682246	DIANE M KREAGER	FINANCE	02/14/2019	691.73
LEWAN TECHNOLOGY	3039682246	DIANE M KREAGER	FINANCE	02/14/2019	1,639.00
LEWAN TECHNOLOGY	3039682246	DIANE M KREAGER	FINANCE	02/14/2019	961.67
LEXISNEXIS RISK DAT	8883328244	CHERYL KELLER	POLICE	02/04/2019	213.00
LIFELOC TECHNOLOGIES	3034319500	SHAIRA WHITTLE	POLICE	01/29/2019	133.82
LIGHTING SUPPLY	8005442852	PHIL LIND	FACILITIES	02/05/2019	264.99
LMUS	6308285949	KATHY MARTIN	REC CENTER	02/08/2019	529.00
LOCO HERMANOS	LOUISVILLE	TERRELL PHILLIPS	WATER	02/05/2019	40.00
LOCO HERMANOS	LOUISVILLE	KATIE BEASLEY	REC CENTER	01/27/2019	90.00
LOGMEIN*GOTOMEETING	LOGMEIN.COM	JEFFREY FISHER	POLICE	02/05/2019	49.00
LOUISVILLE CHAMBER OF	LOUISVILLE	GINGER CROSS	GOLF COURSE	01/31/2019	75.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
LOVELAND LASER TAG	LOVELAND	AMANDA PERERA	REC CENTER	02/14/2019	50.00
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	02/14/2019	169.04
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	02/14/2019	35.11
LOWES #00220*	LOUISVILLE	MARYANN DORNFELD	PARKS	02/13/2019	20.86
LOWES #00220*	LOUISVILLE	ANTHONY POHL	REC CENTER	02/13/2019	141.61
LOWES #00220*	LOUISVILLE	JEN KENNEY	POLICE	02/12/2019	40.14
LOWES #00220*	LOUISVILLE	DAVID DEAN	GOLF COURSE	02/12/2019	39.94
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	02/08/2019	51.48
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	02/08/2019	31.40
LOWES #00220*	LOUISVILLE	AUBREY HILTE	PARKS	02/09/2019	14.40
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	02/06/2019	19.98
LOWES #00220*	LOUISVILLE	RYAN MORRIS	POLICE	02/06/2019	19.96
LOWES #00220*	LOUISVILLE	CONNOR POWERS	GOLF COURSE	02/05/2019	21.24
LOWES #00220*	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/05/2019	34.85
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	02/04/2019	146.38
LOWES #00220*	LOUISVILLE	MARC DENNY	WASTEWATER	02/01/2019	6.48
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	02/02/2019	64.08
LOWES #00220*	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/01/2019	-5.84
LOWES #00220*	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/01/2019	24.62
LOWES #00220*	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/01/2019	30.29
LOWES #00220*	LOUISVILLE	ANTHONY POHL	REC CENTER	02/01/2019	27.73
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	01/31/2019	16.94
LOWES #00220*	LOUISVILLE	ANTHONY POHL	REC CENTER	01/31/2019	137.06
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	01/30/2019	-18.98
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	01/30/2019	29.95
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	01/30/2019	17.98
LOWES #00220*	LOUISVILLE	DAVID BARIL	GOLF COURSE	01/29/2019	60.09
LOWES #00220*	LOUISVILLE	DAVID DEAN	GOLF COURSE	01/28/2019	18.96
LOWES #00220*	LOUISVILLE	ROBERT ZUCCARO	PLANNING	01/25/2019	24.64
LOWES #00220*	LOUISVILLE	CATHERINE JEPSON	PARKS	01/25/2019	4.18
LOWES #00220*	LOUISVILLE	KEN MATHEWS	OPERATIONS	01/24/2019	31.95
LOWES #00220*	LOUISVILLE	PHIL LIND	FACILITIES	01/23/2019	47.56
LOWES #00220*	LOUISVILLE	MATTHEW E TRUJILLO	POLICE	01/23/2019	68.84
LULU`S BBQ LLC	LOUISVILLE	JEFFREY FISHER	POLICE	02/08/2019	64.00
LULU`S BBQ LLC	LOUISVILLE	JEFFREY FISHER	POLICE	01/23/2019	53.50
LULU`S BBQ LLC	LOUISVILLE	JEFFREY FISHER	POLICE	01/17/2019	51.00
MAILCHIMP *MONTHLY	MAILCHIMP.COM	EMILY KROPF	CITY MANAGER	02/18/2019	127.50
MAILCHIMP *MONTHLY	MAILCHIMP.COM	EMILY KROPF	CITY MANAGER	01/18/2019	127.50
MASABI-LLC-RTD-DENVER	303-299-6000	MARYANN DORNFELD	PARKS	02/07/2019	10.50
MASABI-LLC-RTD-DENVER	303-299-6000	MARYANN DORNFELD	PARKS	02/05/2019	10.50
MEMORIES TO DIGITAL	BOULDER	BRIDGET BACON	LIBRARY	02/04/2019	37.45
MEMORIES TO DIGITAL	BOULDER	BRIDGET BACON	LIBRARY	01/25/2019	9.95

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
MGPEC	3036582503	CRAIG DUFFIN	PUBLIC WORKS	02/05/2019	65.00
MICHAELS STORES 2059	SUPERIOR	KRISTEN PORTER	REC CENTER	01/31/2019	7.87
MICHAELS STORES 2059	SUPERIOR	KRISTEN PORTER	REC CENTER	01/30/2019	20.87
MORRELL PRINTING SOLUT	LAFAYETTE	KATHERINE ZOSS	CITY MANAGER	01/25/2019	391.25
MURDOCHS RANCH &HOME #	WESTMINSTER	BRIAN GARDUNO	OPERATIONS	01/26/2019	119.99
MURPHYS TAP HOUSE	LOUISVILLE	CHAD ROOT	BUILDING SAFETY	02/07/2019	98.00
MESSAGE MEDIA	SAN FRANCISCO	EMILY KROPF	CITY MANAGER	02/04/2019	100.00
NAPA AUTO PART 0026903	LOUISVILLE	BOB BERNHARDT	PARKS	02/14/2019	32.48
NAPA AUTO PART 0026903	LOUISVILLE	DIANE M KREAGER	FINANCE	02/09/2019	1,252.88
NAPA AUTO PART 0026903	LOUISVILLE	DIANE M KREAGER	FINANCE	02/09/2019	325.72
NEW YORK, NEW YORK HOTEL AND (	LAS VEGAS	RICKY BLACKNEY	POLICE	01/26/2019	538.54
NORTHWEST PARKWAY LLC	303-9262500	DIANE M KREAGER	FINANCE	02/01/2019	17.45
NPC*NEW PIG CORP	800-468-4647	VICKIE ILKO	OPERATIONS	02/16/2019	952.79
NSC*NORTHERN SAFETY CO	800-631-1246	ANGELA NORENE	OPERATIONS	02/14/2019	223.36
NSC*NORTHERN SAFETY CO	800-631-1246	ANGELA NORENE	OPERATIONS	02/02/2019	341.20
O J WATSON CO INC	DENVER	VICKIE ILKO	OPERATIONS	02/08/2019	149.59
O MEARA FORD	NORTHGLENN	MASON THOMPSON	OPERATIONS	01/30/2019	270.25
O.C.P.O. /C.E.C.T.I.	303-3948994	VICKIE ILKO	OPERATIONS	02/06/2019	55.00
O.C.P.O. /C.E.C.T.I.	303-3948994	MARC DENNY	WASTEWATER	02/04/2019	90.00
O.C.P.O. /C.E.C.T.I.	303-3948994	JUSTIN ELKINS	WASTEWATER	02/04/2019	90.00
O.C.P.O. /C.E.C.T.I.	303-3948994	JUSTIN ELKINS	WASTEWATER	02/04/2019	90.00
OFFICE DEPOT #1080	800-463-3768	ELIZABETH SCHETTLER	PLANNING	02/05/2019	40.17
OFFICEMAX/DEPOT 6616	SUPERIOR	DANIEL PEER	PARKS	02/11/2019	25.99
OFFICEMAX/DEPOT 6616	SUPERIOR	KATHERINE ZOSS	CITY MANAGER	01/31/2019	19.59
OFFICEMAX/DEPOT 6616	SUPERIOR	KATHERINE ZOSS	CITY MANAGER	01/25/2019	69.94
OFFICEMAX/DEPOT 6616	SUPERIOR	CATHERINE JEPSON	PARKS	01/22/2019	-27.99
OFFICEMAX/DEPOT 6616	SUPERIOR	CATHERINE JEPSON	PARKS	01/18/2019	27.99
ORGANIC SANDWICH COMPA	8887072469	KATIE BAUM	CITY MANAGER	02/06/2019	-6.05
ORGANIC SANDWICH COMPA	8887072469	KATIE BAUM	CITY MANAGER	01/23/2019	81.04
ORIENTAL IMPORT	DENVER	MEREDITH KRAUTLER-KLEMI	REC CENTER	01/31/2019	1,000.00
OUTBACK STEAKHOUSE #61	LOUSIVILLE	MICHAEL CLEVELAND	OPERATIONS	02/18/2019	36.56
OLD SANTA FE MEXICAN G	LOUISVILLE	JACK MANIAN	OPERATIONS	02/06/2019	102.69
P & W GOLF SUPPLY LLC	8479432399	TRACY OKSANEN	GOLF COURSE	02/04/2019	302.82
PARKER STORE LOUISVILL	LOUISVILLE	PHIL LIND	FACILITIES	02/14/2019	4.86
PARKER STORE LOUISVILL	LOUISVILLE	MASON THOMPSON	OPERATIONS	02/12/2019	153.30
PARKER STORE LOUISVILL	LOUISVILLE	MASON THOMPSON	OPERATIONS	02/12/2019	71.93
PARKER STORE LOUISVILL	LOUISVILLE	DAVID DEAN	GOLF COURSE	02/11/2019	64.35
PARKER STORE LOUISVILL	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	02/05/2019	41.64
PARTY CITY 922	SUPERIOR	GINGER CROSS	GOLF COURSE	02/05/2019	41.94
PARTY CITY 922	SUPERIOR	PATRICIA MORGAN	REC CENTER	02/04/2019	137.24
PARTY CITY 922	SUPERIOR	JAMES VAUGHAN	REC CENTER	01/24/2019	11.97
PASTPERFECT SOFTWARE	8005626080	BRIDGET BACON	LIBRARY	01/30/2019	432.00

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
PAYFLOW/PAYPAL	8888839770	DIANE M KREAGER	FINANCE	02/04/2019	19.95
PAYFLOW/PAYPAL	8888839770	DIANE M KREAGER	FINANCE	02/04/2019	59.95
PAYPAL *2ND SWING	4029357733	DAVID BARIL	GOLF COURSE	02/04/2019	240.00
PAYPAL *COLORADOASS	4029357733	LAURA LOBATO	POLICE	01/18/2019	90.00
PAYPAL *COLORADOFOR	4029357733	CHERYL KELLER	POLICE	02/18/2019	135.00
PAYPAL *FIREMARSHAL	4029357733	CHAD ROOT	BUILDING SAFETY	01/30/2019	50.00
PAYPAL *SFPE-RMC	4029357733	CHAD ROOT	BUILDING SAFETY	02/05/2019	30.00
PAYPAL *SFPE-RMC	4029357733	CHAD ROOT	BUILDING SAFETY	02/05/2019	25.00
PGH WATER COOLER	4124877105	MIKE KARBGINSKY	FACILITIES	02/12/2019	794.95
PGH WATER COOLER	4124877105	MIKE KARBGINSKY	FACILITIES	01/30/2019	794.95
PHYSIO CONTROL INC	800-4268047	SHAIRA WHITTLE	POLICE	01/25/2019	342.00
PIONEER SAND CO 15	BROOMFIELD	ANDY ELLIS	PARKS	02/04/2019	39.84
PIZZA KING LOUISVILLE	LOUISVILLE	MICHAEL CLEVELAND	OPERATIONS	01/25/2019	70.87
PLUG N PAY INC	800-945-2538	JULIE SEYDEL	REC CENTER	02/05/2019	235.12
PRAGMATIC PROGRAMMERS	9725397098	KURT KOWAR	PUBLIC WORKS	02/13/2019	44.00
PRAGMATIC PROGRAMMERS	9725397098	KURT KOWAR	PUBLIC WORKS	02/07/2019	24.95
PRAIRIE MOUNTAIN MEDIA	8884549588	DIANE M KREAGER	FINANCE	02/14/2019	3,317.46
PUBLIC WORKS-PRKG METR	DENVER	DAVID D HAYES	POLICE	02/12/2019	4.00
PUBLIC WORKS-PRKG METR	DENVER	MEGAN DAVIS	CITY MANAGER	01/22/2019	2.00
PUSH PEDAL PULL-CORPOR	6055752136	KATHY MARTIN	REC CENTER	01/28/2019	1,810.42
PET SCOOP, INC. / PET	303-202-1899	DRUSILLA TIEBEN	PARKS	02/01/2019	480.00
PRIME VIDEO*MB3KL3RR2	888-802-3080	KURT KOWAR	PUBLIC WORKS	02/11/2019	4.14
PRIME VIDEO*MI0PQ4N61	888-802-3080	KURT KOWAR	PUBLIC WORKS	02/10/2019	4.14
RI NOVELTY/TOY NETWORK	8005285599	JESSE DEGRAW	REC CENTER	01/31/2019	244.20
ROCKYMOUNTAINASPHALT	DENVER	CRAIG DUFFIN	PUBLIC WORKS	02/07/2019	370.00
RVT*BVSD FACILITY USE	720-5615202	JESSE DEGRAW	REC CENTER	02/07/2019	814.00
SAFEWAY #2812	LOUISVILLE	KRISTEN PORTER	REC CENTER	02/10/2019	8.60
SAFEWAY #2812	LOUISVILLE	CATHERINE JEPSON	PARKS	02/05/2019	2.49
SAFEWAY #2812	LOUISVILLE	KATIE BEASLEY	REC CENTER	01/26/2019	5.94
SAFEWAY #2812	LOUISVILLE	DAVID BARIL	GOLF COURSE	01/18/2019	45.67
SAFEWAY #2812	LOUISVILLE	AMANDA PERERA	REC CENTER	01/18/2019	17.97
SAI TEAM SPORTS	LOUISVILLE	NORMAN MERLO	GOLF COURSE	01/30/2019	418.00
SAI TEAM SPORTS	LOUISVILLE	KATHY MARTIN	REC CENTER	01/24/2019	472.50
SANITATION TOOLS.COM L	5172683303	JOANN MARQUES	REC CENTER	01/25/2019	160.00
SANTIAGOS MEXICAN REST	LAFAYETTE	KERRY HOLLE	PUBLIC WORKS	02/13/2019	64.75
SGS	RUTHERFORD	DEREK SNYDER	WASTEWATER	01/31/2019	803.00
SHRED-IT	8666474733	CHERYL KELLER	POLICE	02/18/2019	30.00
SHRED-IT	8666474733	CHERYL KELLER	POLICE	02/07/2019	30.00
SHRED-IT	8666474733	DIANE M KREAGER	FINANCE	02/01/2019	44.04
SHRM*ANNUAL700079108	1800444500	DIANE M KREAGER	FINANCE	01/31/2019	2,180.00
SIP.US LLC	800-566-9810	TERRELL PHILLIPS	WATER	02/10/2019	24.95
SITEONE LANDSCAPE SUPP	BROOMFIELD	KERRY KRAMER	PARKS	02/04/2019	404.25

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
SMK*SURVEYMONKEY.COM	971-2445555	DAWN BURGESS	CITY MANAGER	01/24/2019	384.00
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	02/18/2019	59.74
SOURCE OFFICE - VITAL	GOLDEN	LESLIE RINGER	HUMAN RESOURCES	02/14/2019	202.25
SOURCE OFFICE - VITAL	GOLDEN	KERRY HOLLE	PUBLIC WORKS	02/13/2019	121.51
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	02/12/2019	47.24
SOURCE OFFICE - VITAL	GOLDEN	ANGELA NORENE	OPERATIONS	02/12/2019	64.77
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	02/11/2019	-61.29
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	02/04/2019	7.53
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	02/04/2019	55.58
SOURCE OFFICE - VITAL	GOLDEN	LESLIE RINGER	HUMAN RESOURCES	01/25/2019	12.14
SOURCE OFFICE - VITAL	GOLDEN	DIANE M KREAGER	FINANCE	01/23/2019	-1,666.00
SOURCE OFFICE - VITAL	GOLDEN	JIM GILBERT	PARKS	01/23/2019	271.32
SOURCE OFFICE - VITAL	GOLDEN	DIANE M KREAGER	FINANCE	01/23/2019	1,219.00
SOUTHWEST AIRLINES	800-435-9792	ROBERT ZUCCARO	PLANNING	02/08/2019	279.96
SOUTHWEST AIRLINES	800-435-9792	LISA RITCHIE	PLANNING	01/19/2019	119.98
SOUTHWEST AIRLINES	800-435-9792	LISA RITCHIE	PLANNING	01/19/2019	98.98
SQ *SQ *COAL CREEK GOL	LOUISVILLE	DAVID BARIL	GOLF COURSE	01/31/2019	-1.00
SQ *SQ *COAL CREEK GOL	LOUISVILLE	DAVID BARIL	GOLF COURSE	01/31/2019	1.00
SQ *SQ *RAFT COLORADO	DENVER	AMANDA PERERA	REC CENTER	02/16/2019	279.95
SQ *SQ *RAFT ONLIN	GOSQ.COM	AMANDA PERERA	REC CENTER	02/16/2019	20.00
SQU*SQ *ADVANCED CARE	THORNTON	AMANDA PERERA	REC CENTER	01/29/2019	600.60
SQU*SQ *B.O.B.S. DINER	LOUISVILLE	VICKIE ILKO	OPERATIONS	02/07/2019	90.67
STAPLS7212512535000001	877-8267755	CHERYL KELLER	POLICE	01/31/2019	172.18
STAPLS7212512535000002	877-8267755	CHERYL KELLER	POLICE	01/31/2019	101.89
STAPLS7212512535000003	877-8267755	CHERYL KELLER	POLICE	01/31/2019	39.90
STAPLS7213278675000001	877-8267755	ERIN OWEN	LIBRARY	02/12/2019	59.15
STAPLS7213278675000002	877-8267755	ERIN OWEN	LIBRARY	02/16/2019	7.36
STAPLS7213516943000001	877-8267755	ERIN OWEN	LIBRARY	02/15/2019	371.95
SWA INFLIGHT WIFI	800-435-9792	KURT KOWAR	PUBLIC WORKS	02/16/2019	8.00
SWEET SPOT CAFE	LOUISVILLE	DAVID D HAYES	POLICE	02/12/2019	61.40
SWEET SPOT CAFE	LOUISVILLE	HEATHER BALSER	CITY MANAGER	02/01/2019	43.10
SWIMOUTLET.COM	8006914065	PAMELA LEMON	REC CENTER	01/23/2019	173.31
TARGET 00017699	SUPERIOR	PATRICIA MORGAN	REC CENTER	02/12/2019	9.99
TARGET 00017699	SUPERIOR	MEREDITH KRAUTLER-KLEMI	REC CENTER	01/24/2019	23.97
THE FLAG COMPANY	800-9620956	GINGER CROSS	GOLF COURSE	02/04/2019	-163.19
THE FLAG COMPANY	800-9620956	GINGER CROSS	GOLF COURSE	01/28/2019	163.19
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	02/14/2019	17.24
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	02/16/2019	-5.98
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	02/16/2019	8.30
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	02/14/2019	104.83
THE HOME DEPOT #1506	LOUISVILLE	AARON GRANT	PARKS	02/15/2019	2.96
THE HOME DEPOT #1506	LOUISVILLE	DESHAUN BECERRIL	OPERATIONS	02/13/2019	62.31

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	02/13/2019	47.94
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/12/2019	50.91
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/12/2019	18.65
THE HOME DEPOT #1506	LOUISVILLE	BRIAN GARDUNO	OPERATIONS	02/11/2019	74.03
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	02/11/2019	43.02
THE HOME DEPOT #1506	LOUISVILLE	DANIEL PEER	PARKS	02/11/2019	16.44
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/08/2019	29.97
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	02/07/2019	61.93
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	02/08/2019	16.68
THE HOME DEPOT #1506	LOUISVILLE	IAN HARPER	OPERATIONS	02/08/2019	63.39
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	02/05/2019	131.91
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/05/2019	64.17
THE HOME DEPOT #1506	LOUISVILLE	VICKIE ILKO	OPERATIONS	02/05/2019	56.88
THE HOME DEPOT #1506	LOUISVILLE	DAVID ALDERS	PARKS	02/04/2019	35.82
THE HOME DEPOT #1506	LOUISVILLE	PHIL LIND	FACILITIES	02/04/2019	48.03
THE HOME DEPOT #1506	LOUISVILLE	MARC DENNY	WASTEWATER	02/01/2019	113.25
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	01/31/2019	27.09
THE HOME DEPOT #1506	LOUISVILLE	MATT LOOMIS	PARKS	01/31/2019	27.89
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	01/31/2019	-79.97
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	01/31/2019	19.65
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/01/2019	10.96
THE HOME DEPOT #1506	LOUISVILLE	VICKIE ILKO	OPERATIONS	01/31/2019	31.84
THE HOME DEPOT #1506	LOUISVILLE	THOMAS CZAJKA	OPERATIONS	01/31/2019	25.86
THE HOME DEPOT #1506	LOUISVILLE	PHIL LIND	FACILITIES	01/30/2019	18.46
THE HOME DEPOT #1506	LOUISVILLE	BETH GALLOVIC	REC CENTER	01/30/2019	7.94
THE HOME DEPOT #1506	LOUISVILLE	JACK MANIAN	OPERATIONS	01/30/2019	43.94
THE HOME DEPOT #1506	LOUISVILLE	THOMAS CZAJKA	OPERATIONS	01/28/2019	7.96
THE HOME DEPOT #1506	LOUISVILLE	THOMAS CZAJKA	OPERATIONS	01/28/2019	11.69
THE HOME DEPOT #1506	LOUISVILLE	ROBERT ZUCCARO	PLANNING	01/25/2019	5.90
THE HOME DEPOT #1506	LOUISVILLE	JAMES VAUGHAN	REC CENTER	01/23/2019	24.92
THE HOME DEPOT #1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	01/22/2019	45.36
THE HOME DEPOT #1506	LOUISVILLE	NICHOLAS POTOPCHUK	PARKS	01/22/2019	6.69
THE HOME DEPOT #1506	LOUISVILLE	ANTHONY POHL	REC CENTER	01/17/2019	19.41
THE HOME DEPOT #1506	LOUISVILLE	KERRY KRAMER	PARKS	01/17/2019	54.00
THE HOME DEPOT #1521	LONGMONT	CHAD ROOT	BUILDING SAFETY	01/28/2019	54.73
THE HOME DEPOT 1506	LOUISVILLE	IAN HARPER	OPERATIONS	02/15/2019	217.12
THE HOME DEPOT 1506	LOUISVILLE	ANTHONY POHL	REC CENTER	02/06/2019	89.00
THE HOME DEPOT 1506	LOUISVILLE	DAKOTA DUNN	PARKS	02/05/2019	258.94
THE HOME DEPOT 1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	02/04/2019	225.01
THE HOME DEPOT 1506	LOUISVILLE	PHIL LIND	FACILITIES	01/31/2019	86.44
THE HOME DEPOT 1506	LOUISVILLE	MIKE KARBGINSKY	FACILITIES	01/31/2019	257.01
THE HOME DEPOT 1506	LOUISVILLE	DANIEL PEER	PARKS	01/31/2019	82.75

SUPPLIER	SUPPLIER LOCATION	CARDHOLDER	DEPARTMENT	TRANS DATE	AMOUNT
THE HOME DEPOT 1506	LOUISVILLE	KATHY MARTIN	REC CENTER	01/27/2019	-85.34
THE HOME DEPOT 1506	LOUISVILLE	THOMAS CZAJKA	OPERATIONS	01/25/2019	398.00
THE HOUSE OF COMMONS	DENVER	KATIE TOFTE	REC CENTER	02/05/2019	311.40
THE UPS STORE #5183	SUPERIOR	MARC DENNY	WASTEWATER	02/15/2019	16.11
THE UPS STORE #5183	SUPERIOR	MARC DENNY	WASTEWATER	01/25/2019	29.55
THE UPS STORE #5183	SUPERIOR	CATHERINE JEPSON	PARKS	01/22/2019	2.99
TST* THE HUCKLEBERRY	LOUISVILLE	DAWN BURGESS	CITY MANAGER	02/13/2019	66.00
TST* THE HUCKLEBERRY	LOUISVILLE	DAWN BURGESS	CITY MANAGER	02/06/2019	85.00
TUNDRA RESTAURANT SUPP	BOULDER	MIKE KARBGINSKY	FACILITIES	01/25/2019	516.66
UNITED SITE SERVICE	508-594-2564	TRACY OKSANEN	GOLF COURSE	01/22/2019	184.31
UNSER KARTING & EVENTS	DENVER	AMANDA PERERA	REC CENTER	02/06/2019	14.00
USA BLUE BOOK	8004939876	MARC DENNY	WASTEWATER	01/22/2019	321.80
USPS PO 0756700237	SUPERIOR	CODY THOMPSON	PARKS	02/13/2019	4.05
VALLEY CHRYSLER DODGE	BOULDER	MASON THOMPSON	OPERATIONS	02/13/2019	251.20
VENNGAGE.COM	TORONTO	EMILY KROPF	CITY MANAGER	02/15/2019	19.00
VZWRLSS*MY VZ VB P	800-922-0204	DIANE M KREAGER	FINANCE	02/06/2019	2,829.71
VZWRLSS*MY VZ VB P	800-922-0204	DIANE M KREAGER	FINANCE	01/19/2019	1,018.58
VZWRLSS*MY VZ VB P	800-922-0204	DIANE M KREAGER	FINANCE	01/19/2019	1,549.08
VZWRLSS*PRPAY AUTOPAY	888-294-6804	CRAIG DUFFIN	PUBLIC WORKS	02/05/2019	20.00
WAL-MART #1045	LAFAYETTE	LARISSA COX	REC CENTER	01/20/2019	23.94
WALGREENS #1286	LOUISVILLE	AMANDA PERERA	REC CENTER	02/18/2019	1.59
WALGREENS #7006	SUPERIOR	JESSE DEGRAW	REC CENTER	01/26/2019	23.98
WALGREENS #7006	SUPERIOR	KATHERINE ZOSS	CITY MANAGER	01/22/2019	24.19
WESTERN DISPOSAL SERVI	BOULDER	CATHERINE JEPSON	PARKS	02/13/2019	3.92
WESTERN DISPOSAL SERVI	BOULDER	CATHERINE JEPSON	PARKS	02/12/2019	3.92
WHITESIDES BOOTS AND C	BRIGHTON	THOMAS CZAJKA	OPERATIONS	01/18/2019	109.99
WM SUPERCENTER #1045	LAFAYETTE	CHRISTOPHER NEVES	IT	01/29/2019	32.39
WWW.SUPERBRIGHTLEDS.CO	3149726200	MIKE KARBGINSKY	FACILITIES	01/22/2019	142.09
ZORO TOOLS INC	855-2899676	MARC DENNY	WASTEWATER	01/31/2019	59.08
ZORO TOOLS INC	855-2899676	MARC DENNY	WASTEWATER	01/30/2019	227.24
		JEN KENNEY	POLICE	02/12/2019	-40.14
		GREG VENETTE	WATER	02/13/2019	-284.67
TOTAL					**$ 94,338.25**

CITY OF LOUISVILLE
EXPENDITURE APPROVALS $25,000.00 - $99,999.99
FEBRUARY 2019

DATE	P.O. #	VENDOR	DESCRIPTION	AMOUNT
2/11/2019	2019041	National Meter & Automation	2019 Water Meter Purchase	$45,000.00
			This is a sole source purchase. National Meter is the Colorado distributor for Badger meters and Itron reading equipment.	
2/11/2019	2019043	Kubwater Resources Inc.	Centrifuge Polymer	$67,298.00
			Two bids were received. Jar tests in conjunction with trial runs were used to determine performance of the polymers. Kubwater was not the lowest bid, but the performance offsets the additional cost.	
2/13/2019	2019047	Geospatial Urban Interface LLC	Extension of GIS Contract	$35,000.00
			This is an extension of the GIS contract approved in 2018.	
2/21/2019	2019054	L.A.W.S.	Equipment Installation on 4 Patrol Vehicles	$63,147.78
			An RFP was issued and two vendors responded. L.A.W.S provided the lowest bid.	
2/21/2019	2019055	PC Solutions & Integration Inc.	Extreme Networking	$34,303.75
			This purchase is being made under the State of Colorado contract. We also received three documented quotes from authorized dealers. PCS was able to honor contract licensing and reduce costs further against its competitors.	
2/27/2019	2019059	American Elevator Professionals	Elevator Inspections	$28,000.00
			An RFP was issued in 2018 for elevator inspection services. This is the second year of a three year contract.	

City of Louisville
COLORADO • SINCE 1878

City Council

Meeting Minutes

March 5, 2019
City Hall, Council Chambers
749 Main Street
7:00 PM

Call to Order – Mayor Muckle called the meeting to order at 7:00 p.m.

Roll Call was taken and the following members were present:

City Council: ***Mayor Robert Muckle***
Mayor Pro Tem Jeff Lipton
Councilmember Jay Keany
Councilmember Chris Leh
Councilmember Susan Loo
Councilmember Dennis Maloney
Councilmember Ashley Stolzmann

Staff Present: ***Heather Balser, City Manager***
Megan Davis, Deputy City Manager
Kevin Watson, Finance Director
Nathan Mosely, Parks, Recreation, & Open Space Director
Ember Brignull, Open Space Manager
Kurt Kowar, Public Works Director
Rob Zuccaro, Planning & Building Safety Director
Felicity Solvoski, Planner I
Meredyth Muth, City Clerk

Others Present: ***Kathleen Kelly, City Attorney***

PLEDGE OF ALLEGIANCE

All rose for the pledge of allegiance.

APPROVAL OF AGENDA

Mayor Muckle called for changes to the agenda and hearing none, moved to approve the agenda, seconded by Mayor Pro Tem Lipton. All in favor.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Chris Schmidt, 377 Jackson Circle representing the Fire District Board, stated the board has finished a new comprehensive plan which covers staffing and other initiatives. The District will be seeking a mill levy increase on the ballot in November. A citizen advisory committee will be formed to examine the plan and determine the amount of the request.

Nancy Holloway and Kim Echols, Louisville Community Food Bank, stated they have served the community for 40 years. The food bank is now renting space in the basement of the Methodist church. They have approximately 170 households signed up and other households receiving supplemental quarterly food deliveries. Ms. Holloway stated they are separate from the Methodist Church. They are looking for a new space and hoped the City can help them find a new facility.

APPROVAL OF THE CONSENT AGENDA

MOTION: Mayor Muckle moved to approve the consent agenda, seconded by Mayor Pro Tem Lipton. All in favor**.**

- **A.** Approval of Bills
- **B.** Approval of Minutes:
  - ◊ February 12, 2019
  - ◊ February 19, 2019
  - ◊ February 26, 2019
- **C.** Award Contract for Water and Wastewater Treatment Plants Hail Damage Repairs to Top That Roofing
- **D.** Approval of Sole Source Contract with All Current Electric, Inc. for Electrical and Building Inspection Services
- **E.** Approval of Appointments to the Revitalization Commission and the Sustainability Advisory Board
- **F.** Approve Purchase of 2019 Chevrolet Colorado Truck for Open Space Division
- **G.** Approval of Two Sole Source Agreements with Dropcountr and National Meter and Automation for the 2019 Metering Technology Pilot Programs
- **H.** Approve City of Louisville Retention Agreement for Special Employment Counsel to the City Council
- **I.** Award Contract for 2019 Fire Hydrant Painting
- **J.** Award of Custodial Services Contract

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

Councilmember Keany stated he will miss the Youth Advisory Board on Thursday if any other member can attend.

CITY MANAGER'S REPORT

No report.

REGULAR BUSINESS

DISCUSSION/DIRECTION/ACTION – MINER'S CABINS FINAL SITE SELECTION AND PHASE THREE RELOCATION AND REHABILITATION SERVICES

Planner Selvoski stated this is a request for Council to make a final site selection on a location for the Lee Avenue miner's cabins and direction regarding Phase III of the contract for the relocation. This has been a three phase project: moving from the original location to the City Services site; choosing a final location; and relocation to a final location and rehabilitated.

Council directed staff to analyze two options: 1 - moving both cabins to Miner's Field or 2 - putting one at Highway 42 and Pine Street and one at Miners Field. The consultants have reviewed each site.

Option 1 - both at Miners Field pros include co-location so the cabins maintain historical relationship between the two structures, this is closest to the original location, this has safer pedestrian access from Lee Avenue, this avoids the majority of utility conflicts, avoids majority of drainage conflicts, is the less expensive option, and there is no easement impact. The cons are the location requires the removal of two trees (subject to change based on actual cabin placement) and more grading required to meet ADA requirements and achieve positive drainage.

Option 2 - one at Miners Field and one at Pine Street and Highway 42 pros include minor grading required to achieve ADA compliance and positive drainage and it provides more prominent visual access to the cabins. The cons are the location at Pine could be impacted by future planned construction activities requiring re-doing work accomplished during this phase, would cost approximately $25,000 to $30,000 more than Option 1, loses context of cabin setting, there are potential easement conflicts, this is a busy intersection that could negatively impact safe pedestrian access, there are utility pole guy wire conflicts, there are more underground utilities and the cabin needs to be located 10 feet from the sewer main which limits siting options.

The consultants recommend putting both at Miners Field.

Additionally, staff seeks direction on who to use for the rehabilitation of the cabins. The Council had asked staff to pause for a re-evaluation before the start of phase 3. Having identified a final location for the cabins, issuing a Request for Proposals (RFP) would allow for the submittal of bids with accurate and updated price estimates. There is a citizens group interested in participating in the process and potentially bidding for phase three would allow that group to participate. The cost estimate would require going out for a competitive bid to meet City purchasing policy rules.

Staff recommends locating both cabins at Miners Field and issuing an RFP for Phase 3.

Councilmember Maloney stated it would be nice if volunteers could be used as we have a great deal of knowledge in the community. Director Zuccaro stated the hope would be they could be used as feasible and when safe for the rehabilitation part but not for the more technical work. Something more specific could be laid out in a new RFP.

Public Comments

Paula Elrod, 828 Jefferson Avenue, stated she does not support putting the cabins at Miners Field. Many of her family members have played baseball and football at Miners Field. She doesn't believe putting these at this location would attract people to see them. If they are open to the public and have more traffic there will be issues with the residents. They should be somewhere more prominent. Miners Field is dear and this will take away from the integrity of the field.

Chuck Thomas, 190 Mesa Court, speaking on behalf of a volunteer effort to renovate the cabins, noted the group submitted a proposal in November 2018 not to exceed $50,000 to do the renovation work. He noted the Charter encourages volunteers to be involved in processes. The committee has the necessary knowledge to do this work and is prepared to do this as a grassroots project. Their proposal eliminates the need for a new RFP and will enhance community support. He requested the City use them rather than bid out the project. If there is an RFP, please use a three phase approach, site preparation, relocation, and renovation. Volunteers could to bid on the phases individually.

Jean Morgan, 1131 Spruce, supported the Miners Field location and asked the volunteers be approved for the rehabilitation which would be at a much lower cost.

John Leary, 1116 LaFarge, noted the group is not interested in working with a contractor, but prefer to do this with just the committee. They would like to demonstrate that they can do all three phases before it is bid.

Mayor Muckle stated he favors the Miners Field location; it will enhance the historic nature of that area. He noted it would be unusual for us to not bid out a project with this much money involved. This is how we do all contracting.

Councilmember Stolzmann stated the site selection has been challenging. She noted the cabins are important to our heritage. For most of the possible locations people have objected to for a variety of reasons. It seems the Miners Field location is where they will more likely be preserved and you can see where they once stood. It is important to preserve them, as we can't keep on original site, supported Miners field.

Councilmember Stolzmann stated for the rehabilitation the cost of $140,000 seems like a huge amount of money compared to the amount of work needed. There are hazards and risks of using residents for projects; but there are examples in town where work was done

by volunteers. If people are really qualified to do this she doesn't object to using volunteers. Volunteers won't volunteer their time for a private company but will for the City. She supported the volunteer option and suggested voting on it first.

Mayor Pro Tem Lipton asked staff their opinion of using volunteers noting that at the end of the day Council will hold staff responsible so it is important to consider their view. If we use volunteers how will we manage the risks associated with it and risks to those working.

Director Zuccaro stated the project will need a full team of professionals. If the group doesn't have that level of expertise we will need to hire professionals to supplement the team. He added that a volunteer group will need to acquire professional liability insurance; the City cannot insure a volunteer group for this level of work. If there is a way to structure it to meet the full needs of the City and the volunteers, it might work.

Mayor Pro Tem Lipton asked if the volunteer group would need to form an entity to get insurance. City Attorney Kelly stated that is one way they could get insurance. The City's insurance will likely not cover this level of activity by volunteers.

Councilmember Maloney asked if other volunteers are on the workers comp insurance. City Attorney Kelly stated typically there is volunteer temporary medical insurance, but this is a level of activity that would go beyond that.

Councilmember Maloney would like to know if volunteers are on the City's workers comp insurance. He asked if we could use volunteers for such things as tenant finish or roofing for example; and perhaps use professionals for moving the cabins and the electrical work.

City Manager Balser stated there is a difference between managing a contract and managing volunteers; staff needs to know how much oversight would be necessary on a day-to-day basis and understand what the priority is of this project compared to others.

Councilmember Leh asked what is the urgency of doing a bid process as opposed to waiting and evaluating the volunteer effort. Director Zuccaro stated staff has had to continue to maintain the cabins in their current location, but can wait a bit if desired.

Councilmember Leh stated these cabins are an important asset and we want to make sure they are protected and the project gets completed. He stated he is intrigued by a community project that would draw attention to Louisville's history. We do have citizens that have come together with a great deal of expertise; given some time they may be able to get the desired professionals. He liked the idea of splitting off the larger tasks from the easier tenant finish type work.

Councilmember Loo stated managing volunteers is a full time effort. The City does not have a volunteer coordinator. We are in a very litigious atmosphere and that needs to be considered. The cabins are falling apart and fragile. There might be some opportunity to separate out in phases but she doesn't view this as a simple volunteer project. She would

like to have a bid process and evaluate the bids like we usually do. She stated she was not convinced this is easy or simple.

Councilmember Leh reiterated the project may need to be split into phases. It might be good to have a bid process but it might effectively prevent the volunteer project. The volunteer project should at least be evaluated.

Mayor Muckle stated he likes the idea of the volunteer project but it is paramount to save the buildings. He would like to see it completed this year. He could support a phased approach with grading, foundation, moving and setting separate from the rehabilitation. Historic Boulder may be able to help with the project facilitation.

Councilmember Stolzmann asked if the cabins are currently palletized. Director Zuccaro stated they are sitting on blocks and do have internal bracing. We think they are stable where they are but they have to be protected with Tyvek and tarps. Mayor Muckle asked if they need more stabilization before moving. Director Zuccaro stated a structural engineer would need to tell us.

Mayor Muckle suggested asking staff to prepare a phased approach with grading, moving, and setting in one phase and rehabilitation split out. He was open to getting them moved and stable and then allowing the volunteers to do the rehab.

Councilmember Loo asked if it will cost more to split it into phases. Director Zuccaro noted the alteration certificate would be required for rehabilitation, so it may create some efficiencies to have it all together and require contractor to use volunteers for the last phase. He noted this will require more staff management. Staff doesn't want to be managing a construction project, we aren't set up for it, nor do we have the expertise.

Mayor Pro Tem Lipton agreed with Mayor's suggestion to split phase three but bring back the RFP for consideration.

MOTION: Mayor Pro Tem moved to split phase three into grading, moving, and setting the cabins on foundations as the first part and rehabilitation as the second part and that the location be Miners Field. Mayor Muckle seconded.

Director Zuccaro asked for clarification on in which phase the stabilization would be; with setting the cabins or with rehabilitation.

Mayor Pro Tem Lipton stated stabilization should be in the initial phase along with drawings and getting building permits. It needs to be safe and then volunteers can take over for the rehabilitation.

Chuck Thomas stated the committee is prepared to take on the entire project including the professionals or just the rehabilitation part. The anticipation was that the insurance

issues are for the professional services and those professionals would be using their own insurance to cover those things.

Councilmember Stolzmann made an intervening motion that Council choose the site at Miners Field and allow a volunteer effort to complete phase three. Councilmember Maloney seconded.

Councilmember Stolzmann stated we may be over complicating things. This is an opportunity for a good project and we should take a chance as a volunteer activity.

Vote on intervening motion: Motion failed 3-4.
Yes: Council Member Stolzmann, Council Member Leh, Council Member Keany.
No: Council Member Loo, Mayor Pro Tem Lipton, Council Member Maloney, Mayor Muckle.

Mayor Pro Tem Lipton restated his earlier motion by moving to accept staff's recommended location for the site at Miners Field and ask staff to re-scope phase 3 in a way to protect the City's interest and also try to maximize the prudent use of volunteers. Mayor Muckle agreed as seconder.

Voice vote: all in favor.

DISCUSSION/DIRECTION/ACTION – AWARD OF FIVE-YEAR TRASH, RECYCLING, AND COMPOST HAULER CONTRACT

Mayor Muckle noted staff has been working on this for a year now to achieve the directed goal to allow people to conveniently dispose of waste in an environmentally friendly manner that is cost effective. The Sustainability Plan speaks to the diversion of solid waste and the availability of composting. Ten years ago the City completed a first five-year contract; five years ago we selected the same contractor in part because we did not carefully write the RFP to be sure we were looking at matching bid answers. This time the RFP was carefully crafted to include pay-as-you-throw, have composting embedded in the trash rate, and set up a scoring system. In the end, Republic responded more clearly and directly and provided the embedded service at significantly less money. Council directed to bring back a contract with Republic.

Director Kowar stated staff took the direction from the February 12th meeting to negotiate a contract with Republic for a five-year term and has brought back a final contract for Council consideration. The contract includes various services required in the RFP such as curbside spring and fall tree branch pick up as well as an annual large item pick up.

Director Kowar stated there was an article concerning Republic having an issue in Nederland. This related to one commercial customer. Staff is still comfortable using Republic and does not feel that issue is relevant to the contract being presented.

Staff recommends approval of the contract in its current form.

Public Comments

Rick Welch, 521 Wildrose Court, stated he has heard negative issues about Republic. He stated the Better Business Bureau reviews show many complaints which contrasts with Western which has only two. He doesn't want to be in the position to be hassling about trash service and doesn't see that Republic can provide the service levels of Western. He asked if the City asked neighboring cities about Republic. He felt $60 per year savings was not worth it. He doesn't think the City will get good service from this company.

Eric Davila, 1903 Garfield, heard a lot about saving money but he didn't think the savings is enough to consider this change. It is hypocritical for the City to tell us to shop local and then not go with the local company. This is taking away 1/5 of Western's jobs.

Robert Cozart, 914 Sunflower Street, stated they have had Western for 29 years and never had a problem. He feels the residents should have been asked what they want. He is concerned we are ignoring the local company. He is concerned he would be forced to get 96-gallon bins for composting and recycling, those won't fit in his space.

Mayor Muckle noted residents can get any size containers they wish.

Amanda McGarry, 1934 Blue Star Lane, stated she wants to show support for the large numbers of people on social media. She noted she moved here because she thinks the community has residents at heart. Her HOA switched to Western and the neighborhood likes it. She doesn't think Republic offers enough better options for the few dollars it would save residents. A local company would care about their reputation. We should shop local.

Councilmember Stolzmann stated one of the things the Utility Committee is working on is increasing waste diversion. The RFP was structured to be a fair process to encourage sending less to the landfill. The embedded price structure is based on the size of the trash can while having any size composting and recycling bins. There is a lot of opportunity for improvement on our composting numbers. Choosing a trash hauler is not all about price, we do have a local vendor preference, but it still has to be within our purchasing policies.

She stated when we raise prices in our programs we hear about it from residents. On the whole this is $600,000 better in price and it could be even greater if people compost more. If we were cost overrun $600,000 on another project that would be a huge deal.

Councilmember Stolzmann stated when looking at a variety of factors Republic gives us the best ways to divert more from the landfill. It brings back some services such as branch and leaf pick up. She added staff did references checks and she too called Council members in Sheridan, Edgewater, and Lafayette and got very positive feedback. She spoke to a number of people who live in Lafayette and got good reviews as well. She feels this is a good decision and gives us opportunity to reduce landfill and reduce bills.

Mayor Muckle stated he too has talked to many people who use Republic and found people to be happy with their service. We are aware of issues on social media about Nederland but those are not a complete or true set of facts. Mayor Muckle asked how staff will address complaints from residents.

Director Kowar stated the contract provides a dedicated employee to Louisville for complaints and customer service as well as dedicated staff on outreach, the website, and transition services. We will work with Republic to manage any challenges that arise.

Councilmember Leh asked Director Kowar to review the process by which these two companies were ultimately selected. Director Kowar stated the RFP was crafted carefully and three companies showed up for the pre-bid meeting. There were two bids received which staff reviewed and clarified. A five person committee interviewed the companies and scored each one objectively. The results were then presented to City Council. Kowar noted this has been one of the most thorough RFP processes we have done.

Councilmember Leh asked how citizen input was taken in previous processes. Director Kowar said there had been questions about satisfaction with the service and frequency of compost pick up on the last two citizen surveys.

Councilmember Maloney stated he agrees with Councilmember Stolzmann's comments and appreciates the RFP process that took place. He noted much of what he has read on social media and email does not include a lot of facts.

Councilmember Maloney moved to approve the contract with Republic for waste hauling, Councilmember Loo seconded.

Vote: Motion carried by unanimous roll call vote.

DISCUSSION/DIRECTION/ACTION – 2019 BID FOR CONCRETE REPLACEMENT

Director Kowar stated this is consideration of a contract with Standard Concrete and staff has one consideration needing Council input regarding the area where the Coal Creek Trail comes into Roosevelt Avenue and then runs adjacent. The area is currently crusher fines which does not give proper ADA accessibility. Public Works staff has recommended doing an eight-foot sidewalk in that area, however the Open Space board would prefer to maintain the existing crusher fines trail.

Public Comments – None.

Councilmember Stolzmann stated she has seen a person in a wheelchair using the middle of the street because there is no paved option on either side. Our guidelines say we want a paved option on at least one side of the street.

Mayor Muckle asked why there is no sidewalk on the west side. Director Kowar stated there is none currently and the neighbors don't want a sidewalk on that side. If the properties redevelop it would be required. Councilmember Stolzmann added that in other neighborhoods we would have required sidewalks when homes redevelop.

Mayor Muckle asked if we have enough right of way to build both sidewalk and crusher fines. Director Kowar stated probably not.

Councilmember Loo stated concrete is so hard on the body and it is nice to have a softer surface to walk on and those are harder and harder to find. As the community ages it is nice to have softer surfaces to walk on.

Open Space Manager Brignull stated this is a regional trail and we have worked with our regional partners to maintain a crusher fine surface where we can. We have found the crusher fines help people navigate; people lose their way when the surface is not consistent. Crusher fines reduce sign clutter and helps maintain the town's rural character. She added keeping the crusher fines was an effort to keep the rural character but there is also awareness of not creating any ADA issues.

Councilmember Stolzmann stated she understands the open space issues but wants to be sure people of all abilities can access around the neighborhood and transit options.

Councilmember Maloney stated he uses this trail frequently. He stated the area along Aspen Way is rarely an even surface and the crusher fines don't work very well here. He thinks concrete here is the best solution.

Mayor Muckle asked if we could build something narrower than 8 feet. Director Kowar stated we could do four feet, or four feet of concrete and four of crusher fines. Councilmember Stolzmann stated a four foot walk would match the sidewalk to the west; it just needs to be ADA compliant to make this area accessible.

Councilmember Keany supported a four foot sidewalk along with four foot crusher fines trail with a driveway pan at the farm entrance.

Mayor Muckle moved to approve the contract with a change to have a four-foot concrete trail and a 4-foot crusher fines trail. Seconded by Councilmember Keany.

Councilmember Stolzmann offered a friendly amendment to let staff determine exact sizes based on ADA requirements. Motioner and seconder accepted.

Vote: Motion carried by unanimous roll call vote.

DISCUSSION/DIRECTION/ACTION – LOUISVILLE SUB-REGIONAL TRANSPORTATION IMPROVEMENT PLAN PROJECT SUBMITTALS

Deputy City Manager Davis asked Council to review the applications for the sub-regional transportation improvement plan (TIP). This is federal money DRCOG distributes. The process this year has the sub-regional areas applying for the funding. Last week staff submitted three applications: the South Boulder Road and Main St. Pedestrian Underpass; Hwy 42 Design Plan for the reconfiguration; and the Coal Creek/Rock Creek trails regional connection at 104th Street. At the last minute, cost updates on the underpass came in showing a large increase. As such, staff also submitted a project for South Boulder Road at-grade safety and intersection improvements. She asked Council if all four applications should still be in the process or any removed from consideration.

There is $15.3M available for all of Boulder County. There are 23 applications totaling $40M in requests.

Staff would like to get direction on the two South Boulder Road proposals and if Council would want to keep both in. If both are kept in and the underpass is funded it would reduce the at-grade improvements that would be completed. Staff would also like to know where the projects fall in prioritization for Council.

Mayor Muckle asked where the regional funding was allocated. Deputy City Manager Davis noted that was already allocated for a Hwy 119 project and State Hwy 7.

Councilmember Stolzmann, serving as Louisville's DRCOG representative, added this new process recognizes regional impact. She is looking know if Council wants to continue with the underpass at this price so she can argue what Council wants. That project is similar in scope to a project funded last year in Boulder. The City would need to be ready to put up the match if chosen. There are a lot of good projects proposed for the region.

Councilmember Stolzmann stated a wait list will be created if new funding becomes available which should be considered.

Mayor Pro Tem Lipton asked what the plan for an at-grade crossing project would be at South Boulder Road. It would help to understand if the at-grade project alleviates other concerns. He stated he is concerned with the cost of the underpass; it would take all the transportation money we have for all of our other projects. He is concerned the at-grade improvements add to congestion and travel time.

Councilmember Maloney stated he prefers the at-grade solution; it addresses more intersections on South Boulder Road for safety. For the future list, he would like a way to connect all the way from Hwy 36 to Lafayette on a path. Deputy City Manager Davis stated that will happen with the next step of the Transportation Master Plan.

Councilmember Keany stated he agreed with Councilmember Maloney for the at-grade option. The underpass would be great at some point, but now it makes more sense to address multiple intersections. He is not sure why we are giving funds to the Marshall Road underpass.

Mayor Muckle agreed on the Marshall Road issue; Louisville already put in more than our share on that area but if our funds bring it to fruition it might be worth it.

Mayor Muckle agreed with Councilmember Maloney on South Boulder Road that we can't commit that much money to one location, the at-grade makes sense.

Councilmember Stolzmann noted the process gives more points to group projects; money to Marshall Road helps its scoring as does Lafayette giving funds to our 104th trail project.

Councilmember Leh asked why the costs on the underpass have gone up so significantly in the recent analysis; what is the lion's share of that attributed to. Director Kowar stated there are many things, including working so close to existing buildings, increasing construction costs; it is layers of both soft costs and direct costs.

Councilmember Leh asked if the at-grade improvements will affect safety and timing given the increased regional traffic. Director Kowar stated their analysis along the corridor shows the timing is about a 30 second slowdown.

Councilmember Leh stated the public feedback has been all about an underpass but we continually get stuck on the costs. At some point $8.7M is an incredible amount to spend on one location. We can do a lot more good for a lot more people with the at-grade crossings and improve connectivity.

Councilmember Loo stated the underpass is too expensive to support. She supports the at- grade but doesn't want it to slow down traffic. South Boulder Road flows as well as it can during rush hour and a lot of traffic mitigation is not what we really want, residents won't want it if it slows it down. She supports the Hwy 42 plan and is ok with the 104th and Marshall Road projects as they would benefit our residents for a low cost.

City Manager Balser confirmed staff will remove the underpass application.

Mayor Muckle proposed a priority list of the Highway 42 Plan, South Boulder Road at-grade improvements, and then the others. All agreed.

CITY ATTORNEY'S REPORT

None.

COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

Councilmember Leh reviewed the recent BRaD meeting and their 2019 work plan. There was an interest in trying to focus attention on the McCaslin Boulevard study and the GDP amendment as well as the Transportation Master Plan.

Councilmember Stolzmann stated DRCOG will be hosting a study session on the future of transportation and the annual awards banquet is coming up which is a good chance for networking.

Councilmember Stolzmann stated the CC4CA is working on their policy agenda regarding plastics legislation. She asked for Council direction on this. Mayor Muckle would like this added to a future agenda. Members agreed.

City Manager Balser noted the Fire District is scheduled for a May 14 joint study session. Councilmember Stolzmann wanted to know what impact having the urban renewal money would have on the mill levy increase the district is going to ask for.

Councilmember Maloney asked if the Terraces on Main on March 19 will be both the PUD and the TIF funding. City Manager Balser stated it will be both items. Councilmember Maloney asked that the TIF item include details on how TIF funding works and details on the process. City Manager Balser noted staff has prepared that for members of the Revitalization Commission and will make it available for Council members.

Councilmember Maloney asked when the LRC and the Council will be meeting to discuss joint vision. City Manager Balser stated staff is looking for dates for that now.

Mayor Pro Tem Lipton stated he too would like to make sure the LRC and Council are on the same page. He would like the conversation of the PUD and the TIF agreement perhaps split to two separate discussions. It is important to do the PUD, but perhaps the TIF discussion can be done another night.

City Manager Balser stated staff can ask the applicant about adjusting that timing.

Mayor Muckle reported on the US 36 Mayors and Commissioners lobbying trip to Washington DC. They met with legislators and various agencies. There were good conversations about transportation as well as the quiet zone crossings.

ADJOURN

Members adjourned at 9:44 pm.

_____
Robert P. Muckle, Mayor

_____
Meredyth Muth, City Clerk

City of Louisville
COLORADO • SINCE 1878

City Council
Meeting Minutes

March 12, 2019
City Hall
749 Main Street

SPECIAL MEETING – EXECUTIVE SESSION
6:00 PM

Call to Order – Mayor Muckle called the meeting to order at 6:00 p.m.

Roll Call was taken and the following members were present:

Council Present: ***Mayor Bob Muckle***
Mayor Pro Tem Jeff Lipton
Councilmember Jay Keany
Councilmember Chris Leh
Councilmember Susan Loo
Councilmember Dennis Maloney
Councilmember Ashley Stolzmann

Staff Present: ***Meredyth Muth, City Clerk***

Others Present: ***Kathleen Kelley, City Attorney***
David Marvin, Confluence Consulting (facilitator)

EXECUTIVE SESSION

CITY MANAGER SEMI-ANNUAL EVALUATION
(Louisville Code of Ethics, Section 5-2(b), CRS 24-6-402(4)(f) – Authorized topics

Mayor Muckle stated he is requesting the City Council convene an Executive Session for the purpose of conducting an Annual Performance Review of the City Manager.

City Attorney Kelly introduced the request for executive session for the City Manager evaluation pursuant to Section 5-2(b) of the City's Home Rule Charter and CRS 24-6-402(4)(f).

City Clerk Muth read Section 2.90.050 – Public statement of the Louisville Municipal Code, which outlines the topics permitted for discussion in an executive session.

City Attorney Kelly stated the authority to conduct this executive session: Louisville Code of Ethics, Section 5-2(b) for the purpose of reviewing the performance of employees directly appointed by the Council. An executive session for this is also authorized by the Open Meetings Law, CRS 24-6-402(4)(f).

MOTION: Mayor Muckle moved the City Council adjourn to executive session for the purpose of an annual performance review of the City Manager as authorized by the laws noted by the City Attorney and the executive session include the City Council, the City Attorney, and meeting facilitator David Marvin; seconded by Councilmember Loo. The motion carried by a vote of 7-0.

The City Council adjourned to executive session at 6:04 p.m.

The Special City Council meeting reconvened at 9:39 p.m.

CITY ATTORNEY REPORT ON THE EXECUTIVE SESSION

Mayor Muckle reported that while in executive session, the City Council discussed the annual performance review of the City Manager and no specific action is needed at this time.

ADJOURN

Members adjourned the meeting at 9:41 p.m.

_____
Robert P. Muckle, Mayor

_____
Meredyth Muth, City Clerk

SUBJECT: **AWARD LANDSCAPE MAINTENANCE SERVICES CONTRACT**

DATE: **MARCH 19, 2019**

PRESENTED BY: **NATHAN MOSLEY, PARKS AND RECREATION DEPARTMENT**
DEAN JOHNSON, PARKS SUPERINTENDENT

SUMMARY:
The City of Louisville's five year annually renewable landscape maintenance services contract went out to bid in 2015. After bid evaluation and Council approval, Schultz Industries was awarded the contract.

Schultz Industries successfully performed services in 2015, 2016, 2017, and 2018. Staff has met with representatives of Schultz Industries to critique 2018 and to affirm 2019 landscape maintenance expectations. This will be the last year for this contract agreement.

Landscape maintenance services to be covered under this contract for 2019 include:

- Mowing 2,180,694 square feet of bluegrass 28 times
- Weed control for 285,743 square feet of beds 28 times
- Non-irrigated perimeter mowing for 48,339 liner feet 14 times
- Mowing 305,874 square feet of non-irrigated turf 14 times
- Right-of-way mowing of 40,518 square feet of non-irrigated turf 3 times

FISCAL IMPACT:
Total recommended not to exceed contract amount is $120,370. Accounts identified to support recommendation are 201751-547000 and 101435-547000.

The contractual price increase of $3,506 from 2018 accounts for a 3% annually awarded price increase as approved and noted in the contract manual for successful completion of work.

RECOMMENDATION:
Staff recommends City Council award the Landscape Maintenance Services Contract to Schultz Industries in the amount not to exceed $120,370.

ATTACHMENT(S):
1. Agreement

INDEPENDENT CONTRACTOR AGREEMENT
BY AND BETWEEN THE CITY OF LOUISVILLE
AND SCHULTZ INDUSTRIES INCORPORATED
FOR LANDSCAPE MAINTENANCE SERVICES

1.0 PARTIES

This INDEPENDENT CONTRACTOR AGREEMENT (this "Agreement") is made and entered into this ___1 day of April, 2019 (the "Effective Date"), by and between the **City of Louisville**, a Colorado home rule municipal corporation, hereinafter referred to as the "City", and **__Schultz Industries Incorporated**, a Colorado corporation, hereinafter referred to as the "Contractor".

2.0 RECITALS AND PURPOSE

2.1 The City desires to engage the Contractor for the purpose of providing landscape maintenance services as further set forth in the Contractor's Scope of Services (which services are hereinafter referred to as the "Services").

2.2 The Contractor represents that it has the special expertise, qualifications and background necessary to complete the Services.

3.0 SCOPE OF SERVICES

The Contractor agrees to provide the City with the specific Services and to perform the specific tasks, duties and responsibilities set forth in Scope of Services attached hereto as Exhibit "A" and incorporated herein by reference. Contractor shall furnish all tools, labor and supplies in such quantities and of the proper quality as are necessary to professionally and timely perform the Services. Contractor acknowledges that this Agreement does not grant any exclusive privilege or right to supply Services to the City.

4.0 COMPENSATION

4.1 The City shall pay the Contractor for Services under this Agreement a total not to exceed the amounts set forth in Exhibit "C" attached hereto and incorporated herein by this reference. For Services compensated at hourly or per unit rates, or on a per-task basis, such rates or costs per task shall not exceed the amounts set forth in Exhibit C. The City shall not pay mileage and other reimbursable expenses (such as meals, parking, travel expenses, necessary memberships, etc.), unless such expenses are (1) clearly set forth in the Scope of Services, and (2) necessary for performance of the Services ("Pre-Approved Expenses"). The foregoing amounts of compensation shall be inclusive of all costs of whatsoever nature associated with the Contractor's efforts, including but not limited to salaries, benefits, overhead, administration, profits, expenses, and outside Contractor fees. The Scope of Services and payment therefor shall only be changed by a properly authorized amendment to this Agreement. No City employee has the authority to bind the City with regard to any payment for any Services which exceeds the amount payable under the terms of this Agreement.

4.2 The Contractor shall submit monthly an invoice to the City for Services rendered and a detailed expense report for Pre-Approved Expenses incurred during the previous month. The invoice shall document the Services provided during the preceding month, identifying by work category and subcategory the work and tasks performed and such

other information as may be required by the City. The Contractor shall provide such additional backup documentation as may be required by the City. The City shall pay the invoice within thirty (30) days of receipt unless the Services or the documentation therefor are unsatisfactory. Payments made after thirty (30) days may be assessed an interest charge of one percent (1%) per month unless the delay in payment resulted from unsatisfactory work or documentation therefor.

5.0 PROJECT REPRESENTATION

5.1 The City designates Dean Johnson, Jr. as the responsible City staff to provide direction to the Contractor during the conduct of the Services. The Contractor shall comply with the directions given by Dean Johnson, Jr. and such person's designees.

5.2 The Contractor designates Kris Howland as its project manager and as the principal in charge who shall be providing the Services under this Agreement. Should any of the representatives be replaced, particularly Kris Howland, and such replacement require the City or the Contractor to undertake additional reevaluations, coordination, orientations, etc., the Contractor shall be fully responsible for all such additional costs and services.

6.0 TERM

6.1 The term of this Agreement shall be from the Effective Date to _October 14___, 2019, unless sooner terminated pursuant to Section 13, below. The Contractor's Services under this Agreement shall commence on [(the Effective Date) or (on another date desired by the City, after the Effective Date)] and Contractor shall proceed with diligence and promptness so that the Services are completed in a timely fashion consistent with the City's requirements.

6.2 Nothing in this Agreement is intended or shall be deemed or construed as creating any multiple-fiscal year direct or indirect debt or financial obligation on the part of the City within the meaning of Colorado Constitution Article X, Section 20 or any other constitutional or statutory provision. All financial obligations of the City under this Agreement are subject to annual budgeting and appropriation by the Louisville City Council, in its sole discretion. Notwithstanding anything in this Agreement to the contrary, in the event of non-appropriation, this Agreement shall terminate effective December 31 of the then-current fiscal year.

7.0 INSURANCE

7.1 The Contractor agrees to procure and maintain, at its own cost, the policies of insurance set forth in Subsections 7.1.1 through 7.1.4. The Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types. The coverages required below shall be procured and maintained with forms and insurers acceptable to the City. All coverages shall be continuously maintained from the date of commencement of Services hereunder. The required coverages are:

7.1.1 Workers' Compensation insurance as required by the Labor Code of the State of Colorado and Employers Liability Insurance. Evidence of qualified self-insured status may be substituted.

7.1.2 General Liability insurance with minimum combined single limits of $1,000,000 each occurrence and $2,000,000 aggregate. The policy shall include the City of Louisville, its officers and its employees, as additional insureds, with primary coverage as respects the City of Louisville, its officers and its employees, and shall contain a severability of interests provision.

7.1.3 Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than $400,000 per person in any one occurrence and $1,000,000 for two or more persons in any one occurrence, and auto property damage insurance of at least $50,000 per occurrence, with respect to each of Contractor's owned, hired or non-owned vehicles assigned to or used in performance of the Services. If the Contractor has no owned automobiles, the requirements of this paragraph shall be met by each officer or employee of the Contractor providing services to the City of Louisville under this contract.

7.2 The Contractor's general liability insurance and automobile liability and physical damage insurance shall be endorsed to include the City, and its elected and appointed officers and employees, as additional insureds, unless the City in its sole discretion waives such requirement. Every policy required above shall be primary insurance, and any insurance carried by the City, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Contractor. Such policies shall contain a severability of interests provision. The Contractor shall be solely responsible for any deductible losses under each of the policies required above.

7.3 Certificates of insurance shall be provided by the Contractor as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the City. No required coverage shall be cancelled, terminated or materially changed until at least 30 days prior written notice has been given to the City. The City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.

7.4 Failure on the part of the Contractor to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which the City may immediately terminate this Agreement, or at its discretion may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the City shall be repaid by Contractor to the City upon demand, or the City may offset the cost of the premiums against any monies due to Contractor from the City.

7.5 The parties understand and agree that the City is relying on, and does not waive or intend to waive by any provision of this contract, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10-101 et seq., C.R.S., as from time to time amended, or otherwise available to the City, its officers, or its employees.

8.0 INDEMNIFICATION

To the fullest extent permitted by law, the Contractor agrees to indemnify and hold harmless the City, and its elected and appointed officers and its employees, from and against all liability, claims, and demands, on account of any injury, loss, or damage, which arise out of or are connected with the Services hereunder, if such injury, loss, or damage is caused by the negligent act, omission, or other fault of the Contractor or any subcontractor of the Contractor, or any officer, employee, or agent of the Contractor or any subcontractor, or any other person for whom Contractor is responsible. The Contractor shall investigate, handle, respond to, and provide defense for and defend against any such liability, claims, and demands. The Contractor shall further bear all other costs and expenses incurred by the City or Contractor and related to any such liability, claims and demands, including but not limited to court costs, expert witness fees and attorneys' fees if the court determines that these incurred costs and expenses are related to such negligent acts, errors, and omissions or other fault of the Contractor. The City shall be entitled to its costs and attorneys' fees incurred in any action to enforce the provisions of this Section 8.0. The Contractor's indemnification obligation shall not be construed to extend to any injury, loss, or damage which is caused by the act, omission, or other fault of the City.

9.0 QUALITY OF WORK

Contractor's Services shall be performed in accordance with the highest professional workmanship and service standards in the field to the satisfaction of the City.

10.0 INDEPENDENT CONTRACTOR

It is the expressed intent of the parties that the Contractor is an independent contractor and not the agent, employee or servant of the City, and that:

10.1. **CONTRACTOR SHALL SATISFY ALL TAX AND OTHER GOVERNMENTALLY IMPOSE RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, PAYMENT OF STATE, FEDERAL AND SOCIAL SECURITY TAXES, UNEMPLOYMENT TAXES, WORKERS' COMPENSATION AND SELF-EMPLOYMENT TAXES. NO STATE, FEDERAL OR LOCAL TAXES OF ANY KIND SHALL BE WITHHELD OR PAID BY THE CITY.**

10.2. **CONTRACTOR IS NOT ENTITLED TO WORKERS' COMPENSATION BENEFITS EXCEPT AS MAY BE PROVIDED BY THE INDEPENDENT CONTRACTOR NOR TO UNEMPLOYMENT INSURANCE BENEFITS UNLESS UNEMPLOYMENT COMPENSATION COVERAGE IS PROVIDED BY THE INDEPENDENT CONTRACTOR OR SOME ENTITY OTHER THAN THE CITY.**

10.3. Contractor does not have the authority to act for the City, or to bind the City in any respect whatsoever, or to incur any debts or liabilities in the name of or on behalf of the City.

10.4. Contractor has and retains control of and supervision over the performance of Contractor's obligations hereunder and control over any persons employed by Contractor for performing the Services hereunder.

10.5. The City will not provide training or instruction to Contractor or any of its employees regarding the performance of the Services hereunder.

10.6. Neither the Contractor nor any of its officers or employees will receive benefits of any type from the City.

10.7. Contractor represents that it is engaged in providing similar services to other clients and/or the general public and is not required to work exclusively for the City.

10.8. All Services are to be performed solely at the risk of Contractor and Contractor shall take all precautions necessary for the proper and sole performance thereof.

10.9. Contractor will not combine its business operations in any way with the City's business operations and each party shall maintain their operations as separate and distinct.

11.0 ASSIGNMENT

Contractor shall not assign or delegate this Agreement or any portion thereof, or any monies due to or become due hereunder without the City's prior written consent.

12.0 DEFAULT

Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either party should fail or refuse to perform according to the terms of this Agreement, such party may be declared in default.

13.0 TERMINATION

13.1 This Agreement may be terminated by either party for material breach or default of this Agreement by the other party not caused by any action or omission of the other party by giving the other party written notice at least thirty (30) days in advance of the termination date. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

13.2 In addition to the foregoing, this Agreement may be terminated by the City for its convenience and without cause of any nature by giving written notice at least fifteen (15) days in advance of the termination date. In the event of such termination, the Contractor will be paid for the reasonable value of the Services rendered to the date of termination, not to exceed a pro-rated daily rate, for the Services rendered to the date of termination, and upon such payment, all obligations of the City to the Contractor under this Agreement will cease. Termination pursuant to this Subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

14.0 INSPECTION AND AUDIT

The City and its duly authorized representatives shall have access to any books, documents, papers, and records of the Contractor that are related to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

15.0 DOCUMENTS

All computer input and output, analyses, plans, documents photographic images, tests, maps, surveys, electronic files and written material of any kind generated in the performance of this

Agreement or developed for the City in performance of the Services are and shall remain the sole and exclusive property of the City. All such materials shall be promptly provided to the City upon request therefor and at the time of termination of this Agreement, without further charge or expense to the City and in hardcopy or an electronic format acceptable to the City, or both, as the City shall determine. Contractor shall not provide copies of any such material to any other party without the prior written consent of the City. Contractor shall not use or disclose confidential information of the City for purposes unrelated to performance of this Agreement without the City's written consent.

16.0 ENFORCEMENT

16.1 In the event that suit is brought upon this Agreement to enforce its terms, the parties shall each bear and be responsible for their own attorneys' fees and court costs.

16.2 This Agreement shall be deemed entered into in Boulder County, Colorado, and shall be governed by and interpreted under the laws of the State of Colorado. Any action arising out of, in connection with, or relating to this Agreement shall be filed in the courts of Boulder County or the federal district court for the District of Colorado, and in no other court. Colorado law shall apply to the construction and enforcement of this Agreement.

17.0 COMPLIANCE WITH LAWS; WORK BY ILLEGAL ALIENS PROHIBITED

17.1 Contractor shall be solely responsible for compliance with all applicable federal, state, and local laws, including the ordinances, resolutions, rules, and regulations of the City; for payment of all applicable taxes; and obtaining and keeping in force all applicable permits and approvals.

17.2 Exhibit B, the "City of Louisville Public Services Contract Addendum-Prohibition Against Employing Illegal Aliens", is attached hereto and incorporated herein by reference. There is also attached hereto a copy of Contractor's Pre-Contract Certification which Contractor has executed and delivered to the City prior to Contractor's execution of this Agreement.

18.0 INTEGRATION AND AMENDMENT

This Agreement represents the entire Agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties.

19.0 NOTICES

All notices required or permitted under this Agreement shall be in writing and shall be given by hand delivery, by United States first class mail, postage prepaid, registered or certified, return receipt requested, by national overnight carrier, or by email transmission, addressed to the party for whom it is intended at the following address:

If to the City:

City of Louisville
Attn: _Dean Johnson, Jr.
749 Main Street

Louisville, CO 80027
e-mail: _deanj@louisvilleco.gov

If to the Contractor:

Schultz Industries
Attn: _____
13451 W. 43rd Dr.
Golden, CO 80403
Email: _____

Except for notices by email transmission, any notice required or permitted under this Agreement shall be effective when received as indicated on the delivery receipt, if by hand delivery or overnight carrier; on the United States mail return receipt, if by United States mail. Notices by email transmission shall be effective on transmission, so long as no message of error or non-receipt is received by the party giving notice. Either party may by similar notice given, change the address to which future notices or other communications shall be sent.

20.0 EQUAL OPPORTUNITY EMPLOYER

a) Contractor will not discriminate against any employee or applicant for employment because of age 40 and over, race, sex, color, religion, national origin, disability, genetic information, sexual orientation, veteran status, or any other applicable status protected by state or local law. Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to any status set forth in the preceding sentence. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of the Equal Opportunity Laws.

b) Contractor shall be in compliance with the applicable provisions of the American with Disabilities Act as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested at any time during the life of this Agreement or any renewal thereof.

21.0 NO THIRD PARTY BENEFICIARIES

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to City and Contractor, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than City or Contractor receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

22.0 SUBCONTRACTORS

Contractor may utilize subcontractors identified in its qualifications submittal to assist with non-specialized works as necessary to complete projects. Contractor will submit any proposed subcontractor and the description of its services to the City for approval. The City will not work directly with subcontractors.

23.0 AUTHORITY TO BIND

Each of the persons signing below on behalf of any party hereby represents and warrants that such person is signing with full and complete authority to bind the party on whose behalf of whom such person is signing, to each and every term of this Agreement.

24.0 SECURITY

Prior to commencing the Services, the Contractor shall provide to the City a list of each employee of the Contractor who the Contractor reasonably anticipates will enter any City facility in the performance of the work under this Agreement.

In witness whereof, the parties have executed this Agreement to be effective as of the day and year first above written.

CITY OF LOUISVILLE

By:_____
Mayor

Attest:_____
City Clerk

CONTRACTOR:
Schultz Industries Incorporated

By:_____
Title:_____

2/20/19 3:26PM [ncb] R:\Louisville\Agreement\Landscape Maintenance Agreement 2019 (kpc redline).docx

EXHIBIT A

CITY OF LOUISVILLE

Contract Manual

For 2015 Landscape Maintenance Services

Bid Opening, Monday, February 23, 10:00 a.m.

Prepared by: City of Louisville, January 2015

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CITY OF LOUISVILLE, COLORADO

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Section 1

Invitation to Bid

INVITATION TO BID

Sealed Bids will be received by the

CITY OF LOUISVILLE, STATE OF COLORADO

hereinafter referred to as OWNER,at the Parks and Recreation Administrative Building, 717 Main Street, Louisville, Colorado 80027, until **10:00 a.m., Mountain Standard Time,** on **Monday**, **February 23, 2015** for the

2015 LANDSCAPE MAINTENANCE SERVICES

Bids received after said closing time of 10:00 a.m., Mountain Standard Time, on **February 23, 2015**, will not be accepted and will be returned unopened. Bids shall be in a sealed envelope plainly marked with the Project Name, Company Name, Date and addressed to:

City of Louisville
Department of Parks and Recreation
717 Main Street
Louisville, CO 80027

All bids that have been duly received will be publicly opened and read aloud in the Spruce Conference Room at Louisville City Hall, 749 Main Street, Louisville, Colorado.

The work for which the Bid is requested includes but is not limited to: mowing, trimming, edging, weed control, litter removal, and other related maintenance services. Contractor is expected to obtain all permits and licensing as required in the project documents, provide insurance and bonding, and comply with all applicable codes and industry standards. The contract is annually and renewable up to five years.

The bid documents which include the contract manual and location maps are available on the City website, www.louisvilleco.gov under the heading, "I Want To…", "Review Requests for Proposals." Bids will be received on a unit and lump sum price basis as described in the Bidding Documents.

For questions pertaining to this Bid, please contact Dean Johnson, Parks Superintendent at deanj@louisvilleco.gov . Questions will be received up to Thursday, February 12th, 5:00 p.m., and answered on Friday, February 13th. If necessary, the addenda will be posted on the City website.

Each Bid must be accompanied by a Bid security consisting of a properly Certified Check, Cashier's Check, or Bid Bond, in the amount of five (5) percent of BIDDER's Total Bid Price, without conditions, payable to the City of Louisville. Bid security will be retained by the City until the seventh day after the Effective Date of the Agreement whereupon Bid security furnished by such BIDDER's will be returned. Bid security with Bids, which are not competitive will be returned within fourteen days after the Bid opening. No Bid will be considered unless accompanied by such Bid security.

No Bid may be withdrawn within a period of sixty (60) days after the date fixed for opening Bids.

The City of Louisville reserves the right to award the contract by sections, to reject any or all Bids, and to waive any informalities and irregularities therein.

The City of Louisville assumes no responsibility for payment of any expenses incurred by any respondent to this Invitation to Bid.

Preference is hereby given to materials, supplies, and provisions produced, manufactured, or grown in Colorado, quality and price being equal to articles offered by competitors outside of the State.

The City of Louisville is an Equal Opportunity Employer.

CITY OF LOUISVILLE, COLORADO
City Clerk

First Publication: **Monday**, **February 2, 2015**
Second Publication: **Monday, February 9, 2015**

Section 2

Instructions to Bidders

1.0 TITLE LANDSCAPE MAINTENANCE SERVICES CONTRACT

The City of Louisville requests bid proposals for **Landscape Maintenance Services** at various locations throughout the City, as identified in the bid proposal.

Work shall conform to these special conditions and all generally accepted specifications of the landscape industry.

1.1 **Award** - The lowest responsible and best overall bid will be accepted. The City of Louisville reserves the right to reject any or all bids or portions thereof and to waive any informalities or defects. Awarding of the bid will take into consideration such things as: price, referrals, quality, service history, equipment fleet, municipal landscape experience, and age of the company.

Preference will be hereby given to local Contractors, based on the "Local Vendor" procedures in the City of Louisville "Purchasing Policies and Procedures Manual."

1.2 **Insurance** - Simultaneously with the execution of the Agreement, the Contractor will deliver to the Owner the required proof of insurance.

1.3 **Conference** - Before starting the work, a conference will be held to review and establish a working understanding between the parties as to the services. Present at the conference will be the Contractor and its supervisory staff, the Parks Superintendent, and the Parks Supervisors.

2.0 INSTRUCTIONS TO BIDDERS

2.1 Only bids submitted upon the proposal form furnished herein will be accepted. All items shall be properly filled out. Numerals, printing and signatures shall be written in ink. Signatures shall be in longhand. Alternative proposals will not be considered.

2.2 Prior to submitting a bid, bidders must satisfy themselves by personal examination of "all" areas listed on the bid proposal and by examination of the specifications and requirements of the work and quantities of work to be done, and shall not at any time, after submission of a bid, dispute or complain nor assert that there were any misunderstandings in regard to the nature or amount of work to be done. Bidders also shall carefully examine the form and time of the Contract, existing conditions and limitations, and shall include in the bid, monies to cover the cost of all services included in the agreement and all insurance and administration costs.

2.3 The bidder may withdraw any proposal submitted at any time prior to the time set for closing of bids, provided a request for withdrawal is signed in a manner identical with the proposal being withdrawn. No withdrawal or modification will be permitted after the hour designated for closing of bids.

2.4 Sealed proposals for the work hereinafter described will be received by the **City of Louisville**, at **Department of Parks and Recreation, 717 Main Street, Louisville, Colorado 80027** until **10:00 a.m., Mountain Standard Time on the 23rd of February, 2015** at which time all bids that have been duly received will be publicly opened and read aloud in the Spruce Conference Room at Louisville City Hall, 749 Main Street, Louisville, Colorado. Proposals may be deposited or mailed to the City of Louisville, Department of Parks and Recreation, Attn: Dean Johnson, 717 Main Street, Louisville, Colorado 80027.

The bids must be submitted in a sealed envelope, the outside of the envelope shall show the **"Title of Work"** as shown on page one of these documents, the **date and time of opening,** the **name of the bidder,** and **"DO NOT OPEN"**.

Proposals which are incomplete, unbalanced, conditional or obscure or which contain additions not called for, erasures, alteration or irregularities of any kind or which do not comply with this "Instructions to Bidders" may be rejected at the option of the Owner.

2.5 If discrepancies or omissions are found in the RFP or Agreement, or if the bidder is in doubt of the meaning or needs clarification, he shall notify Dean Johnson in writing, as all responses must be written. If the point or points in question are not clearly and fully set forth, a written addendum will be posted. The Owner will not be bound by, nor responsible for oral instructions, interpretations or representations.

2.6 The RFP documents contain the provisions of the agreement between the Owner and the Contractor. No information obtained from any officer, agent or employee of the Owner on any such matters shall in any way affect the risk or obligation assumed by the Contractor or relieve him from fulfilling any of the conditions of the Contract.

2.7 **City of Louisville Project Representatives** - The City designates Parks Superintendent, Dean Johnson as the responsible City staff members to provide direction to the Contractor.

2.8 **References and Equipment List** - Bidders who have not worked directly for the City of Louisville within the past three (3) years shall include a list of five (5) work references for work of similar scope to this project. Each reference shall include a brief description and location of work, owner's project representative, and telephone number**. In addition to the references, the bidder shall include a list of equipment that will be available for this project.**

Before the award of the contract, any bidder may be required to furnish evidence satisfactory to the Owner and Parks Superintendent of the necessary facilities, ability and pecuniary resources to fulfill the conditions of the said contract.

3.0 PAYMENT

3.1 **Submitting Invoices** - The Contractor shall submit monthly a detailed invoice to City of Louisville, Department of Parks and Recreation, Attn: Dean Johnson, Parks Superintendent, 749 Main Street, Louisville, Colorado 80027. The invoice should describe the services rendered. The City shall pay the invoice within thirty (30) days of receipt unless the work or the documentation is unsatisfactory.

3.2 **Liens** - If, at any time, there shall be evidence of any lien or claim for which the Owner might become liable and which is chargeable to the Contractor, the Owner shall have the right to retain out of any payment then due or thereafter to become due, an amount sufficient for complete indemnification against such lien or claim.

4.0 DEFINITIONS

4.1 The word "Owner" means the City of Louisville, Louisville, Colorado. The Owner will be responsible for payment in accordance with the terms of the Contract.

4.2 The word "Contractor" means the person, firm or corporation to whom the award is made.

4.3 The word "Parks Superintendent" refers to the City of Louisville, Parks Superintendent or his authorized representative, designated by the Owner as its representative during the course of the Agreement to make appropriate inspections and to process payment submittal made to the City.

4.4 The words "change order" refer to a written order to the Contractor signed by the Owner authorizing an addition, deletion or revision in the Agreement or an adjustment in the Agreement pricing.

4.5 The word "Agreement" refers to the written professional services agreement between the Owner and the Contractor covering the work to be performed, including the Contractor's bid and insurance certificates.

4.6 The word "bid" refers to the offer or proposal of the bidder submitted on the prescribed form setting forth the prices for the work to be performed.

4.7 The word "bidder" refers to any person, firm, or corporation submitting a bid for the work described in this request for proposals.

5.0 TERM OF AGREEMENT

Agreement shall be for the period commencing on March 30, 2015 and ending October 12, 2015. At the end of the season, the City will evaluate the Contractor's performance and at its discretion, may choose to award the Landscape Maintenance Service Contract to the same Contractor the following

year, up to five consecutive years, price increase not to exceed 3% annually.

6.0 INSURANCE REQUIREMENTS

This Agreement and the Contractor's services shall commence on March 30, 2015 and end on October 12, 2015.

6.1 Worker's Compensation insurance to cover obligations imposed by applicable laws for any employee engaged in the performance of work under this contract, and Employers' Liability Insurance with minimum limits of FIVE HUNDRED THOUSAND DOLLARS ($500,000) each accident, FIVE HUNDRED THOUSAND DOLLARS ($500,000) disease - policy limit, and FIVE HUNDRED THOUSAND DOLLARS ($500,000) disease - each employee. Evidence of qualified self-insured status may be substituted for the Workmen's Compensation requirements of this paragraph.

6.2 Comprehensive General Liability insurance with minimum combined single limits of ONE MILLION DOLLARS ($1,000,000) each occurrence and TWO MILLION DOLLARS ($2,000,000) aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual, independent contractors, products and completed operations. The policy shall include coverage for explosion, collapse, and underground hazards. The policy shall contain a severability of interest's provision.

6.3 Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than ONE MILLION DOLLARS ($1,000,000) each occurrence and ONE MILLION DOLLARS ($1,000,000) aggregate with respect to each of Contractor's owned, hired or non-owned vehicles assigned to or used in performance of the services. The policy shall contain a severability of interest's provision.

6.4 The policy required by paragraph 6.2 above and by paragraph 6.3 above shall be endorsed to include the City of Louisville and its officers, agents and employees as additional insured. Every policy required above shall be primary insurance, and any insurance carried by the City of Louisville, its officers, or its employees shall be excess and not contributory insurance to that provided by Contractor. No additional insured endorsement of the policy required by paragraph 6.1 above shall contain any exclusion for bodily injury or property damage arising from completed operations. The Contractor shall be solely responsible for any deductible losses under any policy required above.

6.5 The parties hereto understand and agree that the Owner is relying on, and does not waive or intend to waive by any provision of this contract, the monetary limitations (presently $150,000 per person and $600,000 per occurrence) or any other rights, immunities, and protection provided by the Colorado Governmental Immunity Act, 24-10-101 et seq., 10 C.R.S., as from time to time amended, or

otherwise available to the Owner, its officers, or its employees.

6.6 **Certificate** - A certificate of insurance shall be completed by the Contractor's insurance agent as evidence that policies providing the required coverage, conditions, and minimum limits are in full force and effect, and shall be reviewed and approved by the Owner prior to commencement of any work under the Agreement. The Owner shall have the right to request and obtain copies of any insurance policies required hereunder. The certificate shall identify the Agreement and shall provide that the coverage afforded under the policies shall not be canceled, terminated or materially changed until at least 30 days prior to written notice has been given to the Owner. The City of Louisville shall be listed as additional insured by the Contractor on each certificate. The completed certificate of insurance shall be sent to: The City of Louisville, Department of Parks and Recreation, Attn: Dean Johnson, 749 Main Street, Louisville, CO 80027.

6.7 Failure on the part of the Contractor to procure or maintain policies providing the required coverage, conditions, and minimum limits shall constitute a material breach of contract upon which the City of Louisville may immediately terminate this contract, or at its discretion may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the City of Louisville shall be repaid by Contractor to the City of Louisville upon demand, or the City of Louisville may offset the cost of the premiums against any monies due to Contractor from the City of Louisville.

7.0 SCOPE OF SERVICES

The Contractor shall provide the Owner with the specific professional services as set forth in the Agreement and the Landscape Maintenance Conditions and Specifications attached hereto, incorporated herein by reference. The Contractor shall provide and pay for all materials, equipment, labor, transportation, machinery, tools, insurance and administrative costs and incidentals necessary for the execution, and completion of work.

All of the work indicated shall be accomplished wholly within the delineated bid items and no special or extra compensation for any material area of work or extra cost, including insurance costs, which may become associated with this project shall be considered.

The Contractor shall pay all license fees and royalties and assume all costs incident to the use of any invention, design, process or device which is subject to patent rights or copyrights held by others. He will indemnify and hold harmless the Owner and the Parks Superintendent and anyone directly or indirectly employed by either of them from and against all claims, damages, losses and expenses (including attorneys' fees) arising out of any infringements of such rights during or after completion of the work and shall defend all such claims in connection with any alleged infringements of such rights.

8.0 INDEMNIFICATION

The Contractor agrees to indemnify and hold harmless the City of Louisville, and its officers and its employees, from and against all liability, claims, demands and expenses including court costs and attorneys' fees, on account of any injury, loss, or damage, which arise out of or are in any manner connected with the work to be performed under this contract, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, or other fault of the Contractor or any officer or employee of the Contractor. The obligations of this Section shall not extend to any injury, loss, or damage, which is caused solely by the act, omission, or other fault of the Owner

The Contractor agrees to procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by the Contractor pursuant to this paragraph 8.0 in addition to any other insurance requirements imposed by this Agreement or by law. The Contractor shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this paragraph 8.0 by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types.

9.0 SUBCONTRACTORS

Subcontracting Work - The successful bidder shall submit to the Owner a list of the names of the subcontractors proposed to assist with work. The Contractor shall employ only workers who are competent to perform the work assigned to them. The Contractor shall not employ any subcontractor (whether initially or as a substitute) against whom the Owner or its designated representative may have reasonable objection; nor shall the Contractor be required to employ any subcontractor against whom he has reasonable objections.

If any part of the Contractor's work depends on the proper execution or results of the work of any such other subcontractor (or Owner) the Contractor shall inspect and promptly report to the Parks Superintendent in writing any defects or deficiencies in such work that render it unsuitable.

The Contractor shall be fully responsible for all acts and omissions of his subcontractors and of persons directly or indirectly employed by them and of persons for whose acts any of them may be liable to the same extent that he is responsible for the acts and omissions of persons directly employed by him. Nothing in the RFP or Agreement shall create any contractual relationship between any subcontractor and the Owner or the Parks Superintendent, or any obligations on the part of the Owner or the Parks Superintendent to pay or to see to the payment of any monies due any subcontractor. The Parks Superintendent may furnish to any subcontractor, to the extent practicable, evidence of amounts paid to the Contractor.

10.0 ASSIGNMENT

Contractor shall not assign or delegate this Agreement or any portion thereof, or any monies due to or which become due hereunder without the Owner's prior written consent.

11.0 EQUIPMENT

Contractor shall furnish, according to the requirements of the Agreement, all equipment and tools required to perform the work

12.0 SUPPLIES

The contractor shall furnish all supplies necessary according to the requirements of the Agreement. All supplies must be pre-approved by the owner and the Parks Superintendent. Manufacturer Safety Data Sheets (MSDS) will be provide and posted, for products on site.

13.0 INSPECTION

The Owner and its duly authorized representatives have the right of inspection to ascertain that the services were rendered meeting Agreement requirements.

The Contractor agrees to comply with all directions given by the Parks Superintendent pertaining to the work to be performed in relation to this agreement. He shall not be required to make exhaustive or continuous on-site inspections to check the work, nor shall he be responsible for the techniques, or the safety precautions incidental thereto.

Whenever the Parks Superintendent considers it necessary or advisable to insure the proper carrying out of the intent of the Agreement, he shall have the authority to require the Contractor to stop the work, or to require special examination of the work.

14.0 COMPLIANCE WITH LAWS

Contractor shall be solely responsible for compliance with all applicable federal, state and local laws, including the ordinances, resolutions, rules, and regulations of the City of Louisville; for payment of all applicable taxes; and obtaining and keeping in force all applicable permits and approvals.

The Agreement shall be governed by the law of the place where the work is to be performed.

14.1 Stormwater Pollution Prevention Plan

The Contractor is required to be in compliance with CDPHE (Colorado Department of Public Health and Environment) Municipal Phase II Stormwater Permit.

Stormwater runoff flows directly to creeks and waters of the state without treatment. Allowing pollutants to directly or indirectly enter the storm sewer system is prohibited by federal, state and local regulations. Maintenance operations along public streets, roads, highways and waterways can cause stormwater pollution in numerous ways. For example, stormwater pollution can be caused by wastes generated by turf maintenance equipment, distribution of fertilizers and chemicals, fueling practices, and cleaning of the equipment used in maintenance operations, or inadequate clean up of left-over or spilled products of waste. These pollutants can either enter storm drains directly or be transported by storm water runoff.

The Contractor shall take all measures necessary to prevent pollutants from entering storm drains or watercourses. For the purpose of eliminating stormwater pollution, the Contractor shall implement effective Best Management Practices (BMPs). BMPs include general housekeeping practices, appropriate scheduling of activities, operational practices, maintenance procedures and other measures to prevent the discharge of pollutants directly or indirectly to the storm drain system. These BMPs shall be maintained for the duration of the Contractor's work. The Contractor shall also be responsible for proper disposal of all waste materials, including wastes generated by the implementation of BMPs.

Contractor shall also be required to provide BMP training to all employees for the maintenance activities they will be performing. To include: Landscaping, Lawn and Vegetation Maintenance, Fueling, Material Storage, Loading and Unloading, Spill Response, Vehicle/Equipment Repair and Storage and Vehicle/Equipment Washing.

15.0 RIGHT TO TERMINATE

The Agreement entered into may be terminated by either party for material breach or default of the Agreement by the other party not caused by any action or omission of the terminating party by giving the other party written notice at least thirty (30) days in advance of the termination date. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies, which may be available to it.

In addition to the foregoing, the Agreement entered into may be terminated by the Owner for its convenience and without cause of any nature by giving written notice at least seven (7) days in advance of the termination date. In the event of such termination, the Contractor will be paid for the reasonable value of the services rendered to the date of termination, not to exceed the total amount set forth in the bidder's proposal and upon such payment, all obligations of the

Owner to the Contractor under this Agreement will cease. Termination pursuant to this Subsection shall not prevent either party from exercising any other legal remedies, which may be available to it.

16.0 **EQUAL OPPORTUNITY EMPLOYER** - The Contractor will not discriminate against any employee or applicant from employment because of race, color, religion, age, sex, disability or national origin. The Contractor will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard for their race, color, religion, age, sex, disability or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of the Equal Opportunity Laws.

The Contractor shall be in compliance with the appropriate areas of the Americans with Disabilities Act of 1990 as enacted and from time to time amended and any other applicable federal regulation. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested at any time during the life of any contract and with any contract entered into by the Owner.

17.0 **MISCELLANEOUS**

17.1 Should the Contractor suffer injury or damage to its person or property because of any error, omission, or act of the Owner or of any of his employees or agents or others for whose acts he is legally liable, claim shall be made in writing to the Owner within fifteen (15) days of the first observance of such injury or damage.

17.2 The contract is not intended to create any right in or for the public or any member thereof, any subcontractor or supplier, or any other third party, or to authorize anyone not a party to the contract to maintain a suit to enforce its terms. The duties, obligations, and responsibilities of the parties to the contract, with respect to third parties, shall remain as imposed by law.

Section 3

Bid Proposal

BIDDER'S PROPOSAL

Place_____

Date_____

Contractor Name_____
Contractor Address_____
Contractor Phone_____
Contractor Fax_____

1. In compliance with your invitation for bids dated _____. and subject to all conditions thereof, the undersigned _____ (company name) a Corporation in the State of _____, consisting of (partnership) (limited partnership) (company), etc. or _____ an individual trading as _____ of the City of _____, State of _____ hereby proposes to furnish and do everything required by the Agreement to which this refers to the scope of services at the prices shown for each bid line on the following Bid Schedule.

2. The undersigned bidder does hereby declare and stipulate that this proposal is made in good faith, without collusion or connection with any other person or persons bidding for the same work, and that it is made in pursuance of and subject to Bidders, the Agreement, and the specifications pertaining to the work to be done, all of which have been examined by the undersigned.

3. The undersigned bidder agrees to execute the Agreement within ten (10) calendar days from the date when the written notice of the award of the contract is delivered to him at the address given on this proposal.

4. The undersigned bidder agrees to abide by the requirements of Executive Order No. 11246, as amended.

5. All the various phases of work enumerated in the RFP documents, Agreement, and specifications with their individual jobs and overhead, whether specifically mentioned, included by implication or appurtenant thereto, are to be performed by the contractor under one of the items listed in the Bid Schedule, irrespective of whether it is named in said list.

6. Payment for work performed will be in accordance with the Bid Schedule.

The proposal includes subcontracting certain services from time to time to subcontractors as listed below:

SUBCONTRACTORS

NAME	ADDRESS AND PHONE NUMBER

_____
Contractor
By:_____

Title:_____

Date:_____

Address:_____
_____
_____

BID SCHEDULE

(Quantity figures were derived from the aerial photos used in the Location Maps)

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	QUANTITY PRICE	EXTENSION	TOTAL PRICE
1	**Bluegrass Areas** *(Weekly maintenance, includes weed control)*	**SF**	**1,844,733**	$_____	$_____	**28 Times**	$_____
2	**Weed Control Areas** *(Weekly Maintenance)*	**SF**	**285,743**	$_____	$_____	**28 Times**	$_____
3	**Native Perimeter Mowing** *(Bi-monthly maintenance, ncludes weed control)*	**LF**	**48,339**	$_____	$_____	**14 Times**	$_____
4	**Native Mowing** *(Bi-monthly maintenance, includes weed control)*	**SF**	**435,511**	$_____	$_____	**14 Times**	$_____
5	**3X Perimeter Mowing** *(Dillon Rd + 96 St. – mow to fence or ditch line)*	**LF**	**40,518**	$_____	$_____	**3 Times**	$_____

TOTAL BID $_____

TOTAL PROJECT BID IN WORDS: _____

_____

_____

RESPECTFULLY SUBMITTED:

By: _____

Title: _____

Date: _____

Address: _____

_____

License Number (if Applicable): _____

(Seal – if bid is by corporation)

Attest: _____

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

State of: _____

County of: _____

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

State of _____)
)
County of _____)

_____, being first duly sworn, deposes and says that:

(1) He is _____ of _____ (title) ..... _____, the Bidder that has submitted the attached Bid:

(2) He is fully informed respecting the preparation and content of the attached .... Bid and of all pertinent circumstances respecting such Bid.

(3) Such Bid is genuine and is not a collusive or sham Bid;

(4) Neither the said Bidder nor any of its officers, partners, Owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other Bidder, firm, or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference in the attached Bid or any other Bidder, or to fix any overhead, profit or cost element of the Bid price or the Bid price of any other Bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Owner or any other person interested in the proposed contract; and

(5) The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, Owners, employees, or parties in interest, including this affiant.

Signed _____

Title_____

Subscribed and sworn to before me this _____ day of _____, 20___.

_____
Notary Public

My commission expires: _____

BID BOND

KNOW ALL MEN BY THESE PRESENT, That we, the undersigned, _____ as Principal, and _____ as Surety, are hereby held and firmly bond unto _____ as OWNER in the penal sum of _____ for payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed this _____ day of _____ , 2015.

The condition of the above obligation is such that whereas the Principal has submitted to _____ a certain BID, attached hereto and hereby made a part hereof to enter into a Contract in writing, for the 2015 Landscape Maintenance Services Project.
NOW THEREFORE,

a) If said BID shall be rejected, or
b) If said BID shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached hereto (properly completed in accordance with said BID) and shall furnish a BOND for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID, then this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated. The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said Surety does hereby waive notice of any such extension.

IN WITNESS, WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

(Principal)

Surety
By:_____

IMPORTANT - Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

Section 4

Contract Documents

AN AGREEMENT BY AND BETWEEN THE CITY OF LOUISVILLE, AND _____, FOR LANDSCAPE MAINTENANCE SERVICES

1.0 PARTIES

The parties to this Agreement are the City of Louisville, a Colorado municipal corporation, hereinafter referred to as the "City", and _____, hereinafter referred to as the "Contractor".

2.0 RECITALS AND PURPOSE

2.1 The City desires to engage the Contractor for the purpose of performing landscape maintenance services at all the locations listed on the attached Bid Schedule.

2.2 The Contractor represents that it has the special expertise and background necessary to provide the City with these services.

3.0 SCOPE OF SERVICES

The Contractor agrees to provide the City with the specific landscape maintenance services as awarded on the attached Bid Schedule and as set forth and described in the 2015 Contract Manual for Landscape Maintenance Services attached hereto and incorporated herein by reference.

4.0 COMPENSATION

4.1 After satisfactory performance of the landscape maintenance services contracted herein, the City shall pay the Contractor for services under this Agreement a total not to exceed the amounts set forth in the Bidder's Bid Proposal Prices attached hereto and incorporated herein by this reference. Such amounts shall be inclusive of all costs of whatsoever nature associated with the Contractor's efforts, including but not limited to salaries, benefits, expenses, overhead, administration, and profits. The price of any additional landscape maintenance services which may be requested by the City and agreed to by the Contractor shall be calculated on the basis of time and material rate set forth in Exhibit “B” or unit pricing as set forth in the Bidder’s Bid Proposal Prices attached hereto and incorporated herein by this reference No hourly charges shall exceed the hourly rates identified in Exhibit “B”. The scope of services and payment therefore shall only be changed by a properly authorized amendment to this Agreement. No City employee has the authority to bind the City with regard to any payment for any services which exceeds the amount payable under the terms of this Agreement.

4.2 The Contractor shall submit a monthly invoice to the City on or about the 15th day of each service month. The City shall pay the invoice by the 15th of the

following month. In the event of unsatisfactory work the remedies called out at Section 9.1 and 9.2 will apply and can be the basis for adjusting the amount of service fee paid by the City. If the City fails to pay the monthly service fee according to the terms and conditions of this agreement the Contractor may assess an interest charge of 1% per month on any outstanding balances due. The City, upon its request, may have access to back-up payroll documentation identifying the individual employee, date and hours worked and the hourly rate associated with the individual employee.

5.0 PROJECT REPRESENTATION

5.1 The individuals hereinafter named are the respective representatives of the parties who may be contacted for purposes of administering this Agreement. Either party may change its representative by notice in writing given to the other party. Any correspondence, notice or other communication when made in writing shall be delivered in person or deposited in the U.S. Mail, first class postage prepaid, and addressed hereinafter indicated.

5.2 The City designates Dean Johnson Jr., Parks Superintendent as the responsible City staff member to provide direction to the Contractor during the conduct of the project. The Contractor shall comply with the directions given by Dean Johnson.

Dean Johnson, Jr.
Parks Superintendent
City of Louisville
Department of Parks and Recreation
749 Main Street
Louisville, CO 80027
(303)335-4774

5.3 The Contractor designates _____ as Contractor's representative, the City may rely upon the guidance, opinions and recommendations provided by the Contractor and its representatives. Should any of the representatives be replaced, particularly_____, and such replacement require the City to undertake additional reevaluations, coordination, orientations, etc., the Contractor shall be fully responsible for all such additional costs and services.

_____
Contractor Name

_____
Contractor Address

_____

_____
Contractor Phone

_____

6.0 TERM

6.1 Unless sooner terminated pursuant to the provisions hereof, this Agreement and the Contractor's services under this Agreement shall commence March 30, 2015 and continue to October 12, 2015.

6.2 If the City makes any changes or alteration in its use of the premises where services are performed pursuant to this Agreement, or if the City substantially modifies the scope of services, then the City, upon thirty (30) days written notice to the Contractor, may increase/reduce the frequency, quantity, quality, or any portion of services required.

7.0 INSURANCE

7.1 The Contractor shall procure and maintain, and shall cause each subcontractor of the Contractor to procure and maintain, the minimum insurance coverage listed below. All coverage shall be continuously maintained to cover all liability, claims, demands, and other obligations assumed by the Contractor pursuant to this Agreement. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured by the Contractor to maintain such continuous coverage.

7.1.1 Worker's Compensation insurance as required by the Labor Code of the State of Colorado and Employer's Liability Insurance with minimum limit of FIVE HUNDRED THOUSAND DOLLARS ($500,000) each accident, FIVE HUNDRED THOUSAND DOLLARS ($500,000) disease - policy limit, and FIVE HUNDRED THOUSAND DOLLARS ($500,000) disease - each employee. Evidence of qualified self-insured status may be substituted for the Workmen's Compensation requirements of this paragraph.

7.1.2 General Liability insurance to cover all liability, claims, demands, and other obligations assumed by the Contractor herein with minimum combined single limits of ONE MILLION DOLLARS ($1,000,000) each occurrence and TWO MILLION DOLLARS ($2,000,000) aggregate. The policy shall include the City of Louisville, its officers and its employees, as additional insured, with primary coverage as respects the City of Louisville, its officers and its employees, and shall contain a severability of interests provision.

7.1.3 Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than ONE HUNDRED FIFTY THOUSAND DOLLARS

($150,000) per person in any one occurrence and SIX HUNDRED THOUSAND DOLLARS ($600,000) for two or more persons in any one occurrence, and auto property damage insurance of at least FIFTY THOUSAND DOLLARS ($50,000) per occurrence, with respect to each of Contractor's owned, hired or non-owned vehicles assigned to or used in performance of the services. The policy shall include the City of Louisville, its officers and its employees, as additional insured, with primary coverage as respects the City of Louisville, its officers and its employees, and shall contain a severability of interests provision. If the Contractor has no owned automobiles, the requirements of this paragraph shall be met by each employee of the Contractor providing services to the City of Louisville under this Agreement.

7.1.4 Excess liability, umbrella form, with an aggregate limit of ONE MILLION DOLLARS ($1,000,000).

7.2 A certificate of insurance shall be completed by the Contractor's insurance agent(s) as evidence that policies providing the required coverage, conditions and minimum limits are in full force and effect and shall be subject to review and approval by the City prior to commencement of any services under this Agreement.

7.3 The parties hereto understand and agree that the City is relying on, and does not waive or intend to waive by any provision of this Agreement, the monetary limitations (presently $150,000 per person and $600,000 per occurrence) or any other rights, immunities, and protection provided by the Colorado Governmental Immunity Act, 24-10-101 et seq., 10 C.R.S., as from time to time amended, or otherwise available to the City, its officers, or its employees.

8.0 INDEMNIFICATION

8.1 This Agreement shall bear all risks of loss, damage, theft or destruction of materials, equipment or supplies used in the performance of the work herein that is owned by the Contractor.

9.0 STANDARDS OF PERFORMANCE

9.1 All work shall be performed by this Agreement in a good and workmanlike manner and in accordance with all applicable specification. The Contractor shall provide regular and systematic inspections by the Contractor's supervisory personnel of all premises on which the services are to be provided to assure high quality work by the Contractor's employees. In the event that deficiencies are noted by the City, the Contractor agrees to remedy such deficiencies at no additional cost to the City within 24 hours after verbal notification of such deficiency or at such other time as the City and the Contractor may agree. Any verbal notification of deficiency will be confirmed

by a written notice of the same and mailed to the Contractor at the address provided herein or delivered to the Site Manager.

9.2 If the Contractor fails to remedy any deficiency as set forth in 9.1 above, he shall be in default of this Agreement. The City may, at its option, correct the deficiency, default or breach by any means available to it, and deduct the costs of such corrective action from the monies due the Contractor without terminating this Agreement, or terminate this Agreement as set forth in paragraph 14.

9.3 This Agreement provides for services on the following days of the week: Monday through Friday. The work herein shall be performed during the hours specified and established for the Contractor by the City.

9.4 Contractor shall supply all tools, equipment, materials and supplies required for the full and complete performance of all work and services.

9.5 Contractor shall not be responsible for failure to render service due to causes beyond its control, including, but not limited to fires, civil disobedience, riots, vandalism, acts of God and similar occurrences. Service shall be rendered as soon as possible after the cessation of such causes.

9.6 Contractor shall comply with all laws, ordinances, codes, and governmental requirements relating to health and safety standards.

10.0 SECURITY

10.1 At the request of the owner, the Contractor shall provide a personnel sheet on each employee of the Contractor who has occasion to enter any City facility in the performance of the work herein.

11.0 INDEPENDENT CONTRACTOR

The Contractor and any persons employed by Contractor for the performance of work hereunder shall be independent contractors and not agents of the City. Any provisions in this Agreement that may appear to give the City the right to direct Contractor, as to details of doing work or to exercise a measure of control over the work mean that Contractor shall follow the direction of the City as to end results of the work only. **As an independent contractor, Contractor is not entitled to worker's compensation benefits except as may be provided neither by the independent contractor nor to unemployment insurance benefits unless unemployment compensation coverage is provided by the independent contractor or some other entity. The Contractor is obligated to pay all federal and state income tax on any monies earned or paid pursuant to this contract relationship**

12.0 ASSIGNMENT

Contractor shall not assign or delegate this Agreement or any portion thereof, or any monies due to or which become due hereunder without the City's prior written consent.

13.0 DEFAULT

Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either party should fail or refuse to perform according to the terms of this Agreement, such party may be declared in default.

14.0 TERMINATION

14.1 This Agreement may be terminated by either party for material breach or default of this Agreement by the other party not caused by any action or omission of the other party by giving the other party written notice at least thirty (30) days in advance of the termination date. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

14.2 In addition to the foregoing, this Agreement may be terminated by the City for its convenience and without cause of any nature by giving written notice at least seven (7) days in advance of the termination date. In the event of such termination, the Contractor will be paid for the reasonable value of the services rendered to the date of termination, not to exceed the total amount set forth in the attached Bid Schedule, and upon such payment, all obligations of the City to the Contractor under this Agreement will cease. Termination pursuant to this Subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

15.0 INSPECTION

The City and its duly authorized representatives shall have access to any books, documents, papers, and records of the Contractor that are related to this Agreement for the purpose of making audit, examination, excerpts and transcriptions.

16.0 ENFORCEMENT

In the event that suit is brought upon this Agreement to enforce its terms, the prevailing party shall be entitled to its reasonable attorneys' fees and related court costs.

17.0 COMPLIANCE WITH LAWS

Contractor shall be solely responsible for compliance with all applicable federal, state and local laws, including the ordinances, resolutions, rules and regulations of the City of Louisville; for payment of all applicable taxes; and obtaining and keeping in force all applicable permits and approvals.

18.0 INTEGRATION AND AMENDMENT

This Agreement represents the entire Agreement between the parties and there are no oral or collateral agreements or understandings. Only an instrument in writing signed by the parties may amend this Agreement.

Dated: _____, 20___

CITY OF LOUISVILLE, COLORADO
A Colorado Municipal Corporation

City of Louisville
749 Main Street
Louisville, CO 80027

By: _____
Robert P. Muckle, Mayor

Attest: _____
Nancy Varra, City Clerk

CONTRACTOR:

By: _____

Attest:_____

Section 5

Exhibit A, B, C, D, and E

EXHIBIT A

City of Louisville Public Services Contract Addendum
Prohibition Against Employing Illegal Aliens

Prohibition Against Employing Illegal Aliens. Consultant shall not knowingly employ or contract with an illegal alien to perform work under this contract. Consultant shall not enter into a contract with a subcontractor that fails to certify to the Consultant that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this contract.

Contract has verified or attempted to verify through participating in the basic pilot program as defined in C.R.S. Section 8-17.5-101(1) ("Program") that Consultant does not employ any illegal aliens and, if Consultant is not accepted into the Program prior to entering into this contract, that Consultant shall apply to participate in the Program every three months until Consultant is accepted or the contract has been completed, whichever is earlier. This provision shall not be required or effective if the Program is discontinued. Consultant is prohibited from using the Program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

If Consultant obtains actual knowledge that a subcontractor performing work under this contract for services knowingly employs or contracts with an illegal alien, Consultant shall:

a. Notify the subcontractor and the City within three days that the Consultant has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
b. Terminate the subcontract with the subcontractor if within three days of receiving the notice required pursuant to this paragraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Consultant shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.

Consultant shall comply with any reasonable request by the Department of Labor and Employment made in the course of an investigation that the Department is undertaking pursuant to the authority established in C.R.S. Section 8-17.5-102(5).

If Consultant violates a provision of this Contract required pursuant to C.R.S. Section 8-17.5-102, the City may terminate the contract for breach of contract. If the contract is so terminated, the Consultant shall be liable for actual and consequential damages to the City.

City of Louisville
Contractor's Pre-Contract Certification
Regarding Employing Illegal Aliens

The proposer of public services to the City of Louisville identified below (hereafter "the Proposer"), hereby certifies as follows:

That at the time of providing this certification, Proposer does not knowingly employ or contract with an illegal alien; and that Proposer has participated in or attempted to participate in the Basic Pilot Program administered by the United States Department of Homeland Security in order to verify that it does not employ any illegal aliens.

Dated this _____ day of _____, 20____.

Proposer:

_____

By:_____
Title:_____

EXHIBIT B

2015
Additional Services/Hourly Rates

ADDITIONAL LANDSCAPE MAINTENANCE SERVICES

The cost of additional services will be as follows:

1. Material = Net cost to the Contractor plus 5% handling fee.
2. Labor Rate (regular hours) for Basic Services
3. Mowing / Irrigated Turf = $_____per hour.
4. Mowing / Non-Irrigated Native Turf = $_____per hour.
5. String Trimming = $_____per hour.
6. Weed Control - Hand / Backpack = $_____per hour.
7. Broadcast Weed Control - Turf = $_____per hour.

Additional services not specifically listed in the LANDSCAPE SERVICE CONTRACT will be provided upon the request of the City of Louisville.

EXHIBIT C

SPECIAL CONDITIONS

The goal of the City of Louisville is to maintain a quality aesthetic appearance of the parks and native areas while complying with local, county and state laws, ordinances, codes, rules and regulations. Specifications in this section are not all-inclusive and should be considered along with requirements outlined in other sections of the Contract Manual.

The Landscape Maintenance Services Agreement is to include but not limited to the following components:

- **Mowing, trimming, edging, and litter control.**
- **Weed control in shrub beds, trees wells, landscape areas, rock and wood mulch, sidewalks, medians, and along fence lines.**

1. Commencing Services

Landscape maintenance services will commence on March 30, 2015 and conclude October 12, 2015. The Contractor shall provide the Parks Superintendent with a mowing schedule prior to commencing services.

2. Hours of Operation

Hours of operation for maintenance shall normally be between 7:00 a.m. and 7:00 p.m., Monday through Friday. All maintenance must be scheduled and performed so as not to interfere with the general public. No maintenance operations will occur on weekends (Saturday or Sunday) or legal Holidays unless it is of an emergency nature and approved by the Parks Superintendent.

3. Permits

The Contractor will be required to secure a permit in order to work within the rights-of-ways throughout the City. The permit can be obtained free of charge through the City of Louisville's Public Works Department. The Contractor shall bear all expense of maintaining traffic control over any section of road affected by the work to be done under this contract.

Work relative to agreed-upon services shall not commence until proof of all necessary licenses and/or permits has been accepted by the City.

4. **Supervision**

The Contractor shall supervise and direct all operations competently and efficiently, devoting such time and attention as necessary, and applying such skills and expertise as may be necessary to perform the agreed-upon services.

Regular communication between the Contractor and the Parks Superintendent is a requirement of this contract.

5. **Liability**

The Contractor assumes entire responsibility and liability for all damages and injury to all persons, whether employees or otherwise, and to all property, resulting from the labor, equipment or material occurring in connection with the performance of this contract.

Any facility or property, including adjacent private property damaged as a result of the landscape maintenance operation at any of the maintenance sites will be repaired or replaced by the Contractor at the Contractor's expense. Specifications include but are not limited to the following:

Contractor will repair all damage to irrigation systems made by the Contractor's staff. Contractor shall tag any sprinkler head damaged during maintenance operations. The damaged sprinkler head shall be repaired or replaced within 24 hours. The Contractor shall notify the Parks Superintendent of any repair for inspection of work. Under no circumstances shall the Contractor tamper with any irrigation system, valves and controllers unless there is an emergency (i.e. leak(s) which threaten property or safety). If this occurs, the Contractor will notify the Parks Superintendent immediately.

A fine for mechanical damage to trees will be a minimum of $100.00 per event or the replacement value of the tree (if deemed necessary). Trees that have mulch around the base are to remain mulched. Should the Contractor displace the mulch, it is the responsibility of the Contractor to replace the mulch.

The Contractor will repair any and all damage to turf that may occur.

6. **Safety**

All appropriate safety equipment and dress will be used by all workers, at all

times.
A class 2 safety vest or better is recommended while working on medians and rights-of-way.

7. Pesticide Application Specifications

The Contractor will be required to adhere to General Pesticide Application Specifications:

a. All pesticide applications must be performed under the direction of a licensed applicator by the State of Colorado Department of Agriculture and in accordance with the Colorado Pesticide Applicators' Act.

b. It is the Contractor's responsibility to identify and properly notify any person listed on the Registry of Pesticide Sensitive Person whose property abuts that on which the application is scheduled before any pesticide application is performed.

c. The Contractor assumes full and complete responsibility for any undesirable plant kill or plant damage on the maintenance areas or adjacent property and for any adverse effects caused by pesticide applications at NO COST to the Owner.

d. All pesticides recommended for use and all application of pesticides must be reported to the Parks Superintendent.

e. All pesticide applications require the submittal of a Pesticide Application Sheet, completed in its entirety, to the Parks Superintendent within twenty- four (24) hours of the application.

f. The contractor must adhere to best management practices in the application of herbicides and fertilizers. Refer to Exhibit E for guidelines.

8. Method of Measurement

The unit of measurement for mowing operations will be per cycle. A cycle consists of one completed mowing of the area described in the bid proposal and location maps.

9. Location Maps

The location maps (and sq ft. information included in the bid schedule) are to be construed as the City of Louisville's best effort with the intent to present

the bidder with the most reliably data currently available. Minor site adjustments may be necessary due to the extensive maintenance details which cannot easily be depicted on the location maps.

EXHIBIT D

TECHNICAL SPECIFICATIONS

SECTION 1 - General

The Contractor shall provide regular landscape maintenance services for the locations described in the bid schedule and locations maps as set forth in these technical specifications. The Contractor shall also be available to perform additional services related to landscape maintenance as may be authorized in writing by the owner. Such work shall not exceed the contractor's hourly rate(s) as written in "Exhibit B" of the contract manual or unit pricing as set forth in the Bidder's Bid Proposal.

SECTION 2 – Bluegrass Areas (Irrigated Turf, Which Includes: Medians, Parks, Trails, etc.)

1. Mowing and Trimming

1.1. Turf areas will be mowed and trimmed weekly between March 30, 2015 and October 12, 2015. All mowing is to be completed Monday through Friday.

1.2. All mowing will be done to a height of three (3") inches during each week of the contract period. The City of Louisville reserves the right to change the mowing height as deemed necessary due to drought or other present conditions. Turf shall be cut and trimmed at least once every seven (7) days, or as required to maintain an even, well-groomed appearance. A mowing schedule must be submitted prior to the start of the mowing season. Variations to the specific mowing schedule must be approved by the City of Louisville's Parks Superintendent. If the mowing schedule is interrupted by adverse conditions, including but not limited to rain, the site will be mowed two times the following week to maintain a reasonable turf height.

1.3. Pattern mowing is required at all sites. Directions of patterns will be approved by the Parks Superintendent.

1.4. The Contractor is encouraged to use mulching mowers, cutting clippings into small pieces that sift down into the lawn. Excessive clippings that accumulate on the turf will be removed by the Contractor. Sweeping of all turf areas is not necessary, but piles and swaths of excessive clippings must be removed and disposed of off-site. The Parks Superintendent will determine when clippings are excessive.

1.5. All mowing equipment shall be equipped with sharp blades so as not to tear, but cleanly cut the blade of grass.

1.6. Rotary walk-behind or riding mowers are required for mowing. Mowers and trimmers must be operated in a safe and orderly manner. All mowing and trimming equipment must be in good working condition (including all safety features). All equipment shall be subject to approval by the City of Louisville's park staff.

1.7. Turf shall be cut in a professional manner so as not to scalp turf or leave uncut areas.

Care shall be taken to prevent discharge of grass clippings onto any paved surfaces such as streets, sidewalks, driveways, or adjacent properties. Any material so discharged shall be removed immediately. If the Contractor fails to clean up debris, the Contractor will be charged for all cleanup costs involved.

1.8. The Contractor shall remove all trash and litter from the entire site prior to

initiating any mowing of the turf area. Trash and litter shall be hauled from site.

1.9. All trimming shall be done using a string trimmer. Trimming includes trees, plants, shrubs, utility poles, light standards, sign posts, delineators, guardrails, fences or other appurtenances which are part of the park.

1.10. All trimming must be accomplished concurrently with the mowing operation and be done at the same height as the adjacent turf (three inches).

1.11. Special care shall be taken while trimming so as not to inflict damage to the bark of the trees, fence posts or boards, signs, etc.

2. <u>Edging</u>

2.1. All sidewalks, curbs, walkways and other hard surfaces will be mechanically edged using a metal blade once every twenty-eight (28) days. In addition, curb lines shall be edged as necessary to maintain a well-groomed appearance. All materials dislodged by edging will be removed from the site.

3. <u>Weed Control</u>

3.1. **For purposes of this document, a weed is defined by any unwanted plant material as determined by the Parks Superintendent.**

3.2. **Suckers are classified as weeds. Adventitious sucker growth from trees in tree wells shall be removed weekly – using pruning shears – pruning shears will be sterilized with isopropyl alcohol or an approved disinfectant between cuts. Chemically treating suckers is not allowed.**

3.3 **Weeds shall be removed or killed as the weeds emerge in the following areas: landscaped areas, shrub beds, mulched areas (wood and rock), medians (includes crack between median and street), and sidewalks. Weed control in irrigated and non-irrigated turf and flowerbeds is excluded from this contract.**

Weeds shall be removed if they are larger than two (2") inches in height or diameter and disposed of off-site.

3.4 **Only the post-emergent non-selective herbicide (Glyphosate) shall be used to control weeds chemically; preferably Round-Up (trade name). The Parks Superintendent must approve any alternative herbicide prior to use. Pre-emergent and selective herbicide use is not allowed nor is it a part of the landscape maintenance contract.**

3.5. **The Contractor will spray all tree wells a minimum of three (3) times during the contract period with Round-Up. All trees in turf areas shall have a 4-foot diameter circle sprayed around the base of the tree.**

3.6. **The Contractor will provide to the Parks Superintendent the list of certified pesticide applicators that will be a part of this contract. The Parks Superintendent will be notified prior to any and all herbicide applications.**

3.7. **The Contractor shall take precautions to keep persons away from herbicide-treated areas until the material is fully dry and the treated area is safe for entry. Herbicide applications shall be made at times when citizen presence is minimal.**

3.8. **Pesticide flagging will be placed prior to an application which will include the company name, phone number, time and date of application and chemical applied on each flag. Flags shall be placed at all entrances and other highly visible areas throughout the site and will be removed as soon as the area is safe for entry.**

3.9. **All chemicals shall be used in accordance with label directions and the manufactures recommended handling methods. All governmental and industry recommendations and regulations apply.**

3.10. The cost for all herbicide applications is included in the price for weed control.

3.11. The Contractor will adhere to the BMPs set forth in Exhibit E.

5 <u>Litter</u>

5.1 All hand litter and other debris shall be picked up in accordance to the mowing frequency. Litter and debris shall be picked up prior to mowing and hauled from the site. Trash shall also be removed from shrub beds, landscaped areas, mulched areas (wood and rock), and sidewalks.

<u>SECTION 3 – Native Areas (Non-Irrigated Turf and Perimeter Strips)</u>

1. <u>Mowing and Trimming</u>

1.1. Turf areas will be mowed and trimmed between March 30, 2015 and October 12, 2015. All mowing is to be completed Monday through Friday.

1.2. All mowing will be done to a minimum height of three (3") inches and not to exceed six (6") inches. The City of Louisville reserves the right to change the mowing height as deemed necessary due to drought or other present conditions. A mowing schedule must be submitted prior to the start of the mowing season. Variations to the specific mowing schedule must be approved by the City of Louisville's Parks Superintendent. If the mowing schedule is interrupted by adverse conditions, including but not limited to rain, the site will be mowed two times the following week to maintain a reasonable turf height.

1.3. Perimeter mowing or buffer strips will be mowed at a width not to exceed six (6') feet. Buffer strips will be mowed out along both sides of the sidewalk and in most cases completely mowed from sidewalk to street. For perimeter mowing along Dillon Road and 96 Street, mowing is required from street to fence or ditch line. For all areas, the City of Louisville reserves the right to determine and/or change the width requirement. Variations to the width requirement must be approved by the Parks Superintendent. Perimeter strips will be mowed every fourteen days unless otherwise specified on the location maps.

1.4. Pattern mowing is required at all sites. Directions of patterns will be approved by the Parks Superintendent.

1.5. The Contractor is encouraged to use mulching mowers, cutting clippings into

small pieces that sift down into the lawn. Excessive clippings that accumulate on the turf will be removed by the Contractor. Sweeping of all turf areas is not necessary, but piles and swaths of excessive clippings must be removed and disposed of off-site. The Parks Superintendent will determine when clippings are excessive.

1.6. Rotary walk-behind or riding mowers may be used for mowing non-irrigated turf. Mowers and trimmers must be operated in a safe and orderly manner. All mowing and trimming equipment must be in good working condition (including all safety features). All equipment shall be subject to approval by the City of Louisville's park staff.

1.7. Turf shall be cut in a professional manner so as not to scalp turf or leave uncut areas.

Care shall be taken to prevent discharge of grass clippings onto any paved surfaces such as streets, sidewalks, driveways, or adjacent properties. Any material so discharged shall be removed immediately. If the Contractor fails to clean up debris, the Contractor will be charged for all cleanup costs involved.

1.8. The Contractor shall remove all trash and litter from the entire site prior to

initiating any mowing of the turf area. Trash and litter shall be hauled from site.

1.9. All trimming shall be done using a string trimmer. Trimming includes trees, plants, shrubs, utility poles, light standards, sign posts, delineators, guardrails, fences or other appurtenances which are part of the park

1.10. All trimming must be accomplished concurrently with the mowing operation and be done at the same height as the adjacent turf.

1.11. Special care shall be taken while trimming so as not to inflict damage to the bark of the trees, fence posts or boards, signs, etc.

2. <u>Edging</u>

2.1. All sidewalks, curbs, walkways and other hard surfaces will be mechanically edged using a metal blade four (4) times during the season. In addition, curb lines shall be edged as necessary to maintain a well-groomed appearance. All materials dislodged by edging will be removed from the site.

3. Weed Control

3.1. For purposes of this document, a weed is defined by any unwanted plant material as determined by the Parks Superintendent.

3.2. Suckers are classified as weeds. Adventitious sucker growth from trees in tree wells shall be removed weekly – using pruning shears – pruning shears will be sterilized with isopropyl alcohol or an approved disinfectant between cuts. Chemically treating suckers is not allowed.

3.3 Weeds shall be removed or killed as the weeds emerge in the following areas: landscaped areas, shrub beds, mulched areas (wood and rock), medians (includes crack between median and street), and sidewalks. Weed control in irrigated and non-irrigated turf and flowerbeds is excluded from this contract.

Weeds shall be removed if they are larger than two (2") inches in height or diameter and disposed of off-site.

3.4. Only the post-emergent non-selective herbicide (Glyphosate) shall be used to control weeds chemically; preferably Round-Up (trade name). The Parks Superintendent must approve any alternative herbicide prior to use. Pre-emergent and selective herbicide use is not allowed nor is it a part of the landscape maintenance contract.

3.5. The Contractor will spray all tree wells a minimum of three times during the contract period with Round-Up. All trees in turf areas shall have a 4-foot diameter circle sprayed around the base of the tree.

3.6. The Contractor will provide to the Parks Superintendent, the list of certified pesticide applicators that will be a part of this contract. The Parks Superintendent will be notified prior to any and all herbicide applications.

3.7. The Contractor shall take precautions to keep persons away from herbicide-treated areas until the material is fully dry and the treated area is safe for entry. Herbicide applications shall be made at times when citizen presence is minimal.

3.8. Pesticide flagging will be placed prior to an application which will include the company name, phone number, time and date of application and chemical applied on each flag. Flags shall be placed at all entrances and other highly visible areas throughout the site and will be removed as soon as area is safe for entry.

3.9. All chemicals shall be used in accordance with label directions and the manufactures recommended handling methods. All governmental and industry recommendations and regulations apply.

3.10. The cost for all herbicide applications is included in the price for weed control.

3.11. The Contractor will adhere to the BMPs set forth in Exhibit E.

4. Litter

4.1. All hand litter and other debris shall be picked up in accordance to the mowing frequency. Litter and debris shall be picked up prior to mowing and hauled from the site. Trash shall also be removed from shrub beds, landscaped areas, mulched areas (wood and rock), and sidewalks.

SECTION 4 – Weed Control Only Areas (No Mow Areas)

1. Weed Control

1.1. For purposes of this document, a weed is defined by any unwanted plant material as determined by the Parks Superintendent.

1.2. Suckers are classified as weeds. Adventitious sucker growth from trees in tree wells shall be removed weekly – using pruning shears – pruning shears will be sterilized with isopropyl alcohol or an approved disinfectant between cuts. Chemically treating suckers is not allowed.

1.3 Weeds shall be removed or killed weekly as the weeds emerge in the following areas: landscaped areas, shrub beds, mulched areas (wood and rock), medians (includes crack between median and street), and sidewalks. Weed control in irrigated and non-irrigated turf and flowerbeds is excluded from this contract.

Weeds shall be removed if they are larger than two (2") inches in height or diameter and disposed of off-site.

1.4. Only the post-emergent non-selective herbicide (Glyphosate) shall be used to control weeds chemically; preferably Round-Up (trade name). The Parks Superintendent must approve any alternative herbicide prior to use. Pre-emergent and selective herbicide use is not allowed nor is it a part of the landscape maintenance contract.

1.5. The Contractor will spray all tree wells a minimum of three times during the contract period with Round-Up. All trees in turf areas shall have a 4-foot diameter circle sprayed around the base of the tree.

1.6. The Contractor will provide to the Parks Superintendent, the list of certified pesticide applicators that will be a part of this contract. The Parks Superintendent will be notified prior to any and all herbicide applications.

1.7. The Contractor shall take precautions to keep persons away from herbicide-treated areas until the material is fully dry and the treated area is safe for entry. Herbicide applications shall be made at times when citizen presence is minimal.

1.8. Pesticide flagging will be placed prior to an application which will include the company name, phone number, time and date of application and chemical applied on each flag. Flags shall be placed at all entrances and other highly visible areas throughout the site and will be removed as soon as area is safe for entry.

1.9. All chemicals shall be used in accordance with label directions and the manufactures recommended handling methods. All governmental and industry recommendations and regulations apply.

1.10. The cost for all herbicide applications is included in the price for weed control.

1.11. The Contractor will adhere to the BMPs set forth in Exhibit E.

2. <u>Litter</u>

2.1. All hand litter and other debris shall be picked up weekly. Litter and debris shall be hauled from the site. Trash shall be removed from shrub beds, landscaped areas, mulched areas (wood and rock), and sidewalks.

EXHIBIT E

Basic Practice Guidelines for Best Management Practices within the City of Louisville for Pesticide and Fertilizer: Application, Storage, Handling and Disposal

1. **Apply pesticides and herbicides according to the label – it's the law. Apply fertilizers according to the manufacturer's directions.**

2. **Apply pesticides and herbicides only when needed and use in a manner to minimize off-target effects.**

3. **Ensure chemical applicators receive thorough training and proper certification prior to chemical use. Individuals and companies hired to apply pesticides must be licensed in the appropriate categories by the Colorado Department of Agriculture.**

4. **Know characteristics of the application site, including soil type and depth to groundwater. Be aware of any drinking water wells down gradient of the operation.**

5. **Select pesticides and herbicides best suited to the characteristics of the target site and the particular pest or weed. Choose least toxic and less persistent sprays whenever possible based on comparison of labels and associated material**

safety data sheets (MSDSs).

6. Employ application techniques that increase efficiency and allow the lowest effective application rate. Carefully calibrate application equipment and follow all label instructions.

7. All mixing and loading operations must occur on an impervious surface.

8. To prevent possible backflow and contamination of a water supply, never submerge a water supply hose in a chemical tank or container. Provide proper backflow prevention devices as required.

9. Provide proper signage (flagging) when applying.

10. Following the directions and guidelines offered by the City of Louisville's' Integrated Weed Management Plan.

11. Consider spot treatment of pests rather than broadcast spraying when possible.

12. Time applications to minimize host plant damage and maximize pest control.

13. Do not apply pesticides during high temperature or windy conditions or immediately prior to heavy rainfall or irrigation.

14. Maintain records of all pesticides applied, including brand name, formulation, EPA registration number, amount and date applied, exact location of application and name, address and certification number of application. Pesticide application sheets must be given to the Parks Superintendent for every application.

15. Properly handle and dispose of containers, rinse water and waste. Store pesticides in secure and covered areas.

16. Be familiar with existing local, state, and federal regulations on pesticide application, certification and weed control.

17. Keep chemical spill cleanup equipment, personal protective equipment and emergency phone numbers available when handling chemicals and their containers.

18. Properly manage chemical spills by cleaning them up as soon as possible, controlling actively spilling or leaking materials, containing the spilled material,

collecting the spilled material and properly disposing of the material. Reporting a spill to the appropriate authority is required.

19. Follow label directions for disposal. This typically involves triple-rising containers, puncturing and crushing. All visible chemicals should be cleaned from the container prior to disposal.

Key Reference:

Green Industries of Colorado. (2008). Green industry best management practices for the conservation and protection of water resources in Colorado: moving toward sustainability. Retrieved December 1, 2008, from http://www.greenco.org

Section 6

Location Maps

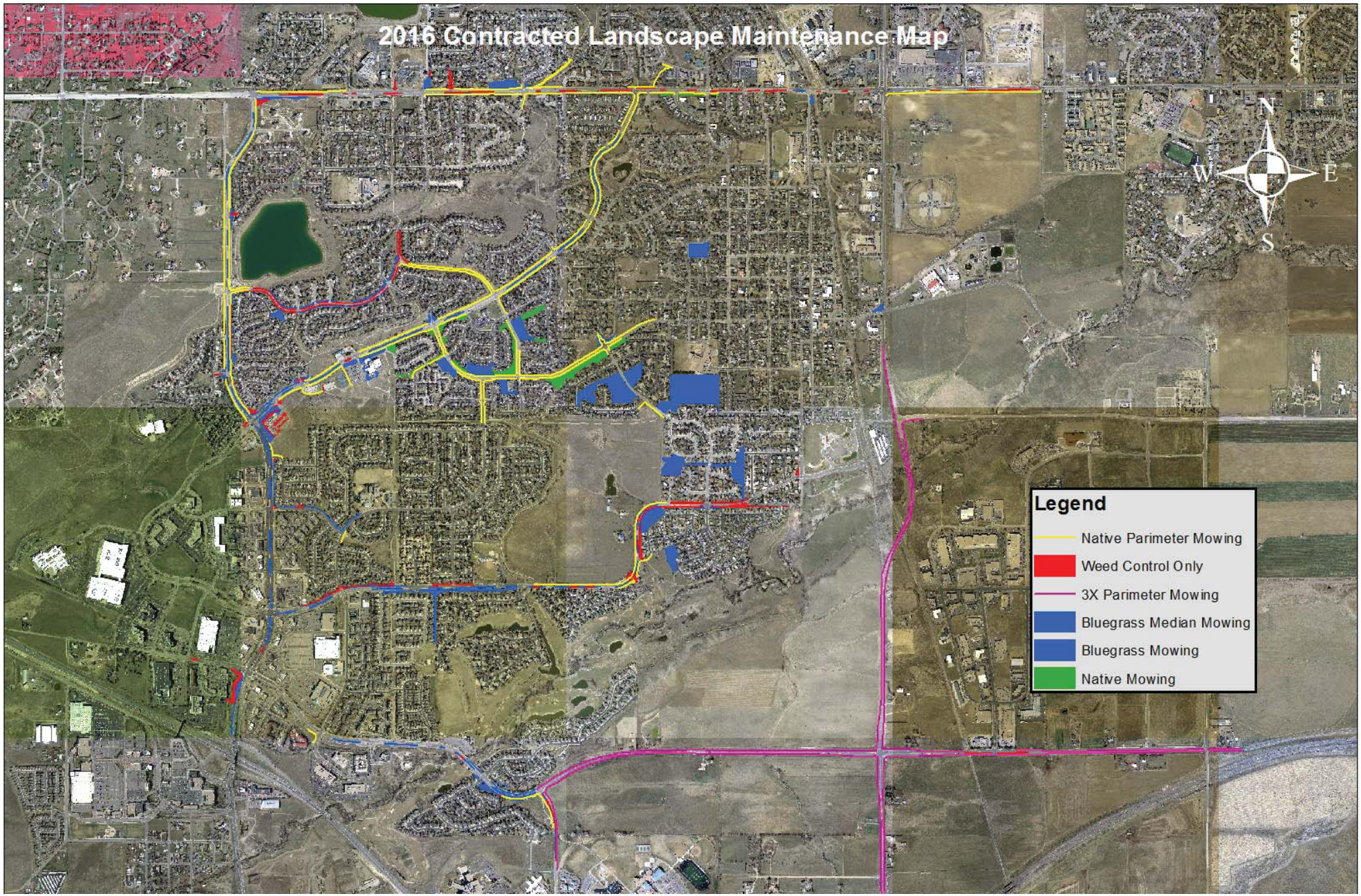
2016 Contracted Landscape Maintenance Map
N
W
E
S
Legend
Native Parimeter Mowing
Weed Control Only
3X Parimeter Mowing
Bluegrass Median Mowing
Bluegrass Mowing
Native Mowing

Exhibit C
2019 Pricing

Item	Description	Unit	2018 Quantity	2018 Quanity Price	2018 Unit Price	Unit Price with 3% Increase	2019 Quantity Price	Extension	Total Price
1	**Bluegrass**	SF	2,180,694	$ 2,875.03	0.00132	0.00136	**$ 2,961.28**	28	$ 82,915.87
2	**Weed Control Areas**	SF	285,743	$ 782.88	0.00274	0.00282	**$ 806.37**	28	$ 22,578.26
3	**Native Perimeter Mowing**	LF	48,339	$ 137.42	0.00284	0.00293	**$ 141.54**	14	$ 1,981.60
4	**Native Mowing**	SF	305,874	$ 869.54	0.00284	0.00293	**$ 895.63**	14	$ 12,538.77
5	**3X Perimeter Mowing**	LF	40,518	$ 115.18	0.00284	0.00293	**$ 118.64**	3	$ 355.91
						Total Contract Not To Exceed =			**$ 120,370.39**

2015
Additional Services/Hourly Rates

ADDITIONAL LANDSCAPE MAINTENANCE SERVICES

The cost of additional services will be as follows:

1. Material = Net cost to the Contractor plus 5% handling fee.
2. Labor Rate (regular hours) for Basic Services
3. Mowing / Irrigated Turf = $ 42.00 per hour.
4. Mowing / Non-Irrigated Native Turf = $ 48.00 per hour.
5. String Trimming = $ 42.00 per hour.
6. Weed Control - Hand / Backpack = $ 52.00 per hour.
7. Broadcast Weed Control - Turf = $ 65.00 per hour.

Additional services not specifically listed in the LANDSCAPE SERVICE CONTRACT will be provided upon the request of the City of Louisville.

SUBJECT: **APPROVAL OF APPOINTMENT TO THE BUSINESS RETENTION AND DEVELOPMENT COMMITTEE**

DATE: **MARCH 19, 2019**

PRESENTED BY: **MEREDYTH MUTH, CITY CLERK**

SUMMARY:
The City currently has a vacancy on the Business Retention and Development Committee. After reviewing applications Councilmember Committee liaisons Leh and Loo recommend the appointment of Darryl LaRue to the Committee.

As this is a midyear appointment it will expire at the end of 2019 but the appointee may reapply to serve a full term in the annual appointment process in the fall.

Staff continues to recruit to fill the remaining vacancies on the Board of Adjustment and the Building Code Board of Appeals.

FISCAL IMPACT:
None.

RECOMMENDATION:
Approve the appointment as recommended.

ATTACHMENT(S):
1. LaRue Application

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2019 Board and Commission General Application

All applicants must complete this general application *AND ALSO* submit the supplemental questionnaire for each board to which you are applying.

You MUST meet the following criteria to serve on ANY Louisville Board or Commission:

- You must reside in the City of Louisville (exception for Business Retention Cmte)
- You may not be an employee of the City of Louisville

Name of Applicant: Darryl LaRue

Date of Birth: [redacted]

Home Address: 804 Trail Ridge Dr

Home Phone Number: 917-886-0218 **Cell Phone Number:** 917-886-0218

Email Address: livedarryl@gmail.com

Occupation: Chief Operating Officer

Employer: IWP Wealth Management

Length of Time Living in Louisville: 5.5 years

Education: BS, Mechanical Engineering - Stanford, MBA - Harvard

On which Board(s) or Commission(s) would you like to serve?
You must also complete the questionnaire for each board to which you are applying.

- ☐ Board of Adjustment
- ☐ Building Code Board of Appeals
- ☑ Business Retention & Development Committee
- ☐ Recreation Advisory Board
- ☑ Revitalization Commission
- ☐ Sustainability Advisory Board

It is the policy of the City Council to make appointments to the citizen boards, commissions, committees, and task forces based on the needs of the City as well as the interests and qualifications of each applicant without discrimination based on race, color, national origin or ancestry, gender, religious convictions, disability, age, or sexual orientation.

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OTHER BOARDS:
If asked, would you be interested in serving on a board you did not choose above? ◉ **Yes** ○ **No**

CURRENTLY SERVING ON A BOARD:
Do you currently sit on a City Board or Commission? ○ **YES** ◉ **NO**
If Yes, please identify that board.

SCHEDULING CONFLICTS:
What times Monday through Thursday are you generally **unavailable** to attend meetings? (The meeting times of each board are available on the City's web site at www.LouisvilleCO.gov.)

After 6pm

DISCLOSURES:
Within the last ten years, have you ever been convicted of a crime or received a suspended sentence, deferred sentence or deferred prosecution, or forfeited bail, for any offense in criminal or military court, or do you have any criminal charges currently pending against you? Exclude minor traffic violations.
○ **YES** ◉ **NO** If yes, list for each case: (1) date of offense; (2) charge; (3) jurisdiction; (4) court name and (5) disposition:

Within the last ten years, has your driver's license in any state ever been suspended or revoked, or have you ever been denied a driver's license in any state ○ **YES** ◉ **NO** If Yes, please explain below:

Have you ever been involved in an incident involving child/elder abuse or child/elder neglect for which a report was filed with or issued by any law enforcement agency or social services agency? ○ **YES** ◉ **NO** If Yes, please explain below:

Do you or a company you work for or own do business with the City of Louisville?
○ **YES** ◉ **NO** If Yes, please explain below:

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Please note:

- **All Board and Commission members serve without compensation.**
- **Anyone applying to a Board or Commission is subject to a background check.**
- **The City may reject an applicant for any lawful reason. An appointed Board or Commission member may be removed during his/her term of office for cause as defined in the City Charter and Resolution No. 16, Series 2009. Reasons for rejection or removal from office include, without limitation, where a background investigation reveals an arrest, conviction, or pending charges for a criminal offense (excluding minor traffic violations).**
- **All information on this application is public record and may be available for public review.**

I certify the information in this application is true and complete. I understand false statements, misrepresentations or omissions of information in this application may result in rejection of this application. The City is expressly authorized to investigate all statements contained in this application and, in connection therewith, to request a criminal history. I consent to the release of information about my ability and fitness for volunteer assignment by employers, schools, criminal justice agencies, and other individuals and organizations to investigators, personnel staffing specialists, and other authorized employees of the City of Louisville, and release all parties for all liability for any damage that may result from furnishing such information.

In the event that I am selected to serve on a City of Louisville Board or Commission, I agree to comply with all of its ordinances, rules, and regulations. I fully understand and agree to provide my services to the City of Louisville as a volunteer in a voluntary capacity and that I will receive no compensation or benefits for services provided.

I understand that I am NOT insured by the City of Louisville Worker's Compensation Insurance and NOT covered by any Accident Medical Insurance Policy while I am a volunteer with the City of Louisville. I authorize that all necessary first aid steps may be taken as prescribed by qualified personnel.

I grant full permission to use any photographs, videotapes, recordings or any other record of my volunteer participation as a Board or Commission member.

The City will provide any applicant who is rejected as a result of a background investigation information on how to obtain the report and contact information for the reporting agency. Determinations to reject an applicant as a result of the criminal background investigation report are final.

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BY SIGNING BELOW, I AGREE THAT I UNDERSTAND AND CONSENT TO THE ABOVE STATEMENT:

Darryl LaRue
_____
Signature

01-21-2019
_____
Date

Please submit your application by email to MeredythM@LouisvilleCO.gov or deliver it to the City Clerk's Office, 749 Main Street.

Questions about a board or about the application process may be directed to Meredyth Muth (MeredythM@LouisvilleCO.gov or 303.335.4536).

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Applicant Name: Darryl LaRue

2019 Revitalization Commission – Supplemental Questions

The Revitalization Commission is responsible for carrying out the Highway 42 Area Urban Renewal Plan adopted in 2006. The Commission meets the second Monday of each month at 7:30 am. Terms are five years. You must be a resident of Louisville to apply.

PLEASE PRINT OR TYPE YOUR ANSWERS TO ALL OF THE FOLLOWING QUESTIONS in the space provided and return this questionnaire *with your application* to the City Clerk's Office (749 Main Street) or email it to MeredythM@LouisvilleCO.gov.

Please limit each answer to no more than 400 words.

1. *Briefly explain your interest in serving on the Revitalization Commission.*

I moved to Louisville a little over 5 years ago. The majority of my life was spent on the coasts, specifically NY and LA. While it is somewhat of a long story, the only reason I moved to the area was one fateful day when I, my wife and two kids (1 and 4 at the time) stumbled on Sweet Cow in Louisville. We had already made a decision not to move to the area because we had spent most of our time during that visit in Boulder. Louisville changed our minds...

5 years later, I have seen some of that luster wear off. While there are fantastic things that have happened in the city including the new rec center and maintenance of street faires (albeit watered down), I think the approach to new ideas and growth has been approached with a fearful and reticent eye.

Change and openness to new ideas and approaches will help our community continue to grow and thrive and I am definitely in that camp as opposed to the folks that just want everything to stay the same.

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2. *What background do you have with urban renewal or tax increment financing projects?*

I have built multiple technology businesses on both coasts and have sold two of them. I have run companies of 1-100 employees and have been an executive in companies with 100s of thousands. Operations, sales, negotiations, relationship management and marketing are in my DNA.

I do not have experience in tax increment financing projects, but I am a quick study and believe my background will provide a new view.

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3. Describe your understanding of the Highway 42 Revitalization Area Plan.

I understand it is a plan to revitalize the area south of S. Boulder and how to use the land more efficiently with community input.

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4. *What professional qualifications, skill sets and relevant experiences do you have for this position?*

Taken from my bio:

Darryl is an experienced executive leader with strengths in Operations, Development and Selling at both large organizations and startups. His specific roles are mix of sales leadership and executive operations roles (including COO) in Digital Media, Content and Technology. He has lead and mentored teams of 5 to 100, and has overseen business functions including: Technology, Analytics, Support, Operations, Finance, Sales and Marketing.

With a mechanical engineering degree from Stanford, the foundation of his career was cemented at GE. After graduating his MBA at Harvard, he transitioned his career into strategy and digital leadership. His learning grounds were at large studios including NBC (then owned by GE), Warner Bros. and DHX.

Since then, Darryl has taken on progressively challenging roles at startups mostly in operations and technology management.More recently as COO, Darryl lead Trueffect to expand its revenue and to be the leading force in 1st party data analytics through strong operational management and new technology deployment. Darryl is currently COO at the largest multi-family office in Colorado, IWP Wealth.

A few highlights:
- Sold BBE to Viant (later acquired by Time in 2016). Assisted in M&A efforts and lead merger integration
- Chief Operating Officer at Trueffect where he built Managed and SAAS practices while leading development efforts of the 2.0 web-based product
- Laid the groundwork and launched two new businesses at Warner Bros. including its digital licensing, original programming and content syndication
- Developed detailed operations and support processes at Tapingo to accelerate growth and set it up as the leader in the college space
- Continues to mentor current and former employees in career decisions and job development
- Finished a half ironman in Kona this summer -- yes I can fit in with Coloradans

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5. *APPLYING FOR REAPPOINTMENT ONLY: Should you be reappointed, what would you like to see the Revitalization Commission accomplish in your next term?*

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Applicant Name: Darryl LaRue

2019 Business Retention & Development – Supplemental Questions

The Business Retention and Development Committee (BRaD) advises the City Council on business matters including promoting collaboration and communication between the City and the local business community, how best the City can promote economic activity, and gathering information regarding the needs and priorities of businesses. The BRaD meets the first Monday of each month at 8:00 am. Terms are three years. You must be a resident of Louisville or own or operate a business in Louisville to apply.

PLEASE PRINT OR TYPE YOUR ANSWERS TO ALL OF THE FOLLOWING QUESTIONS in the space provided and return this questionnaire *with your application* to the City Clerk's Office (749 Main Street) or email it to MeredythM@LouisvilleCO.gov.

Please limit all answers to 400 words.

1. *Briefly explain your interest in serving on the Business Retention & Development Committee and what your connection is to the Louisville business community?*

I moved to Louisville a little over 5 years ago. The majority of my 20 year career was spent on the coasts, specifically NY and LA. My main area of focus has been in new technology and digital advertising. I have hired dozens of people and have been a party to selling two companies. I am confident that my experience can be valuable for a town like Louisville, as I want to see our area grow and become a big disrupter in the Denver business market.

There is huge value to the Boulder area including access to an ever growing pool of talent from the universities and re-locators. One of the challenges I have personally felt is the access to high level opportunities outside of Denver and the tech center (currently, I commute to Cherry Creek). My main goal is to bring an retain opportunities in the local area.

As far as connection to the Louisville business community, I have spent the last 5+ years meeting with local business owners, from restaurant operators to small business owners creating busines partnerships and expanding my local network. Also, given my background I have a very deep network of successful business folks all over the world that I consistently lean on to bounce off ideas and seek guidance. Finally, my wife is a small business owner, a coffee roastery, Snow Street Coffee which was launched here in Louisville.

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2. *What do you believe to be one of the biggest challenges facing businesses today?*

By far and away, in today's full employment environment, the biggest challenge facing companies is recruiting and maintaining qualified employees. In the Denver area, we have not done a great job at feeding this market, requiring employers to look outside the area for qualified applicants. I believe this will be the biggest hurdle to be addressed when working to lure businesses to the area.

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3. *In what ways do you think the City of Louisville can be of more assistance to the business community?*

There are a few areas that companies need the most assistance and they are related to some of the answers above. They include:

- Qualified candidate resourcing and assistance (job fairs, training incentives)
- Hiring incentives
- More discerning eye to future business direction and focus on those specific segments that will make Louisville a desired destination for these businesses
- Specific related training and opportunity sourcing/partnerships to open up an entirely new group of resources (Moms after raising their children, career pivots, etc.)
- A dogged and unrelenting focus on the above
- Openness to new ideas and business concepts
- Access to business resources - team of volunteers willing to help businesses
- Go on offense, not on defense. What do we want the city to look like and execute towards that vision. if we do not do that the city will be a hodgepodge with no soul.

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4. *APPLYING FOR REAPPOINTMENT ONLY: Should you be reappointed, what would you like to see the BRaD accomplish in your next term?*

SUBJECT: **APPROVAL OF RESOLUTION NO. 8, SERIES 2019 – A RESOLUTION APPROVING A BUSINESS ASSISTANCE AGREEMENT WITH QUICKSILVER SCIENTIFIC, INC. FOR AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY OF LOUISVILLE**

DATE: **MARCH 19, 2019**

PRESENTED BY: **AARON DEJONG, ECONOMIC DEVELOPMENT**

SUMMARY:
Staff requests City Council action on a proposed Economic Development Business Assistance Package (BAP) for Quicksilver Scientific, Inc. to relocate its headquarters to 1960 Cherry Street in Louisville. The proposed business assistance is similar in nature to others recently granted, including a partial rebate on the building permit fees and construction use taxes for tenant improvements in an existing commercial building in the City of Louisville.

DISCUSSION:
Quicksilver Scientific is a Lafayette based nutraceutical company founded in 2006. The company was originally a diagnostic lab that provided patented mercury toxicity diagnostics and has transitioned into the production of patented nutraceutical delivery systems and a subsequent range of nutraceuticals for consumer health and selfcare. Quicksilver has nearly doubled in size year over year through their domestic and international channels. Today, their products can be found in the US, Canada, across the EU, in select parts of Asia and with a growing presence in Australia and New Zealand. Quicksilver's Founder and CEO is Dr. Chris Shade and their President is Jason Dyer.

The relocation project involves an approximate $3,000,000 tenant improvement to 1960 Cherry Street in the Colorado Technology Center area of Louisville. Quicksilver is planning to take 59,000 square feet of the building for their operations. Improvements include building out of office space and lab facilities.

The Company plans to bring their 70 current employees to town related to this project, with wages being paid that are significantly higher than the current Boulder County average wage. Quicksilver plans to grow to 130 employees within five years of operation in Louisville.

Quicksilver is considering several locations for their operations. Other municipalities include Lafayette and Broomfield. The Louisville location has a higher lease rate than most spaces being considered in the other cities.

The company meets the general criteria by which assistance may be granted in accordance with the Business Assistance Policy in Section 3.24 of the Louisville Municipal Code. The main criteria this project meets are:

- additional and/or retained jobs and employment opportunities for city residents and others
- Facilitates a corporate headquarters location
- The proposal represents job diversity in industry sectors and is part of a growing industry
- Encouraging the diversity of jobs or employment opportunities
- Project conforms to the comprehensive plan

The assistance would be funded by permit fees and construction use taxes from the construction of the tenant improvements at the project location.

City staff estimates Quicksilver's project will generate new revenue of approximately $83,000 from building permit fees and construction use taxes directly to the City in the Project, given the anticipated investment. Approximately $9,500 of that amount is fees designated for Open Space, Historic Preservation, and Rec Center operations purposes.

Based upon the estimated revenue projection, staff recommends the following:

Proposed Assistance	**Approximate Value**
Building Permit-Fee Rebate 50% rebate on permit fees for tenant finish (Excludes tap fees)	$14,300
Building Use Tax Rebate 50% rebate on Building Use Tax for Tenant finish (excludes Open Space, Historic Preservation, and Rec Center tax)	$22,500
Total Estimated Assistance	**$36,800**

Staff suggests the assistance be provided at 50% of the actual Building Use Tax and Building Permit Fees for the project, capped at $40,000 total to allow for some increase in rebates should project costs increase beyond estimates. The agreement is void if the company does not complete the improvements by December 31, 2019 or does not remain in business there for five years after receiving a Certificate of Occupancy for the project.

FISCAL IMPACT:
The total fiscal impact would be a total of 50**%** of the City's permit fees, and 50% building use taxes paid (excluding the 0.375 % open space tax, 0.125% Historic Preservation tax, 0.125% Recreation Center tax, water and sewer tap fees, and impact fees), capped at $40,000 based on the costs associated with the tenant improvement project.

RECOMMENDATION:
Staff recommends City Council approve the attached Resolution approving a Business Assistance Agreement with Quicksilver Scientific, Inc.

ATTACHMENTS:
1. Resolution Approving Business Assistance Agreement
2. Business Assistance Agreement

RESOLUTION NO. 8
SERIES 2019

A RESOLUTION APPROVING A BUSINESS ASSISTANCE AGREEMENT WITH QUICKSILVER SCIENTIFIC, INC. FOR AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY OF LOUISVILLE

WHEREAS, the successful attraction and retention of quality development to the City of Louisville provides employment opportunities and increased revenue for citizen services and is therefore an important public purpose; and

WHEREAS, it is important for the City of Louisville to create and retain high-quality jobs and remain competitive with other local governments in creating assistance for occupancy of commercial space in the City; and

WHEREAS, Quicksilver Scientific, Inc., plans to relocate its headquarters operation in Louisville; and

WHEREAS, the Business Assistance Agreement between the City and Quicksilver Scientific, Inc., is attached hereto as Exhibit "A" and incorporated herein by this reference; and

WHEREAS, pursuant the Constitution of the State of Colorado, and the Home Rule Charter and ordinances of the City of Louisville, the City has authority to enter into the proposed Business Assistance Agreement;

WHEREAS, the City Council finds that the proposed Business Assistance Agreement is consistent with and in furtherance of the business assistance policies of the City, and desires to approve the Agreement and authorize its execution and implementation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO THAT:

1. The proposed Business Assistance Agreement between the City of Louisville and Quicksilver Scientific, Inc. (the "Agreement") is hereby approved in essentially the same form as the copy of such Agreement accompanying this Resolution.

2. The Mayor is hereby authorized to execute the Agreement on behalf of the City Council of the City of Louisville, except that the Mayor is hereby granted the authority to negotiate and approve such revisions to said Agreement as the Mayor determines are necessary or desirable for the protection of the City, so long as the essential terms and conditions of the Agreement are not altered.

3. City staff is hereby authorized to do all things necessary on behalf of the City to perform the obligations of the City under the Agreement, including but not limited to

funding and implementation of the Agreement in accordance with and upon performance of the terms thereof.

PASSED AND ADOPTED this 19th day of March, 2019.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

EXHIBIT A

A copy of the Business Assistance Agreement

BUSINESS ASSISTANCE AGREEMENT FOR QUICKSILVER SCIENTIFIC, INC. IN THE CITY OF LOUISVILLE

THIS AGREEMENT ("Agreement") is made and entered into as of the _____ day of _____, 2019, between the CITY OF LOUISVILLE, a Colorado home rule municipal corporation (the "City"), and QUICKSILVER SCIENTIFIC, INC. (the "Company"), a Delaware corporation.

WHEREAS, the City wishes to provide certain business assistance in connection with tenant improvements associated with Company's headquarters location for the Company's operations (the "Project") at 1960 Cherry Street, Louisville, Colorado (the "Project Location"); and

WHEREAS, Company intends to relocate their headquarters and make tenant improvements within an existing building at the Project Location for their expanded operations; and

WHEREAS, Company plans for the Project to generate new quality jobs within the City; and

WHEREAS, City Council finds the execution of this Agreement will serve to provide benefit and advance the public interest and welfare of the City and its citizens by securing this economic development project within the City.

NOW THEREFORE, in consideration of the mutual promises set forth below, the City and Company agree as follows:

1. Building Permit Fee Rebates. The City shall rebate to Company 50% of the building related permit fees for the Project, required under Louisville Municipal Code, section 15.04.050 and section 108.2 of the International Building Code as adopted by the City for the Project, for the period from execution of this Agreement and ending December 31, 2019.

2. Use Tax Rebate-Construction. The City shall rebate to Company 50% of the Construction Use Tax on the building materials for the Project, required under Louisville Municipal Code, section 3.20.300, excluding all revenues from the open space tax, historic preservation tax and recreation center tax for the Project, for the period from execution of this Agreement and ending December 31, 2019.

3. Payment of Rebates; Cap; Inspection. The maximum amount of the rebates payable pursuant to Sections 1 and 2 above shall in no event exceed the calculation of 50% of the fees or taxes described in Sections 1 and 2 paid to the City, and a not to exceed cap of forty thousand dollars ($40,000). The building permit fee and construction use tax rebates shall be paid by the City within 120 days following issuance of the certificate of occupancy or

final inspection for the Project work, as determined by the City, subject to Sections 4 and 5 below.

4. No Interest; Inspection and Disclosure of Records. No interest shall be paid on any amounts subject to rebate under this Agreement. Each party and its agents shall have the right to inspect and audit the applicable records of the other party to verify the amount of any payment under this Agreement, and each party shall cooperate and take such actions as may be necessary to allow such inspections and audits. The Company acknowledges that implementation of this Agreement requires calculations based on the amount of taxes collected and paid by the Company with respect to the term of this Agreement and issuance of rebate payment checks in amounts determined pursuant to this Agreement, and that the amounts of the rebate payment checks will be public information. The Company, for itself, its successors, assigns, and affiliated entities, hereby releases and agrees to hold harmless the City and its officers and employees from any and all liability, claims, demands, and expenses in any manner connected with any dissemination of information necessary for or generated in connection with the implementation of rebate provisions of this Agreement.

5. Use of Funds; Future Fees. Funds rebated pursuant to this Agreement shall be used by Company solely for obligations and/or improvements permitted under Louisville Municipal Code, section 3.24.060 (as enacted by Ordinance No. 1507, Series 2007). The rebates provided for under this Agreement are solely for construction activities for the initial construction of the Project and for the rebate period stated herein. Any subsequent construction activities shall be subject to payment without rebate of all applicable building permit fees and construction use taxes.

6. Effect of Change in Tax Rate. Any increase or decrease in the City general sales, construction use, or consumer use tax rate above or below the applicable tax rate at the date of execution of this Agreement shall not affect the rebate payments to be made pursuant to this Agreement; rather, the amount of the rebate payments will continue to be based upon the general sales, construction use, or consumer use tax rate applicable at the date of execution of this Agreement (excluding the City's three-eighths percent (3/8%) Open Space Tax, the one-eighth percent (1/8%) Historic Preservation Tax, and the fifteen one hundredths percent (.15%) Recreation Center Tax, or any future special sales or use tax). Any decrease in the City general sales, construction use, or consumer use tax rates shall cause the amount of the rebate payments made pursuant to this Agreement to be based on the applicable percentage of revenues actually received by the City from application of the tax rate affected (excluding said Open Space, Historic Preservation, Recreation Center or future special sales or use taxes).

7. Entire Agreement. This instrument shall constitute the entire agreement between the City and Company and supersedes any prior agreements between the parties and their agents or representatives, all of which are merged into and revoked by this Agreement with respect to its subject matter. Contact information is as follows:

   If to Company:
   Quicksilver Scientific, Inc.
   Attn: Jason Dyer
   1376 Miners Dr., Ste. 103
   Lafayette, CO 80026
   (303) 531.0861
   jason.dyer@quicksilverscientific.com

   If to City:
   Louisville City Hall
   Attn: Economic Development
   749 Main Street
   Louisville, CO 80027
   303.335.4531
   aarond@louisvilleco.gov

8. Termination. This Agreement shall terminate and become void and of no force or effect upon the City if, by December 31, 2019, Company has not completed the Project as described in Company's application for business assistance (as evidenced by a successful final inspection for the Project); or should fail to comply with any City code.

9. Business Termination. In the event Company ceases business operations within the City within five (5) years after the Certificate of Occupancy has been received for the Project, then in such event Company shall pay to the City the total amount of fees and use taxes which were due and payable by Company to the City but were rebated by the City, as well as reimburse the City for any funds provided to Company pursuant to this Agreement.

10. Subordination. The City's obligations pursuant to this Agreement are subordinate to the City's obligations for the repayment of any current or future bonded indebtedness and are contingent upon the existence of a surplus in sales and use tax revenues in excess of the sales and use tax revenues necessary to meet such existing or future bond indebtedness. The City shall meet its obligations under this Agreement only after the City has satisfied all other obligations with respect to the use of sales and use tax revenues for bond repayment purposes. For the purposes of this Agreement, the terms "bonded indebtedness," "bonds," and similar terms describing the possible forms of indebtedness include all forms of indebtedness that may be incurred by the City, including, but not limited to, general obligation bonds, revenue bonds, revenue anticipation notes, tax

increment notes, tax increment bonds, and all other forms of contractual indebtedness of whatsoever nature that is in any way secured or collateralized by sales and use tax revenues of the City.

11. Annual Appropriation. Nothing in this Agreement shall be deemed or construed as creating a multiple fiscal year obligation on the part of the City within the meaning of Colorado Constitution Article X, Section 20 or any other constitutional or statutory provision, and the City's obligations hereunder are expressly conditional upon annual appropriation by the City Council, in its sole discretion. Company understands and agrees that any decision of City Council to not appropriate funds for payment shall be without penalty or liability to the City and, further, shall not affect, impair, or invalidate any of the remaining terms or provisions of this Agreement.

12. Governing Law: Venue; Dispute Resolution. This Agreement shall be governed and construed in accordance with the laws of the State of Colorado. This Agreement shall be subject to, and construed in strict accordance with, the Louisville City Charter and the Louisville Municipal Code. Any action arising out of, in connection with, or relating to this Agreement shall be filed in the District Court of Boulder County of the State of Colorado and in no other court or jurisdiction. In the event of a dispute concerning any provision of this Agreement, the parties agree that prior to commencing any litigation, they shall first engage in good faith the services of a mutually acceptable, qualified, and experienced mediator, or panel of mediators for the purpose of resolving such dispute. In the event such dispute is not fully resolved by mediation or otherwise within 60 days of a request for mediation by either party, then either party, as their exclusive remedy, may commence binding arbitration regarding the dispute through Judicial Arbiter Group. Judgment on any arbitration award may be enforced in any court of competent jurisdiction.

13. Legal Challenge; Escrow. The City shall have no obligation to make any rebate payment hereunder during the pendency of any legal challenge to this Agreement. The parties covenant that neither will initiate any legal challenge to the validity or enforceability of this Agreement, and the parties will cooperate in defending the validity or enforceability of this Agreement against any challenge by any third party. Any funds appropriated for payment under this Agreement shall be escrowed in a separate City account in the event there is a legal challenge to this Agreement.

14. Assignment. This Agreement is personal to Company and Company may not assign any of the obligations, benefits or provisions of the Agreement in whole or in any part without the expressed written authorization of the City Council of the City. Any purported assignment, transfer, pledge, or encumbrance made without such prior written authorization shall be void.

15. No Joint Venture. Nothing is this Agreement is intended or shall be construed to create a joint venture between the City and Company and the City shall never be liable or responsible for any debt or obligation of Company.

This Agreement is enacted this _____ day of _____, 2019.

QUICKSILVER SCIENTIFIC, INC.
A Delaware corporation

By: _____
Chris Shade
CEO

CITY OF LOUISVILLE

_____
Robert P. Muckle
Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

SUBJECT: **RESOLUTION 9, SERIES 2019 – A RESOLUTION APPROVING THE TERRACES ON MAIN FINAL PLANNED UNIT DEVELOPMENT, WHICH INCLUDES A 22,020 SQUARE-FOOT COMMERCIAL BUILDING WITH 5,802 SQUARE-FOOT PARKING GARAGE ON TWO LOTS TOTALING 14,114 SQUARE FEET, ZONED CC; A FINAL PLAT TO VACATE THE LOT LINE BETWEEN LOTS 8 & 9, BLOCK 3, TOWN OF LOUISVILLE; AND A SPECIAL REVIEW USE FOR A PARKING GARAGE AND OUTDOOR SALES FOR RETAIL GOODS AND EATING AND DRINKING ESTABLISHMENTS (TERRACES ON MAIN, 712 & 722 MAIN STREET) – *PUBLIC HEARING – CONTINUED FROM 2/19/19***

DATE: **MARCH 19, 2019**

PRESENTED BY: **ROB ZUCCARO, PLANNING AND BUILDING SAFETY DIRECTOR**

VICINITY MAP:

SUMMARY:
The applicants request approval of a Planned Unit Development (PUD) to construct a three-story commercial building located at 712 and 722 Main Street (see Attachment 2 for application materials). The proposed building is 22,020 sq. ft. with a 5,802 sq. ft. parking garage with access from the alley and limited surface parking at the alley. The current proposal is a revision to previous plans that the Planning Commission reviewed

on February 8, 2018 and City Council reviewed on March 20, 2018 (see Attachment 3 previous proposal and Attachment 4 and 5 for Planning Commission and City Council minutes respectively).

The revisions include a reduction in the third-story element of the building from 6,669 sq. ft. to 1,102 sq. ft., a reduction in the parking garage from 11,738 sq. ft. to 5,802 sq. ft. and reduction in number of provided parking spaces from 30 to 18 spaces. The applicant proposes to provide remaining required parking (five spaces) as a fee in lieu of construction paid into the City's Downtown parking fund. The building design and materials are similar to the original proposal, with some changes to window locations. The revisions were in response to City Council review comments from the March 20, 2018 public hearing.

2018 Proposal	**Current Proposal**
26,150 sq. ft. total floor area	22,020 sq. ft. total floor area
6,669 sq. ft. third story	1,102 sq. ft. third story
11,738 sq. ft. parking garage	5,802 sq. ft. parking garage
FAR 1.87	FAR 1.58
31 parking spaces provided	18 parking spaces provided
0 parking spaces as fee in lieu	5 parking spaces as fee in lieu*

* Based on conceptual floor plan. City may adjust at time of building permit based on actual floor plans.

Current Proposal

2018 Proposal

Facing Main Street, the building has a two-story façade on the north end and one-story façade at the south end. The second story façade on the south side is setback 26 feet from the Main St. property line and 18 feet, 9 inches from the first story façade. The third story contains an elevator shaft, lobby and kitchen area to support access and use of the proposed rooftop deck above the second story on the north side of the building. The third story is setback 40 feet from Main St. property line.

The proposal also includes a subdivision plat to vacate the lots between the two properties and a Special Review Use (SRU) to allow the parking garage and outdoor sales for retail goods and eating and drinking establishments. The SRU for outdoor sales for retail goods and eating and drinking establishments covers street-level areas on the Main Street side of the proposed building and the second-story rooftop deck. The third-story rooftop deck is not part of the SRU request.

The applicants request a waiver to the rear setback requirement of 20 feet, as there are alley facing balconies and a stairwell project into the 20-foot setback. The majority of the rear of the building meets the 20-foot setback. The proposal includes no other waiver requests.

BACKGROUND:
712 and 722 Main St. are located north of Pine St. and on the east side of Main St. The properties are located in the Downtown core for the purposes of the Design Handbook for Downtown Louisville and are zoned Community Commercial (CC). The properties

contain a 5,580 square foot office building at 712 Main St. and a 1,978 square foot office at 722 Main. St. The structure at 712 Main St. was constructed in 1964 and the structure at 722 Main St. was constructed in 1959. Because these structures were built after 1955, a historic structure demolition permit review by the HPC is not required. However, the structures are each over 50 years old and eligible for landmarking. The Louisville Historical Museum completed the attached historical analysis of each property (Attachment 6).

ANALYSIS:

Zoning

The applicant has designed the building with storefront architecture on the first floor for retail or commercial uses and office uses on the second floor. However, offices could also occupy the ground floor. The property is zoned Community Commercial (CC), which allows for the proposed office and retail uses. Louisville Municipal Code (LMC) Sec. 17.12.130 lists all allowed uses by right and by special review in the Community Commercial (CC) district. All properties surrounding the subject properties are zoned CC.

All development in the CC zone district requires the establishment of a Planned Unit Development (PUD), and all PUD's in Downtown Louisville must comply with the development regulations established in the Louisville Municipal Code (Code) and the design standards outlined in the Design Handbook for Downtown Louisville ("Design Handbook"). Guidelines for allowed floor area and height in Downtown are provided by the Downtown Louisville Framework Plan ("Framework Plan"), which is adopted as a part of the City's Comprehensive Plan.

Development Cap in Westerly Portion of Downtown

Section 17.12.060 of the LMC allows a maximum of 475,000 sq. ft. of floor area for the westerly portion of Downtown. The following table reflects floor area of existing development, approved development pending construction and the proposed development. The sum total equals 371,601 sq. ft., which is within the maximum floor area allowed. If all approved and proposed projects are constructed, the remaining development allowance in the westerly portion of Downtown is 103,399 sq. ft.

	Existing Floor Area	Approved Floor Area	Proposed Floor Area	Total Floor Area
Existing Westerly Portion of Downtown	303,092			303,092
Voltage		9,250		9,250
931 Main		2,103		2,103
824 South		9,960		9,960
Louisville Mill Site		23,640		23,640

808 Main		1,536		1,536
712 and 722 Main			22,020	22,020
Total	**303,092 sf**	**46,489 sf**	**22,020 sf**	**371,601**

Bulk and Dimension Standards

The following table shows the required and proposed yard and bulk standards for the development. The applicant requests a waiver for the rear yard setback, which the report addresses in more detail below.

Zoning Data	City Standards	Proposed
Floor Area Ratio	2.0	1.56
Parking	23	18 provided, 5 fee in lieu
Building Height	45’	45’
No. of Stories	3	3
Setbacks		
- Front Yard	0’	0’
- Side Yard – North	0’	0’
- Side Yard - South	0’	0’
- Rear Yard	20’	9” (majority of building setback 20’-3” waiver request to allow encroachments for stairs and balconies).

The Design Handbook for Downtown Louisville

The Design Handbook sets the design standards and guidelines for Downtown. Some polices within the Deign Handbook are mandatory while other policies are advisory, depending on how each is stated. The Design Handbook includes general standards for all of Downtown and specific standards for the Core Area and Transition Area where Downtown merges with the surrounding residential neighborhood. The subject properties are located entirely within the Core Area.

The main categories in the Design Handbook applicable to this proposal include; Urban Design, Site Design, Building Mass Scale and Form, Architectural Elements and Details; and Miscellaneous Design Topics. The discussion below and the design guidelines identifies “General Standards and Guidelines for all Projects in Downtown Louisville” with the letter “G” and identifies “Design Standards and Guidelines for the Core Area of Downtown” with the letter “C”. The stated intent of the guidelines is “*to encourage the preservation and careful treatment of the historic resources within the district, while recognizing the need for the contemporary economic use of these structures.”*

Basic Principles of Design

The “Introduction” section of the Design Handbook articulates five basic principles of design:

1. Keep it Simple.
2. Relate to Traditional Buildings in the Area.
3. Use the Entire Building Front as Your Image.
4. Develop a Clear Presentation to the Street.
5. If the building is an older "traditional" building, respect its earlier character.

This section further states: "Regarding this concept of what is compatible with the traditional context of Louisville, consider the following as a general STANDARD for new construction:

New interpretations of traditional building types are encouraged, such that they are seen as products of their own time yet compatible with their older neighbors.

1. Historic details that were not found in Louisville are inappropriate
2. However, using traditional proportions of height, width and depth are very important to be compatible with the established mass and scale of Downtown Louisville."

Thus, the intent is to design new buildings in a manner that presents a current aesthetic while respecting the historic context. The Design Handbook defines context as relating to "those properties and structures adjacent to, and within the same block, as the proposed project." Other policies in the Design Handbook note that new building design should consider the broader context of the block and the town at large: "In all cases, consideration should be given to the broader context of the block and the town at large." (G1.1)

<u>Urban Design</u>
Under the Design Handbook, an overarching policy for all projects in Downtown Louisville requires the "visual sense of continuity be maintained in all new development" in terms of the siting of buildings, materials, mass and scale. The applicant has submitted colored renderings that depict the colors and materials of the building. The proposed building maintains the alignment of existing buildings along Main St. The proposed materials, including wood, wood composite panels, stucco, and hardi-panel match other buildings Downtown. The one and two story elements along Main St. correspond to the adjacent buildings and near-by one and two story buildings. The current application significantly reduces the massing of the third story from the original proposal and it is setback 40-feet from Main St. In addition, buildings with third stories do exist as a part of the Downtown architectural fabric, thus the third story reflects existing architectural elements from a broader scale.

Policy G1 states that, "All projects should respect the traditional context of Downtown…1) In all cases, consideration should be given to the broader context of the block and the town at large." The Main St. façades are one and two-story, matching the

one- and two- story character on Main St. and includes colors and materials found throughout buildings Downtown. While three-story buildings are not common Downtown, both the Code and the Design Handbook envision a limited number of taller and three story buildings being a part of the architectural fabric of Downtown when certain conditions are met (a more in depth discussion on the proposed height and third story follows). The applicant has redesigned the third-story to reduce the mass of the building and it is setback 40-feet from Main St. Staff finds that the limited massing and setback meet the policy of respecting the traditional context of Downtown.

Pedestrian system policies center on designing buildings for the pedestrian at a "human scale," which includes providing visual interest along the street and creating walkable environments. Policy C1 requires that the ground floor level of development encourage pedestrian activity. The Design Handbook notes that commercial storefronts, which include traditional architectural elements such as display windows and primary building entrances at the street level, facilitate the visual interest and pedestrian level activity desired. The façade along Main St. includes articulation in the roof form with the varying one- and two-story elements, changes in materials, recessed entrances, and significant window glazing, all of which lend to creating a visually interesting pedestrian experience.

Main Street Elevation Perspective

Policies related to alleys center on; a.) developing street and alley edges at a scale comfortable to pedestrians; b.) providing visual interest on all faces which will be seen from streets, alleys, and pedestrian ways; c.) stepping down buildings along the alley edge; d.) expressing "human scale" through the use of materials and forms that are familiar building elements in Downtown; and e.) varying building setbacks and changes in materials to create interest and reduce the precevied scale of buildings along alleys.

Alley Perspective Looking Southwest

At the alley, the third story is setback 44 feet, 8 inches and second story is set back 20 feet, 3 inches, except for a stairwell and balcony that encroach into the 20-foot setback. In addition to the articulation in the façade created by the balconies and stairwell, there are recessed green roof elements at the second-story level at the rear of the building that help provide visual interest from the alley. With the original application, the third story extended to the building edge at the alley side.

Policy G7 notes that public art is encouraged, particularly on larger private projects and in public places. While the plans do not show public art, the applicant has expressed interest in putting a mural on the north wall adjacent to the alley. Review of a mural requires compliance with the Downtown Sign Manual in effect at the time of application.

Site Design

Per Policy G8, buildings should be oriented parallel to the lot lines, similar to traditional building orientations. Additionally, buildings should have a clearly defined primary entrance with recessed entryways on a commercial storefront. The plans show the building designed to be parallel with the lot lines and includes recessed entries for each of the three main entry points along Main St.

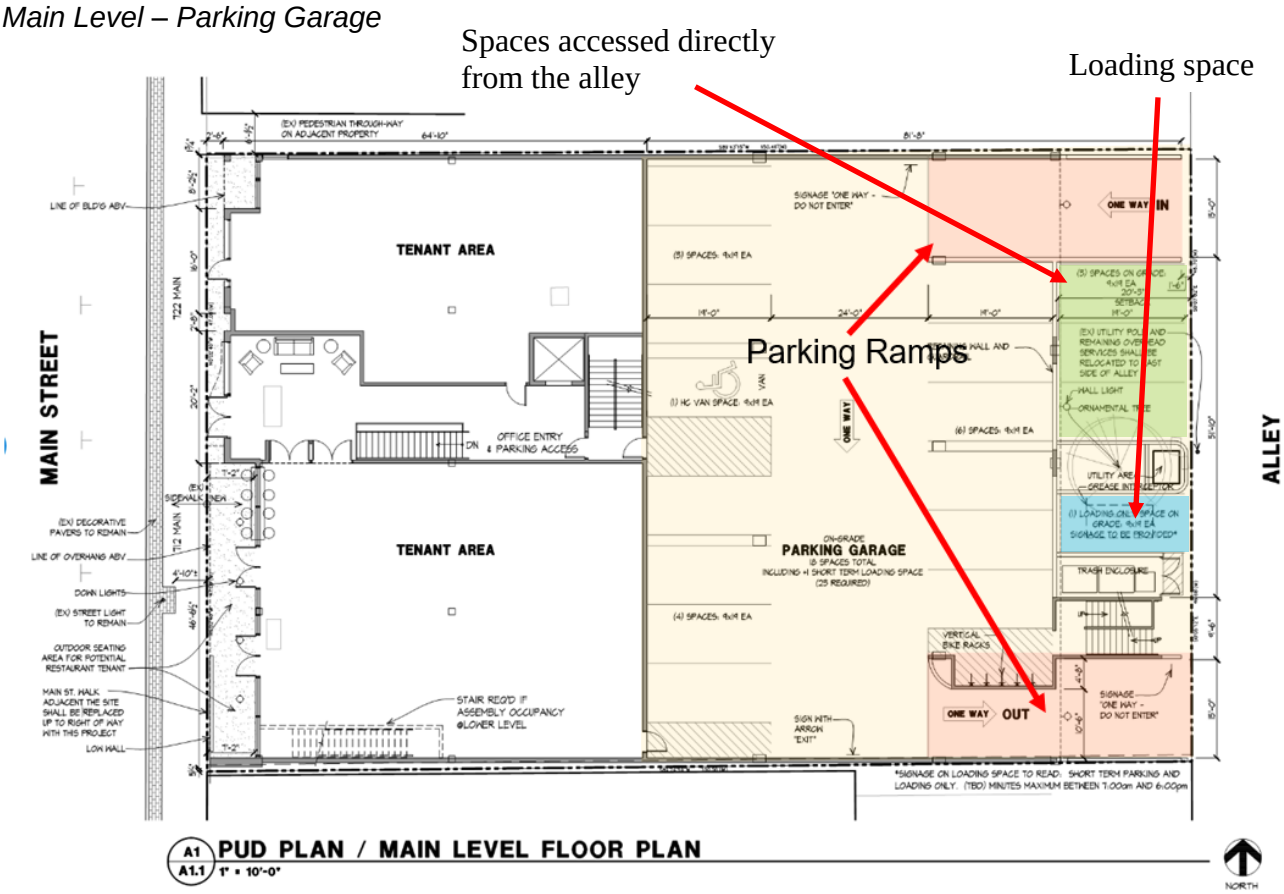
Exterior lighting policies require that lighting be simple in character and similar in color and intensity to those used traditionally. All exterior light sources should be low level and prevent glare onto adjacent properties. The lights at the entrances along Main St. are recessed can lights. The plans show full cut-off wall packs at the rear entrances along the alley. All light fixtures meet the maximum lumen output and other lighting specifications required by the Design Handbook.

Parking

A policy of the Design Handbook states that development should minimize the visual impacts of features associated with storage of automobiles, including driveways, garages, and parking areas. Additionally the Design Handbook encourages alley access to parking rather than street access. Parking should also be subordinate to other site features and parking garages designed to minimize the visual impacts of the garage.

The plans show an alley-facing parking garage with 14 vehicular parking spaces and 5 bicycle parking spaces. Access to the garage is from a one-way in ramp on the north side and one-way out ramp on the south side of the building. In the CC zoning district, a parking garage is a Special Review Use (SRU). The SRU section of this report that follows discusses compliance with the SRU criteria. There are also four surface parking spaces accessed from the alley outside of the garage.

Main Level – Parking Garage



One of the surface parking spaces outside of the garage will serve as a loading space from 5:00 a.m. to 8:00 a.m. and serve as parking for the building users at all other times. LMC Sec. 17.20.040 requires that new developments provide loading spaces but allows them to count toward the off-street parking requirement if the loading operations are restricted to times of day when the space is not required to take care of the parking

needs of the use. Staff finds that the time restriction will provide for reasonable time to conduct loading for the businesses while providing for building user parking over standard business hours.

LMC Sec. 17.20.025 states that Downtown developments shall provide off-street parking spaces at a ratio of one parking space per 500 sq. ft. of non-residential new floor area. The Code exempts the first 999 sq. ft. from this calculation in Downtown and exempts uninhabitable areas below ground level, areas within hallways, stairways, elevator shafts, and bathrooms. The plans show a below grade basement designated for storage. This basement area is not included in the parking area calculations and the PUD includes a note restricting use of the basement to storage and mechanical spaces only, unless a PUD amendment is approved allowing use of the basement, along with provision of applicable parking, which could include payment of fee in lieu for the parking requirement. Future expansion would also need to be within the development cap for downtown, which is currently limited to 475,000 sq. ft. of floor area. Based on existing area, approved development plans and the current proposal, there is 103,399 sq. ft. of allowed development left within the development cap.

The project includes an estimated total of 12,277 sq. ft. of tenant floor area subject to the parking area calculation. The code requires rounding to the nearest 500 sq. ft. in determining required parking. This equates to a requirement for 23 parking spaces (12,277-999/500 = 22.56 rounded to 23). The applicant used current conceptual floor plans to estimate the floor area, which staff may revise at time of building permit for tenant finish.

The proposal includes 18 garage and surface parking spaces and a proposal to pay for the remaining five spaces as fee in lieu that the applicant will pay into the Downtown parking fund. The 2019 fee is $18,261 per space and increases to $20,898 per space in 2020. After 2020, the fee increases annually at 3%. The City uses these funds to acquire and develop public parking for Downtown. This helps to foster better development patterns and maintain the unique character and pedestrian orientation of Downtown. The City owns 311 parking spaces in Downtown as part of the parking program (including in DELO), and has purchased and developed 209 spaces since 2015. The City also leases an additional 49 private spaces for public use after 5pm.

Service Areas

The Design Handbook requires the construction of trash enclosures with similar materials to those used on the primary structure, and location of the enclosure in the alley. The plans show a trash enclosure at the rear of the building. The trash enclosure is screened by concreted paint to match the color of the surrounding façade. As noted above, the plans also show a designated trucking loading/unloading space at the rear of the building for deliveries.

Utilities

The applicant will extend all utiltities to the property underground. At the request of Public Works, the plans show relcoation of the existing utility pole on the west side of the alley to the east side of the alley. The applicant will pay for the relocation of this pole that provides services to several surrounding properties. Per the Design Handbook, all rooftop mechanical equipment shall be screened. The plans demonstrate compliance with this requirement as all roof top mechanical equipment is screened. While rooftop mechanical equipment is determined in more detail with a tenant finish permit, the appliant is aware that all equipment must meet the requirements of this section.

Building Mass, Scale & Form

The Design Handbook includes multiple polices related to building mass, scale, and form. Additionally, the Downtown Louisville Framework plan discusses floor area ratio and the height of buildings. The Code specifically sets forth regulations pertaining to building height. To provide a comprehensive analysis, this section of the report includes policies from all three applicable documents.

The Design Handbook states new construction should appear similar in mass and scale to structures found traditionally in the area and be similar in mass and scale to the established context. In the Core Area, development at the sidewalk should maintain the average scale of a one-story building. Additionally, in the Core Area, new construction should present a tall one-story or two-story façade at the front property line and this façade height should not exceed 30-feet. The Design Handbook encourages buildings to step down to minimize the perceived scale at the street.

The applicant proposes two stories on the north side of the development, with a one-story element on the south side to respect the existing character of the adjacent buildings. The plans show the first story to be 14 feet in height and the top of the second story to be at 28.4 feet in height. As specified by Policy C4, the plans show a change in materials, colors, and architectural elements along the Main St. façade, which reflects the traditional building widths. Additionally, the proposed design divides the larger building into modules, as envisioned by Policy C5, to reflect the traditional scale of construction. The roof decks above the first and second levels coupled with the third story element which is setback 40 feet, creates a stepped-down approach with the architecture, breaking up the mass and scale, while lending to the overall architectural variations.

Main Street Elevation

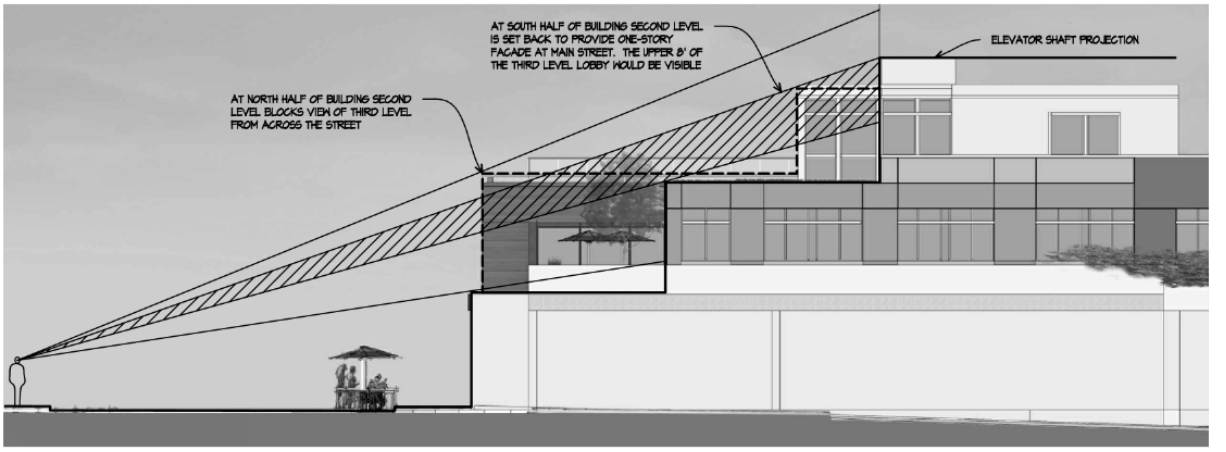
<u>Third story</u>

Under "Site Design" in the Core Area policies, Policy C6 articulates the parameters by which the City could consider a third story appropriate for Downtown redevelopment. The Design Handbook notes that, "…building owners may see the need to provide a third story. While these exceptions should not become the rule, they do suggest that in limited circumstances, a third story may be incorporated into a commercial type building." Policy C6 specifically states that, "In Downtown, a third story may be incorporated into a commercial type building when it satisfies all requirements established in the *Downtown Louisville Framework Plan*." Additionally, these policies require that the third story be a subordinate "addition" to a two-story building and that it should be setback substantially from the sidewalk edge "such that the building will appear to be two stories in height as seen from across the street." The third floor should also be setback from the alley facades and materials and details should be simpler than those of the primary façade.

Sheet A2.0 of the PUD plans include a graphic that depicts the "view angles from across Main St." The graphic demonstrates that the second story blocks the view of the third story from across the street at the north end of the building. Based on the reduction in the area of the third story with the current submittal, there is no third story element on the southern portion of the building. Based on this analysis, staff finds that the proposed design meets the policy of the building appearing to be two stories in height as seen from across the street.

The applicant has significantly reduced the size of the third story from 6,669 sq. ft. to 1,102 sq. ft. based on City Council feedback and to address concern about the impact of the massing of the third story. The third story is also limited to the north half of the building, where the massing can integrate better with the larger two-story Main Street façade on the north side and taller buildings on the block to the north.

Main Street View Angle



C2 A2 **VIEW ANGLES FROM ACROSS MAIN ST.**
SCALE: 1/16 = 1'-0"

Form

A policy of the Design Handbook states that, "One of the most prominent unifying elements of Downtown is the similarity in building forms. Commercial buildings were simple rectangular forms, deeper than they were wide. This characteristic is important and should be continued in new projects." Per the Design Handbook, rectangular forms should be dominant on Core Area facades and the façade should appear predominately flat, with any decorative elements and projecting of setback "articulations" appearing to be subordinate to the dominate form. The building form policies also state that buildings should step down in scale to the alley along the rear façade. Policy C4 requires a change in design features to suggest the traditional building widths on larger buildings. This can be accomplished through changes in façade material, window design, façade height, and decorative details. The composition should appear to be a collection of smaller buildings and additions.

The plans show the building designed to be rectangular in form, both vertically and horizontally. The façade appears predominately flat, with accent elements, but not necessarily "decorative" elements. The varied horizontal setbacks, from the transition along Main St. between the second story and the first story and then moving back from Main St. with a full second level and then a lessor third story creates a more subordinate form for the second and third stories. While the balconies and the stairwell encroach into the rear setback, Staff finds that those elements lend to more variation and architectural interest along the alley. Changes and building materials, colors, window design, and façade height collectively create the look of traditional building widths along Main St.

The Design Handbook notes that, "traditionally, roof forms appeared flat, sloped, or gabled, but all had false fronts as seen from the street. This characteristic is important to Downtown and should be preserved". Policy C9 specifies that a flat roofline should be the dominant roof form. The plans show a flat roof for all roof elements. There are no pitched or gable roof forms incorporated into this building.

Architectural Elements & Details

An overarching policy of the Design Handbook specifies that, "Regardless of stylistic treatment, a new building should appear simple in form and detail, in keeping with the tradition of Louisville. Buildings also should be visually compatible with older structures without being direct copies of historic buildings." Policy G23 states that buildings should "respect the sense of time and place…and that one should be able to perceive some of the character of the area as it evolved historically." New buildings are encouraged to draw upon the fundamental similarities among traditional buildings, without copying them.

The plans show the building with a predominately simple, rectangular form. Materials, colors, storefront glazing, recessed entries, and other architectural features all contribute to the visual compatibility with older structures. In Downtown, buildings are predominately one and two stories, but there are several existing three-story buildings, which lend to architectural variation from the broader context. However, the existing structures immediately adjacent to the subject property are each only one story. It is the applicant's intent to respect the character of these one-story structures through the design of the one and two story elements at Main St. and setting the third story back from Main St. Additionally, the applicant notes that the building is designed with colors, materials, and form that respects the traditional architectural elements found Downtown and that, "…the building is designed to be of this time and place in Louisville's history, which is constantly evolving."

Building Materials and Colors

The Design Handbook notes that a mix of building materials are found Downtown, from the early wood frame construction to steel frame and brick veneer. Maintaining a range of building materials is encouraged and new materials should have a simple finish, similar to those seen historically. Policy G29 states that, "appropriate materials for primary structures include horizontal and vertical siding, shingles, and brick". Stucco is considered inappropriate as a primary material on the street. Larger buildings are encouraged to include a combination of appropriate materials as a means to reduce the apparent size of the project.

The plans show a mix of horizontal and lattice hardwood, wood composite and metal composite materials incorporated into the façade along Main St. The wood and composite materials are warm brown colors. For the additional facades, the primary material shown is a Hardi-panel and stucco in a light gray to dark gray color palette. The plans show the stucco on the north elevation where a mural could be painted in the

future. The applicant notes, “We have proposed panel siding with panel joints that are more contemporary than traditional horizontal or vertical wood siding, however the application is consistent with traditional mid-century design, which emphasizes clean, simple forms, with articulated materials, true to their nature, typically less textural than a historic wood lap siding. The building is not meant to replicate a historic building in detailing or materiality.”

Main Street Rendering Looking Northeast

Windows

The Design Handbook notes that windows significantly affect the character of a structure. Policy G33 states the windows should be of a traditional size and relate to pedestrian scale and Policy G34 states that the ratio of windows to wall surface should be similar to that seen traditionally. Policies C10, 1-4 speak to maintaining the distinction between the street level and any upper floors through the height of each floor, transparency, detailing, materials and fenestration. The first floor of the primary façade is predominately transparent glass. The upper floors are more opaque than the lower floor. The plans show significant window glazing for the storefronts along Main St. (a solid to void ratio of 1:1.4) with windows up to 6 feet wide and 8 feet high, and the upper floors with some panes of glass that are up to 5 feet, 9 inches wide and up to 4 feet, 8 inches high and with a sold to void ratio of 1.4:1. The applicant notes that the design of the building expresses a distinction in floor heights with detailing, materials, and fenestration.

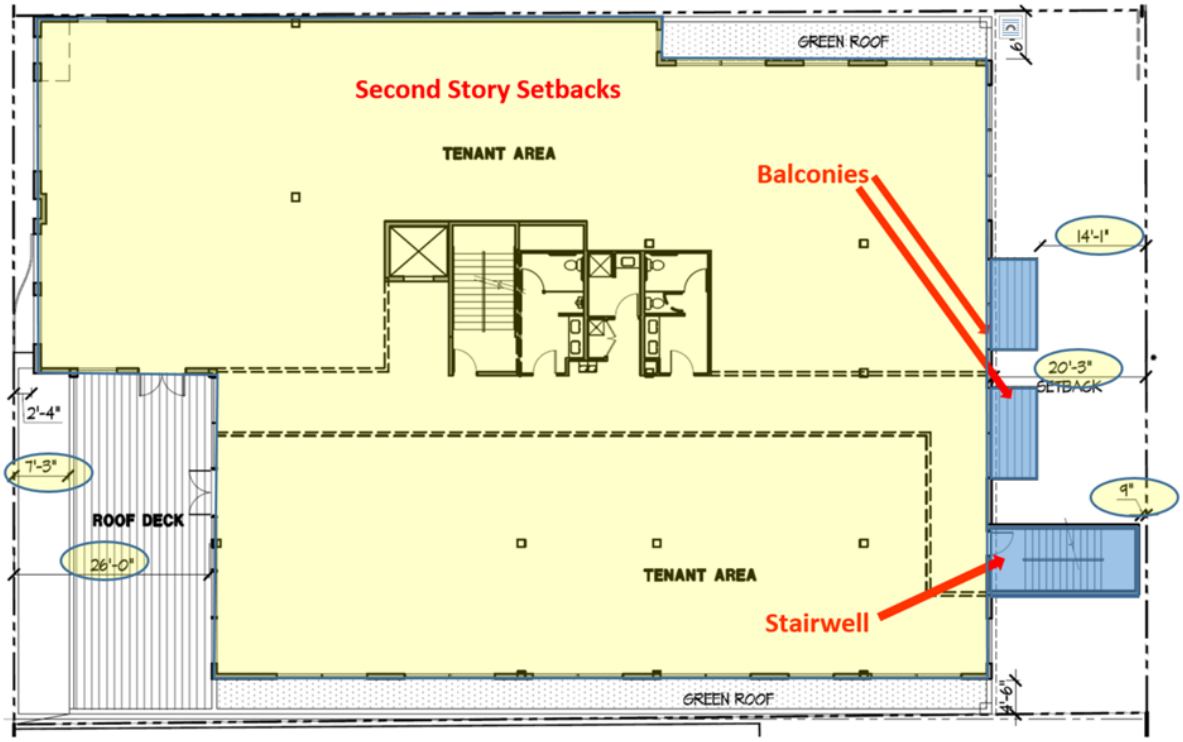
Setbacks

The Code, Design Handbook, and Framework Plan, do not require minimum front or side setbacks. The Core Area policies speak to maintaining a storefront wall at the sidewalk edge "presenting interesting activities and merchandise to the street." Per Policy C2, "This characteristic is an essential element of healthy Downtown retailing." The building is designed for commercial storefronts on the ground floor and offices on the second floor consistent with this policy. However, staff notes that the zoning would also allow offices and any other CC district uses on the ground floor. The proposed development includes storefront architecture for the first floor of the building. Policy C2 also speaks to preserving the glass at the sidewalk line to define the pedestrian zone. The plans show the majority of the Main St. façade as glass.

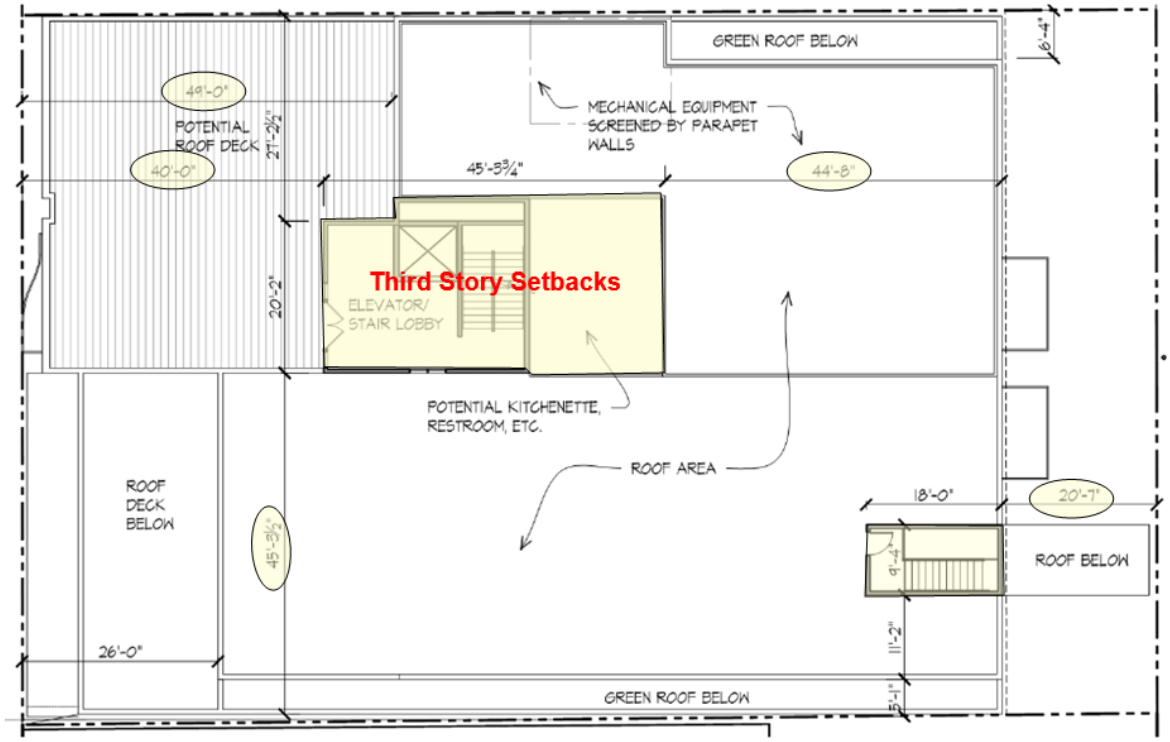
The Code requires a 20-foot setback from the rear property line. One of the reasons for the 20-foot rear setback requirement is to allow for adequate room for on-site parking. The plans show the building designed to allow for three 9-foot x 19-foot parking spaces and one loading space at the rear of the building. The majority of the rear wall of the building is setback 20 feet, 3 inches from the rear property line. However, the applicant requests a waiver to allow an enclosed stairwell to encroach 19 feet, 3 inches into the 20-feet rear setback at the first and second level, and the second level balconies to encroach into the rear setback by 5 feet, 11 inches. The lowest level of the second level balconies is ten feet above grade.

Waivers may be granted as part of a PUD when the City finds "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….." The applicant states in their narrative that that the projecting balconies and stairwell will break up the rear façade, provide more visual interest along the alley, and thus, lend to a better design. Staff concurs that these elements will lend to more visual interest along the alley edge. The following three graphics illustrate the setbacks for the second and third stories.

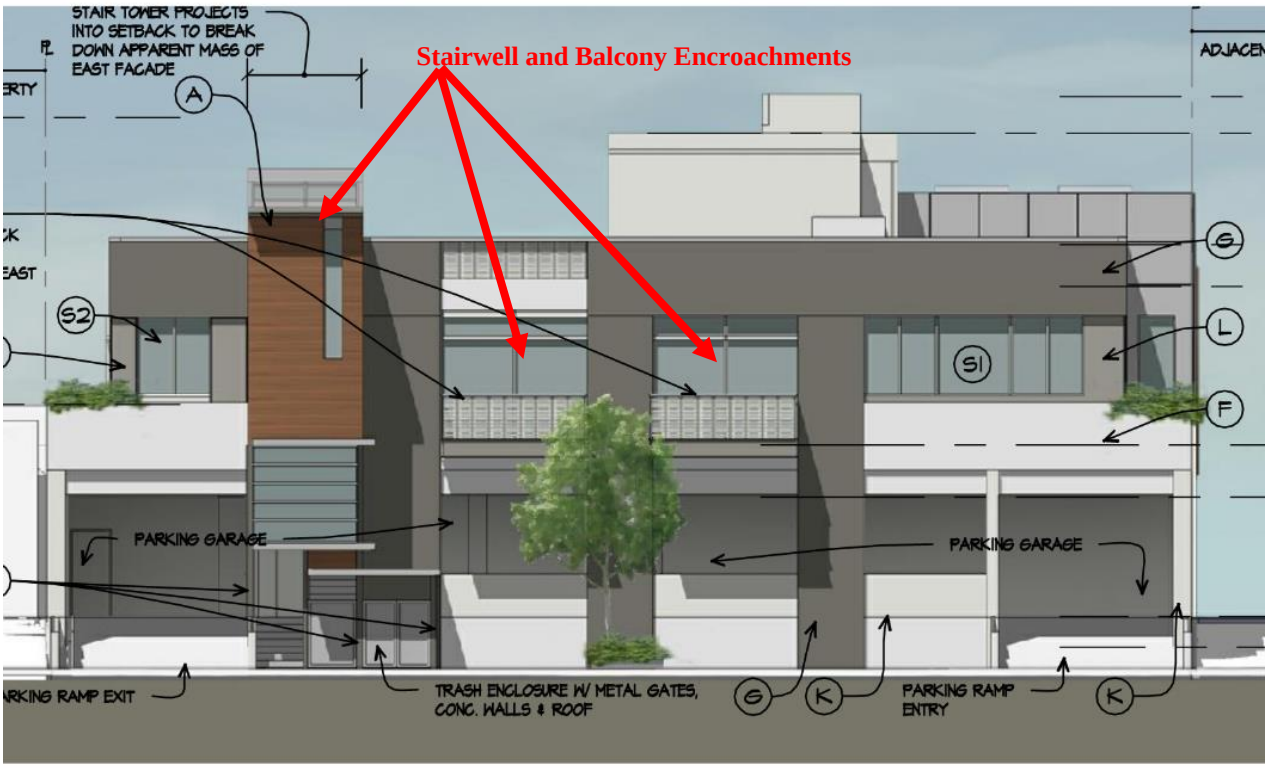
Second Level



Third Level



Rear Encroachments



Building Height

Neither the Design Handbook nor the Framework Plan set forth a specific limitation on height, except for those provisions discussed above related to first, second, and third stories. The Louisville Municipal Code limits the maximum building height for a principal use in the CC Zoning District at 45 feet, with no more than three stories, and inclusive of any parapet or rooftop mechanical screen or any other architectural element. However, City Council may require a lower maximum building height within the Commercial Core Area "based on application of criteria set forth in Titles 16 and 17 and the Design Handbook, and in order to ensure varied building heights and the appearance of two-story building mass from the street pedestrian scale."

Currently, the only structures in the Commercial Core that are three stories are located at 908 Main St.(north of Walnut St. on east side of Main St.), 801 Main St. (the State Mercantile Building), and 901 Front St (Koko Plaza). 801 Main St. was built in 1905 and is roughly 32 feet tall. 908 Main St. was originally built in 1952. There have been several additions to the building at 908 Main St. since its original construction, including the third story which was added around 1994. 908 Main St. is 38 feet tall at Main St. and 45 feet tall at the alley (the property slopes down from Main St. to the alley). The

Design Handbook was adopted after the construction of that third story (1998). 901 Front was built in 2002. The building is three stories and is 37 feet in height at the top of the roof. Thus, the majority of the structures in the Commercial Core are one and two stories.

As noted above, during the development of the Framework Plan, participants evaluated different scenarios for the redevelopment of Downtown. One scenario included limiting the maximum height for all buildings Downtown to two stories, with no three story buildings permitted. Participants concluded that this scenario was considered undesirable because "it would result in uniform building heights where variation in height has been the norm both historically and in the present context." As demonstrated by the grahic on Sheet A.2.0 of the PUD, the second story element blocks the view of the third story at the north end of the building.

Title 16 (Subdivision Regulations) and Title 17 (Zoning Regulations) each set forth criteria for approving subdivision and PUD applications respectively. As noted above, the City Council may consider these criteria in determining the maximum height for develompent in the Core Area. Several policies under Title 16 and 17 are applicable in evaluating if a lower maximum building height should be required in the Commercial Core, and are discussed below.

<u>Title 16 – Subdivision Criteria in Consideration of Height Request</u>
Section 16.12.075 of the Code sets forth the criteria for review of final subdivsion plats. Staff has identified the following criteria to be applicable in considering the appropriateness of the height of a buiding in the Commercial Core.

1. Whether approval of the plat will be consistent with the City's Comprehensive Plan, applicable zoning requirements, and other applicable federal, state and city laws;
2. Whether the proposed subdivision will promote the purposes set forth in section 16.04.020 of this Code and comply with the standards set forth in chapter 16.16 of this Code and this title.

The Comprehensive Plan identifies the property as being in the Downtown and Highway 42 Revitalization District area, which is one of three mixed-use "Center" development areas identified in the Plan. The Comprehensive Plan states that, "Future efforts in this center will continue to encourage a healthy and vibrant Downtown consisting of a mix of supporting businesses and residences." The Plan identifies retail being the "required" primary use on the ground floor with office being allowed only above the ground floor along "primary retail streets". The building is designed consistent with this policy, by providing ground floor storefront architecture to accommodate and promote ground floor retail. However, staff notes that current zoning allows any use within the CC district on the ground floor, including office uses.

The Comprehensive Plan specifies that a Floor Area Ratio (FAR) of 1.0 to 2.0 with an overall average of 1.5 is appropriate for this area. The plans show a 1.58 FAR. The Comprehensive Plan also specifies the following applicable provisions and policies:

1. Building heights of 2-3 stories;
2. Buildings front the street and the ground floor is activated on primary retail streets;
3. Human-scaled buildings;
4. The growth of the Center will preserve the character and scale of the neighborhoods within the Old Town Overlay District;
5. Promote the health of Downtown through a traditional development pattern and pedestrian scaled redevelopment including expansion of business and housing opportunities.

Staff finds that the project meets the adopted elements of the Comprehensive Plan because; a.) the project meets the FAR established in the Downtown Louisville Framework Plan; b.) the building fronts the street and the ground floor is activated with storefront architecture; c.) the building is designed with one and two-story primary facades creating a human scale; and d.) the recessed entrances, window glazing, and architectural details facilitate pedestrian-friendly design on the ground floor.

Section 16.04.020 of the Code sets forth the purpose of the subdivision regulations. Staff finds the following to be applicable in considering the appropriateness of the height of a building in the Commercial Core:

1. To promote orderly growth and to provide for the harmonious development of the city in accordance with its comprehensive plan;
2. To protect the character and the social and economic stability of all parts of the city;
3. To conserve and enhance the value of land throughout the city and the value of buildings and improvements upon the land;
4. To preserve and enhance to the extent reasonably possible the natural beauty and topography of the city and areas of historical or archeological importance and to ensure appropriate development with regard to such natural, historical and archaeological sites and features;

As noted above, Staff finds that the project meets the applicable policies of the Comprehensive Plan. Providing additional office and storefront architecture along Main St. protects and enhances the economic stability of Downtown and subsequently all parts of the City.

Numerous policies in the applicable regulatory documents promote the importance of protecting the character of the Downtown area. Staff finds that the plans show a building that substantially meets the intent of these policies. The applicant proposes one and two-story elements along Main St. to reflect the character of the adjacent and nearby buildings. The applicant has significantly reduced the third story from the previous

proposal. The Main St. elevations include materials used traditionally, but also introduces new materials to distinguish the design from historic buildings. The third story utilizes materials that are more subdued and intended to be subordinate to the Main St. elevations. The building includes horizontal and vertical articulation, which lends to an improved aesthetic at the alley.

With regard to preserving and enhancing historical sites, the Huckleberry building at 700 Main Street is on the National Historic Register and but it is not locally landmarked. The applicant intentionally designed the proposed building to respect the historic character of that building by designing a one-story element adjacent to the Huckleberry. Also, the applicant notes the existing pattern of one and two story buildings along the block and proposes a design reflective of that pattern.

Title 17 – PUD Criteria in Consideration of Height Request

Section 17.28.120 of the Code sets forth the criteria for review of a development plan (i.e. PUD): Staff finds the following to be applicable in considering the appropriateness of the height of a building in the Commercial Core:

1. An appropriate relationship to the surrounding area;
2. Building types in terms of appropriateness to density, site relationship and bulk;
3. Building design in terms of orientation, spacing, materials, color, texture, storage, signs and lighting;
4. Compliance with all applicable development design standards and guidelines and all applicable regulations pertaining to matters of state interest, as specified in chapter 17.32;
5. Development shall be in accordance with the adopted elements of the comprehensive development plan of the city, and in accordance with any adopted development design standards and guidelines.
6. There shall be encouraged the siting of lot arrangement, building orientation and roof orientation in developments so as to obtain the maximum use of solar energy for heating.
7. Architectural design of buildings shall be compatible in design with the contours of the site, compatible with surrounding designs and neighborhoods, shall promote harmonious transitions and scale in character in areas of different planned uses, and shall contribute to a mix of styles within the city.

Regarding policies that speak to the relationship of the buildings to surrounding areas, the applicant designed the building to respect the existing adjacent commercial structures with the one and two story elements along Main St. The third story is setback and limited in footprint to the north half of the building so that overall, the building primarily retains the look of a one and two story structure along Main St. As noted above, building heights in Downtown vary, from one to three stories, and this variation reflects the preferred vision articualed in the Framework Plan. Thus, the third story

element of the proposed building would contribute to the overall building variation Downtown since the majority of the buildigns are one and two stories. Staff finds that the proposed building materials, colors, and orientation provide visual interest and support the pedestrian experience along this section of Main St.

In summary, Staff finds that the overall building design substantially meets all of the applicable design guidelines and the policies of the Comprehensive Plan and the third story and 45 foot height could be considered appropriate, subject to Council's final determination on the appropriate height.

Downtown Louisville Framework Plan

The Downtown Louisville Framework Plan ("Framework Plan"), which is adopted as a part of the City's Comprehensive Plan, establishes several policies related to Downtown redevelopment that are in addition to the Design Handbook. These policies were formed through a series of public workshops which included various scenarios for redevelopment that were ultimately refined, based on public consensus, to establish a vision for Downtown. The Framework Plan states, "In summary, workshop participants expressed a strong desire to maintain and enhance the historic scale and character of Downtown. The existing diversity in architectural design should be maintained and encouraged…Within this context, participants were in favor of developing Downtown as a mixed use, residential and commercial town center…Consistent with the existing scale of Downtown development, one and two-story buildings should be the norm. An incentive program could be created to allow limited three-story buildings in the core commercial area."

The specific policies of the Framework Plan permit third story buildings when defined goals are achieved. Per the Framework Plan, these goals could include providing public spaces such as plazas or significant outdoor dining areas, providing public art and meeting defined historic preservation goals. The plans show outdoor seating along Main St. on the main level and on the rooftop above the one-story element of the building. Historic preservation goals included in the Design Handbook center on policies that speak to respecting the traditional context of Downtown, simple building forms, the use of materials traditionally found Downtown, and building components which are similar in scale to those used traditionally. As noted in multiple sections of this report, elements of the building respect the traditional context of Downtown including, but not limited to, a.) one and two story elevations along Main St. and the third story set back; b.) the use of materials similar to those used traditionally; and c.) the facilitation of an interesting pedestrian experience along Main St. through the use of glass, recessed entryways, and changes in the colors and materials.

The Framework Plan limits the floor area ratio to 2.0 in the core area and limits a third story to no more than 50 percent of the building footprint. The proposed FAR is 1.58, which is less than the maximum of 2.0. The third-story area of 1,102 sq. ft. equals 9.6% of the 11,440 square foot building footprint, which is less than fifty percent of the

building footprint. In addition, buildings should be one and two stories on the street and on the alley edges. As noted in other sections of this report, the structure maintains one and two stories along Main St. and two stories along the alley. The third-story setback 40 feet from Main St. and setback 67 feet from the alley, with the exception of the enclosed stairwell.

While the Main St. façade is comprised of earthtone colored natural and composite wood siding, along with significant window glazing and metal as an accent material, the third story of this building is hardi-panel and stucco using gray tones. Thus, the third story is intended to be more subdued than the first and second stories along Main St.

Comprehensive Plan

The Comprehensive Plan identifies the project as being in the Downtown and Highway 42 Revitalization District area, which is one of three mixed-use "Center" development areas identified in the Plan. The Comprehensive Plan states that, "Future efforts in this center will continue to encourage a healthy and vibrant Downtown consisting of a mix of supporting businesses and residences." The Comprehensive Plan (Plan) envisions "a healthy and vibrant Downtown" (Policy LU-4.2) with a "mix of uses that bring new revenue generation to the Downtown area" (Policy ED-5.3).

The Comprehensive Plan also includes the following applicable policy for Downtown Louisville:

> *Downtown and Highway 42 Revitalization District Framework Policy No. 9: Promote the health of Downtown through a traditional development pattern and pedestrian scaled redevelopment including expansion of business and housing opportunities.*

As previous discussed, the Comprehensive Plan specifies that a Floor Area Ratio (FAR) of 1.0 to 2.0 with an overall average of 1.5 is appropriate for this area. The plans show a 1.58 FAR. The Comprehensive Plan also specifies the following additional applicable provisions and policies:

1. Building heights of 2-3 stories;
2. Buildings front the street and the ground floor is activated on primary retail streets;
3. Human-scaled buildings;
4. The growth of the Center will preserve the character and scale of the neighborhoods within the Old Town Overlay District;
5. Promote the health of Downtown through a traditional development pattern and pedestrian scaled redevelopment including expansion of business and housing opportunities.

Staff finds that the project meets the adopted elements of the Comprehensive Plan because; a.) the project meets the FAR established in the Downtown Louisville

Framework Plan; b.) the building fronts the street and the ground floor is activated with storefront architecture; c.) the building is designed at a human scale; d.) the recessed entrances, window glazing, and architectural details facilitate pedestrian design on the ground floor; and e.) the increase in commercial uses and retention of an 80-employee business contributes to the overall vitality and economic prosperity of Downtown and the City as a whole.

Compliance with PUD Criteria

Section 17.28.120 of the Louisville Municipal Code lists 28 criteria for Planned Unit Developments (PUDs). For all applicable criteria, an applicant must demonstrate compliance. A table summarizing compliance with each criteria is included as an appendix to this report. Staff supports the proposed waiver request and finds that the proposal meets all applicable criteria. Other than the noted waivers, Staff finds that the proposal substantially meets the requirements of Downtown Louisville Design Handbook, the Louisville Municipal Code, the Downtown Louisville Framework Plan and the Comprehensive Plan.

Special Review Use

The applicant proposes a parking garage and outdoor sales for retail goods and eating and drinking establishments designated for areas along Main St. and on the deck above the one-story element of the building (adjacent to the Huckleberry). In the CC Zoning District, parking garages and outdoor sales require approval of a Special Review Use.

Chapter 17.40 of the Code provides procedures and review criteria for SRU requests. Following review and recommendation by the Planning Commission, the City Council is to review the SRU request at a public hearing and may approve, approve with conditions or deny the application based on the review criteria in Sec. 17. 40.100. The following contains staff's analysis of the SRU request and recommended findings on each review criteria.

1. *That the proposed use/development is consistent in all respects with the spirit and intent of the comprehensive plan and of this chapter, and that it would not be contrary to the general welfare and economic prosperity of the city or the immediate neighborhood;*

The Comprehensive Plan (Plan) envisions "a healthy and vibrant Downtown" (Policy LU-4.2) with a "mix of uses that bring new revenue generation to the Downtown area" (Policy ED-5.3). The Comprehensive Plan classifies Downtown Louisville as Center type development and describes Center development by the following:

> *Centers are defined by their mixture of uses (retail, commercial, and residential), street interconnectivity, and integrated public spaces. A center's physical design is that of a destination, or gathering point for city-wide activities. Centers are connected to and oriented toward their*

adjacent land uses. Centers typically have the greatest retailing opportunities. Centers feature integrated public spaces with a recognized public space, or focal point. Centers also have the highest potential for a vertical mix of uses.

The Comprehensive Plan also includes the following applicable policy for Downtown Louisville:

Downtown and Highway 42 Revitalization District Framework Policy No. 9: Promote the health of Downtown through a traditional development pattern and pedestrian scaled redevelopment including expansion of business and housing opportunities.

Staff finds that the proposal is consistent with the Center type development as it provides redevelopment of a property that provides an increase in commercial uses and creates destination and gathering places. Staff also finds the development proposal promotes the health of Downtown by adding pedestrian scale development and expansion of businesses consistent with Downtown and Highway 42 Revitalization District Framework Policy No. 9.

The proposed outdoor seating along Main Street will help create a vibrant Downtown area by bringing outdoor diners and additional activity to Downtown. The proposed use would not be contrary to the general welfare and economic prosperity of the city or the immediate neighborhood.

2. *That such use/development will lend economic stability, compatible with the character of any surrounding established areas;*

The building design is for ground floor commercial uses along Main St., thus promoting new commercial business that contribute to the vitality of Downtown and the office use will add to worker spending Downtown. Staff finds the outdoor seating area to be compatible with the surrounding established commercial areas along Main Street, including the Main Street patios, and the other outdoor seating areas on Main Street at Huckleberry, Waterloo, the Marketplace, and the Empire. The plans show the parking garage located on the alley side of the building and therefore not visible from Main St.

3. *That the use/development is adequate for the internal efficiency of the proposal, considering the functions of residents, recreation, public access, safety and such factors including storm drainage facilities, sewage and water facilities, grades, dust control and such other factors directly related to public health and convenience;*

The property line adjacent to Main St. for the subject property is setback approximately ten feet from the edge of curb. Redevelopment of the property will not impact this public

right of way. The project includes increased sidewalk area in front of the commercial areas along Main St., which will contribute to the overall pedestrian experience and also ensure adequate width between the outdoor dining areas and the public sidewalk. Water and sewer are available to serve the property. The applicant provided a drainage plan that Public Works has reviewed and approved.

4. *That external effects of the proposal are controlled, considering compatibility of land use; movement or congestion of traffic; services, including arrangement of signs and lighting devices as to prevent the occurrence of nuisances; landscaping and other similar features to prevent the littering or accumulation of trash, together with other factors deemed to affect public health, welfare, safety and convenience;*

The property is not immediately adjacent to any residential properties. In accordance with recent SRU approvals for outdoor eating and drinking establishments the applicant agrees to close the outdoor seating at 12 am and agrees to no amplified music. The PUD/SRU plans include notes that reflect these restrictions. The applicant has provided a lighting and photometric plan with full cut-off light fixtures and demonstrating that there will be no external light spill across the property boundaries. Thus, staff finds that the proposal reasonably controls the external effects of the proposed outdoor patio area through the site design and restriction on outdoor amplified music. The parking garage enables all parking needs generated from the intended uses to be met on site.

5. *That an adequate amount and proper location of pedestrian walks, malls and landscaped spaces to prevent pedestrian use of vehicular ways and parking spaces and to separate pedestrian walks, malls and public transportation loading places from general vehicular circulation facilities.*

The outdoor sales uses are immediately adjacent to Main St. thus providing adequate pedestrian access.

Subdivision Plat

LMC Sec. 16.12.075 provides the following standards for review of a final plat:

1. Whether the plat conforms to all of the requirements of this title;
2. Whether approval of the plat will be consistent with the city's comprehensive plan, applicable zoning requirements, and other applicable federal, state and city laws;
3. Whether the proposed subdivision will promote the purposes set forth in section 16.04.020 of this Code and comply with the standards set forth in chapter 16.16 of this Code and this title.

Because the project encompasses two lots, the City requires a subdivision plat to vacate the lot line between the two lots. The Code does not require a minimum lot size or lot width for Downtown. The Town of Louisville Subdivision was recorded October

24, 1878 (Attachment 7). Like all of the other lots in this subdivision, the two lots included in this subdivision were originally platted at 150 feet by 50 feet. However, a recent survey shows both lots being only 47 feet wide. With the lot line vacation, the plat creates one lot measuring 94 feet wide by 150 feet in length and totaling 14,114 sq. ft. (0.324 acre).

The existing water line in Main St. and the existing sewer line in the alley serves the property. The applicant will bury the existing overhead utility lines that serve the property and will move the existing overhead utility power pole on the subject property to the east side of the alley.

The plat demonstrates compliance with all subdivision criteria, because a.) the plat conforms with all requirements of Title 16; b.) the plat facilitates a development that meets the applicable policies of the comprehensive plan; c.) the plat meets all requirements of the CC zoning district. The new legal description will be Lot 8A, Louisville Replat A.

HISTORIC PRESERVATION COMMISSION COMMENTS:
The Historic Preservation Commission (HPC) traditionally reviews and makes recommendations on all new development in Downtown. The HPC review plans for conformance with the Design Handbook for Downtown Louisville ("Design Handbook") policies relate to new development respecting the traditional and historic context of Downtown. The HPC reviewed the revised plans at their December 17, 2018 meeting and voted to recommend approval with no conditions (see Attachment 8 for minutes).

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission reviewed the current proposal on January 10, 2019 and voted 6-0 to recommend approval without conditions (see Attachment 9 for minutes).

PUBLIC COMMENT:
Staff has not received any public comments since submittal of the redesigned building. Attachment 10 includes public comments received for the previous submittal.

STAFF RECOMMENDATION:
Staff recommends approval of Resolution No. 9, Series 2019, a resolution approving the Terraces on Main Planned Unit Development, which includes 22,020 square-foot commercial building, with 5,802 square-foot parking garage on two lots totaling 14,113 square feet, zoned CC; a final plat to vacate the lot line between Lots 8 and 9, Block 3, Town of Louisville; and a Special Review Use for a parking garage and outdoor sales for retail goods and eating and drinking establishments.

ATTACHMENTS:
1. Resolution No. 9, Series 2019
2. Current Application Materials

3. 2018 Proposal
4. February 8, 2018 Planning Commission Minutes
5. March 20, 2018 City Council Minutes
6. Historical Analysis
7. Town of Louisville Subdivision Plat
8. December 17, 2018 Historic Preservation Commission Minutes
9. January 10, 2019 Planning Commission Minutes
10. Public Comments
11. Staff Presentation

APPENDIX - PUD Criteria Analysis – Terraces on Main

Criteria 17.28.120 (A)	Finding	Narrative
1. An appropriate relationship to the surrounding area.	Compliant	The one and two story elements adjacent to Main St. with a minimal third story element setback from Maine St, along with the overall building articulation, materials, colors, transparency, roof form, and pedestrian scale design demonstrates compliance with the applicable design guidelines which require an appropriate relationship to the surrounding area.
2. Circulation in terms of the internal street circulation system, designed for the type of traffic generated, safety, separation from living areas, convenience, access, and noise and exhaust control. Proper circulation in parking areas in terms of safety, convenience, separation and screening.	Compliant	The project accommodates some parking on site and will pay into the Downtown Parking fund for the remaining required spaces. Should any areas not included in the parking area calculations be converted to uses that require parking, the parking analysis will determine if parking fees in-lieu are required.
3. Consideration and provision for low and moderate-income housing	Not applicable	Current City policies do not require housing associated with new commercial and office use development, so this criteria is not applicable.
4. Functional open space in terms of optimum preservation of natural features, including trees and drainage areas, recreation, views, density relief and convenience of function	Not applicable	Downtown projects do not require open space.
5. Variety in terms of housing types, densities, facilities and open space	Not applicable	Housing is not proposed nor required.
6. Privacy in terms of the needs of individuals, families and neighbors	Compliant	There are no adjacent residences and the project is located in the Commercial Core of downtown where more intense development is anticipated.
7. Pedestrian and bicycle traffic in terms of safety, separation, convenience, access points of destination and attractiveness	Compliant	The project maintains the existing public sidewalk and includes additional sidewalk area in front of the commercial area along Main St.

Criteria 17.28.120 (A)	Finding	Narrative
8. Building types in terms of appropriateness to density, site relationship and bulk	Compliant	The building form reflects the desired elements for Downtown. The proposed FAR of 1.58 is below the 2.0 maximum and the third story significantly less than 50% of the building footprint at 9.6%. The one and two story elements along Main St. and terraced second story setbacks reflect the traditional building styles and respect the context of the adjacent buildings and Downtown as a whole.
9. Building design in terms of orientation, spacing, materials, color, texture, storage, signs and lighting	Compliant w/ waiver	The building meets the design requirements related to orientation, spacing, materials, color, texture, and lighting. The applicant requests a waiver from the rear setback to allow balconies and the stairwell to extend into this area. The waiver is supported because those elements will lend to the architectural interest along the alley.
10. Landscaping of total site in terms of purpose, such as screening, ornamental types used, and materials used, if any; and maintenance, suitability and effect on the neighborhood	Compliant	Downtown design guidelines do not require landscaping. Roof top
11. Compliance with all applicable development design standards and guidelines and all applicable regulations pertaining to matters of state interest, as specified in chapter 17.32	Compliant w/waiver	The PUD complies will all applicable development design standards and guidelines except for the rear setback. The waiver to permit the balconies and stairwell in the rear setback is supported due to the architectural interests along the alley those elements create.
12. None of the standards for annexation specified in chapter 16.32 have been violated	Not applicable	The property is within current City boundaries.
13. Services including utilities, fire and police protection, and other such services are available or can be made available to adequately serve the development specified in the final development plan	Compliant	The Public Works Department and Louisville Fire District reviewed the PUD and the proposal meets their requirements.

Criteria 17.28.120 (B)	Finding	Narrative
1. Development shall be in accordance with the adopted elements of the comprehensive development plan of the city, and in accordance with any adopted development design standards and guidelines.	Compliant	The project meets the adopted elements of the Comprehensive Plan because; a.) the project meets the FAR established in the Downtown Louisville Framework Plan; b.) the building fronts the street and the ground floor is activated with storefront architecture; c.) the building is designed at a human scale; d.) the recessed entrances, window glazing, and architectural details facilitate pedestrian design on the ground floor; and e.) the increase in commercial uses and retention of an 80-employee business contributes to the overall vitality and economic prosperity of Downtown and the City as a whole.
2. No structures in a planned unit development shall encroach upon the floodplain. Existing bodies of water and existing stream courses shall not be channelized or altered in a planned unit development plan.	Compliant	The property is not located in a floodplain, nor are there any existing bodies of water in the area.
3. No occupied structure shall be located on ground showing severe subsidence potential without adequate design and study approved specifically by the city.	Compliant	There is no known subsidence on the property.
4. The proposal should utilize and preserve existing vegetation, land forms, waterways, and historical or archeological sites in the best manner possible. Steep slopes and important natural drainage systems shall not be disrupted. How the proposal meets this provision, including an inventory of how existing vegetation is included in the proposal, shall be set forth on the landscape plan submitted to the city.	Not applicable	The project is located in the Commercial Core of Downtown. There is no existing vegetation, waterways, nor steep slopes on the property. The project respects the historical architecture Downtown, but introduces a new building reflective of the current time.
5. Visual relief and variety of visual sitings shall be located within a development in the overall site plan. Such relief shall be accomplished by building placements, shortened or interrupted street vistas, visual	Not applicable	This criteria is intended for residential PUDs and not for development in the Downtown core.

access to open space and other methods of design.		

Criteria 17.28.120 (B)	Finding	Narrative
6. Open space within the project shall be located in such a manner as to facilitate pedestrian use and to create an area that is usable and accessible to residents of surrounding developments.	Compliant	Open space is not required for Downtown development. However, the project does not impact the pedestrian right of way and provides increased sidewalk area in front of the commercial businesses along Main St.
7. Street design should minimize through traffic passing residential units. Suggested standards with respect to paving widths, housing setbacks and landscaping are set forth in public works standards of the city and applicable development design standards and guidelines. The system of streets, including parking lots, shall aid the order and aesthetic quality of the development.	Compliant	No new streets are proposed or required. The parking garage provides on-site parking for the intended uses and is located along the alley.
8. There shall exist an internal pedestrian circulation system separate from the vehicular system such that allows access to adjacent parcels as well as to parks, open space or recreation facilities within the development. Pedestrian links to trail systems of the city shall be provided.	Compliant	The project retains the pedestrian access along Main St.
9. The project and development should attempt to incorporate features which reduce the demand for water usage.	Compliant	Minimal landscaping is proposed.
10. Landscape plans shall attempt to reduce heating and cooling demands of buildings through the selection and placement of landscape materials, paving, vegetation, earth forms, walls, fences, or other materials.	Compliant	The project includes areas for “green roofs”.
11. Proposed developments shall be buffered from collector and arterial streets. Such buffering may be accomplished by earthen berms, landscaping, leafing patterns, and other materials. Entrance islands defining traffic patterns along with	Not applicable	The project is not adjacent to collector and arterial streets.

landscaping shall be incorporated into entrances to developments.		

Criteria 17.28.120 (B)	Finding	Narrative
12. There shall be encouraged the siting of lot arrangement, building orientation and roof orientation in developments so as to obtain the maximum use of solar energy for heating.	Compliant	The window glazing on the west facing facades provides passive solar exposure.
13. The overall PUD shall provide a variety of housing types.	Not applicable	Housing is not required nor proposed.
14. Neighborhoods within a PUD shall provide a range of housing size.	Not applicable	No housing is proposed.
15. Architectural design of buildings shall be compatible in design with the contours of the site, compatible with surrounding designs and neighborhoods, shall promote harmonious transitions and scale in character in areas of different planned uses, and shall contribute to a mix of styles within the city.	Compliant	The PUD proposes architecture that is compatible and transitions with the scale of surrounding development through the use of materials, colors, transparency, roof form, and pedestrian scale design facing Main Street and setbacks of upper stories. While respecting historic form with the street facing facades, the architecture also provides unique stylistic elements setting it apart from adjacent historic buildings and contributing to a mix of building styles.

RESOLUTION NO. 9
SERIES 2019

A RESOLUTION APPROVING THE TERRACES ON MAIN FINAL PLANNED UNIT DEVELOPMENT, WHICH INCLUDES A 22,020 SQUARE-FOOT COMMERCIAL BUILDING WITH 5,802 SQUARE-FOOT PARKING GARAGE ON TWO LOTS TOTALING 14,114 SQUARE FEET, ZONED CC; A FINAL PLAT TO VACATE THE LOT LINE BETWEEN LOTS 8 & 9, BLOCK 3, TOWN OF LOUISVILLE; AND A SPECIAL REVIEW USE FOR A PARKING GARAGE AND OUTDOOR SALES FOR RETAIL GOODS AND EATING AND DRINKING ESTABLISHMENTS

WHEREAS, there has been submitted to the Louisville Planning Commission an application for a request for a Final PUD to allow for a 22,020 square-foot commercial building, which includes a 5,802 square-foot parking garage, on two lots totaling 14,114 square feet, zoned CC; a Final Plat to vacate the lot line between Lots 8 and 9, Block 3, Town of Louisville; and a SRU to allow for allow the parking garage and outdoor sales for retail goods and eating and drinking establishments; and

WHEREAS, the City Staff has reviewed the information submitted and found that the application complies with the Louisville zoning and subdivision regulations and other applicable sections of the Louisville Municipal Code, with waivers; and

WHEREAS, after a duly noticed public hearing on January 10, 2019, where evidence and testimony were entered into the record, including the findings in the Louisville Planning Commission Staff Report dated January 10, 2019, the Planning Commission recommended approval of the Final PUD, Final Plat and SRU to City Council; and

WHEREAS, after a duly noticed public hearing on March 20, 2018, where evidence and testimony were entered into the record, including the findings in the Louisville City Council Staff Report dated March 20, 2018, City Council has reviewed the application, including the recommendation of the Planning Commission and finds that said Final PUD, Final Plat and SRU should be approved.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Louisville, Colorado does hereby approve the Terraces on Main Final PUD to allow for a 22,020 square-foot commercial building, which includes a 5,802 square-foot parking garage, on two lots totaling 14,114 square feet, zoned CC; a Final Plat to vacate the lot line between Lots 8 and 9, Block 3, Town of Louisville; and a SRU to allow for allow the parking garage and outdoor sales for retail goods and eating and drinking establishments

PASSED AND ADOPTED this 19th day of March, 2019.

By: _____
Robert P. Muckle, Mayor

Attest: _____
Meredyth Muth, City Clerk

HARTRONFT
ASSOCIATES
A Professional Corporation

Planning
Architecture
Interior Design

950 Spruce Street, #2A
Louisville, CO 80027
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www.hapcdesign.com

Mr. Rob Zuccaro, AICP, Planning & Building Safety Director
Ms. Kristin Dean, AICP, Principal Planner
City of Louisville, Colorado
749 Main Street
Louisville, CO 80027

2 October, 2017 (Original Submittal)
27 December, 2017 (Revised)
31 October, 2018 (Revised)

Re: 712-722 Main Street Final PUD
Including Replat and SRU

Rob and Kristen,

Please find the attached Final PUD for the redevelopment of 712-722 Main Street in Downtown Louisville. This application also includes a replat to combine the two lots into a single lot, and an SRU for outdoor activity areas. As you are aware, this project was previously reviewed and approved by Planning Commission on 2/8/18 and reviewed by City Council on 3/20/18, at which time it was continued, and then withdrawn by the Applicant for resubmittal to Planning Commission and Council for review of changes.

The basic changes to the submittal are summarized as follows:

Reduced Square Footage: The third floor office space has been eliminated reducing the overall square footage of the building from 26,417sf to 22,020sf (not including the parking garage square footage). The elevator, stair and a small lobby and service area may remain to access the roof deck, so that is included in this application. The basement level has been reduced by removal of the lower level parking garage, (see below). Overall FAR is reduced from 1.87 to 1.58.

Parking Garage: Due to the significant cost of providing a two-story, partially below-grade parking garage, the revised proposal features a one-story parking garage at the main level, slightly above grade. The revised building square footage also requires less parking than the original design. The garage, plus the on-grade spaces accessed from the alley will provide a total of 18 parking spaces, one marked for short term loading. Per LMC 17.020.025, twenty three spaces are required for this development, therefore it is anticipated that the equivalent of 5 spaces will be required to be satisfied by payment of a fee in lieu of providing on-site parking.

Façade Changes: In response to some of the concerns raised during the Planning and City Council hearings, we have made some modifications to the building exterior. The two-story northern portion of the west façade has been modified to visually have similar dimensions to the two story portion of the façade to the south of that, with a separate cantilevered portion to the north. The differentiation of the second level massing is accomplished with differing materials and offsets in the façade to break up the massing of the second level and create a less asymmetrical composition. The larger windows on the second level have been divided into smaller modules, appearing more rectangular with a vertical emphasis.

Project Overview:
The redevelopment of 712-722 Main Street is intended to provide additional office and retail space downtown. The existing one-story buildings, originally constructed in 1968/1960, totaling 7,558 sf, will be replaced by a new 22,020 sf building with a main

floor parking garage that will provide 18 total spaces for the project. The intent of the design regarding parking is to provide the majority of required parking on-site, with the ability to convert the parking to commercial space if it is more desirable from the City's point of view, or the owners' perspective in the future. This could be due to future increases in the City's public parking capacity, changing demographics and attitudes towards private vehicles as primary transportation, or other factors. The building is also designed with a 5,560 sf basement which is not currently served by the on-site parking, and currently designated for storage and utility use.

If the basement is converted to be used as commercial space in the future, or if the space currently shown as parking on the main level is converted to commercial space, then the fee in lieu of on-site parking would be provided for the lost spaces, as well as the demand generated by the habitable space.

Architectural Design Concept:
Downtown buildings require particular attention to design and massing to relate to the existing architectural fabric of Downtown and to contribute to the history and vibrancy of Downtown. Louisville's Main Street is characterized by a diverse, eclectic mix of building styles and periods of Louisville's history, including our current time.

The building presents a one and two story facade at the street. Of particular importance to this project is the proximity to the historic building to the south, currently housing the Huckleberry Restaurant, formerly Louisville's bank at the turn of the last century. To respect this one-story historic structure, the southern half of the Main Street facade is designed at one-story, actually lower than the historic parapet. The second level steps up from the one story portion 26 feet back from the Main Street façade to accommodate this transition to the one story historic building.

The building facade at Main Street is envisioned as a composition of three parts: a pair of 2-story storefront facades, patterned after typical western false front buildings in scale and pattern; and a low, one-story retail storefront replacing the mid-century modern building in that location, with similar form and simple detail. The three storefronts divide the 95 feet of facade into modules that were historically used and that are prevalent today in Downtown. The rhythm of the buildings on the east side of the 700 block cycles from one story to two story, with alternating horizontal and vertical emphasis, with paired buildings such as the Singing Cook/Book Cellar, and the Huckleberry buildings. These varying elements form the context for the new building at 712/722 Main. As the buildings being replaced are mid-century, it is appropriate to take cues from the simple, straight-lined architecture of that era.

The materials for the Main Street façade are wood, metal, and storefront glazing. A natural IPE hardwood siding, or similar wood is proposed for the major elements at pedestrian level, with a combination of black anodized and wood storefront detailing. Natural finish metals such as patina copper and dark mill finish steel provide accents. The northern portion of the second level features a synthetic wood siding due to the fire ratings at the property line. Storefront windows are generous to promote commerce and provide interest at the pedestrian level.

The southern half of the facade retains a significant setback from the property line, similar to the existing condition. This allows for outdoor seating, sheltered by an overhang, extending the season beyond that of the temporary patios. This relief from the street begins with a smaller area of setback at the northern part of the facade, then a minimum of 36" additional sidewalk width is maintained to a maximum of 7.5 feet at the southern end.

The small third story elevator/stair lobby is set back 40 feet from the front of the property to minimize it's impact when viewed from Main Street. This is the design standard specified in the Downtown Design Handbook and Framework Plan. The Framework Plan states "In general, no more than 50 percent of the building footprint should be a third story". The lobby and service area on the third level represent approximately 10% of the building footprint.

The building design provides a break between the second level and the small third level lobby, which is set in on all sides, and accentuated with a change in material/color to make the third level subordinate to the rest of the building. The projecting stair tower and balconies help to create interest, along with the varied materials along the alley façade. The second level steps back from the north and south property lines to create an additional break in the massing between the first and second levels, which is a location for a vegetated 'green roof' planter to soften the architecture at the alley. We have proposed that a mural be provided along the north wall, visible from the alley, which will add further interest to the alley façade and streetscape, and help to promote this alley as 'Via Artista' as it has been named.

The color palette has been carefully studied and selections made to enhance the overall design. The wood tones with metal accents along the storefront and second level at Main Street present a natural, warm materiality to enhance the pedestrian experience, and to create a sense of scale at the street level. The colors of the second and third levels progressively lighten towards the upper levels to diminish the scale and impact of the upper stories against the sky.

Waiver Request:
Where a 20' rear setback at the alley is required, and provided for the majority of the building mass, we are requesting to project a stair tower and balconies into the setback to break down the scale and mass of the building, instead of providing a monolithic rear wall at the alley facade.

Construction Process Downtown:
Construction for the project shall require careful coordination with the City and with adjacent businesses and property owners. The contractor selected to do the work shall be required to have experience with zero-lot-line construction in tight urban areas. Hartronft Associates has extensive experience with this type of construction in Boulder, Denver, Louisville and elsewhere. The owners and architect have met with adjacent building owners and discussed the potential impacts, and required coordination with these owners before, and during construction. The Applicants are committed to minimizing the impacts of this construction on their neighbors and Downtown.

Demolition of the existing buildings and foundations will be one of the most disruptive events due to the equipment used, noise generated, and proximity to existing construction. Existing adjacent buildings will be inspected before and after such disruptive operations. Dust mitigation will be required. Staging can be primarily on-site for building demolition process. Foundation excavation and caisson drilling operations will also generate some noise and dust, but less than caused by demolition. Similar measures will be in place. The foundation excavation shall require shoring which is typical for this type of construction. A typical method would involve drilled reinforced concrete piers carrying vertical steel supports that retain the adjacent soil with shoring which is typically incorporated into the foundation system. Care will be taken to avoid impacts to any adjacent foundations.

The alley will be the primary access point for construction traffic, and during times when such activity is heavy, the contractor will employ traffic control personnel with a

plan acceptable to the City and reviewed with nearby affected properties. The Main Street sidewalk access will be maintained with pedestrian protection measures as appropriate. Any street, alley, or sidewalk closures for utility work, crane or other equipment staging, paving and sidewalk replacement, etc. shall be coordinated with the City and shall require approval by the City of Louisville. It is anticipated that the owners will obtain nearby off-site staging area for material storage, equipment staging, worker parking, etc. Workers will be instructed to refrain from utilizing downtown public parking.

Thank you for this opportunity to present this redevelopment plan. Please let us know if there is any additional information that may be required, or if you have any questions regarding this project.

Sincerely,

J. Erik Hartronft, AIA, LEED® AP

pc David Sinkey, President, Boulder Creek Neighborhoods
Rick Woodruff, CFO, Boulder Creek Neighborhoods
File – Proj#: 1451 City Corresp.

M:_MAIN_065_Proj\1451-722 Main-Louisville\Proj Admin\18-102618-Resubmit-2story\18-103118-712-722_PUD_Written_Stmt-REV2a.doc

Attachment A

City of Louisville
COLORADO • SINCE 1878

Department of Planning and Building Safety

749 Main Street • Louisville CO 80027 • 303.335.4592 • www.louisvilleco.gov

LAND USE APPLICATION

CASE NO. _____

APPLICANT INFORMATION

Firm: 712 Main Street, LLC & 722 Main Street, LLC
Contact: Rick Woodruff
Address: 712 Main Street
Louisville, CO 80027
Mailing Address: Same
Telephone: 303-544-5857
Fax:
Email: rwoodruff@livebouldercreek.com

OWNER INFORMATION

Firm: 712 Main Street, LLC & 722 Main Street, LLC
Contact: David Sinkey
Address: 712 Main Street
Louisville, CO 80027
Mailing Address: Same
Telephone: 303-544-5857
Fax:
Email: rwoodruff@livebouldercreek.com

REPRESENTATIVE INFORMATION

Firm: Hartronft Associates, p.c.
Contact: Erik Hartronft
Address: 950 Spruce St, Suite 2A
Louisville, CO 80027
Mailing Address: Same
Telephone: 303-673-9304
Fax:
Email: erik@hapcdesign.com

PROPERTY INFORMATION

Common Address: 712-722 Main Street
Legal Description: Lots 8 & 9 Blk 3
Subdivision
Area: 14,115 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: Final Plat, Final PUD & PUD

Final Plat to combine two properties and eliminate lot line between 712 & 722 Main Street.

Final PUD to redevelop the two existing buildings at 712 & 722 Main Street. On-site parking provided with access off the alley. Uses of the site proposed to be any allowed commercial uses including professional office space and retail and/or restaurant.

Special Review Use requested for proposed outdoor seating space accessory to potential restaurant use.

Current zoning: C-C Proposed zoning: No Change

SIGNATURES & DATE

Applicant: 10/9/2017
Print: Rick Woodruff, CFO
Owner: 10/9/2017
Print: David Sinkey, President
712 Main Street, LLC & 722 Main Street, LLC
Representative:
Print: Erik Hartronft

CITY STAFF USE ONLY

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

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3
TOWN OF LOUISVILLE, CO
FINAL PUD & SPECIAL REVIEW USE

NORTHEAST VIEW FROM ALLEY (VIA ARTISTA)

SOUTHEAST VIEW FROM MAIN STREET AND PINE STREET

NORTHWEST VIEW FROM MAIN STREET

PROJECT DIRECTORY

OWNER	712 MAIN STREET, LLC & 722 MAIN STREET, LLC 712 Main Street Louisville, CO 80027 (303) 544-5857 Contact: Rick Woodruff
ARCHITECT/PLANNER	Hartronft Associates, p.c. 950 Spruce Street, #2A, Louisville, CO 80027 (303) 673-9304 / Fax (303) 673-9319 Contact: J. Erik Hartronft, AIA Email: erik@hapcdesign.com
CIVIL ENGINEER	Scott Cox & Associates, Inc. 1530 55th Street, Boulder, CO 80303 (303) 444-3051 / Fax (303) 444-3387 Contact: Don Ash Email: ash@scottcox.com

SHEET INDEX

SHEET	DESCRIPTION
ARCHITECTURAL	
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CIVIL	
6 – C1.01	GRADING, DRAINAGE, & EROSION CONTROL PLAN
7 – C1.02	UTILITY PLAN

PROJECT DATA

PROJECT LOCATION:	712-722 MAIN ST.
LOT AREA:	14,114 SF
ZONING: OVERLAYS:	CC - COMMERCIAL COMMUNITY DOWNTOWN CORE AREA; CENTRAL BUSINESS DISTRICT
APPLICABLE STANDARDS:	DESIGN HANDBOOK FOR DOWNTOWN LOUISVILLE DOWNTOWN LOUISVILLE FRAMEWORK PLAN DOWNTOWN LOUISVILLE SIGN MANUAL
PROPOSED USES:	ANY APPROVED USES INCLUDING RETAIL, RESTAURANT, AND PROFESSIONAL OFFICES
LEGAL DESCRIPTION:	LOTS 8 AND 9 OF BLOCK 3 TOWN OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO
PROJECT DESCRIPTION:	FINAL PUD TO REDEVELOP THE TWO EXISTING BUILDINGS @ 712 & 722 MAIN STREET TO PROVIDE A NEW 3-STORY COMMERCIAL BUILDING OF 22,020 sf PLUS AN AT-GRADE PARKING GARAGE OF 5,802 sf FOR 14 VEHICLES PLUS ALLEY PARKING FOR 4 VEHICLES.

YARD & BULK REQUIREMENTS

	Required	Provided
Minimum Lot Area	N/A[1]	N/A
Minimum Lot Width	N/A[1]	N/A
Maximum Lot Coverage	N/A[1]	N/A
Minimum Front Yard	0 [1]	0
Minimum Side Yard	0 [1]	0
Minimum Rear Yard	20'	20'
Maximum Building Height	45' [2]	45'

FOOTNOTES PER LMC 17.12.040
1. *These requirements for the C-C district shall not be applicable in the Central Business District.*
2. *In the Commercial Core area of downtown, maximum building height for principal uses shall be 45' or as applicable in the Design Handbook for Downtown Louisville*

GENERAL NOTES

1. OVERHEAD POWER LINES ON THIS PROPERTY WILL BE BURIED UNDERGROUND.

REQUESTED WAIVERS

1. LMC 17.12.040: 20' REAR SETBACK ENCROACHMENT OF 19'-3" FOR 12' WIDE STAIR TOWER & 6'-11" FOR OVERHANGING BALCONIES. THESE ELEMENTS VISUALLY LESSEN THE IMPACT OF THE MASS OF THE BUILDING.

FLOOR AREAS

BASEMENT		
Tenant Areas	0 SF	
Storage Area N	2,129 SF	
Storage Area S	2,621 SF	
Common Area	810 SF	
Total Basement Floor Area	5,560 SF	
MAIN LEVEL		
Tenant Areas	4,446 SF	
Common Area	1,063 SF	
Garage		5,802 SF
Total Main Level Floor Area	5,509 SF	
Garage Area		5,802 SF
SECOND LEVEL		
Tenant Areas	7,831 SF	
Common Area	2,018 SF	
Total Second Level Floor Area	9,849 SF	
THIRD LEVEL		
Elevator/Lobby Area	893 SF	
Potential Kitchenette	409 SF	
Total Third Level Floor Area	1,102 SF	
Total Tenant Areas:	12,277 SF	
Total Storage Areas:	4,750 SF	
Total Common Areas:	4,990 SF	
Total Garage Areas:		5,802 SF
BUILDING FLOOR AREA:	22,020 SF	
TOTAL GARAGE AREA:		5,802 SF
TENANT FLOOR AREA	12,277 SF	For Parking (that exc. in parking calc.)
TOTAL STORAGE AREA	4,750 SF	
ABOVE GRADE BUILDING FLOOR AREA:	22,282 SF	For FAR calc.
(Not incl. basement/cellar, mech. mezz.(unf.), garage)		

REQUIREMENTS FOR DOWNTOWN CORE AREA

FAR	
Allowed	2.0
Actual	1.58
(Building Floor Area not including Basement divided by Lot Area)	
PARKING	
Required	23
Provided	*18
*Use alley parking space used for loading from 1am to 6am only. Parking thru-flow in Alley B (Based on Tenant Floor Area not including basement)	
BIKE PARKING	
Required	3
Provided	5
(Bicycle parking is required at the rate of 1 bicycle parking space per every 10 required parking spaces)	

PARKING NOTES:
1. LMC 17.020.025 DESIGNATES PARKING STANDARDS FOR DOWNTOWN LOUISVILLE
   1.1. REQUIRED: AFTER FIRST 999SF, PARKING SHALL BE PROVIDED AT A RATE OF 1 SPACE PER 500SF
2. COMMON AREAS LISTED ON THE FLOOR AREA TABULATION CHART ARE THE AREAS EXCLUDED FROM REQUIRED PARKING CALCULATIONS UNDER LOUISVILLE MUNICIPAL CODE SECTION 17.20.025, WHICH ALLOWS EXCLUSION OF VENT SHAFTS, COURTS, UNINHABITABLE AREAS BELOW GROUND LEVEL OR IN ATTICS, OR AREAS WITHIN HALLWAYS, STAIRWAYS, ELEVATOR SHAFTS AND BATHROOMS." FURTHER, STORAGE & COMMON AREAS IN THE BASEMENT ARE INTENDED SOLELY FOR STORAGE, MECHANICAL EQUIPMENT, A FIRE ROOM & THE ELEVATOR SHAFT AND SHALL NOT COUNT TOWARDS REQUIRED PARKING. ANY MODIFICATIONS TO USE OF THE BASEMENT IS SUBJECT TO CITY REVIEW & APPROVAL AS AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT AND REEVALUATION OF REQUIRED PARKING UNDER SECTION 17.20.025 OF THE LMC - PARKING STANDARDS DESIGNATED FOR DOWNTOWN LOUISVILLE OR AS HEREINAFTER AMENDED.
3. THE CITY MAY VERIFY AND ADJUST THE TOTAL REQUIRED PARKING AT THE TIME OF BUILDING PERMIT FOR TENANT FINISH BASED ON THE REQUIREMENTS OF SECTION 17.20.025 OF THE LMC - PARKING STANDARDS DESIGNATED FOR DOWNTOWN LOUISVILLE OR AS HEREINAFTER AMENDED.

VICINITY MAP

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 ___ day of _____, 20___.

Steven A. Erickson
Owner of 712 Main Street: 712 Main Street LLC

Steven A. Erickson
Owner of 722 Main Street: 722 Main Street LLC

_____ (Notary Seal)
Notary Name (print)

_____
Notary Signature

My Commission Expires _____

CLERK AND RECORDER CERTIFICATE
(COUNTY OF BOULDER, STATE OF COLORADO)

I hereby certify that this instrument was filed in my office at _____ o'clock, ____ M., this ____ day of _____, 20___, and is recorded in Plan File _____, Fee _____ paid. _____ Film No. _____ Reception.

_____
Clerk & Recorder

_____
Deputy

CITY COUNCIL CERTIFICATE

Approved this ___ day of _____, 20___ by the City Council of the City of Louisville, Colorado.
Resolution No. _____, Series _____

(City Seal)

_____
Mayor Signature

_____
City Clerk Signature

PLANNING COMMISSION CERTIFICATE

Approved this ___ day of _____, 20___ by the Planning Commission of the City of Louisville, Colorado.
Resolution No. _____, Series _____

HARTRONFT ASSOCIATES
A Professional Corporation
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Interior Design
950 Spruce Street, #2A
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TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUISVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SRU REVISED

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CHECKED BY: JEH
REVISIONS:
FPC-01 - 12/6/17
FPC-02 - 05/20/18
FSC - 06/20/18
FPC-03 - 07/09/18
FSC-02 - 08/20/18

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COVER
SIGNATURE BLOCK
PROJECT DATA
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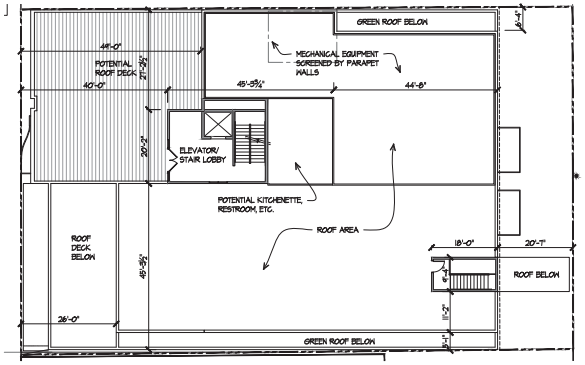
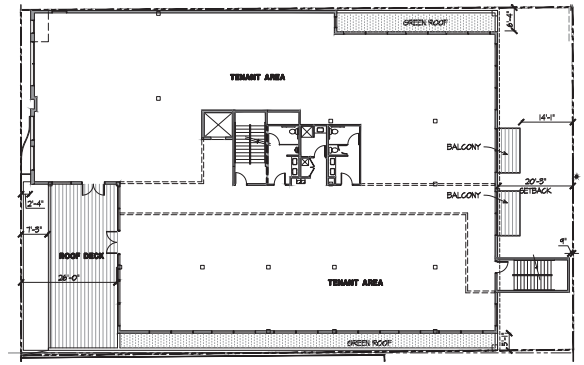
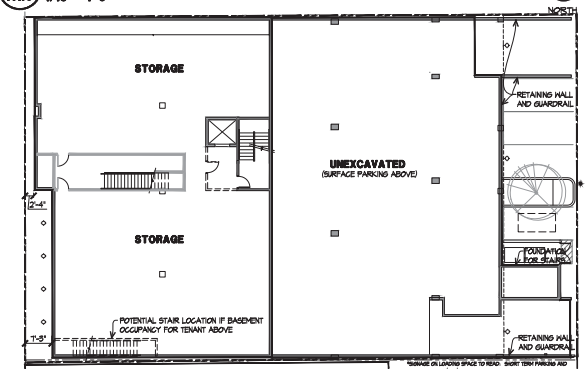
1 of 7 Sheets



C4 / A1.0 **THIRD LEVEL FLOOR PLAN**
1/16" = 1'-0"

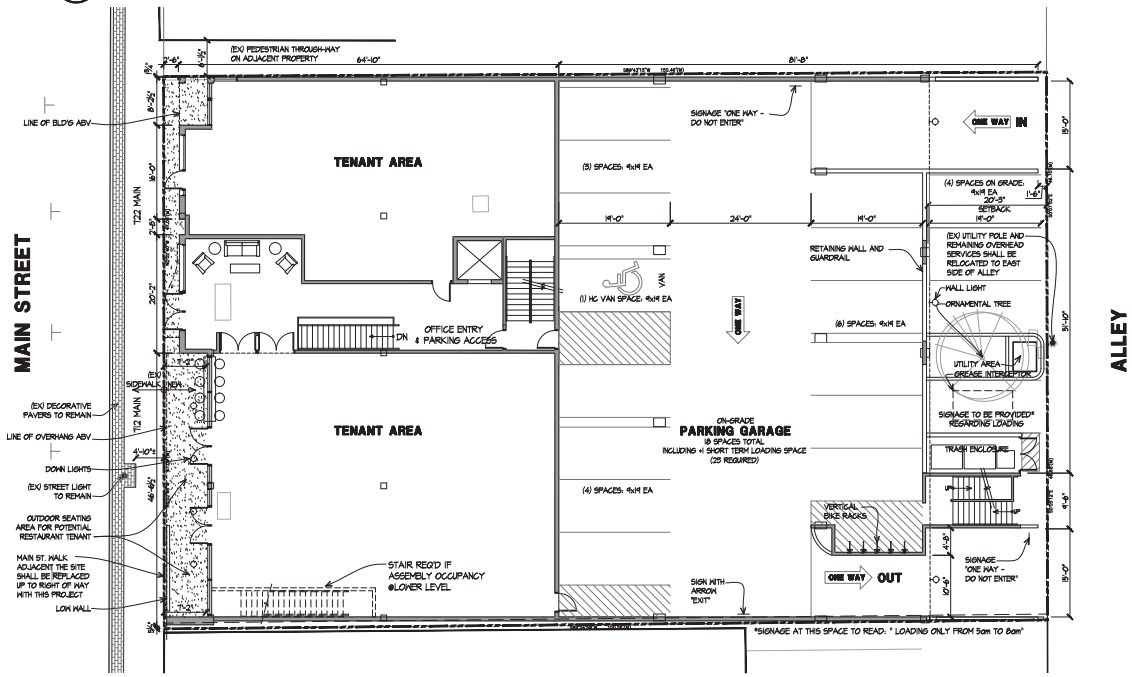


B4 / A1.0 **SECOND LEVEL FLOOR PLAN**
1/16" = 1'-0"



A4 / A1.0 **BASEMENT LEVEL FLOOR PLAN**
1/16" = 1'-0"

C1 / A1.0 **MAIN STREET WEST ELEVATION PERSPECTIVE (VIEWED FROM WEST SIDE OF STREET)**
NOT TO SCALE



A1 / A1.0 **PUD PLAN / MAIN LEVEL FLOOR PLAN**
1" = 10'-0"

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FRC-04 - 04/20/18
FRC-05 - 05/20/18

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PUD PLAN
FLOOR PLANS
PERSPECTIVE

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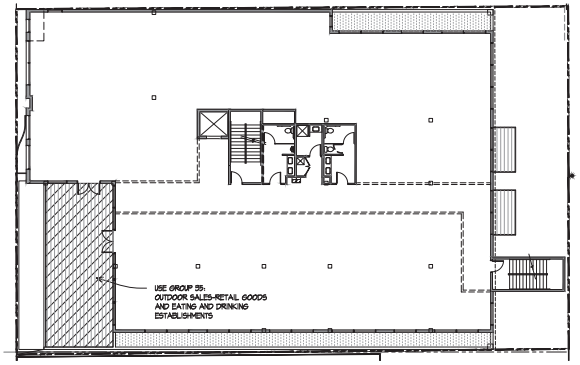
712 - 722 MAIN STREET - SPECIAL REVIEW USE

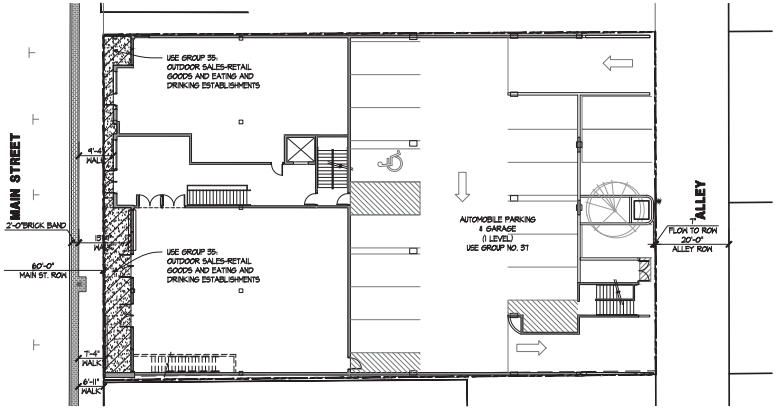
NOTES:

1. EXISTING ZONING CC ALLOWS OUTDOOR SALES AND EATING AND DRINKING ESTABLISHMENTS USES AND PARKING GARAGES USES WHEN AUTHORIZED THROUGH A SPECIAL REVIEW USE.
2. OUTDOOR ACTIVITY USES SHALL INCLUDE: OUTDOOR SALES AND EATING AND DRINKING ESTABLISHMENTS.
3. OUTDOOR AMPLIFIED MUSIC SHALL BE PROHIBITED.
4. NIGHTTIME HOURS OF OPERATION FOR THE OUTDOOR DINING AREAS SHALL NOT EXTEND PAST 12AM.



C1 A1.1 **SECOND LEVEL FLOOR PLAN**
1/16" = 1'-0"

NORTH



B1 A1.1 **MAIN LEVEL PLAN**
1/16" = 1'-0"

NORTH

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SPECIAL REVIEW USE PLAN

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MATERIAL KEYNOTES

A: IPE OR SIMILAR HORIZONTAL (4"-6") WOOD SIDING

A1: IPE OR SIMILAR WOOD LATTICE

B: TRESPA OR REYNOBOND COMPOSITE PANEL WITH WOOD GRAIN

C: IPE OR SIMILAR SQUARE-EDGE WOOD SHIPLAP SIDING

D: FLAT-SEAMED PATINA METAL (WEATHERED COPPER LOOK)

E: METAL PANEL (DARK GALVANIZED PATINA)

F: LIGHT COLOR HARDI-PANEL

G: DARK GREY HARDI-PANEL OR STUCCO

H: LIGHT GREY HARDI-PANEL

J: STUCCO FOR MURAL PAINTING

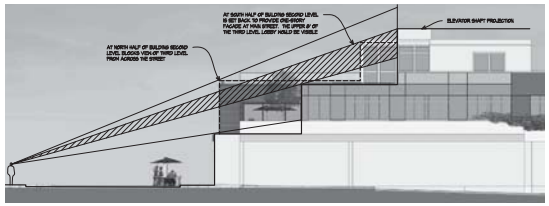
K: PAINTED CONCRETE (MATCHES ADJACENT COLOR)

L: MEDIUM GREY HARDIPANEL

S1: STOREFRONT FRAMING - BLACK ANODIZED

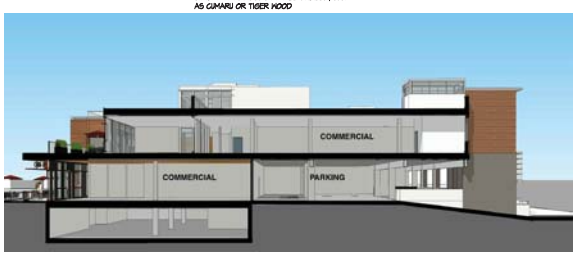
S2: STOREFRONT FRAMING - CLEAR ANODIZED

S3: STOREFRONT FRAMING - WOOD FINISH

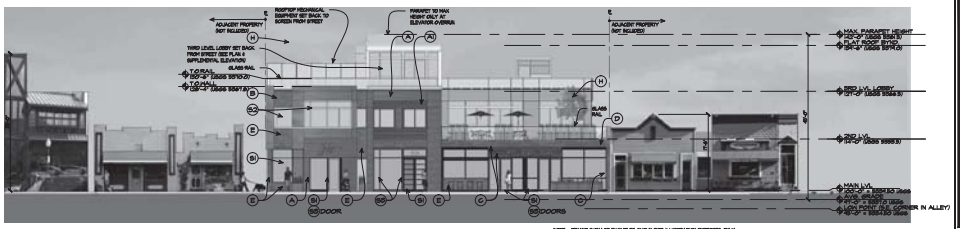


C2 / A2 **VIEW ANGLES FROM ACROSS MAIN ST.**
SCALE: 1/16 = 1'-0"

NOTE: WHERE IPE IS INDICATED, OTHER SIMILAR HARDWOODS MAY BE UTILIZED, SUCH AS GUMARU OR TIGER WOOD

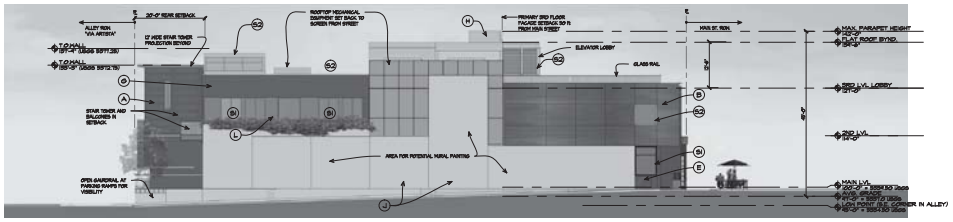


A2 / A2 **BUILDING SECTION/PERSPECTIVE**
NOT TO SCALE

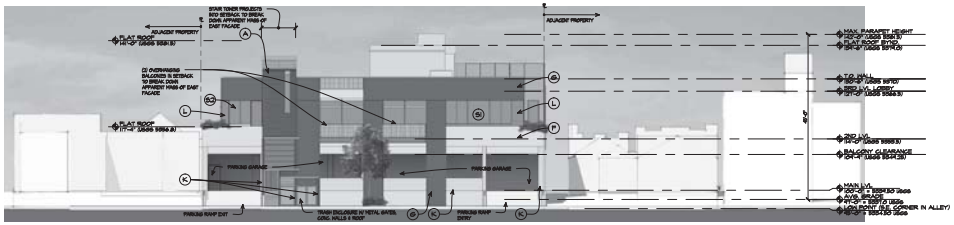


NOTE - TENANT SIGNAGE EXAMPLES SHOWN FOR ILLUSTRATION PURPOSES ONLY. SEPARATE SIGN PERMIT TO BE APPLIED FOR TENANT AND BUILDING SIGNAGE

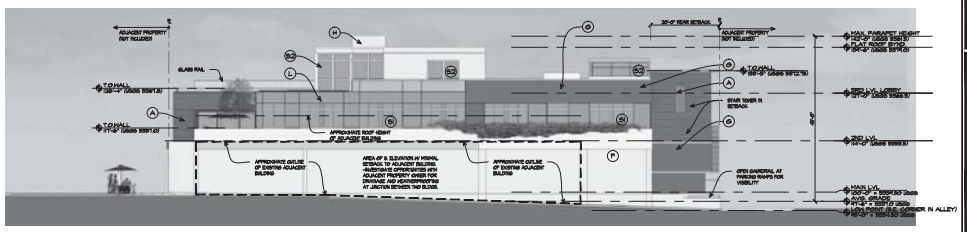
D1 / A2 **WEST ELEVATION - MAIN STREET**
SCALE: 1/16 = 1'-0"



C1 / A2 **NORTH ELEVATION - FROM ADJACENT PROPERTY**
SCALE: 1/16 = 1'-0"



B1 / A2 **EAST ELEVATION - ALLEY (W/ MAIN LEVEL PARKING)**
SCALE: 1/16 = 1'-0"



A1 / A2 **SOUTH ELEVATION - FROM ADJACENT PROPERTY**
SCALE: 1/16 = 1'-0"

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PR-5 - 11/13/18
PR-6 - 01/07/19

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ELEVATIONS MATERIALS & SECTION

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A2.0
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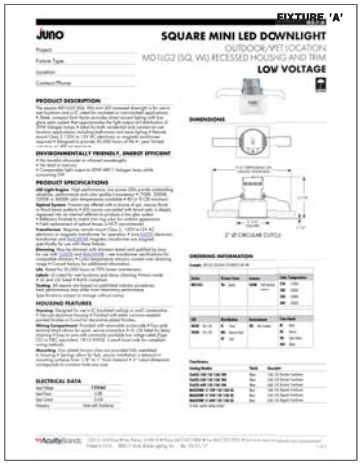
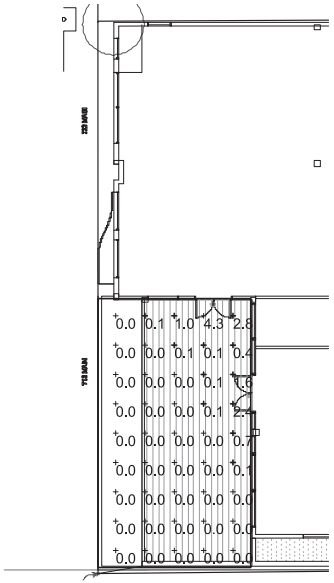
Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	C	5	WE-EF USA	620-2528	QLS410 LED, Wall Luminaires / Surface Mounted QLS410-LED-3/6W [S];QLS410 LED, Wall Luminaires / Surface Mounted	3 LED, Neutral White - 120° angle of beam LEDLUMENS=246.0 lm, LEDs No=3, TOTALLUMENS= 738.0 lm, Tj=85° LEDLUMENS=156.6 lm, LEDs No=3, TOTALLUMENS= 469.8 lm, Ta=25°C	3	620-2528.ies	157	1	8.5
	D	7	Juno Lighting	MD1LG2 SQ 03LM 35K 80CRI FL WH	FLOOD	LED/35K	1	MD1LG2_SQ_03 LM_35K_80CRI_ FL_WH.ies	266	1	4.8

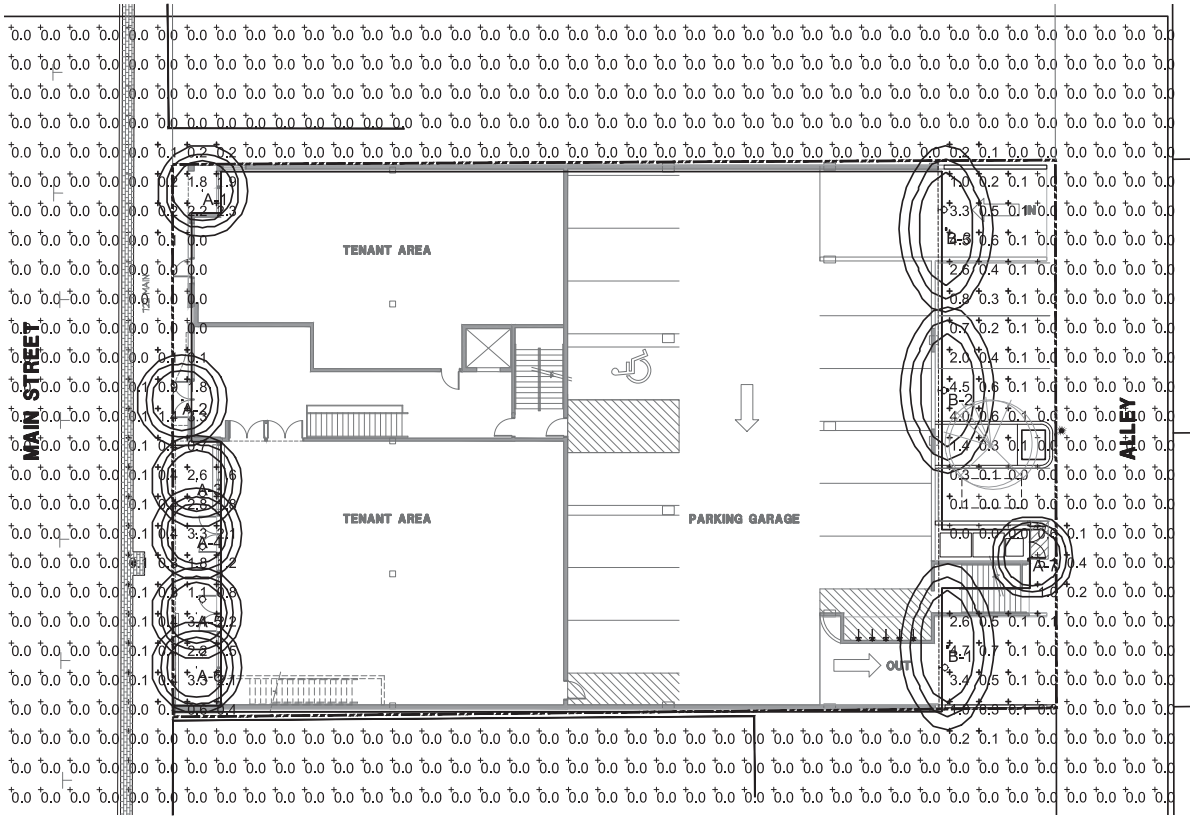
FIXTURE 'A'



FIXTURE 'B'



A3 PH1.0 SECOND FLOOR PHOTOMETRIC PLAN
1" = 10'-0"



A1 PH1.0 FIRST FLOOR PHOTOMETRIC PLAN
1" = 10'-0"

NORTH

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PHOTOMETRIC PLAN

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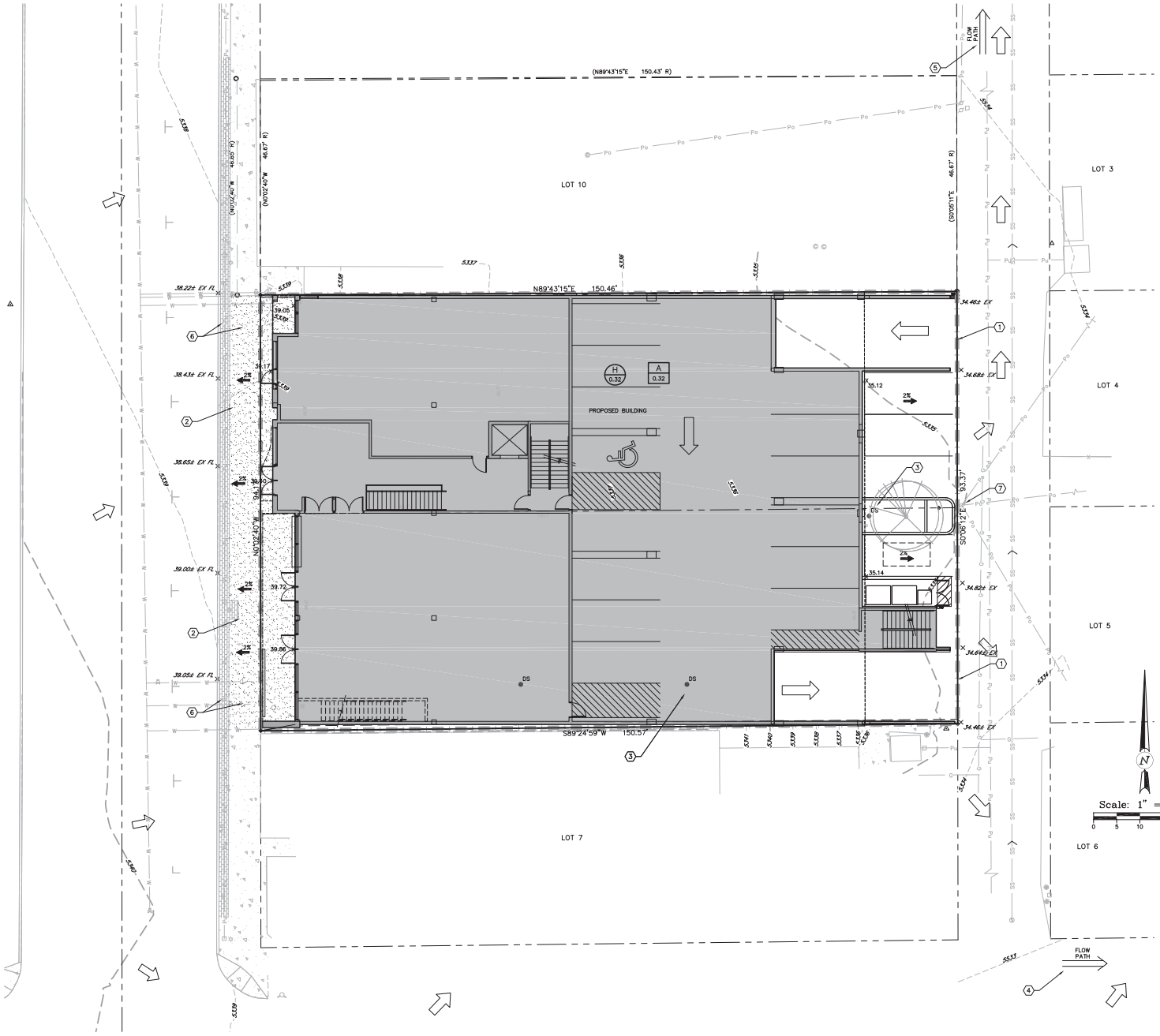
PH1.0
5 of 7 Sheets



LEGEND

5335	EXISTING CONTOUR
	SET #5 REBAR WITH 1" RED PLASTIC CAP STAMPED SCOTT COX ASC PLS 24302 (P&C) (UNLESS NOTED)
	SET NAIL AND 3/4" BRASS TAG STAMPED PLS 24302 (NAIL&TAG) AS NOTED
	FOUND MONUMENT AS NOTED
	EXISTING BOLLARD
	EXISTING ELECTRIC METER
	EXISTING WATER VALVE
	EXISTING CLEANOUT
	EXISTING GAS METER
	EXISTING WATER METER
	CONTROL POINT
	EXISTING POWER POLE
	EXISTING LIGHT POLE
	EXISTING FIRE HYDRANT
	EXISTING SPIGOT
X X X	EXISTING FENCE
Pu Pu	EXISTING UNDERGROUND POWER LINE
Po Po	EXISTING OVERHEAD POWER LINE
G G G	EXISTING GAS LINE
SS SS	EXISTING SANITARY SEWER W/MANHOLE
W W W	EXISTING WATER W/FIRE HYDRANT
ST ST	EXISTING STORM SEWER W/MANHOLE
(R)	RECORD COURSE
(M)	MEASURED COURSE PER THIS SURVEY
25	PROPOSED CONTOUR ADD 5300 TO ALL CONTOURS
	POINT WHERE PROPOSED GRADE MEETS EXISTING GRADE
X 25.8	PROPOSED SPOT ELEVATION ADD 5300 TO ALL SPOT ELEVATIONS
X 25.8	EXISTING SPOT ELEVATION
	HISTORIC SHEET FLOW
	PROPOSED FLOW DIRECTION
	DRAINAGE BASIN BOUNDARY (HISTORIC)
	PROPOSED BASIN BOUNDARY
H 0.32	SUB-BASIN DESIGNATION (HISTORIC)
	AREA IN ACRES
A 0.32	PROPOSED SUB-BASIN DESIGNATION
	AREA IN ACRES
FF	FINISHED FLOOR ELEVATION

KEYED NOTES (1)

1. EDGE OF CONCRETE RAMP SHALL BE 1" MINIMUM ABOVE ASPHALT ALLEY PAVEMENT. PROVIDE ASPHALT MATCH IN ALLEY ADJACENT TO NEW CONCRETE.
2. PROPOSED SIDEWALK AT 2% MAX. CROSS SLOPE.
3. PROPOSED ROOF DOWNSPOUT DRAIN THROUGH WATER QUALITY LANDSCAPE ISLAND/GREEN ROOF. PROPOSED ROOF DOWNSPOUT DRAIN THROUGH WATER QUALITY LANDSCAPE ISLAND/GREEN ROOF. ALL ROOF DRAINAGE WILL FILTER THROUGH WATER QUALITY AREAS WITH THE EXCEPTION OF THE SECOND LEVEL WEST TERRACE.
4. DRAIN TO STORM INLET AT PINE AND FRONT STREET.
5. DRAINS TO STORM INLET AT ALLEY AND SPRUCE STREET.
6. MAIN STREET WALK ADJACENT THE SITE WILL BE REPLACED WITH THIS PROJECT.
7. EXISTING POWER POLE TO BE RELOCATED TO THE EAST SIDE OF THE ALLEY ROW.

GRADING NOTES

1. GRADE AWAY FROM BUILDINGS AT A MINIMUM 10% SLOPE IN THE FIRST 10 FEET AT LANDSCAPE AREAS AND AT A MINIMUM 2% SLOPE IN THE FIRST 10 FEET AT IMPERVIOUS AREAS, EXCEPT AS NOTED.
2. TOP OF FOUNDATION ELEVATION SHALL BE SET AT LEAST 8" ABOVE THE PROPOSED GRADING AT THE EXTERIOR OF THE FOUNDATION AT LANDSCAPE AREAS.
3. FLOOD PLAIN DESIGNATION OF THE SURVEYED PROPERTY PER FIRM MAP NUMBER 08013C0582J, MAP REVISED DECEMBER 18, 2012 IS ZONE X, BEING AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
4. ALL CITY UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LOUISVILLE STANDARD SPECIFICATIONS.
5. THE LOCATION OF THE ABOVE GROUND UTILITIES SHOWN HEREON ARE BASED ON THE TOPOGRAPHIC SURVEY BY SCOTT, COX & ASSOCIATES, INC. COMPLETED ON SEPTEMBER 26, 2017. THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SAID SURVEY AND INFORMATION PROVIDED BY OTHERS (WHICH MAY INCLUDE THE UTILITY OWNER OR UTILITY LOCATING SERVICES). SCOTT, COX & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR UTILITY INFORMATION PROVIDED BY OTHERS. SCOTT, COX & ASSOCIATES, INC. RECOMMENDS THAT THE LOCATION OF THE UTILITIES BE FIELD VERIFIED PRIOR TO ANY DIGGING ON, OR ADJACENT TO THE SUBJECT PROPERTY.
6. ORIGIN BENCHMARK: CITY OF LOUISVILLE BENCHMARK LP5 BEING THE CENTER EAST 1/16 CORNER OF SECTION 8, A 3 1/2" ALUMINUM CAP DATED 2000, PLS 14083. FOUND IN A RANGE BOX 16.8' NORTH OF SOUTH FLOWLINE OF SOUTH ST. NORTH OF 824 SOUTH ST. ELEVATION = 5349.49' NAVD88. SITE BENCHMARK: TOP OF A 1 1/2" ALUMINUM CAP LOCATED AT THE NE CORNER OF LOT 9. (AS SHOWN HEREON). CONTOURS SHOWN ARE FROM A GROUND SURVEY.
7. IF REQUIRED, ALL APPLICABLE CITY AND/OR STATE PERMITS PERTAINING TO THE DISCHARGE OF GROUNDWATER MUST BE OBTAINED PRIOR TO PREPARATION OF BUILDING PERMIT PLANS.
8. A FINAL STORMWATER PLAN AND REPORT IS REQUIRED BY THE CITY OF LOUISVILLE PRIOR TO ISSUANCE OF A BUILDING PERMIT.
9. PARKING GARAGE DRAINS SHALL BE ROUTED THROUGH SAND AND OIL SEPARATORS PRIOR TO DISCHARGE TO THE SANITARY SEWER SYSTEM.

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1559 Oakland Blvd., Louisville, Colorado 80027
(303) 444 - 3001

12/27/17 JOB NO. 17271B DRAWING NO. 17271B-1

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUSVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SRU REVISED

PROJECT # 1451
DATE: 10/2/17
DRAWN BY: JAS
CHECKED BY: DPA
REVISIONS: FPC-SI - 12/27/17
FPC-S1 - 02/21/17
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FCC - 09/20/18
FPC-S3 - 10/08/18
FPC-S4 - 12/21/18

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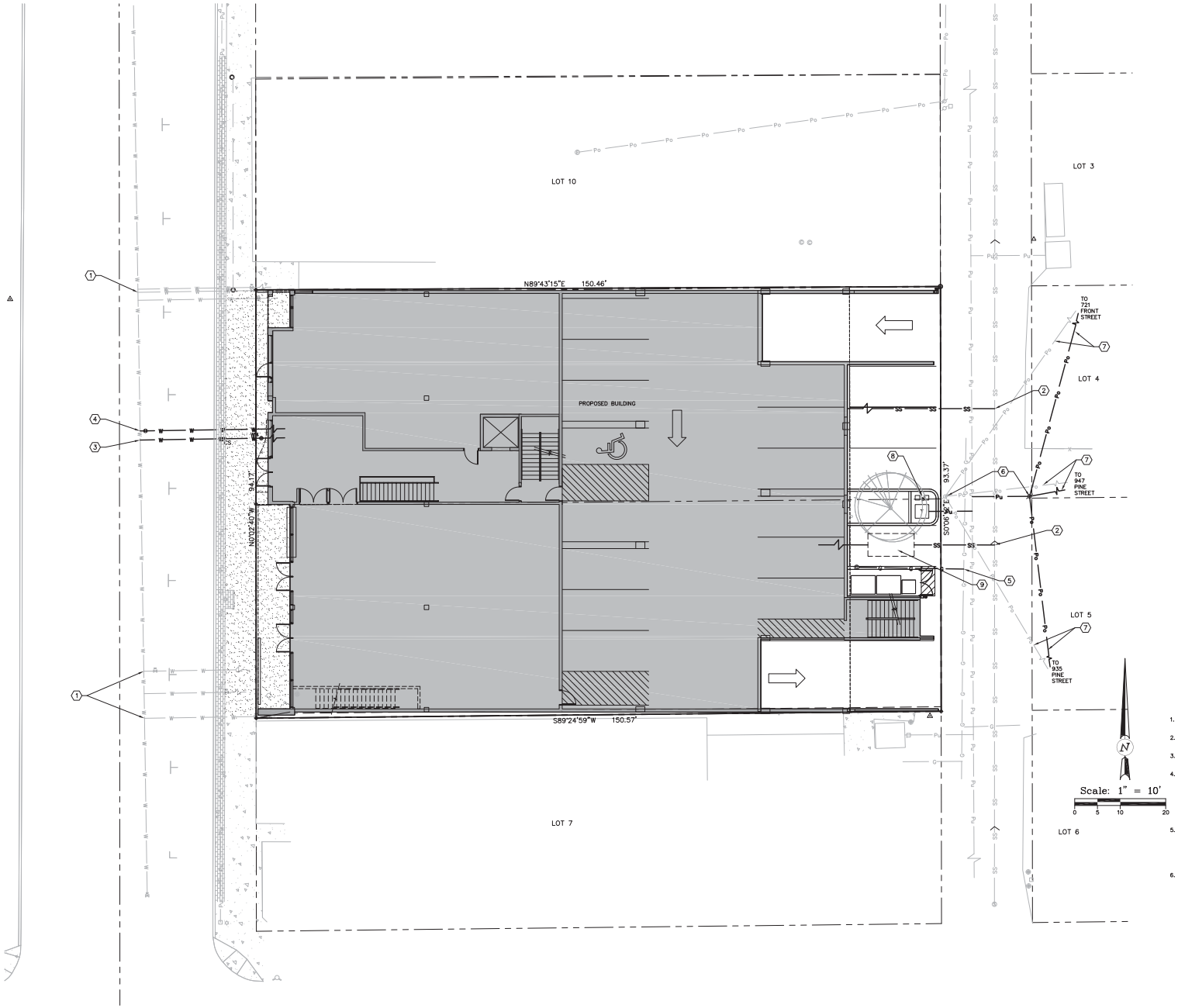
GRADING DRAINAGE AND EROSION CONTROL PLAN

Sheet
C1.01
6 of 7 Sheets



LEGEND

5775	EXISTING CONTOUR
	SET #5 REBAR WITH 1" RED PLASTIC CAP STAMPED SCOTT COX ASC PLS 24302 (P&C) (UNLESS NOTED)
	SET NAIL AND 3/4" BRASS TAG STAMPED PLS 24302 (NAIL&TAG) AS NOTED
	FOUND MONUMENT AS NOTED
	EXISTING BOLLARD
	EXISTING ELECTRIC METER
WV	EXISTING WATER VALVE
	EXISTING CLEANOUT
	EXISTING GAS METER
	EXISTING WATER METER
	CONTROL POINT
	EXISTING POWER POLE
	EXISTING LIGHT POLE
	EXISTING FIRE HYDRANT
	EXISTING SPIGOT
X X X	EXISTING FENCE
Pu Pu	EXISTING UNDERGROUND POWER LINE
Po Po	EXISTING OVERHEAD POWER LINE
G G G	EXISTING GAS LINE
SS SS	EXISTING SANITARY SEWER W/MANHOLE
W W W	EXISTING WATER W/FIRE HYDRANT
ST ST	EXISTING STORM SEWER W/MANHOLE
(R)	RECORD COURSE
(M)	MEASURED COURSE PER THIS SURVEY
SS SS	PROPOSED SANITARY SEWER W/MANHOLE
W W W	PROPOSED WATER W/FIRE HYDRANT
ST ST	PROPOSED STORM SEWER W/MANHOLE
	PROPOSED WATER VALVE
WM	PROPOSED WATER METER
C.O.	PROPOSED CLEAN-OUT
CS	PROPOSED CURB STOP

KEYED NOTES (1)

1. VERIFY ROUTING OF EXISTING WATER SERVICES. DISCONNECT AND ABANDON AT MAIN.
2. PROPOSED SANITARY SEWER SERVICE.
3. PROPOSED DOMESTIC WATER SERVICE. CURB STOP SHALL BE LOCATED WITHIN BRICK BANDING. METER PIT SHALL BE LOCATED ON PRIVATE PROPERTY.
4. PROPOSED FIRE SERVICE.
5. PROPOSED GAS SERVICE.
6. EXISTING POWER POLE TO BE RELOCATED TO THE EAST SIDE OF THE ALLEY ROW.
7. ALL OVERHEAD ELECTRICAL SERVICE LINES TO BE RELOCATED TO THE NEW POWER POLE.
8. PROPOSED ELECTRICAL TRANSFORMER AND UTILITY PEDESTALS.
9. PROPOSED GREASE INTERCEPTOR.

UTILITY NOTES

1. ALL CITY UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LOUISVILLE STANDARD SPECIFICATIONS.
2. WATER, FIRELINE, SEWER TAPS, AND SERVICE LINE SIZES SHALL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION.
3. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE DONE IN A WAY SO AS TO MINIMIZE DISRUPTION IN SERVICE TO EXISTING USERS.
4. THE LOCATION OF THE ABOVE GROUND UTILITIES SHOWN HEREON ARE BASED ON THE TOPOGRAPHIC SURVEY BY SCOTT, COX & ASSOCIATES, INC. COMPLETED ON JUNE 2, 2017. THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SAID SURVEY AND INFORMATION PROVIDED BY OTHERS (WHICH MAY INCLUDE THE UTILITY OWNER OR UTILITY LOCATING SERVICES). SCOTT, COX & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR UTILITY INFORMATION PROVIDED BY OTHERS. SCOTT, COX & ASSOCIATES, INC. RECOMMENDS THAT THE LOCATION OF THE UTILITIES BE FIELD VERIFIED PRIOR TO ANY DIGGING ON, OR ADJACENT TO THE SUBJECT PROPERTY.
5. ORIGIN BENCHMARK: CITY OF LOUISVILLE BENCHMARK LP5 BEING THE CENTER EAST 1/16 CORNER OF SECTION 8, A 3 1/2" ALUMINUM CAP DATED 2000, PLS 14083. FOUND IN A RANGE BOX 16.8' NORTH OF SOUTH FLOWLINE OF SOUTH ST. NORTH OF 824 SOUTH ST. ELEVATION = 5349.49' NAVD88. SITE BENCHMARK: TOP OF A 1 1/2" ALUMINUM CAP LOCATED AT THE NE CORNER OF LOT 9. (AS SHOWN HEREON). CONTOURS SHOWN ARE FROM A GROUND SURVEY.
6. EXISTING UTILITY SERVICES SHALL BE ABANDONED AS DIRECTED BY THE CITY.

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(303) 444 - 3281

12/27/17 JOB NO. 1727IB DRAWING NO. 1727IB-1

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUSVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SPU REVISED

PROJECT # 1451
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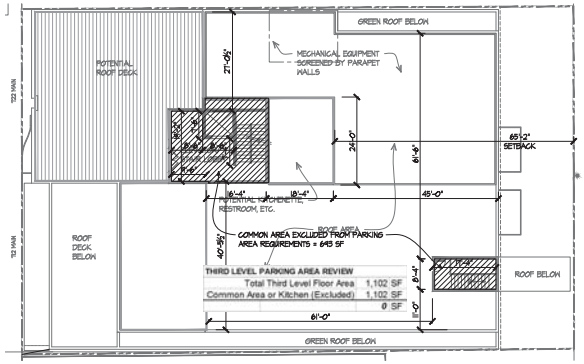
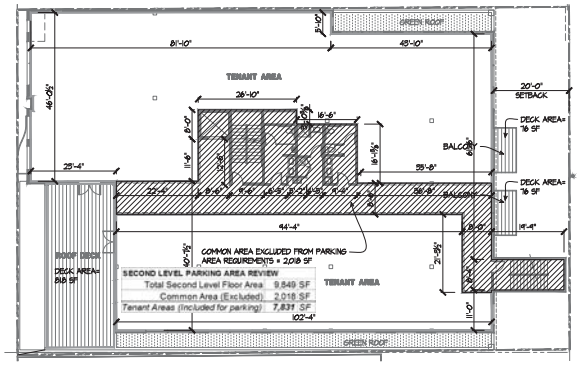
UTILITY PLAN

Sheet
C1.02
7 of 7 Sheets

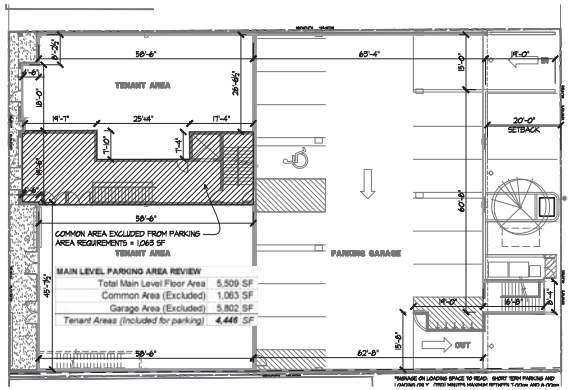
BUILDING PARKING AREA REVIEW		
Total Building Floor Area	22,020	SF
Common Area (Excluded)	9,743	SF
Tenant Areas (Included for parking)	***12,277***	*SF*
(12,277-999)/500 = **23 spaces req'd**		
Parking Provided = 18 includes 1 Loading		



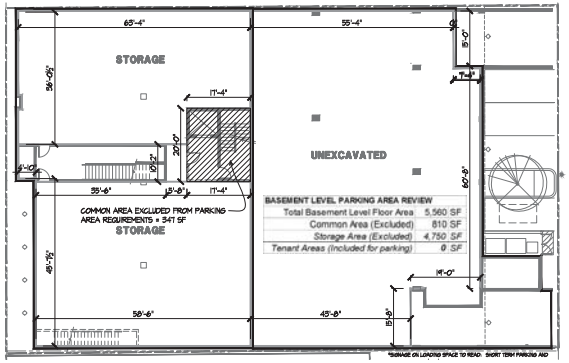
C2 EX1 **THIRD LEVEL - PARKING AREA REVIEW**
1/16" = 1'-0"
NORTH



B2 EX1 **SECOND LEVEL - PARKING AREA REVIEW**
1/16" = 1'-0"
NORTH



A2 EX1 **MAIN LEVEL - PARKING AREA REVIEW**
1/16" = 1'-0"
NORTH



A3 EX1 **BASEMENT LEVEL - PARKING AREA REVIEW**
1/16" = 1'-0"
NORTH

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FAX: 303.673.9319

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUISVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SRU REVISED

PROJECT # 1451
DATE 10/2/17
DRAWN BY: HAPC
CHECKED BY: JEH
REVISIONS
REV-01 - 10/16/17
REV-02 - 02/20/18
REV-03 - 05/20/18
REV-04 - 07/20/18
REV-05 - 10/19/18
REV-06 - 02/20/19

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PARKING AREA REVIEW EXHIBIT

Sheet
EX-1
1 of 1 Sheets

MATERIAL KEYNOTES

A: IPE OR SIMILAR HORIZONTAL (4"-6") WOOD SIDING

A1: IPE OR SIMILAR WOOD LATTICE

B: TRESPA OR REYNOBOND COMPOSITE PANEL WITH WOOD GRAIN

C: IPE OR SIMILAR SQUARE-EDGE WOOD SHIPLAP SIDING

D: FLAT-SEAMED PATINA METAL (WEATHERED COPPER LOOK)

E: METAL PANEL (DARK GALVANIZED PATINA)

F: LIGHT COLOR HARDI-PANEL

G: DARK GREY HARDI-PANEL OR STUCCO

H: LIGHT GREY HARDI-PANEL

J: STUCCO FOR MURAL PAINTING

K: PAINTED CONCRETE (MATCHES ADJACENT COLOR)

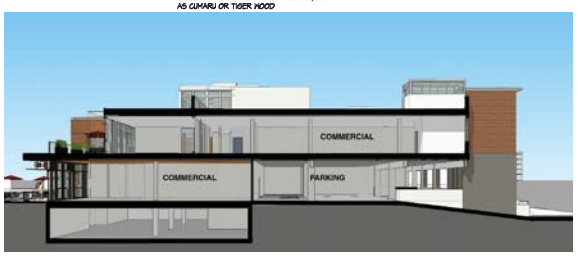
L: MEDIUM GREY HARDIPANEL

S1: STOREFRONT FRAMING - BLACK ANODIZED

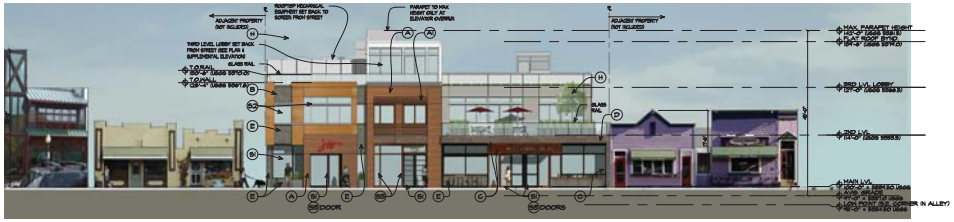
S2: STOREFRONT FRAMING - CLEAR ANODIZED

S3: STOREFRONT FRAMING - WOOD FINISH

NOTE: WHERE IPE IS INDICATED, OTHER SIMILAR HARDWOODS MAY BE UTILIZED, SUCH AS CUMARU OR TIGER WOOD

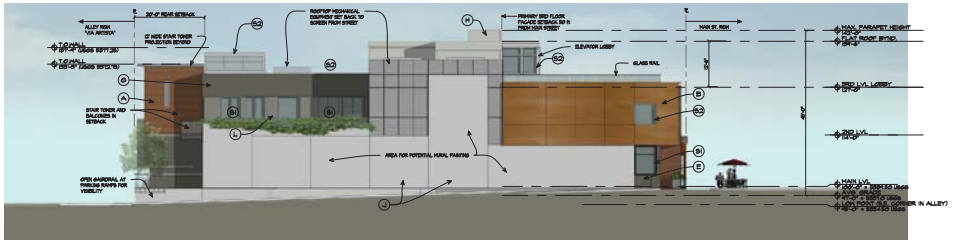


A2 / A2 **BUILDING SECTION/PERSPECTIVE**
NOT TO SCALE

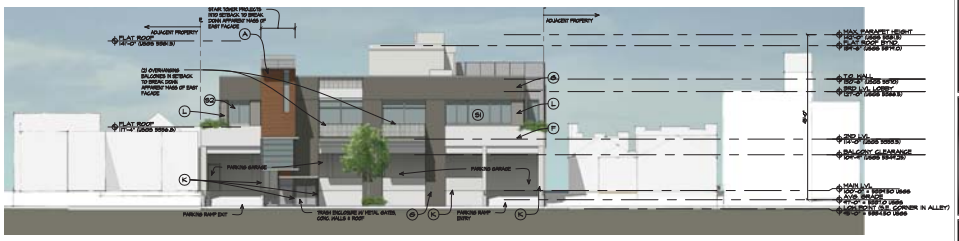


D1 / A2 **WEST ELEVATION - MAIN STREET**
SCALE: 1/16 = 1'-0"

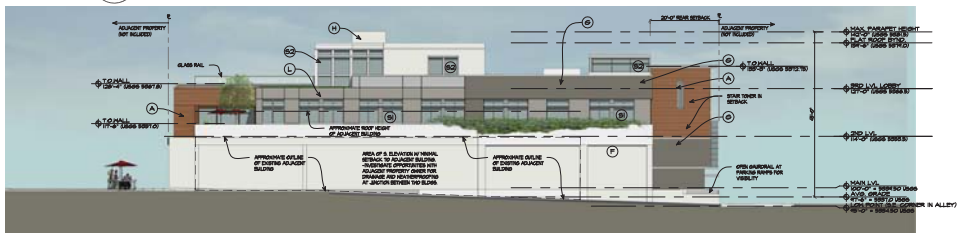
NOTE - TENANT SIGNAGE EXAMPLES SHOWN FOR ILLUSTRATION PURPOSES ONLY. SEPARATE SIGN PERMIT TO BE APPLIED FOR TENANT AND BUILDING SIGNAGE



C1 / A2 **NORTH ELEVATION - FROM ADJACENT PROPERTY**
SCALE: 1/16 = 1'-0"



B1 / A2 **EAST ELEVATION - ALLEY (W/ MAIN LEVEL PARKING)**
SCALE: 1/16 = 1'-0"



A1 / A2 **SOUTH ELEVATION - FROM ADJACENT PROPERTY**
SCALE: 1/16 = 1'-0"

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TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUSVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SRU REVISED

PROJECT # 1451
DATE: 10/2/17
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CHECKED BY: JEH
REVISIONS:
PPC-S1 - 12/21/17
PPC-S2 - 01/26/18
FCC - 05/2018
PPC-S3 - 11/15/18
PPC-S4 - 01/02/19

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COLOR ELEVATIONS MATERIALS & PERSPECTIVES

Sheet
EX-3
1 of 1 Sheets

NOTE - THESE RENDERINGS ARE CONCEPTUAL IN NATURE AND MAY NOT REFLECT THE ACTUAL DESIGN. PLEASE REFER TO DRAWINGS FOR MORE ACCURATE INFORMATION.

MAIN STREET WEST ELEVATION PERSPECTIVE

SOUTHEAST VIEW FROM MAIN STREET AND PINE STREET

NORTHWEST VIEW FROM MAIN STREET

NORTHEAST VIEW FROM ALLEY (VIA ARTISTA)

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TERRACES ON MAIN
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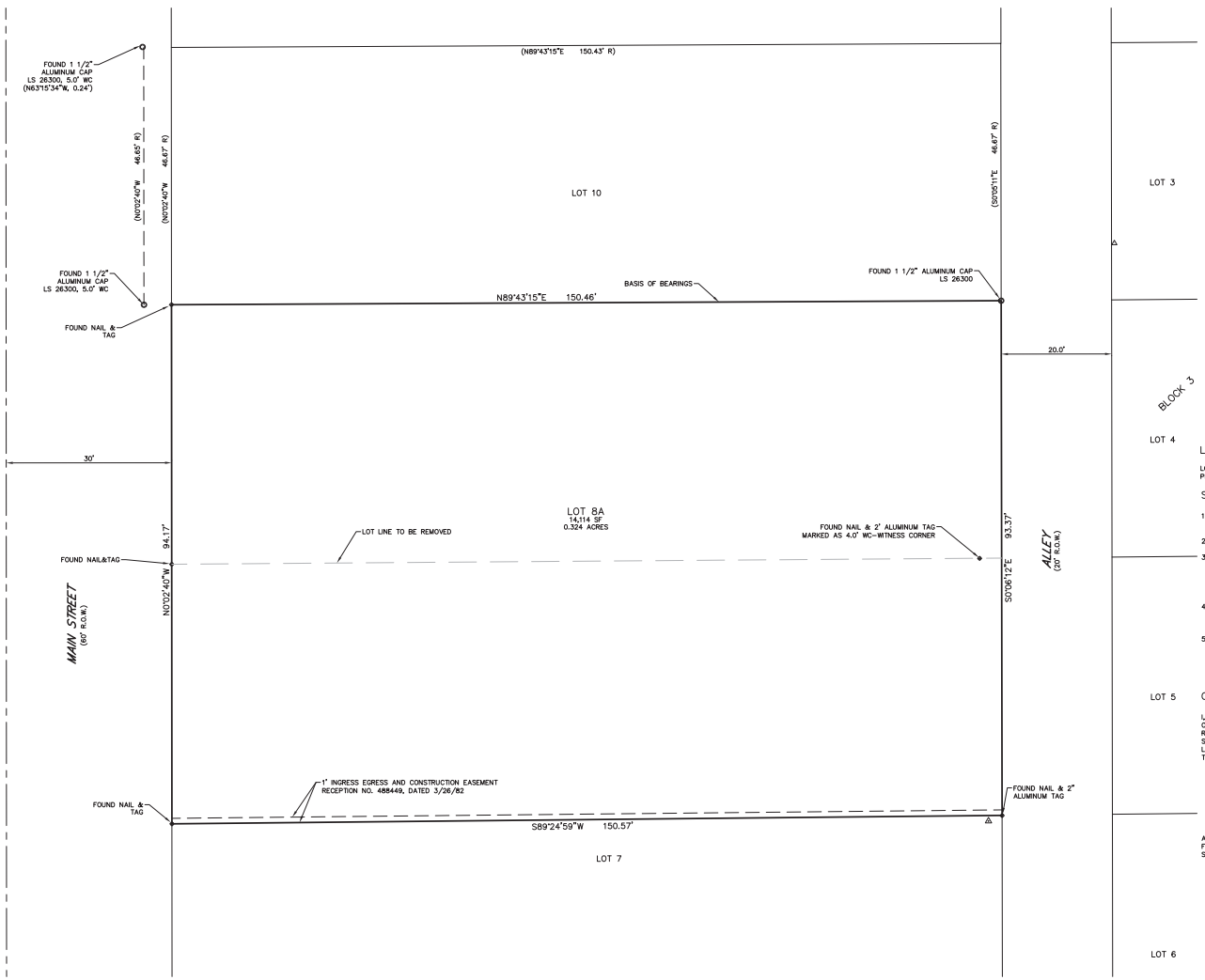
COLOR ELEVATIONS & PERSPECTIVES

Sheet
EX-4
of 1 Sheets

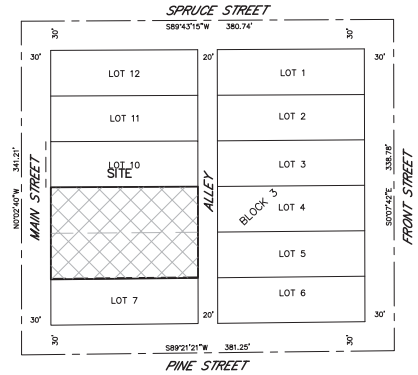
TOWN OF LOUISVILLE REPLAT A

A REPLAT OF LOTS 8 AND 9, BLOCK 3, TOWN OF LOUISVILLE
LOCATED IN SE 1/4 SECTION 8, T1S, R69W OF THE 6TH P.M.
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO



LEGEND

○	FOUND MONUMENT AS NOTED
(R)	RECORD MEASUREMENT PER PLAT
⊕	FOUND NAIL AND TAG



CONTROL DIAGRAM

SCALE: 1" = 60'

LEGAL DESCRIPTION (PER TITLE COMMITMENT)

LOTS 8 AND 9, BLOCK 3, TOWN OF LOUISVILLE, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2 AT PAGE 6, COUNTY OF BOULDER, STATE OF COLORADO.

SURVEY NOTES

1. THE BASIS OF BEARINGS IS THE NORTH LINE OF LOT 9 BETWEEN THE FOUND MONUMENTS SHOWN HEREON AND BEARS N89°43'15"W, PER LS-98-0156.
2. THE SIZE AND TYPE OF MONUMENTS FOUND ARE SHOWN HEREON.
3. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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. CRS-13-80-105 (3)(a)
4. FLOOD PLAIN DESIGNATION OF THE SURVEYED PROPERTY PER FIRM MAP NUMBER 08013C0582J, MAP REVISED DECEMBER 18, 2012 IS ZONE X, BEING AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
5. LAND SURVEY PLATS DEPOSITED AT BOULDER LAND USE DEPARTMENT, REFERENCED OR USED FOR THIS SURVEY: BELL SURVEYING COMPANY, IMPROVEMENT SURVEY PLAT, LS-03-0246; FLAGSTAFF SURVEYING, INC. IMPROVEMENT SURVEY PLAT, LS-98-0156 WAS GENERALLY HELD AND USED FOR BLOCK BREAKDOWN.

CERTIFICATION

I, A. JOHN BURI, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS REPLAT OF THE TOWN OF LOUISVILLE REPLAT A, WAS PREPARED UNDER MY SUPERVISION AND IS BASED ON A BOUNDARY SURVEY MADE BY SCOTT, COX & ASSOCIATES, INC., AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, IN COMPLIANCE WITH C.R.S. 38-50 THROUGH 38-53 GOVERNING THE SUBDIVISION OF LAND.

A. JOHN BURI, PLS 24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.

N

Scale: 1" = 10'
U.S. SURVEY FEET
0 5 10 20

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED BEING THE OWNER OF LOTS 8 AND 9, BLOCK 3, TOWN OF LOUISVILLE, A PLAT RECORDED OCTOBER 24, 1878 AT PLAT BOOK 2 AT PAGE 6 OF THE BOULDER COUNTY RECORDS, BEING A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH AND RANGE 69 WEST, 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 TOWN OF LOUISVILLE REPLAT A, A SUBDIVISION OF A PART OF THE CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, 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 ITEMS 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. CENTURY LINK, 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.

OWNERSHIP

HAVE LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS UNDER THE NAME OF TOWN OF LOUISVILLE REPLAT A AND ALSO DEDICATE EASEMENTS AS SHOWN ON SAID TOWN OF LOUISVILLE REPLAT A AS LAID OUT AND DESIGNATED ON THIS PLAT. WITNESS OUR HANDS AND SEALS THIS_____ DAY OF _____, 201___.

OWNER: _____ OWNER: _____

NOTARY: _____

CITY COUNCIL CERTIFICATE

APPROVED THIS _____ DAY OF _____, 201___ BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO. RESOLUTION NO. _____ SERIES _____

MAYOR: _____ CITY CLERK: _____

CLERK AND RECORDER CERTIFICATE

STATE OF COLORADO)
COUNTY OF BOULDER)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, _.M., THIS _____ DAY OF _____ 201___, AND IS RECORDED IN PLAN FILE _____, FEE PAID _____
FILM NO. _____ RECEPTION NO. _____

RECORDER: _____ DEPUTY: _____

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1530 55th Street • Boulder, Colorado 80303
(303) 444 - 3051

Designed by AJB	Date 10/02/17	Scale 1"=10'	Drawing no. 17271D-1	Sheet 1
Drawn by JAS	Revision	Description	Date	Project no.
Checked by AJB	1	CITY COMMENTS	12/27/17	17271D
	2	CITY COMMENTS	01/26/18	

X:\DRAWINGS\2017 PROJECT FOLDER\17271 712-724 Main St, Louisville\17271D-1.dwg, 1/26/2018 9:28:39 AM,
Adobe PDF.pc3

SCOTT, COX & ASSOCIATES, INC. consulting engineers • surveyors

January 25, 2018

Mr. Erik Hartronft
Hartronft Associates, p.c.
950 Spruce Street, Suite 2A
Louisville, CO 80027

Reference: Drainage Letter
712-722 Main Street, Louisville, Colorado
Scott, Cox & Associates Project No. 17271B

Dear Mr. Hartronft:

This drainage letter is submitted as the preliminary analysis of the existing and proposed conditions for the property located at 712-724 Main Street, Louisville, Colorado. The site is located in the Southeast Quarter of Section 8, Township 1 South, Range 69 West of the 6th Principal Meridian in the City of Louisville, Boulder County, State of Colorado. The site is bounded by existing commercial buildings to the north and south, an alley to the east, and Main Street to the west.

This report is being prepared to accompany the Final Planned Unit Development (PUD) application for the project. The purpose of this drainage letter is to address specific drainage issues related to the proposed site changes. This study meets the requirements set forth in the City of Louisville Storm Drainage and Technical Criteria Manual.

The 0.321-acre site is currently developed with two buildings and associated parking areas. The eastern portion of the site generally surface flows to the east and discharges into the alley. The western portion of the site generally surface flows to the west and discharges into the Main Street right-of-way.

The Grading and Drainage Plan shows the proposed site plan, on-site grading and overland flow directions. Under proposed conditions, the site will be broken into two (2) major drainage sub-basins.

Basin A1 consists of the roof area of the building. Runoff from within this basin is directed via roof drains to the alley. Roof drainage from the third floor will drain through a green roof system for water quality enhancement prior to draining into the alley. Roof drainage from the second floor will drain through a water quality planter located in a landscape island prior to sheet flow into the alley. Drainage from this basin drains north through the alley and ultimately into an existing storm sewer inlet located at the intersection of the alley and Spruce Street.

1530 55th Street • Boulder, Colorado 80303 • (303) 444-3051 • Fax: (303) 444-3387

Basin A2 consists of the sidewalk area located on the west side of the building. Runoff from within this basin is directed via overland flow to the ROW. Drainage from this basin flows south along Main Street and then east along Pine Street, ultimately draining into an existing storm sewer inlet located at the northwest corner of Front and Pine Streets.

The existing and proposed conditions for the entire site were analyzed for the 10 and 100-year storm events. The results are shown in the following Table 1 and the relevant calculation sheets are included with this letter.

TABLE 1
RUNOFF CALCULATIONS SUMMARY

Drainage Basin	Area (acres)	10-Year Peak Runoff (cfs)	100-year Peak Runoff (cfs)
Historic	0.32	1.40	2.37
Developed	0.32	1.40	2.37

The site is currently developed with the entire site covered by the existing building and parking areas. Under developed conditions, the building will be larger with below-grade parking areas. Under these changes, no change in the 10-year or 100-year peak flows is anticipated. It is our conclusion that the peak runoff for the initial and major storm events from the tributary basin can be conveyed directly to the major drainage system without adverse impact to upstream, surrounding, or downstream properties and facilities.

Should you have any questions or comments regarding this letter kindly give me a call.

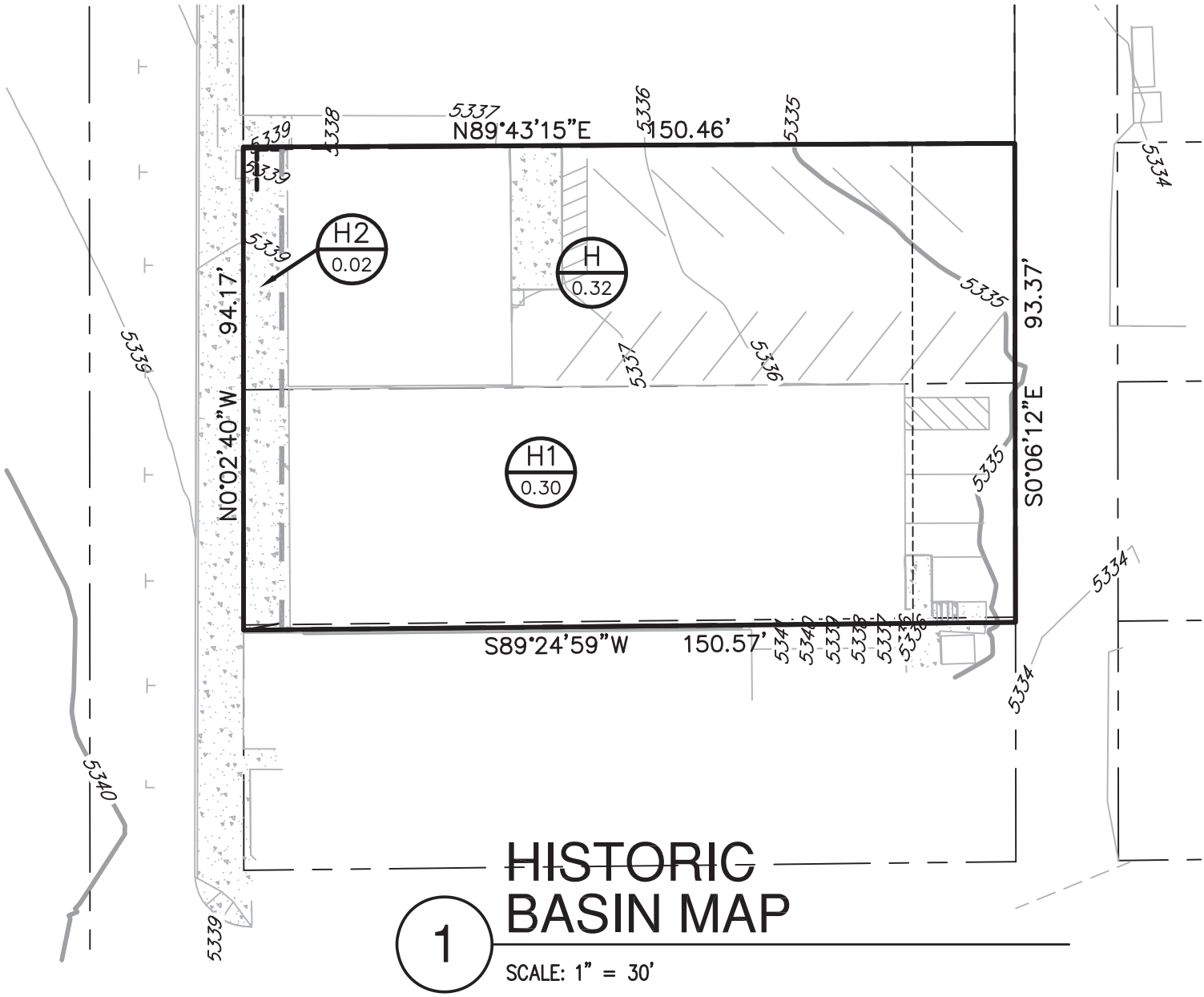
Sincerely,

SCOTT, COX & ASSOCIATES, INC.

Donald P. Ash, P.E.
Chief Civil Engineer

COLORADO REGISTERED
DONALD P. ASH
36045
PROFESSIONAL ENGINEER

Enclosures: Runoff Calculations



HISTORIC BASIN MAP

1

SCALE: 1" = 30'

LEGEND

DRAINAGE BASIN BOUNDARY (HISTORIC)

PROPOSED BASIN BOUNDARY

H / 0.32 — SUB-BASIN DESIGNATION (HISTORIC) AREA IN ACRES

A / 0.32 — PROPOSED SUB-BASIN DESIGNATION AREA IN ACRES

N

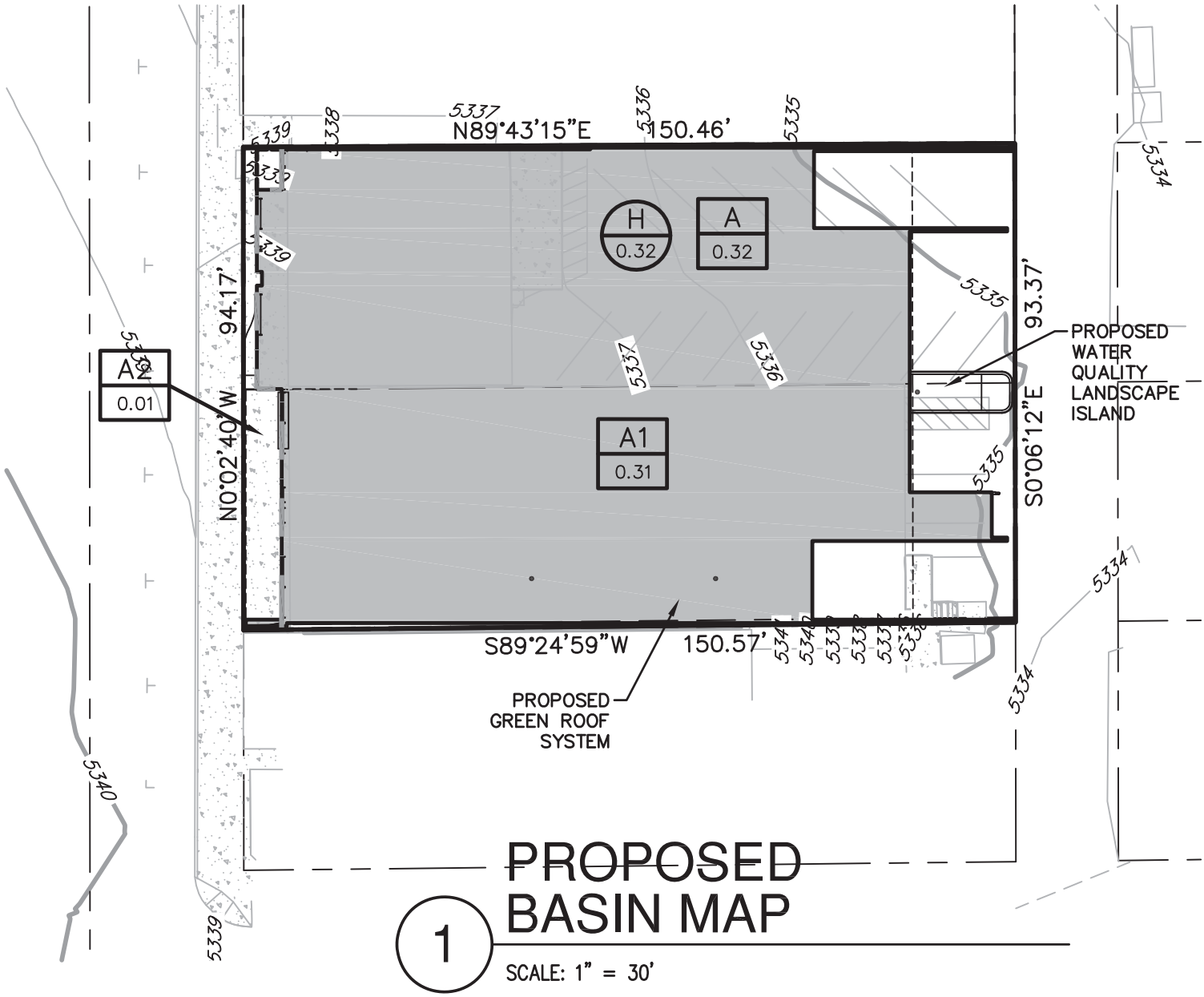
Scale: 1" = 30'

0 7.5 15 30

712-722 MAIN STREET
LOUISVILLE, COLORADO

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1530 55th Street • Boulder, Colorado 80303
(303) 444 – 3051

01/26/18 JOB NO. 17271B DRAWING NO. 17271B–1



PROPOSED BASIN MAP

1

SCALE: 1" = 30'

LEGEND

DRAINAGE BASIN BOUNDARY (HISTORIC)

PROPOSED BASIN BOUNDARY

H / 0.32 — SUB-BASIN DESIGNATION (HISTORIC) AREA IN ACRES

A / 0.32 — PROPOSED SUB-BASIN DESIGNATION AREA IN ACRES

Scale: 1" = 30'

0 7.5 15 30

712-722 MAIN STREET
LOUISVILLE, COLORADO

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1530 55th Street • Boulder, Colorado 80303
(303) 444 – 3051

01/26/18 JOB NO. 17271B DRAWING NO. 17271B–1

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1530 55th Street
Boulder, Colorado 80303
(303) 444-3051

712-722 Main Street

Louisville, Colorado

Project #: 17271B
Date: 10/2/2017
By: MRF

Municipality: Louisville	Runoff Coefficients						Initial Overland Time (t_i) $t_i=1.8(1.1-C_5)L^{1/2}S^{-1/3}$			Travel Time (t_t) t_t=Length/(Velocity*60)					t_c Computed	t_c Urbanized Check		t_c Final	Rainfall Intensities (in/hr)				Flow Rates (cfs)			
Parcel Name	Parcel Size (acres)	C_2	C_5	C_{10}	C_{100}	% Impervious	Overland Flow (L_o) (ft)	Slope (ft/ft)	t_i (min)	Length (ft)	Slope (ft/ft)	Cv	Velocity (ft/s)	t_t (min)	Time of Conc $t_i + t_t = t_c$	Total Length (ft)	t_c=(L/180)+ 10 (min)	Minimum t_c=5 min	I_2	I_5	I_{10}	I_{100}	Q_2	Q_5	Q_{10}	Q_{100}
Historic	0.321	0.71	0.73	0.75	0.81	90.00	105.0	0.030	4.8	0	0.0500	20	4.47	0.0	4.8	105	10.6	5.0	3.3	5.0	5.8	9.1	0.76	1.18	1.40	2.37
Developed	0.321	0.71	0.73	0.75	0.81	90.00	22.0	0.030	2.2	0	0.0100	20	2.00	0.0	2.2	22	10.1	5.0	3.3	5.0	5.8	9.1	0.76	1.18	1.40	2.37

SCOTT, COX & ASSOCIATES, INC.
consulting engineers - surveyors

PROJECT #: 17271B
DATE: 10/2/2017
BY: MRF

Basin H

SURFACE	AREA (acres)	C_2	C_5	C_{10}	C_{100}	%IMP
LAWNS - SANDY	0.000	0.02	0.08	0.15	0.35	0.00
ROOFS	0.175	0.71	0.73	0.75	0.81	90.00
DRIVES AND WALKS	0.146	0.71	0.73	0.75	0.81	90.00
TOTAL AREA	0.321	**0.71**	**0.73**	**0.75**	**0.81**	**90.00**

Basin A

SURFACE	AREA (Acres)	C_2	C_5	C_{10}	C_{100}	%IMP
LAWNS - CLAYEY	0.000	0.02	0.08	0.15	0.35	0.00
ROOFS	0.248	0.71	0.73	0.75	0.81	90.00
DRIVES AND WALKS	0.074	0.71	0.73	0.75	0.81	90.00
TOTAL AREA	0.321	**0.71**	**0.73**	**0.75**	**0.81**	**90.00**

Land Title
GUARANTEE COMPANY
Since 1967

Customer Distribution

Our Order Number: ABZ70544893

Date: 06-14-2017

Property Address: 712-722 MAIN STREET LOUISVILLE

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

BOULDER CREEK NEIGHBORHOODS
Attention: RICK WOODRUFF
712 MAIN STREET
LOUISVILLE, CO 80027
303-591-5914 (phone)
303-544-5857 (work)
rwoodruff@livebouldercreek.com
Delivered via: Electronic Mail

Land Title Guarantee Company

Estimate of Title Fees

Order Number: ABZ70544893 Date: 06-14-2017

Property Address: 712-722 MAIN STREET LOUISVILLE

Buyer/Borrower: A BUYER TO BE DETERMINED

Seller: 722 MAIN STREET 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	
TBD Commitment	$270.00
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Total	$270.00
THANK YOU FOR YOUR ORDER!	

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABZ70544893

Customer Ref-Loan No.:

Property Address:

712-722 MAIN STREET LOUISVILLE

1. Effective Date:

06-07-2017 At 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"TBD" Commitment $0.00
Proposed Insured:
A BUYER TO BE DETERMINED

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

A FEE SIMPLE

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

722 MAIN STREET LLC, A COLORADO LIMITED LIABILITY COMPANY

5. The Land referred to in this Commitment is described as follows:

LOTS 8 AND 9, BLOCK 3, THE TOWN OF LOUISVILLE, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2 AT PAGE 6, COUNTY OF BOULDER, STATE OF COLORADO.

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

(Requirements)

Order Number: ABZ70544893

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: ABZ70544893

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. A RESERVATION OF ALL COAL AND OTHER MINERALS WHICH UNDERLY THE SURFACE OF SUBJECT PROPERTY, AND THE RIGHT TO MINE AND REMOVE THE SAME, AS RESERVED IN DEED RECORDED OCTOBER 17, 1878 IN BOOK 54 AT PAGE 303.

   (ITEMS 8 AND 9 AFFECT BOTH LOTS)

10. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN GRANT OF EASEMENT RECORDED MARCH 26, 1982 UNDER RECEPTION NO. 488449.

    (AFFECTS LOT 8)

11. DEED OF TRUST DATED JUNE 16, 2016, FROM 722 MAIN STREET LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF BOULDER COUNTY FOR THE USE OF GREAT WESTERN BANK TO SECURE THE SUM OF $1,030,629.00 RECORDED JUNE 17, 2016, UNDER RECEPTION NO. 3524630.

    SAID DEED OF TRUST WAS FURTHER SECURED IN ASSIGNMENT OF RENTS RECORDED JUNE 17, 2016, UNDER RECEPTION NO. 3524631.

    (AFFECTS LOT 8)

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABZ70544893

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:

12. DEED OF TRUST DATED JULY 02, 2014, FROM 722 MAIN STREET LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF BOULDER COUNTY FOR THE USE OF GREAT WESTERN BANK TO SECURE THE SUM OF $460,000.00 RECORDED JULY 11, 2014, UNDER RECEPTION NO. 3390943.

    SAID DEED OF TRUST WAS FURTHER SECURED IN ASSIGNMENT OF RENTS RECORDED JULY 11, 2014, UNDER RECEPTION NO. 3390944.

    (AFFECTS LOT 9)

JOINT NOTICE OF PRIVACY POLICY OF

LAND TITLE GUARANTEE COMPANY
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

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 8-1-2 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.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

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, Jr
President

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

Mark Bilbrey
President

AMERICAN LAND TITLE ASSOCIATION

Randy Yeager
Secretary

RECORDATION REQUESTED BY:
GREAT WESTERN BANK
Louisville
1020 Century Dr.
Louisville, CO 80027

WHEN RECORDED MAIL TO:
GREAT WESTERN BANK
Louisville
1020 Century Dr.
Louisville, CO 80027

SEND TAX NOTICES TO:
GREAT WESTERN BANK
Louisville
1020 Century Dr.
Louisville, CO 80027

FOR RECORDER'S USE ONLY

DEED OF TRUST

MAXIMUM PRINCIPAL AMOUNT SECURED. The Lien of this Deed of Trust shall not exceed at any one time $1,030,629.00 except as allowed under applicable Colorado law.

THIS DEED OF TRUST is dated June 16, 2016, among 712 Main Street LLC, a Colorado Limited Liability Company, whose address is 712 Main Street, Louisville, CO 80027 ("Grantor"); GREAT WESTERN BANK, whose address is Louisville, 1020 Century Dr., Louisville, CO 80027 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and the Public Trustee of Boulder County, Colorado (referred to below as "Trustee").

CONVEYANCE AND GRANT. For valuable consideration, Grantor hereby irrevocably grants, transfers and assigns to Trustee for the benefit of Lender as Beneficiary all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, **(the "Real Property") located in Boulder County, State of Colorado:**

Lot 8, Block 3, The Town of Louisville, according to the plat thereof recorded in Plat Book 2 at Page 6, County of Boulder, State of Colorado

The Real Property or its address is commonly known as 712 Main Street, Louisville, CO 80027.

Grantor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Deed of Trust, Grantor shall pay to Lender all amounts secured by this Deed of Trust as they become due, and shall strictly and in a timely manner perform all of Grantor's obligations under the Note, this Deed of Trust, and the Related Documents.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property.

Duty to Maintain. Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

Compliance With Environmental Laws. Grantor represents and warrants to Lender that: (1) During the period of Grantor's ownership of the Property, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from the Property; (2) Grantor has no knowledge of, or reason to believe that there has been, except as previously disclosed to and acknowledged by Lender in writing, (a) any breach or violation of any Environmental Laws, (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the Property by any prior owners or occupants of the Property, or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters; and (3) Except as previously disclosed to and acknowledged by Lender in writing, (a) neither Grantor nor any tenant, contractor, agent or other authorized user of the Property shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from the Property; and (b) any such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations and ordinances, including without limitation all Environmental Laws. Grantor authorizes Lender and its agents to enter upon the Property to make such inspections and tests, at Grantor's expense, as Lender may deem appropriate to determine compliance of the Property with this section of the Deed of Trust. Any inspections or tests made by Lender shall be for Lender's purposes only and shall not be construed to create any responsibility or liability on the part of Lender to Grantor or to any other person. The representations and warranties contained herein are based on Grantor's due diligence in investigating the Property for Hazardous Substances. Grantor hereby (1) releases and waives any future claims against Lender for indemnity or contribution in the event Grantor becomes liable for cleanup or other costs under any such laws; and (2) agrees to indemnify, defend, and hold harmless Lender against any and all claims, losses, liabilities, damages, penalties, and expenses which Lender may directly or indirectly sustain or suffer resulting from a breach of this section of the Deed of Trust or as a consequence of any use, generation, manufacture, storage, disposal, release or threatened release occurring prior to Grantor's ownership or interest in the Property, whether or not the same was or should have been known to Grantor. The provisions of this section of the Deed of Trust, including the obligation to indemnify and defend, shall survive the payment of the Indebtedness and the satisfaction and reconveyance of the lien of this Deed of Trust and shall not be affected by Lender's acquisition of any interest in the Property,

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whether by foreclosure or otherwise.

Nuisance, Waste. Grantor shall not cause, conduct or permit any nuisance nor commit, permit, or suffer any stripping of or waste on or to the Property or any portion of the Property. Without limiting the generality of the foregoing, Grantor will not remove, or grant to any other party the right to remove, any timber, minerals (including oil and gas), coal, clay, scoria, soil, gravel or rock products without Lender's prior written consent.

Removal of Improvements. Grantor shall not demolish or remove any Improvements from the Real Property without Lender's prior written consent. As a condition to the removal of any Improvements, Lender may require Grantor to make arrangements satisfactory to Lender to replace such Improvements with Improvements of at least equal value.

Lender's Right to Enter. Lender and Lender's agents and representatives may enter upon the Real Property at all reasonable times to attend to Lender's interests and to inspect the Real Property for purposes of Grantor's compliance with the terms and conditions of this Deed of Trust.

Compliance with Governmental Requirements. Grantor shall promptly comply with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the use or occupancy of the Property, including without limitation, the Americans With Disabilities Act. Grantor may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Grantor has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Property are not jeopardized. Lender may require Grantor to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

Duty to Protect. Grantor agrees neither to abandon or leave unattended the Property. Grantor shall do all other acts, in addition to those acts set forth above in this section, which from the character and use of the Property are reasonably necessary to protect and preserve the Property.

DUE ON SALE - CONSENT BY LENDER. Lender may, at Lender's option, declare immediately due and payable all sums secured by this Deed of Trust upon the sale or transfer, without Lender's prior written consent, of all or any part of the Real Property, or any interest in the Real Property. A "sale or transfer" means the conveyance of Real Property or any right, title or interest in the Real Property; whether legal, beneficial or equitable; whether voluntary or involuntary; whether by outright sale, deed, installment sale contract, land contract, contract for deed, leasehold interest with a term greater than three (3) years, lease-option contract, or by sale, assignment, or transfer of any beneficial interest in or to any land trust holding title to the Real Property, or by any other method of conveyance of an interest in the Real Property. If any Grantor is a corporation, partnership or limited liability company, transfer also includes any change in ownership of more than twenty-five percent (25%) of the voting stock, partnership interests or limited liability company interests, as the case may be, of such Grantor. However, this option shall not be exercised by Lender if such exercise is prohibited by federal law or by Colorado law.

TAXES AND LIENS. The following provisions relating to the taxes and liens on the Property are part of this Deed of Trust:

Payment. Grantor shall pay when due (and in all events prior to delinquency) all taxes, special taxes, assessments, charges (including water and sewer), fines and impositions levied against or on account of the Property, and shall pay when due all claims for work done on or for services rendered or material furnished to the Property. Grantor shall maintain the Property free of all liens having priority over or equal to the interest of Lender under this Deed of Trust, except for the lien of taxes and assessments not due and except as otherwise provided in this Deed of Trust.

Right to Contest. Grantor may withhold payment of any tax, assessment, or claim in connection with a good faith dispute over the obligation to pay, so long as Lender's interest in the Property is not jeopardized. If a lien arises or is filed as a result of nonpayment, Grantor shall within fifteen (15) days after the lien arises or, if a lien is filed, within fifteen (15) days after Grantor has notice of the filing, secure the discharge of the lien, or if requested by Lender, deposit with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender in an amount sufficient to discharge the lien plus any costs and attorneys' fees, or other charges that could accrue as a result of a foreclosure or sale under the lien. In any contest, Grantor shall defend itself and Lender and shall satisfy any adverse judgment before enforcement against the Property. Grantor shall name Lender as an additional obligee under any surety bond furnished in the contest proceedings.

Evidence of Payment. Grantor shall upon demand furnish to Lender satisfactory evidence of payment of the taxes or assessments and shall authorize the appropriate governmental official to deliver to Lender at any time a written statement of the taxes and assessments against the Property.

Notice of Construction. Grantor shall notify Lender at least fifteen (15) days before any work is commenced, any services are furnished, or any materials are supplied to the Property, if any mechanic's lien, materialmen's lien, or other lien could be asserted on account of the work, services, or materials. Grantor will upon request of Lender furnish to Lender advance assurances satisfactory to Lender that Grantor can and will pay the cost of such improvements.

PROPERTY DAMAGE INSURANCE. The following provisions relating to insuring the Property are a part of this Deed of Trust.

Maintenance of Insurance. Grantor shall procure and maintain policies of fire insurance with standard extended coverage endorsements on a fair value basis for the full insurable value covering all Improvements on the Real Property in an amount sufficient to avoid application of any coinsurance clause, and with a standard mortgagee clause in favor of Lender. Grantor shall also procure and maintain comprehensive general liability insurance in such coverage amounts as Lender may request with Trustee and Lender being named as additional insureds in such liability insurance policies. Additionally, Grantor shall maintain such other insurance, including but not limited to hazard, business interruption, and boiler insurance, as Lender may reasonably require. Policies shall be written in form, amounts, coverages and basis reasonably acceptable to Lender and issued by a company or companies reasonably acceptable to Lender. Grantor, upon request of Lender, will deliver to Lender from time to time the policies or certificates of insurance in form satisfactory to Lender, including stipulations that coverages will not be cancelled or diminished without at least ten (10) days prior written notice to Lender. Each insurance policy also shall include an endorsement providing that coverage in favor of Lender will not be impaired in any way by any act, omission or default of Grantor or any other person. Should the Real Property be located in an area designated by the Administrator of the Federal Emergency Management Agency as a special flood hazard area, Grantor agrees to obtain and maintain Federal Flood Insurance, if available, within 45 days after notice is given by Lender that the Property is located in a special flood hazard area, for the full unpaid principal balance of the loan and any prior liens on the property securing the loan, up to the maximum policy limits set under the National Flood Insurance Program, or as otherwise required by Lender, and to maintain such insurance for the term of the loan.

Application of Proceeds. Grantor shall promptly notify Lender of any loss or damage to the Property. Lender may make proof of loss if Grantor fails to do so within fifteen (15) days of the casualty. Whether or not Lender's security is impaired, Lender may, at Lender's election, receive and retain the proceeds of any insurance and apply the proceeds to the reduction of the Indebtedness, payment of any lien affecting the Property, or the restoration and repair of the Property. If Lender elects to apply the proceeds to restoration and repair, Grantor shall repair or replace the damaged or destroyed Improvements in a manner satisfactory to Lender. Lender shall, upon satisfactory proof of such expenditure, pay or reimburse Grantor from the proceeds for the reasonable cost of repair or restoration if Grantor is not in default under this Deed of Trust. Any proceeds which have not been disbursed within 180 days after their receipt and which Lender has not committed to the repair or restoration of the Property shall be used first to pay any amount owing to Lender under this Deed of Trust, then to pay accrued interest, and the remainder, if any, shall be applied to the principal balance of the Indebtedness. If Lender holds any proceeds after payment in full of the Indebtedness, such proceeds shall be paid to Grantor as Grantor's interests may appear.

Grantor's Report on Insurance. Upon request of Lender, however not more than once a year, Grantor shall furnish to Lender a report on each existing policy of insurance showing: (1) the name of the insurer; (2) the risks insured; (3) the amount of the

policy; (4) the property insured, the then current replacement value of such property, and the manner of determining that value; and (5) the expiration date of the policy. Grantor shall, upon request of Lender, have an independent appraiser satisfactory to Lender determine the cash value replacement cost of the Property.

LENDER'S EXPENDITURES. If any action or proceeding is commenced that would materially affect Lender's interest in the Property or if Grantor fails to comply with any provision of this Deed of Trust or any Related Documents, including but not limited to Grantor's failure to discharge or pay when due any amounts Grantor is required to discharge or pay under this Deed of Trust or any Related Documents, Lender on Grantor's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on the Property and paying all costs for insuring, maintaining and preserving the Property. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note from the date incurred or paid by Lender to the date of repayment by Grantor. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity. The Deed of Trust also will secure payment of these amounts. Such right shall be in addition to all other rights and remedies to which Lender may be entitled upon Default.

WARRANTY; DEFENSE OF TITLE. The following provisions relating to ownership of the Property are a part of this Deed of Trust:

Title. Grantor warrants that: (a) Grantor holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the Real Property description or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, Lender in connection with this Deed of Trust, and (b) Grantor has the full right, power, and authority to execute and deliver this Deed of Trust to Lender.

Defense of Title. Subject to the exception in the paragraph above, Grantor warrants and will forever defend the title to the Property against the lawful claims of all persons. In the event any action or proceeding is commenced that questions Grantor's title or the interest of Trustee or Lender under this Deed of Trust, Grantor shall defend the action at Grantor's expense. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of Lender's own choice, and Grantor will deliver, or cause to be delivered, to Lender such instruments as Lender may request from time to time to permit such participation.

Compliance With Laws. Grantor warrants that the Property and Grantor's use of the Property complies with all existing applicable laws, ordinances, and regulations of governmental authorities.

Survival of Representations and Warranties. All representations, warranties, and agreements made by Grantor in this Deed of Trust shall survive the execution and delivery of this Deed of Trust, shall be continuing in nature, and shall remain in full force and effect until such time as Grantor's Indebtedness shall be paid in full.

CONDEMNATION. The following provisions relating to condemnation proceedings are a part of this Deed of Trust:

Proceedings. If any proceeding in condemnation is filed, Grantor shall promptly notify Lender in writing, and Grantor shall promptly take such steps as may be necessary to defend the action and obtain the award. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of its own choice, and Grantor will deliver or cause to be delivered to Lender such instruments and documentation as may be requested by Lender from time to time to permit such participation.

Application of Net Proceeds. If all or any part of the Property is condemned by eminent domain proceedings or by any proceeding or purchase in lieu of condemnation, Lender may at its election require that all or any portion of the net proceeds of the award be applied to the Indebtedness or the repair or restoration of the Property. The net proceeds of the award shall mean the award after payment of all reasonable costs, expenses, and attorneys' fees incurred by Trustee or Lender in connection with the condemnation.

IMPOSITION OF TAXES, FEES AND CHARGES BY GOVERNMENTAL AUTHORITIES. The following provisions relating to governmental taxes, fees and charges are a part of this Deed of Trust:

Current Taxes, Fees and Charges. Upon request by Lender, Grantor shall execute such documents in addition to this Deed of Trust and take whatever other action is requested by Lender to perfect and continue Lender's lien on the Real Property. Grantor shall reimburse Lender for all taxes, as described below, together with all expenses incurred in recording, perfecting or continuing this Deed of Trust, including without limitation all taxes, fees, documentary stamps, and other charges for recording or registering this Deed of Trust.

Taxes. The following shall constitute taxes to which this section applies: (1) a specific tax upon this type of Deed of Trust or upon all or any part of the Indebtedness secured by this Deed of Trust; (2) a specific tax on Grantor which Grantor is authorized or required to deduct from payments on the Indebtedness secured by this type of Deed of Trust; (3) a tax on this type of Deed of Trust chargeable against the Lender or the holder of the Note; and (4) a specific tax on all or any portion of the Indebtedness or on payments of principal and interest made by Grantor.

Subsequent Taxes. If any tax to which this section applies is enacted subsequent to the date of this Deed of Trust, this event shall have the same effect as an Event of Default, and Lender may exercise any or all of its available remedies for an Event of Default as provided below unless Grantor either (1) pays the tax before it becomes delinquent, or (2) contests the tax as provided above in the Taxes and Liens section and deposits with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender.

SECURITY AGREEMENT; FINANCING STATEMENTS. The following provisions relating to this Deed of Trust as a security agreement are a part of this Deed of Trust:

Security Agreement. This instrument shall constitute a Security Agreement to the extent any of the Property constitutes fixtures, and Lender shall have all of the rights of a secured party under the Uniform Commercial Code as amended from time to time.

Security Interest. Upon request by Lender, Grantor shall take whatever action is requested by Lender to perfect and continue Lender's security interest in the Rents and Personal Property. In addition to recording this Deed of Trust in the real property records, Lender may, at any time and without further authorization from Grantor, file executed counterparts, copies or reproductions of this Deed of Trust as a financing statement. Grantor shall reimburse Lender for all expenses incurred in perfecting or continuing this security interest. Upon default, Grantor shall not remove, sever or detach the Personal Property from the Property. Upon default, Grantor shall assemble any Personal Property not affixed to the Property in a manner and at a place reasonably convenient to Grantor and Lender and make it available to Lender within three (3) days after receipt of written demand from Lender to the extent permitted by applicable law.

Addresses. The mailing addresses of Grantor (debtor) and Lender (secured party) from which information concerning the security interest granted by this Deed of Trust may be obtained (each as required by the Uniform Commercial Code) are as stated on the first page of this Deed of Trust.

FURTHER ASSURANCES; ATTORNEY-IN-FACT. The following provisions relating to further assurances and attorney-in-fact are a part of this Deed of Trust:

Further Assurances. At any time, and from time to time, upon request of Lender, Grantor will make, execute and deliver, or will cause to be made, executed or delivered, to Lender or to Lender's designee, and when requested by Lender, cause to be filed, recorded, refiled, or rerecorded, as the case may be, at such times and in such offices and places as Lender may deem

appropriate, any and all such mortgages, deeds of trust, security deeds, security agreements, financing statements, continuation statements, instruments of further assurance, certificates, and other documents as may, in the sole opinion of Lender, be necessary or desirable in order to effectuate, complete, perfect, continue, or preserve (1) Grantor's obligations under the Note, this Deed of Trust, and the Related Documents, and (2) the liens and security interests created by this Deed of Trust as first and prior liens on the Property, whether now owned or hereafter acquired by Grantor. Unless prohibited by law or Lender agrees to the contrary in writing, Grantor shall reimburse Lender for all costs and expenses incurred in connection with the matters referred to in this paragraph.

Attorney-in-Fact. If Grantor fails to do any of the things referred to in the preceding paragraph, Lender may do so for and in the name of Grantor and at Grantor's expense. For such purposes, Grantor hereby irrevocably appoints Lender as Grantor's attorney-in-fact for the purpose of making, executing, delivering, filing, recording, and doing all other things as may be necessary or desirable, in Lender's sole opinion, to accomplish the matters referred to in the preceding paragraph.

FULL PERFORMANCE. Upon the full performance of all the obligations under the Note and this Deed of Trust, Trustee may, upon production of documents and fees as required under applicable law, release this Deed of Trust, and such release shall constitute a release of the lien for all such additional sums and expenditures made pursuant to this Deed of Trust. Lender agrees to cooperate with Grantor in obtaining such release and releasing the other collateral securing the Indebtedness. Any release fees required by law shall be paid by Grantor, if permitted by applicable law.

EVENTS OF DEFAULT. Each of the following, at Lender's option, shall constitute an Event of Default under this Deed of Trust:

Payment Default. Grantor fails to make any payment when due under the Indebtedness.

Other Defaults. Grantor fails to comply with or to perform any other term, obligation, covenant or condition contained in this Deed of Trust or in any of the Related Documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Grantor.

Compliance Default. Failure to comply with any other term, obligation, covenant or condition contained in this Deed of Trust, the Note or in any of the Related Documents.

Default on Other Payments. Failure of Grantor within the time required by this Deed of Trust to make any payment for taxes or insurance, or any other payment necessary to prevent filing of or to effect discharge of any lien.

Default in Favor of Third Parties. Should Grantor default under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Grantor's property or Grantor's ability to repay the Indebtedness or Grantor's ability to perform Grantor's obligations under this Deed of Trust or any of the Related Documents.

False Statements. Any warranty, representation or statement made or furnished to Lender by Grantor or on Grantor's behalf under this Deed of Trust or the Related Documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter.

Defective Collateralization. This Deed of Trust or any of the Related Documents ceases to be in full force and effect (including failure of any collateral document to create a valid and perfected security interest or lien) at any time and for any reason.

Death or Insolvency. The dissolution of Grantor's (regardless of whether election to continue is made), any member withdraws from the limited liability company, or any other termination of Grantor's existence as a going business or the death of any member, the insolvency of Grantor, the appointment of a receiver for any part of Grantor's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Grantor.

Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Grantor or by any governmental agency against any property securing the Indebtedness. This includes a garnishment of any of Grantor's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Grantor as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Grantor gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

Breach of Other Agreement. Any breach by Grantor under the terms of any other agreement between Grantor and Lender that is not remedied within any grace period provided therein, including without limitation any agreement concerning any indebtedness or other obligation of Grantor to Lender, whether existing now or later.

Events Affecting Guarantor. Any of the preceding events occurs with respect to any Guarantor of any of the Indebtedness or any Guarantor dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any Guaranty of the Indebtedness.

Adverse Change. A material adverse change occurs in Grantor's financial condition, or Lender believes the prospect of payment or performance of the Indebtedness is impaired.

RIGHTS AND REMEDIES ON DEFAULT. If an Event of Default occurs under this Deed of Trust, at any time thereafter, Trustee or Lender may exercise any one or more of the following rights and remedies:

Election of Remedies. Election by Lender to pursue any remedy shall not exclude pursuit of any other remedy, and an election to make expenditures or to take action to perform an obligation of Grantor under this Deed of Trust, after Grantor's failure to perform, shall not affect Lender's right to declare a default and exercise its remedies.

Accelerate Indebtedness. Lender shall have the right at its option without notice to Grantor to declare the entire Indebtedness immediately due and payable, including any prepayment penalty which Grantor would be required to pay.

Foreclosure. Lender shall have the right to cause all or any part of the Real Property, and Personal Property, if Lender decides to proceed against it as if it were real property, to be sold by the Trustee according to the laws of the State of Colorado as respects foreclosures against real property. The Trustee shall give notice in accordance with the laws of Colorado. The Trustee shall apply the proceeds of the sale in the following order: (a) to all costs and expenses of the sale, including but not limited to Trustee's fees, attorneys' fees, and the cost of title evidence; (b) to all sums secured by this Deed of Trust; and (c) the excess, if any, to the person or persons legally entitled to the excess.

UCC Remedies. With respect to all or any part of the Personal Property, Lender shall have all the rights and remedies of a secured party under the Uniform Commercial Code.

Collect Rents. Lender shall have the right, without notice to Grantor to take possession of and manage the Property and collect the Rents, including amounts past due and unpaid, and apply the net proceeds, over and above Lender's costs, against the Indebtedness. In furtherance of this right, Lender may require any tenant or other user of the Property to make payments of rent or use fees directly to Lender. If the Rents are collected by Lender, then Grantor irrevocably designates Lender as Grantor's attorney-in-fact to endorse instruments received in payment thereof in the name of Grantor and to negotiate the same and collect the proceeds. Payments by tenants or other users to Lender in response to Lender's demand shall satisfy the obligations for which the payments are made, whether or not any proper grounds for the demand existed. Lender may exercise its rights under this subparagraph either in person, by agent, or through a receiver.

Appoint Receiver. Lender shall have the right to have a receiver appointed to take possession of all or any part of the Property,

with the power to protect and preserve the Property, to operate the Property preceding foreclosure or sale, and to collect the Rents from the Property and apply the proceeds, over and above the cost of the receivership, against the Indebtedness. The receiver may serve without bond if permitted by law. Lender's right to the appointment of a receiver shall exist whether or not the apparent value of the Property exceeds the Indebtedness by a substantial amount. Employment by Lender shall not disqualify a person from serving as a receiver. Receiver may be appointed by a court of competent jurisdiction upon ex parte application and without notice, notice being expressly waived.

Tenancy at Sufferance. If Grantor remains in possession of the Property after the Property is sold as provided above or Lender otherwise becomes entitled to possession of the Property upon default of Grantor, Grantor shall become a tenant at sufferance of Lender or the purchaser of the Property and shall, at Lender's option, either (1) pay a reasonable rental for the use of the Property, or (2) vacate the Property immediately upon the demand of Lender.

Other Remedies. Trustee or Lender shall have any other right or remedy provided in this Deed of Trust or the Note or available at law or in equity.

Sale of the Property. In exercising its rights and remedies, Lender shall be free to designate on or before it files a notice of election and demand with the Trustee, that the Trustee sell all or any part of the Property together or separately, in one sale or by separate sales. Lender shall be entitled to bid at any public sale on all or any portion of the Property. Upon any sale of the Property, whether made under a power of sale granted in this Deed of Trust or pursuant to judicial proceedings, if the holder of the Note is a purchaser at such sale, it shall be entitled to use and apply all, or any portion of, the Indebtedness for or in settlement or payment of all, or any portion of, the purchase price of the Property purchased, and, in such case, this Deed of Trust, the Note, and any documents evidencing expenditures secured by this Deed of Trust shall be presented to the person conducting the sale in order that the amount of Indebtedness so used or applied may be credited thereon as having been paid.

Attorneys' Fees; Expenses. If Lender forecloses or institutes any suit or action to enforce any of the terms of this Deed of Trust, Lender shall be entitled to recover such sum as the court may adjudge reasonable as attorneys' fees at trial and upon any appeal. Whether or not any court action is involved, and to the extent not prohibited by law, all reasonable expenses Lender incurs that in Lender's opinion are necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Note rate from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's attorneys' fees whether or not there is a lawsuit, including attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees, title insurance, and fees for the Trustee, to the extent permitted by applicable law. Grantor also will pay any court costs, in addition to all other sums provided by law.

Rights of Trustee. To the extent permitted by applicable law, Trustee shall have all of the rights and duties of Lender as set forth in this section.

NOTICES. Any notice required to be given under this Deed of Trust, including without limitation any notice of default and any notice of sale shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Deed of Trust. All copies of notices of foreclosure from the holder of any lien which has priority over this Deed of Trust shall be sent to Lender's address, as shown near the beginning of this Deed of Trust. Any party may change its address for notices under this Deed of Trust by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Grantor agrees to keep Lender informed at all times of Grantor's current address. Unless otherwise provided or required by law, if there is more than one Grantor, any notice given by Lender to any Grantor is deemed to be notice given to all Grantors.

MISCELLANEOUS PROVISIONS. The following miscellaneous provisions are a part of this Deed of Trust:

Amendments. This Deed of Trust, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Deed of Trust. No alteration of or amendment to this Deed of Trust shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Annual Reports. If the Property is used for purposes other than Grantor's residence, Grantor shall furnish to Lender, upon request, a certified statement of net operating income received from the Property during Grantor's previous fiscal year in such form and detail as Lender shall require. "Net operating income" shall mean all cash receipts from the Property less all cash expenditures made in connection with the operation of the Property.

Caption Headings. Caption headings in this Deed of Trust are for convenience purposes only and are not to be used to interpret or define the provisions of this Deed of Trust.

Merger. There shall be no merger of the interest or estate created by this Deed of Trust with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

Governing Law. This Deed of Trust will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Colorado without regard to its conflicts of law provisions. This Deed of Trust has been accepted by Lender in the State of Colorado.

Choice of Venue. If there is a lawsuit, Grantor agrees upon Lender's request to submit to the jurisdiction of the courts of Boulder County, State of Colorado.

No Waiver by Lender. Lender shall not be deemed to have waived any rights under this Deed of Trust unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Deed of Trust shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Deed of Trust. No prior waiver by Lender, nor any course of dealing between Lender and Grantor, shall constitute a waiver of any of Lender's rights or of any of Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Deed of Trust, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

Severability. If a court of competent jurisdiction finds any provision of this Deed of Trust to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Deed of Trust. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Deed of Trust shall not affect the legality, validity or enforceability of any other provision of this Deed of Trust.

Successors and Assigns. Subject to any limitations stated in this Deed of Trust on transfer of Grantor's interest, this Deed of Trust shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Grantor, Lender, without notice to Grantor, may deal with Grantor's successors with reference to this Deed of Trust and the Indebtedness by way of forbearance or extension without releasing Grantor from the obligations of this Deed of Trust or liability under the Indebtedness.

Time is of the Essence. Time is of the essence in the performance of this Deed of Trust.

Waiver of Homestead Exemption. Grantor hereby releases and waives all rights and benefits of the homestead exemption laws of the State of Colorado as to all Indebtedness secured by this Deed of Trust.

DEFINITIONS. The following capitalized words and terms shall have the following meanings when used in this Deed of Trust. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words and terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code:

Beneficiary. The word "Beneficiary" means GREAT WESTERN BANK, and its successors and assigns.

Borrower. The word "Borrower" means 712 Main Street LLC, a Colorado Limited Liability Company and includes all co-signers and co-makers signing the Note and all their successors and assigns.

Deed of Trust. The words "Deed of Trust" mean this Deed of Trust among Grantor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

Default. The word "Default" means the Default set forth in this Deed of Trust in the section titled "Default".

Environmental Laws. The words "Environmental Laws" mean any and all state, federal and local statutes, regulations and ordinances relating to the protection of human health or the environment, including without limitation the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq. ("CERCLA"), the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499 ("SARA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq., or other applicable state or federal laws, rules, or regulations adopted pursuant thereto.

Event of Default. The words "Event of Default" mean any of the events of default set forth in this Deed of Trust in the events of default section of this Deed of Trust.

Grantor. The word "Grantor" means 712 Main Street LLC, a Colorado Limited Liability Company.

Guarantor. The word "Guarantor" means any guarantor, surety, or accommodation party of any or all of the Indebtedness.

Guaranty. The word "Guaranty" means the guaranty from Guarantor to Lender, including without limitation a guaranty of all or part of the Note.

Hazardous Substances. The words "Hazardous Substances" mean materials that, because of their quantity, concentration or physical, chemical or infectious characteristics, may cause or pose a present or potential hazard to human health or the environment when improperly used, treated, stored, disposed of, generated, manufactured, transported or otherwise handled. The words "Hazardous Substances" are used in their very broadest sense and include without limitation any and all hazardous or toxic substances, materials or waste as defined by or listed under the Environmental Laws. The term "Hazardous Substances" also includes, without limitation, petroleum and petroleum by-products or any fraction thereof and asbestos.

Improvements. The word "Improvements" means all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

Indebtedness. The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Note or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Note or Related Documents and any amounts expended or advanced by Lender to discharge Grantor's obligations or expenses incurred by Trustee or Lender to enforce Grantor's obligations under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust.

Lender. The word "Lender" means GREAT WESTERN BANK, its successors and assigns.

Note. The word "Note" means the promissory note dated June 16, 2016, **in the original principal amount of $1,030,629.00** from Grantor to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement. The maturity date of the Note is June 16, 2026. **NOTICE TO GRANTOR: THE NOTE CONTAINS A VARIABLE INTEREST RATE.**

Personal Property. The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

Real Property. The words "Real Property" mean the real property, interests and rights, as further described in this Deed of Trust.

Related Documents. The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

Rents. The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

Trustee. The word "Trustee" means the Public Trustee of Boulder County, Colorado.

DEED OF TRUST
(Continued)

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST, AND GRANTOR AGREES TO ITS TERMS.

GRANTOR:

712 MAIN STREET LLC, A COLORADO LIMITED LIABILITY COMPANY

By: _____
Michael J. Sinkey, Manager of 712 Main Street LLC, a Colorado Limited Liability Company

By: _____
Steven A. Erickson, Manager of 712 Main Street LLC, a Colorado Limited Liability Company

By: _____
David L. Sinkey, Manager of 712 Main Street LLC, a Colorado Limited Liability Company

By: _____
Jason A. Sinkey, Manager of 712 Main Street LLC, a Colorado Limited Liability Company

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Colorado)
) SS
COUNTY OF Boulder)

KRISTIN E. CONROY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134072936
MY COMMISSION EXPIRES NOVEMBER 20, 2017

On this 13th day of June, 20 16, before me, the undersigned Notary Public, personally appeared **Michael J. Sinkey, Manager of 712 Main Street LLC, a Colorado Limited Liability Company; Steven A. Erickson, Manager of 712 Main Street LLC, a Colorado Limited Liability Company; David L. Sinkey, Manager of 712 Main Street LLC, a Colorado Limited Liability Company; and Jason A. Sinkey, Manager of 712 Main Street LLC, a Colorado Limited Liability Company,** and known to me to be members or designated agents of the limited liability company that executed the Deed of Trust and acknowledged the Deed of Trust to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Deed of Trust and in fact executed the Deed of Trust on behalf of the limited liability company.

By Kristin E. Conroy Residing at Louisville Co

Notary Public in and for the State of Colorado My commission expires 11-20-17

LaserPro, Ver. 15.5.10.002 Copr. D+H USA Corporation 1997, 2016. All Rights Reserved. - CO C:\APPS\CFI\LPL\G01.FC
TR-1449945 PR-214

RECORDATION REQUESTED BY:
GREAT WESTERN BANK
Louisville Main
801 Main St.
Suite 130
Louisville, CO 80027

WHEN RECORDED MAIL TO:
GREAT WESTERN BANK
Louisville Main
801 Main St.
Suite 130
Louisville, CO 80027

SEND TAX NOTICES TO:
GREAT WESTERN BANK
Louisville Main
801 Main St.
Suite 130
Louisville, CO 80027

FOR RECORDER'S USE ONLY

#C2003168

DEED OF TRUST

MAXIMUM PRINCIPAL AMOUNT SECURED. The Lien of this Deed of Trust shall not exceed at any one time $460,000.00 except as allowed under applicable Colorado law.

THIS DEED OF TRUST is dated July 2, 2014, among 722 Main Street LLC, a Colorado limited liability company, whose address is 712 Main Street, Louisville, CO 80027 ("Grantor"); GREAT WESTERN BANK, whose address is Louisville Main, 801 Main St., Suite 130, Louisville, CO 80027 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and the Public Trustee of Boulder County, Colorado (referred to below as "Trustee").

CONVEYANCE AND GRANT. For valuable consideration, Grantor hereby irrevocably grants, transfers and assigns to Trustee for the benefit of Lender as Beneficiary all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, **(the "Real Property") located in Boulder County, State of Colorado:**

Lot 9, Block 3, Town of Louisville, County of Boulder, State of Colorado

The Real Property or its address is commonly known as 722 Main Street, Louisville, CO 80027.

FUTURE ADVANCES. In addition to the Note, this Deed of Trust secures all future advances made by Lender to Grantor whether or not the advances are made pursuant to a commitment. Specifically, without limitation, this Deed of Trust secures, in addition to the amounts specified in the Note, all future amounts Lender in its discretion may loan to Grantor, together with all interest thereon.

Grantor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Deed of Trust, Grantor shall pay to Lender all amounts secured by this Deed of Trust as they become due, and shall strictly and in a timely manner perform all of Grantor's obligations under the Note, this Deed of Trust, and the Related Documents.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Grantor agrees that Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Rents from the Property.

Duty to Maintain. Grantor shall maintain the Property in tenantable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

Compliance With Environmental Laws. Grantor represents and warrants to Lender that: (1) During the period of Grantor's ownership of the Property, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from the Property; (2) Grantor has no knowledge of, or reason to believe that there has been, except as previously disclosed to and acknowledged by Lender in writing, (a) any breach or violation of any Environmental Laws, (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the Property by any prior owners or occupants of the Property, or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters; and (3) Except as previously disclosed to and acknowledged by Lender in writing, (a) neither Grantor nor any tenant, contractor, agent or other authorized user of the Property shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on, under, about or from the Property; and (b) any such activity shall be conducted in compliance with all applicable federal, state, and local laws, regulations and ordinances, including without limitation all Environmental Laws. Grantor authorizes Lender and its agents to enter upon the Property to make such inspections and tests, at Grantor's expense, as Lender may deem appropriate to determine compliance of the Property with this section of the Deed of Trust. Any inspections or tests made by Lender shall be for Lender's purposes only and shall not be construed to create any responsibility or liability on the part of Lender to Grantor or to any other person. The representations and warranties contained herein are based on Grantor's due diligence in investigating the Property for Hazardous Substances. Grantor hereby (1) releases and waives any future claims against Lender for indemnity or contribution in the event Grantor becomes liable for cleanup or other costs under any such laws; and (2) agrees to indemnify, defend, and hold harmless Lender against any and all claims, losses, liabilities, damages, penalties, and expenses which Lender

may directly or indirectly sustain or suffer resulting from a breach of this section of the Deed of Trust or as a consequence of any use, generation, manufacture, storage, disposal, release or threatened release occurring prior to Grantor's ownership or interest in the Property, whether or not the same was or should have been known to Grantor. The provisions of this section of the Deed of Trust, including the obligation to indemnify and defend, shall survive the payment of the indebtedness and the satisfaction and reconveyance of the lien of this Deed of Trust and shall not be affected by Lender's acquisition of any interest in the Property, whether by foreclosure or otherwise.

Nuisance, Waste. Grantor shall not cause, conduct or permit any nuisance nor commit, permit, or suffer any stripping of or waste on or to the Property or any portion of the Property. Without limiting the generality of the foregoing, Grantor will not remove, or grant to any other party the right to remove, any timber, minerals (including oil and gas), coal, clay, scoria, soil, gravel or rock products without Lender's prior written consent.

Removal of Improvements. Grantor shall not demolish or remove any improvements from the Real Property without Lender's prior written consent. As a condition to the removal of any improvements, Lender may require Grantor to make arrangements satisfactory to Lender to replace such improvements with improvements of at least equal value.

Lender's Right to Enter. Lender and Lender's agents and representatives may enter upon the Real Property at all reasonable times to attend to Lender's interests and to inspect the Real Property for purposes of Grantor's compliance with the terms and conditions of this Deed of Trust.

Compliance with Governmental Requirements. Grantor shall promptly comply with all laws, ordinances, and regulations, now or hereafter in effect, of all governmental authorities applicable to the use or occupancy of the Property, including without limitation, the Americans With Disabilities Act. Grantor may contest in good faith any such law, ordinance, or regulation and withhold compliance during any proceeding, including appropriate appeals, so long as Grantor has notified Lender in writing prior to doing so and so long as, in Lender's sole opinion, Lender's interests in the Property are not jeopardized. Lender may require Grantor to post adequate security or a surety bond, reasonably satisfactory to Lender, to protect Lender's interest.

Duty to Protect. Grantor agrees neither to abandon or leave unattended the Property. Grantor shall do all other acts, in addition to those acts set forth above in this section, which from the character and use of the Property are reasonably necessary to protect and preserve the Property.

DUE ON SALE - CONSENT BY LENDER. Lender may, at Lender's option, declare immediately due and payable all sums secured by this Deed of Trust upon the sale or transfer, without Lender's prior written consent, of all or any part of the Real Property, or any interest in the Real Property. A "sale or transfer" means the conveyance of Real Property or any right, title or interest in the Real Property; whether legal, beneficial or equitable; whether voluntary or involuntary; whether by outright sale, deed, installment sale contract, land contract, contract for deed, leasehold interest with a term greater than three (3) years, lease-option contract, or by sale, assignment, or transfer of any beneficial interest in or to any land trust holding title to the Real Property, or by any other method of conveyance of an interest in the Real Property. If any Grantor is a corporation, partnership or limited liability company, transfer also includes any change in ownership of more than twenty-five percent (25%) of the voting stock, partnership interests or limited liability company interests, as the case may be, of such Grantor. However, this option shall not be exercised by Lender if such exercise is prohibited by federal law or by Colorado law.

TAXES AND LIENS. The following provisions relating to the taxes and liens on the Property are part of this Deed of Trust:

Payment. Grantor shall pay when due (and in all events prior to delinquency) all taxes, special taxes, assessments, charges (including water and sewer), fines and impositions levied against or on account of the Property, and shall pay when due all claims for work done on or for services rendered or material furnished to the Property. Grantor shall maintain the Property free of all liens having priority over or equal to the interest of Lender under this Deed of Trust, except for the lien of taxes and assessments not due and except as otherwise provided in this Deed of Trust.

Right to Contest. Grantor may withhold payment of any tax, assessment, or claim in connection with a good faith dispute over the obligation to pay, so long as Lender's interest in the Property is not jeopardized. If a lien arises or is filed as a result of nonpayment, Grantor shall within fifteen (15) days after the lien arises or, if a lien is filed, within fifteen (15) days after Grantor has notice of the filing, secure the discharge of the lien, or if requested by Lender, deposit with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender in an amount sufficient to discharge the lien plus any costs and attorneys' fees, or other charges that could accrue as a result of a foreclosure or sale under the lien. In any contest, Grantor shall defend itself and Lender and shall satisfy any adverse judgment before enforcement against the Property. Grantor shall name Lender as an additional obligee under any surety bond furnished in the contest proceedings.

Evidence of Payment. Grantor shall upon demand furnish to Lender satisfactory evidence of payment of the taxes or assessments and shall authorize the appropriate governmental official to deliver to Lender at any time a written statement of the taxes and assessments against the Property.

Notice of Construction. Grantor shall notify Lender at least fifteen (15) days before any work is commenced, any services are furnished, or any materials are supplied to the Property, if any mechanic's lien, materialmen's lien, or other lien could be asserted on account of the work, services, or materials. Grantor will upon request of Lender furnish to Lender advance assurances satisfactory to Lender that Grantor can and will pay the cost of such improvements.

PROPERTY DAMAGE INSURANCE. The following provisions relating to insuring the Property are a part of this Deed of Trust.

Maintenance of Insurance. Grantor shall procure and maintain policies of fire insurance with standard extended coverage endorsements on a fair value basis for the full insurable value covering all improvements on the Real Property in an amount sufficient to avoid application of any coinsurance clause, and with a standard mortgagee clause in favor of Lender. Grantor shall also procure and maintain comprehensive general liability insurance in such coverage amounts as Lender may request with Trustee and Lender being named as additional insureds in such liability insurance policies. Additionally, Grantor shall maintain such other insurance, including but not limited to hazard, business interruption, and boiler insurance, as Lender may reasonably require. Policies shall be written in form, amounts, coverages and basis reasonably acceptable to Lender and issued by a company or companies reasonably acceptable to Lender. Grantor, upon request of Lender, will deliver to Lender from time to time the policies or certificates of insurance in form satisfactory to Lender, including stipulations that coverages will not be cancelled or diminished without at least ten (10) days prior written notice to Lender. Each insurance policy also shall include an endorsement providing that coverage in favor of Lender will not be impaired in any way by any act, omission or default of Grantor or any other person. Should the Real Property be located in an area designated by the Administrator of the Federal Emergency Management Agency as a special flood hazard area, Grantor agrees to obtain and maintain Federal Flood Insurance, if available, within 45 days after notice is given by Lender that the Property is located in a special flood hazard area, for the full unpaid principal balance of the loan and any prior liens on the property securing the loan, up to the maximum policy limits set under the National Flood Insurance Program, or as otherwise required by Lender, and to maintain such insurance for the term of the loan.

Application of Proceeds. Grantor shall promptly notify Lender of any loss or damage to the Property. Lender may make proof of loss if Grantor fails to do so within fifteen (15) days of the casualty. Whether or not Lender's security is impaired, Lender may, at Lender's election, receive and retain the proceeds of any insurance and apply the proceeds to the reduction of the indebtedness, payment of any lien affecting the Property, or the restoration and repair of the Property. If Lender elects to apply the proceeds to restoration and repair, Grantor shall repair or replace the damaged or destroyed improvements in a manner satisfactory to Lender. Lender shall, upon satisfactory proof of such expenditure, pay or reimburse Grantor from the proceeds for the reasonable cost of repair or restoration if Grantor is not in default under this Deed of Trust. Any proceeds which have not been disbursed within 180 days after their receipt and which Lender has not committed to the repair or restoration of the Property shall be used first to pay any amount owing to Lender under this Deed of Trust, then to pay accrued interest, and the

remainder, if any, shall be applied to the principal balance of the Indebtedness. If Lender holds any proceeds after payment in full of the Indebtedness, such proceeds shall be paid to Grantor as Grantor's interests may appear.

Grantor's Report on Insurance. Upon request of Lender, however not more than once a year, Grantor shall furnish to Lender a report on each existing policy of insurance showing: (1) the name of the insurer; (2) the risks insured; (3) the amount of the policy; (4) the property insured, the then current replacement value of such property, and the manner of determining that value; and (5) the expiration date of the policy. Grantor shall, upon request of Lender, have an independent appraiser satisfactory to Lender determine the cash value replacement cost of the Property.

LENDER'S EXPENDITURES. If any action or proceeding is commenced that would materially affect Lender's interest in the Property or if Grantor fails to comply with any provision of this Deed of Trust or any Related Documents, including but not limited to Grantor's failure to discharge or pay when due any amounts Grantor is required to discharge or pay under this Deed of Trust or any Related Documents, Lender on Grantor's behalf may (but shall not be obligated to) take any action that Lender deems appropriate, including but not limited to discharging or paying all taxes, liens, security interests, encumbrances and other claims, at any time levied or placed on the Property and paying all costs for insuring, maintaining and preserving the Property. All such expenditures incurred or paid by Lender for such purposes will then bear interest at the rate charged under the Note from the date incurred or paid by Lender to the date of repayment by Grantor. All such expenses will become a part of the Indebtedness and, at Lender's option, will (A) be payable on demand; (B) be added to the balance of the Note and be apportioned among and be payable with any installment payments to become due during either (1) the term of any applicable insurance policy; or (2) the remaining term of the Note; or (C) be treated as a balloon payment which will be due and payable at the Note's maturity. The Deed of Trust also will secure payment of these amounts. Such right shall be in addition to all other rights and remedies to which Lender may be entitled upon Default.

WARRANTY; DEFENSE OF TITLE. The following provisions relating to ownership of the Property are a part of this Deed of Trust:

Title. Grantor warrants that: (a) Grantor holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the Real Property description or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, Lender in connection with this Deed of Trust, and (b) Grantor has the full right, power, and authority to execute and deliver this Deed of Trust to Lender.

Defense of Title. Subject to the exception in the paragraph above, Grantor warrants and will forever defend the title to the Property against the lawful claims of all persons. In the event any action or proceeding is commenced that questions Grantor's title or the interest of Trustee or Lender under this Deed of Trust, Grantor shall defend the action at Grantor's expense. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of Lender's own choice, and Grantor will deliver, or cause to be delivered, to Lender such instruments as Lender may request from time to time to permit such participation.

Compliance With Laws. Grantor warrants that the Property and Grantor's use of the Property complies with all existing applicable laws, ordinances, and regulations of governmental authorities.

Survival of Representations and Warranties. All representations, warranties, and agreements made by Grantor in this Deed of Trust shall survive the execution and delivery of this Deed of Trust, shall be continuing in nature, and shall remain in full force and effect until such time as Grantor's Indebtedness shall be paid in full.

CONDEMNATION. The following provisions relating to condemnation proceedings are a part of this Deed of Trust:

Proceedings. If any proceeding in condemnation is filed, Grantor shall promptly notify Lender in writing, and Grantor shall promptly take such steps as may be necessary to defend the action and obtain the award. Grantor may be the nominal party in such proceeding, but Lender shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of its own choice, and Grantor will deliver or cause to be delivered to Lender such instruments and documentation as may be requested by Lender from time to time to permit such participation.

Application of Net Proceeds. If all or any part of the Property is condemned by eminent domain proceedings or by any proceeding or purchase in lieu of condemnation, Lender may at its election require that all or any portion of the net proceeds of the award be applied to the Indebtedness or the repair or restoration of the Property. The net proceeds of the award shall mean the award after payment of all reasonable costs, expenses, and attorneys' fees incurred by Trustee or Lender in connection with the condemnation.

IMPOSITION OF TAXES, FEES AND CHARGES BY GOVERNMENTAL AUTHORITIES. The following provisions relating to governmental taxes, fees and charges are a part of this Deed of Trust:

Current Taxes, Fees and Charges. Upon request by Lender, Grantor shall execute such documents in addition to this Deed of Trust and take whatever other action is requested by Lender to perfect and continue Lender's lien on the Real Property. Grantor shall reimburse Lender for all taxes, as described below, together with all expenses incurred in recording, perfecting or continuing this Deed of Trust, including without limitation all taxes, fees, documentary stamps, and other charges for recording or registering this Deed of Trust.

Taxes. The following shall constitute taxes to which this section applies: (1) a specific tax upon this type of Deed of Trust or upon all or any part of the Indebtedness secured by this Deed of Trust; (2) a specific tax on Grantor which Grantor is authorized or required to deduct from payments on the Indebtedness secured by this type of Deed of Trust; (3) a tax on this type of Deed of Trust chargeable against the Lender or the holder of the Note; and (4) a specific tax on all or any portion of the Indebtedness or on payments of principal and interest made by Grantor.

Subsequent Taxes. If any tax to which this section applies is enacted subsequent to the date of this Deed of Trust, this event shall have the same effect as an Event of Default, and Lender may exercise any or all of its available remedies for an Event of Default as provided below unless Grantor either (1) pays the tax before it becomes delinquent, or (2) contests the tax as provided above in the Taxes and Liens section and deposits with Lender cash or a sufficient corporate surety bond or other security satisfactory to Lender.

SECURITY AGREEMENT; FINANCING STATEMENTS. The following provisions relating to this Deed of Trust as a security agreement are a part of this Deed of Trust:

Security Agreement. This instrument shall constitute a Security Agreement to the extent any of the Property constitutes fixtures, and Lender shall have all of the rights of a secured party under the Uniform Commercial Code as amended from time to time.

Security Interest. Upon request by Lender, Grantor shall take whatever action is requested by Lender to perfect and continue Lender's security interest in the Rents and Personal Property. In addition to recording this Deed of Trust in the real property records, Lender may, at any time and without further authorization from Grantor, file executed counterparts, copies or reproductions of this Deed of Trust as a financing statement. Grantor shall reimburse Lender for all expenses incurred in perfecting or continuing this security interest. Upon default, Grantor shall not remove, sever or detach the Personal Property from the Property. Upon default, Grantor shall assemble any Personal Property not affixed to the Property in a manner and at a place reasonably convenient to Grantor and Lender and make it available to Lender within three (3) days after receipt of written demand from Lender to the extent permitted by applicable law.

Addresses. The mailing addresses of Grantor (debtor) and Lender (secured party) from which information concerning the security interest granted by this Deed of Trust may be obtained (each as required by the Uniform Commercial Code) are as stated on the first page of this Deed of Trust.

FURTHER ASSURANCES; ATTORNEY-IN-FACT. The following provisions relating to further assurances and attorney-in-fact are a part

of this Deed of Trust:

Further Assurances. At any time, and from time to time, upon request of Lender, Grantor will make, execute and deliver, or will cause to be made, executed or delivered, to Lender or to Lender's designee, and when requested by Lender, cause to be filed, recorded, refiled, or rerecorded, as the case may be, at such times and in such offices and places as Lender may deem appropriate, any and all such mortgages, deeds of trust, security deeds, security agreements, financing statements, continuation statements, instruments of further assurance, certificates, and other documents as may, in the sole opinion of Lender, be necessary or desirable in order to effectuate, complete, perfect, continue, or preserve (1) Grantor's obligations under the Note, this Deed of Trust, and the Related Documents, and (2) the liens and security interests created by this Deed of Trust as first and prior liens on the Property, whether now owned or hereafter acquired by Grantor. Unless prohibited by law or Lender agrees to the contrary in writing, Grantor shall reimburse Lender for all costs and expenses incurred in connection with the matters referred to in this paragraph.

Attorney-in-Fact. If Grantor fails to do any of the things referred to in the preceding paragraph, Lender may do so for and in the name of Grantor and at Grantor's expense. For such purposes, Grantor hereby irrevocably appoints Lender as Grantor's attorney-in-fact for the purpose of making, executing, delivering, filing, recording, and doing all other things as may be necessary or desirable, in Lender's sole opinion, to accomplish the matters referred to in the preceding paragraph.

FULL PERFORMANCE. Upon the full performance of all the obligations under the Note and this Deed of Trust, Trustee may, upon production of documents and fees as required under applicable law, release this Deed of Trust, and such release shall constitute a release of the lien for all such additional sums and expenditures made pursuant to this Deed of Trust. Lender agrees to cooperate with Grantor in obtaining such release and releasing the other collateral securing the Indebtedness. Any release fees required by law shall be paid by Grantor, if permitted by applicable law.

EVENTS OF DEFAULT. Each of the following, at Lender's option, shall constitute an Event of Default under this Deed of Trust:

Payment Default. Grantor fails to make any payment when due under the Indebtedness.

Other Defaults. Grantor fails to comply with or to perform any other term, obligation, covenant or condition contained in this Deed of Trust or in any of the Related Documents or to comply with or to perform any term, obligation, covenant or condition contained in any other agreement between Lender and Grantor.

Compliance Default. Failure to comply with any other term, obligation, covenant or condition contained in this Deed of Trust, the Note or in any of the Related Documents.

Default on Other Payments. Failure of Grantor within the time required by this Deed of Trust to make any payment for taxes or insurance, or any other payment necessary to prevent filing of or to effect discharge of any lien.

Default in Favor of Third Parties. Should Grantor default under any loan, extension of credit, security agreement, purchase or sales agreement, or any other agreement, in favor of any other creditor or person that may materially affect any of Grantor's property or Grantor's ability to repay the Indebtedness or Grantor's ability to perform Grantor's obligations under this Deed of Trust or any of the Related Documents.

False Statements. Any warranty, representation or statement made or furnished to Lender by Grantor or on Grantor's behalf under this Deed of Trust or the Related Documents is false or misleading in any material respect, either now or at the time made or furnished or becomes false or misleading at any time thereafter.

Defective Collateralization. This Deed of Trust or any of the Related Documents ceases to be in full force and effect (including failure of any collateral document to create a valid and perfected security interest or lien) at any time and for any reason.

Death or Insolvency. The dissolution of Grantor's (regardless of whether election to continue is made), any member withdraws from the limited liability company, or any other termination of Grantor's existence as a going business or the death of any member, the insolvency of Grantor, the appointment of a receiver for any part of Grantor's property, any assignment for the benefit of creditors, any type of creditor workout, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against Grantor.

Creditor or Forfeiture Proceedings. Commencement of foreclosure or forfeiture proceedings, whether by judicial proceeding, self-help, repossession or any other method, by any creditor of Grantor or by any governmental agency against any property securing the Indebtedness. This includes a garnishment of any of Grantor's accounts, including deposit accounts, with Lender. However, this Event of Default shall not apply if there is a good faith dispute by Grantor as to the validity or reasonableness of the claim which is the basis of the creditor or forfeiture proceeding and if Grantor gives Lender written notice of the creditor or forfeiture proceeding and deposits with Lender monies or a surety bond for the creditor or forfeiture proceeding, in an amount determined by Lender, in its sole discretion, as being an adequate reserve or bond for the dispute.

Breach of Other Agreement. Any breach by Grantor under the terms of any other agreement between Grantor and Lender that is not remedied within any grace period provided therein, including without limitation any agreement concerning any indebtedness or other obligation of Grantor to Lender, whether existing now or later.

Events Affecting Guarantor. Any of the preceding events occurs with respect to any Guarantor of any of the Indebtedness or any Guarantor dies or becomes incompetent, or revokes or disputes the validity of, or liability under, any Guaranty of the Indebtedness.

Adverse Change. A material adverse change occurs in Grantor's financial condition, or Lender believes the prospect of payment or performance of the Indebtedness is impaired.

RIGHTS AND REMEDIES ON DEFAULT. If an Event of Default occurs under this Deed of Trust, at any time thereafter, Trustee or Lender may exercise any one or more of the following rights and remedies:

Election of Remedies. Election by Lender to pursue any remedy shall not exclude pursuit of any other remedy, and an election to make expenditures or to take action to perform an obligation of Grantor under this Deed of Trust, after Grantor's failure to perform, shall not affect Lender's right to declare a default and exercise its remedies.

Accelerate Indebtedness. Lender shall have the right at its option without notice to Grantor to declare the entire Indebtedness immediately due and payable, including any prepayment penalty which Grantor would be required to pay.

Foreclosure. Lender shall have the right to cause all or any part of the Real Property, and Personal Property, if Lender decides to proceed against it as if it were real property, to be sold by the Trustee according to the laws of the State of Colorado as respects foreclosures against real property. The Trustee shall give notice in accordance with the laws of Colorado. The Trustee shall apply the proceeds of the sale in the following order: (a) to all costs and expenses of the sale, including but not limited to Trustee's fees, attorneys' fees, and the cost of title evidence; (b) to all sums secured by this Deed of Trust; and (c) the excess, if any, to the person or persons legally entitled to the excess.

UCC Remedies. With respect to all or any part of the Personal Property, Lender shall have all the rights and remedies of a secured party under the Uniform Commercial Code.

Collect Rents. Lender shall have the right, without notice to Grantor to take possession of and manage the Property and collect the Rents, including amounts past due and unpaid, and apply the net proceeds, over and above Lender's costs, against the Indebtedness. In furtherance of this right, Lender may require any tenant or other user of the Property to make payments of rent or use fees directly to Lender. If the Rents are collected by Lender, then Grantor irrevocably designates Lender as Grantor's attorney-in-fact to endorse instruments received in payment thereof in the name of Grantor and to negotiate the same and collect

the proceeds. Payments by tenants or other users to Lender in response to Lender's demand shall satisfy the obligations for which the payments are made, whether or not any proper grounds for the demand existed. Lender may exercise its rights under this subparagraph either in person, by agent, or through a receiver.

Appoint Receiver. Lender shall have the right to have a receiver appointed to take possession of all or any part of the Property, with the power to protect and preserve the Property, to operate the Property preceding foreclosure or sale, and to collect the Rents from the Property and apply the proceeds, over and above the cost of the receivership, against the Indebtedness. The receiver may serve without bond if permitted by law. Lender's right to the appointment of a receiver shall exist whether or not the apparent value of the Property exceeds the Indebtedness by a substantial amount. Employment by Lender shall not disqualify a person from serving as a receiver. Receiver may be appointed by a court of competent jurisdiction upon ex parte application and without notice, notice being expressly waived.

Tenancy at Sufferance. If Grantor remains in possession of the Property after the Property is sold as provided above or Lender otherwise becomes entitled to possession of the Property upon default of Grantor, Grantor shall become a tenant at sufferance of Lender or the purchaser of the Property and shall, at Lender's option, either (1) pay a reasonable rental for the use of the Property, or (2) vacate the Property immediately upon the demand of Lender.

Other Remedies. Trustee or Lender shall have any other right or remedy provided in this Deed of Trust or the Note or available at law or in equity.

Sale of the Property. In exercising its rights and remedies, Lender shall be free to designate on or before it files a notice of election and demand with the Trustee, that the Trustee sell all or any part of the Property together or separately, in one sale or by separate sales. Lender shall be entitled to bid at any public sale on all or any portion of the Property. Upon any sale of the Property, whether made under a power of sale granted in this Deed of Trust or pursuant to judicial proceedings, if the holder of the Note is a purchaser at such sale, it shall be entitled to use and apply all, or any portion of, the Indebtedness for or in settlement or payment of all, or any portion of, the purchase price of the Property purchased, and, in such case, this Deed of Trust, the Note, and any documents evidencing expenditures secured by this Deed of Trust shall be presented to the person conducting the sale in order that the amount of Indebtedness so used or applied may be credited thereon as having been paid.

Attorneys' Fees; Expenses. If Lender forecloses or institutes any suit or action to enforce any of the terms of this Deed of Trust, Lender shall be entitled to recover such sum as the court may adjudge reasonable as attorneys' fees at trial and upon any appeal. Whether or not any court action is involved, and to the extent not prohibited by law, all reasonable expenses Lender incurs that in Lender's opinion are necessary at any time for the protection of its interest or the enforcement of its rights shall become a part of the Indebtedness payable on demand and shall bear interest at the Note rate from the date of the expenditure until repaid. Expenses covered by this paragraph include, without limitation, however subject to any limits under applicable law, Lender's attorneys' fees whether or not there is a lawsuit, including attorneys' fees and expenses for bankruptcy proceedings (including efforts to modify or vacate any automatic stay or injunction), appeals, and any anticipated post-judgment collection services, the cost of searching records, obtaining title reports (including foreclosure reports), surveyors' reports, and appraisal fees, title insurance, and fees for the Trustee, to the extent permitted by applicable law. Grantor also will pay any court costs, in addition to all other sums provided by law.

Rights of Trustee. To the extent permitted by applicable law, Trustee shall have all of the rights and duties of Lender as set forth in this section.

NOTICES. Any notice required to be given under this Deed of Trust, including without limitation any notice of default and any notice of sale shall be given in writing, and shall be effective when actually delivered, when actually received by telefacsimile (unless otherwise required by law), when deposited with a nationally recognized overnight courier, or, if mailed, when deposited in the United States mail, as first class, certified or registered mail postage prepaid, directed to the addresses shown near the beginning of this Deed of Trust. All copies of notices of foreclosure from the holder of any lien which has priority over this Deed of Trust shall be sent to Lender's address, as shown near the beginning of this Deed of Trust. Any party may change its address for notices under this Deed of Trust by giving formal written notice to the other parties, specifying that the purpose of the notice is to change the party's address. For notice purposes, Grantor agrees to keep Lender informed at all times of Grantor's current address. Unless otherwise provided or required by law, if there is more than one Grantor, any notice given by Lender to any Grantor is deemed to be notice given to all Grantors.

MISCELLANEOUS PROVISIONS. The following miscellaneous provisions are a part of this Deed of Trust:

Amendments. This Deed of Trust, together with any Related Documents, constitutes the entire understanding and agreement of the parties as to the matters set forth in this Deed of Trust. No alteration of or amendment to this Deed of Trust shall be effective unless given in writing and signed by the party or parties sought to be charged or bound by the alteration or amendment.

Annual Reports. If the Property is used for purposes other than Grantor's residence, Grantor shall furnish to Lender, upon request, a certified statement of net operating income received from the Property during Grantor's previous fiscal year in such form and detail as Lender shall require. "Net operating income" shall mean all cash receipts from the Property less all cash expenditures made in connection with the operation of the Property.

Caption Headings. Caption headings in this Deed of Trust are for convenience purposes only and are not to be used to interpret or define the provisions of this Deed of Trust.

Merger. There shall be no merger of the interest or estate created by this Deed of Trust with any other interest or estate in the Property at any time held by or for the benefit of Lender in any capacity, without the written consent of Lender.

Governing Law. This Deed of Trust will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Colorado without regard to its conflicts of law provisions. This Deed of Trust has been accepted by Lender in the State of Colorado.

Choice of Venue. If there is a lawsuit, Grantor agrees upon Lender's request to submit to the jurisdiction of the courts of Boulder County, State of Colorado.

No Waiver by Lender. Lender shall not be deemed to have waived any rights under this Deed of Trust unless such waiver is given in writing and signed by Lender. No delay or omission on the part of Lender in exercising any right shall operate as a waiver of such right or any other right. A waiver by Lender of a provision of this Deed of Trust shall not prejudice or constitute a waiver of Lender's right otherwise to demand strict compliance with that provision or any other provision of this Deed of Trust. No prior waiver by Lender, nor any course of dealing between Lender and Grantor, shall constitute a waiver of any of Lender's rights or of any of Grantor's obligations as to any future transactions. Whenever the consent of Lender is required under this Deed of Trust, the granting of such consent by Lender in any instance shall not constitute continuing consent to subsequent instances where such consent is required and in all cases such consent may be granted or withheld in the sole discretion of Lender.

Severability. If a court of competent jurisdiction finds any provision of this Deed of Trust to be illegal, invalid, or unenforceable as to any circumstance, that finding shall not make the offending provision illegal, invalid, or unenforceable as to any other circumstance. If feasible, the offending provision shall be considered modified so that it becomes legal, valid and enforceable. If the offending provision cannot be so modified, it shall be considered deleted from this Deed of Trust. Unless otherwise required by law, the illegality, invalidity, or unenforceability of any provision of this Deed of Trust shall not affect the legality, validity or enforceability of any other provision of this Deed of Trust.

Successors and Assigns. Subject to any limitations stated in this Deed of Trust on transfer of Grantor's interest, this Deed of Trust shall be binding upon and inure to the benefit of the parties, their successors and assigns. If ownership of the Property becomes vested in a person other than Grantor, Lender, without notice to Grantor, may deal with Grantor's successors with reference to this Deed of Trust and the Indebtedness by way of forbearance or extension without releasing Grantor from the obligations of this Deed of Trust or liability under the Indebtedness.

Time is of the Essence. Time is of the essence in the performance of this Deed of Trust.

Waiver of Homestead Exemption. Grantor hereby releases and waives all rights and benefits of the homestead exemption laws of the State of Colorado as to all Indebtedness secured by this Deed of Trust.

DEFINITIONS. The following capitalized words and terms shall have the following meanings when used in this Deed of Trust. Unless specifically stated to the contrary, all references to dollar amounts shall mean amounts in lawful money of the United States of America. Words and terms used in the singular shall include the plural, and the plural shall include the singular, as the context may require. Words and terms not otherwise defined in this Deed of Trust shall have the meanings attributed to such terms in the Uniform Commercial Code:

Beneficiary. The word "Beneficiary" means GREAT WESTERN BANK, and its successors and assigns.

Borrower. The word "Borrower" means 722 Main Street LLC and includes all co-signers and co-makers signing the Note and all their successors and assigns.

Deed of Trust. The words "Deed of Trust" mean this Deed of Trust among Grantor, Lender, and Trustee, and includes without limitation all assignment and security interest provisions relating to the Personal Property and Rents.

Default. The word "Default" means the Default set forth in this Deed of Trust in the section titled "Default".

Environmental Laws. The words "Environmental Laws" mean any and all state, federal and local statutes, regulations and ordinances relating to the protection of human health or the environment, including without limitation the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq. ("CERCLA"), the Superfund Amendments and Reauthorization Act of 1986, Pub. L. No. 99-499 ("SARA"), the Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq., the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq., or other applicable state or federal laws, rules, or regulations adopted pursuant thereto.

Event of Default. The words "Event of Default" mean any of the events of default set forth in this Deed of Trust in the events of default section of this Deed of Trust.

Grantor. The word "Grantor" means 722 Main Street LLC.

Guarantor. The word "Guarantor" means any guarantor, surety, or accommodation party of any or all of the Indebtedness.

Guaranty. The word "Guaranty" means the guaranty from Guarantor to Lender, including without limitation a guaranty of all or part of the Note.

Hazardous Substances. The words "Hazardous Substances" mean materials that, because of their quantity, concentration or physical, chemical or infectious characteristics, may cause or pose a present or potential hazard to human health or the environment when improperly used, treated, stored, disposed of, generated, manufactured, transported or otherwise handled. The words "Hazardous Substances" are used in their very broadest sense and include without limitation any and all hazardous or toxic substances, materials or waste as defined by or listed under the Environmental Laws. The term "Hazardous Substances" also includes, without limitation, petroleum and petroleum by-products or any fraction thereof and asbestos.

Improvements. The word "Improvements" means all existing and future improvements, buildings, structures, mobile homes affixed on the Real Property, facilities, additions, replacements and other construction on the Real Property.

Indebtedness. The word "Indebtedness" means all principal, interest, and other amounts, costs and expenses payable under the Note or Related Documents, together with all renewals of, extensions of, modifications of, consolidations of and substitutions for the Note or Related Documents and any amounts expended or advanced by Lender to discharge Grantor's obligations or expenses incurred by Trustee or Lender to enforce Grantor's obligations under this Deed of Trust, together with interest on such amounts as provided in this Deed of Trust. Specifically, without limitation, Indebtedness includes the future advances set forth in the Future Advances provision of this Deed of Trust, together with all interest thereon.

Lender. The word "Lender" means GREAT WESTERN BANK, its successors and assigns.

Note. The word "Note" means the promissory note dated July 2, 2014, **in the original principal amount of $460,000.00** from Grantor to Lender, together with all renewals of, extensions of, modifications of, refinancings of, consolidations of, and substitutions for the promissory note or agreement. The maturity date of the Note is July 7, 2019. **NOTICE TO GRANTOR: THE NOTE CONTAINS A VARIABLE INTEREST RATE.**

Personal Property. The words "Personal Property" mean all equipment, fixtures, and other articles of personal property now or hereafter owned by Grantor, and now or hereafter attached or affixed to the Real Property; together with all accessions, parts, and additions to, all replacements of, and all substitutions for, any of such property; and together with all proceeds (including without limitation all insurance proceeds and refunds of premiums) from any sale or other disposition of the Property.

Property. The word "Property" means collectively the Real Property and the Personal Property.

Real Property. The words "Real Property" mean the real property, interests and rights, as further described in this Deed of Trust.

Related Documents. The words "Related Documents" mean all promissory notes, credit agreements, loan agreements, environmental agreements, guaranties, security agreements, mortgages, deeds of trust, security deeds, collateral mortgages, and all other instruments, agreements and documents, whether now or hereafter existing, executed in connection with the Indebtedness.

Rents. The word "Rents" means all present and future rents, revenues, income, issues, royalties, profits, and other benefits derived from the Property.

Trustee. The word "Trustee" means the Public Trustee of Boulder County, Colorado.

DEED OF TRUST
(Continued)

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS DEED OF TRUST, AND GRANTOR AGREES TO ITS TERMS.

GRANTOR:

722 MAIN STREET LLC

By: _____
David L. Sinkey, Manager of 722 Main Street LLC

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Colorado)
) SS
COUNTY OF Boulder)

KRISTIN E. CONROY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20134072936
MY COMMISSION EXPIRES NOVEMBER 20, 2017

On this 2nd day of July, 20 14, before me, the undersigned Notary Public, personally appeared **David L. Sinkey, Manager of 722 Main Street LLC**, and known to me to be a member or designated agent of the limited liability company that executed the Deed of Trust and acknowledged the Deed of Trust to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement, for the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute this Deed of Trust and in fact executed the Deed of Trust on behalf of the limited liability company.

By Kristin E. Conroy Residing at Lafayette, Co

Notary Public in and for the State of Colorado My commission expires 11-20-17

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Summary Analysis of 712-722 Main Street PUD
with respect to:
The Design Handbook for Downtown Louisville
Prepared by Hartronft Associates, p.c.

The relevant standards from the Design Handbook are referenced and excerpted below with statements indicating how the standards and guidelines are addressed. We believe that the standards and guidelines have been met in the design of this project. However, where specifically indicated below as not complying with an element of the Handbook, the reasons for such deviation is indicated.

BASIC PRINCIPLES OF DESIGN

1. Keep it Simple.

Each segment of the composition, appearing as a separate building, conveys a simple, unified design that serves as a frame for the windows that display goods or reveal services offered inside.

2. Relate to Traditional Buildings in the Area.

As indicated in the cover letter, we have considered the context of the buildings in the area and the historic context of the adjacent Huckleberry building in the design of this project. We have endeavored to enhance the rhythm and texture of the existing context of downtown.

3. Use the Entire Building Front as Your Image.

Upper and lower floors are coordinated into a single design concept, within the context of providing separations between the building components to break down the mass and scale of the building.

4. Develop a Clear Presentation to the Street.

We have developed a clear design concept that avoids clutter and forcefully directs the customers eye to the main retail storefronts, with simple detailing on the second level and setting the main mass of the 2nd and 3rd levels back 50 feet from the street to minimize its impact.

5. If the building is an older "traditional" building, respect its earlier character.

Per the Guidelines, "Other buildings convey a part of downtown's tradition as well. An early 1950s storefront, for example also contributes to the scale and character of the area and should be respected." Even though the buildings being replaced are mid century, there is a "traditional" context as indicated in this statement, and as such we have respected the earlier character of these buildings in the design of the new building.

"Regarding this concept of what is compatible with the traditional context of Louisville, consider the following as a general *STANDARD* for new construction:

New interpretations of traditional building types are encouraged, such that they are seen as products of their own time yet compatible with their older neighbors.

1) Historic details that were not found in Louisville are inappropriate.

2) However, using traditional proportions of height, width and depth are very important to be compatible with the established mass and scale of downtown Louisville."

This primary design standard is important and was a guiding principle for our design. The new building will be seen as a product of this time in Louisville's history, and compatible with the older neighbors, through the use of traditional proportions of height, width and depth.

GENERAL STANDARDS AND GUIDELINES FOR ALL PROJECTS IN DOWNTOWN LOUISVILLE

These design standards and guidelines apply to all projects in downtown Louisville.

URBAN DESIGN

G1. All projects should respect the traditional context of downtown.

1) Consideration has be given to the broader context of the block and the town at large.
2) Historic Resources on property – Not Applicable.

G2. Respect the established town grid in all projects.

1) "Maintain the alignment of streets and alleys when ever feasible." – Project complies.
2) "Alleys are used by pedestrians as well as vehicles. Design them to accommodate both user groups." The development encourages pedestrian connection to Main Street with public art, also a major entry to the building is provided from the alley.

T2. Develop the ground floor level of all projects to be at a pedestrian scale.

1) The project provides visual interest on all facades which will be seen from streets, alleys and pedestrian ways. The parking structure is treated architecturally to provide an interesting façade at the alley, including incorporation of landscaping at ground level and at green ro ofs above the alley circulation.
2) The building expresses human scale, through materials and forms that are familiar building elements in town. Wood siding on the façade with tradional lap dimension, and smaller storefront entries enhance the pedestrian experience on Main Street, as well as the outdoor seating areas.
3) While there are not porches on nearby buildings on the east side, we have provided for a set back building façade on the ground floor and roof top decks to provide visual interest and human scale.

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G3. An alley landscape design should be simple in character.

1) We have not provided elaborate planting schemes and ornate furnishings along alley edge. However we have planned for upper level decks, ground floor and upper level landscape elements and the potential for future storefront and outdoor activity area on the main level if the parking is not provided on the main floor. With the proposed public art leading from the alley to the current walkway to Main Street we have tried to emphasize the all ey's pedestrian and arts-related focus as "Via Artista".

G4. Develop the street and alley edges of a property to be at a pedestrian scale.

1) We have provided visual interest on all facades which will be seen from streets, alleys and pedestrian ways.
2) The guideline indicates that "A building should step down in scale along the alley edge." Due to the fact that we have provided a large setback and one-story façade on the southern half of the Main Street façade, the square footage is concentrated on the back por tion of the lot, adjacent to the alley. We believe that the large setback in the front to diminish the mass

and scale on Main Street, and respect the historic building housing the Huckleberry was an important element, and that at the alley façade, with proper treatment to break down the mass, it would be appropriate to not step down to the alley. As an example, the Melting Pot building to the north of the property rises from the ground to the roof without setbacks on the alley façade, as does 950 Spruce Street and the Library in the next block . The north and south facades are set back from the main level on the rear of the lot to provide green roofs, and windows which further break down the mass of the alley façade. Therefore we believe that this is an appropriate response to the existing context, and it allows for us to provide greater benefit to Main Street, in terms of massing and scale.

3) The building expresses human scale, through materials and forms that are familiar building elements in town, as indicated herein.

4) The building design utilizes varied building setbacks and changes in materials, as well as projecting balconies to create interest and reduce the perceived scale of the building along alley.

G5. Site furniture should be simple in character.

1) "Avoid any highly ornate design that would misrepresent the history of the area." Design is in compliance with this guideline.

2) "Benches, bike racks (which are strongly encouraged) and trash receptacles are examples of site furnishings that may be considered." Additional streetscape furnishings will be provided based on the tenant storefront requirements, to respond to this guideline.

3) "A bike rack may be located along a street front where space is available and a minimum clear walkway can be maintained." See note above. We propose to work with the City to provide a plan for appropriate location of public bike parking in front of the building where it will not block pedestrian traffic. Ample bike parking for building tenants is provided in the parking garage.

4) "Design of private furnishings should be consistent with public site furniture." (see above)

G6. Street lights within a project should be compatible with the City's streetscape design.

Not Applicable

G7. The use of public art is encouraged.

1) Public art in the form of a mural is proposed in the walkway from the alley to Main Street. Also, the public lobby and office entry will have artwork visible from the street.

2) "Also consider installing public art along alley facades or in the sidewalk itself" (see above).

3) The proposed mural would be an integral part of the architecture.

SITE DESIGN

G8. Orient a new building parallel to its lot lines, similar to that of traditional building orientations.

1) The front of the structure is oriented to the street.

2) The building components all have clearly defined primary entrances.

G9. Exterior lights should be simple in character and similar in color and intensity to that used traditionally.

1) The design of exterior light fixtures are simple in form and detail.

2) Lights along alley are utilitarian in design.
3) All exterior lights are relatively low wattage, cutoff type fixtures.

G10. Minimize the visual impacts of site and architectural lighting.

1) Exterior lights are cutoff type fixtures to prevent glare onto adjacent properties.
2) No lights are proposed that are un-shielded, high intensity light sources or which direct light upward.
3) Shielded lighting provided at service areas, parking lots and parking structure.
4) Light fixtures on the upper level balconies facing Main Street are shielded.

G11. Provide site lighting that encourages pedestrian activity at night.

1) Site lighting is designed to be at a pedestrian scale and help define different functional areas of the property, especially at building entries.

G12. Large areas of off-street parking will not be allowed along Main Street.

Not Applicable.

G13. Where appropriate, design a parking area to be accessed from an alley rather than the street.

1) Not Applicable.
2) "If parking is located within a garage, minimize the width of the driveway." Minimal functional width is provided for parking garage entries.

G14. Screen a parking lot from view from the street.

Parking is in the rear of the building, screened from the street.

G16. Minimize the visual impacts of a parking structure.

1) Cars in the parking structure are substantially screened from view from the alley, not visible from the street.
2) Street frontage is reserved for commercial uses, with the garage on the alley frontage.
3) (see above).

G17. Minimize the visual impacts of trash storage areas.

1) "Trash enclosures should be constructed with similar materials as those of the primary structure." A fully enclosed area for trash and recycle is proposed to be architecturally part of the stair tower facing the alley.
2) Service area is at the rear of a site, accessed by the alley.
3) "Trash areas, including large waste containers (dumpsters) should also be screened from view of major pedestrian routes, using a fence or hedge. For a larger storage facility, consider using a shed to enclose it." (see above)
4) Not Applicable.

G18. Provide access to a service area such that service vehicles will not interfere with pedestrians and other vehicular traffic.

1) "The use of an off-street loading zone is encouraged." One parking space on the alley

will be designated as short term parking, or loading.

2) "In large structures locating a loading area in the building is preferred." This would not be feasible with the proposed parking structure and size of the lot and building.

G19. Minimize the impacts of utilities and service equipment.

1) "These impacts include those associated with visual appearances and noise levels." Service area and utilities (electric transformer, phone pedestal, etc.) are located in the rear.

2) Adequate space has been provided for utilities.

3) Utilities are located in the rear of property. Landscaping screens the utilities

4) Vents are integrated into the building design, or roof mounted.

5) Rooftop appurtenances, such as mechanical equipment screened from view, utilizing a recessed roof area with a parapet that is at the maximum building height.

BUILDING MASS, SCALE & FORM

G20. New construction should appear similar in mass and scale to structures found traditionally in the area.

Building is divided into modules to be similar in mass and scale to structures found traditionally in the area. Third level is set back substantially from the street.

G21. A larger building may be divided into "modules" that reflect the traditional scale of construction.

1) Building is divided into multiple "modules," which are expressed three-dimensionally, by having significant architectural changes, throughout the entire building.

2) Building steps down to minimize the perceived scale at the street.

3) Building elements are in scale with the overall mass of the building.

G22. Buildings that are predominantly rectangular in form are encouraged.

1) The building is composed of elements that are simple in form, each providing a dominant rectangular mass to convey the separate masses that break the overall mass of the building down to a smaller scale.

ARCHITECTURAL ELEMENTS & DETAILS

G23. Respect the sense of time and place in all projects.

1) "One should be able to perceive some of the character of the area as it evolved historically". Although several design cues are derived from the traditional architecture and mid-century architecture of downtown, the building is designed to be of this time and place in Louisville's history, which is constantly evolving.

G24. New interpretations of traditional building styles are encouraged

1) "A new design that draws upon the fundamental similarities among traditional buildings in the community without copying them is preferred. This will allow them to be seen as products of their own time yet compatible with their older neighbors." This basic design principle is a design standard in this Handbook and was a major design driver of our solution.

2) "Applying highly ornamental details that were not a part of building in Louisville is

discouraged." No inappropriate ornamental detailing, foreign to Louisville has been proposed.

G25. Building components should be similar in scale to those used traditionally.

The building is a composition of elements that are similar in scale to those used traditionally.

G26. Using awnings to provide weather protection and create interest is encouraged.

Currently no awnings are proposed, as we have provided recessed building entries. It is possible that future tenants may incorporate awnings into their storefronts. These would be designed to be compatible with the building architecture.

G27. Avoid stylistic details that confuse the history of Louisville.

1) "Use ornamental details with restraint." Not applicable, detailing is not ornamental.
2) "Historic details that were not found in Louisville are discouraged." None proposed.
3) "Elaborate "Victorian" ornamentation, which is atypical in Louisville, is discouraged. The exact copying or replication of historic styles is also discouraged." None proposed.

G28. Theme designs are not appropriate in downtown Louisville.

1) "New contemporary designs that are compatible with older buildings are encouraged." The building design is contemporary, and yet compatible through use of scale, materials, etc.
2) "Other styles that would also be misleading about the history of Louisville are inappropriate." None proposed.

G29. Maintain the existing range of exterior wall materials found in downtown.

1) "Appropriate materials for primary structures include horizontal and vertical siding, shingles and brick." Primary façade materials on Main Street are horizontal wood siding, wood lattice, wood grained panel siding, shingled metal and metal panel. The composition is a blend of traditional and contemporary applications of traditional building materials. Note the pressed tin siding of the Huckleberry building and variety of siding materials found downtown.
2) "The lap dimensions of siding should be similar to those found traditionally. Typically 4-6 inches exposed." Lap siding on the building will be 4 and 6 inch exposure.
3) "Stucco is generally inappropriate as a primary material on the street." No stucco is proposed for the street facing façade. Stucco is proposed for a portion of the façade facing north to accommodate a mural.
4) "Reflective materials, such as mirrored glass or polished metals, are inappropriate." None proposed.
5) "Rustic shakes and timber are inappropriate." None proposed
6) "For larger buildings, consider a combination of appropriate materials as a means to reduce the apparent size of the project." This technique has been employed in the design of this project.
7) "Check with the Planning Department regarding appropriate exterior wall materials as they relate to fire retardation. (In some instances, the Uniform Code for Building Conservation may be used.)" Materials proposed will be specified with the appropriate fire resistive characteristics based on their application with the building, and proximity to property lines, per applicable codes.

G30. Materials should be applied in a manner similar to that used traditionally.

1) "A "hierarchy" of building materials should be used, with heavier coarser materials used as foundations and more refined materials used above." Street facing façade does not express a foundation course as a more historic building might do. The application of the materials on the façade are typical with most buildings downtown. Less detailed application of materials is provided on the upper portion of the building to provide emphasis at the street level.

G31. New materials may be considered, if they appear similar in character and detailing to those used traditionally.

1) "New materials must have a demonstrated durability in this climate and have the ability to be repaired under reasonable conditions." All proposed materials comply with this guideline.

2) "Details of hard board siding, and their joints, should match that of traditional wood siding." In addition to horizontal wood siding, we have proposed panel siding with panel joints that are more contemporary than traditional horizontal or vertical wood siding, however the application is consistent with traditional mid-century design, which emphasizes clean, simple forms, with articulated materials, true to their nature, typically less textural than a historic wood lap siding. The building is not meant to replicate a historic building in detailing or materiality.

3) "Synthetic materials such as aluminum and vinyl siding may be considered on new construction, if details and lap dimensions are similar to those seen traditionally. They should not be used, however, to cover historic building materials (see also *Design Standards and Guidelines for Historic Buildings*)." (see note above)

4) "Check with the Planning Department regarding the acceptance of new, substitute materials." We look forward to more detailed discussion regarding the materials with Planning Staff.

5) "Exterior wood finishes should be painted or stained on primary structures. Rustic or natural finishes may be considered on secondary structures." Stained wood finishes are proposed as well as composite materials replicating stained wood on upper façade (north side). Painted panel siding is proposed on upper levels.

G32. On buildings with sloping roof forms, materials should appear similar to those used traditionally.

Not Applicable.

G33. Windows should be of a traditional size and relate to a pedestrian scale.

1) Windows are simple in shape, arrangement and detail.

2) Unusually shaped windows, such as triangles and trapezoids are not proposed.

3) Windows will be standard contemporary storefront construction to meet energy codes, with 2" frame exposure. We propose that wood-clad storefront elements will be used at accent areas.

G34. The ratio of windows to wall surface should be similar to that seen traditionally.

1) "Large surfaces of glass are inappropriate on residential structures and on the upper floors of commercial buildings." Although it is not clear what "large surfaces" would be defined as, we have designed the upper floors with some panes of glass that are up to 5'-9" wide, and up to 4'-8" high. Main level windows are typically larger, up to 6'-0" wide and 8'-0" high.

While this is not similar to older historic (1900's era) buildings, it is similar to that seen traditionally in mid-century buildings. Therefore, we believe this is compliant with this guideline.

2) "For commercial type buildings in the Core Area a solid-to-void ratio of 1:2 is appropriate." Several factors determine window sizes, and window to wall ratios. No formula will produce good design. Good design is a function of proportion, mass, scale, materiality, and other aesthetic factors. That being said, we believe this guideline is meant to provide larger storefront windows for the core area, allowing for smaller storefront glazing areas for the transition areas. On the Main Street façade, the proposed solid to void ratio on the main level is 1:1.4, and the ratio is 1.4:1 on the upper levels (facing Main Street). The other facades are regulated by fire codes and allowable glazing areas. We believe that the solid to void ratio proposed is appropriate for the design of this building.

G35. Upper stories, on a street facade, should appear less transparent than the first floor.

1) "Upper story windows with a vertical emphasis are typical, but occasionally horizontal windows were used. Either are appropriate in downtown, but their use should be compatible with the building type." Both orientations are utilized on the building, based on context.

2) "Windows with traditional depth and trim are preferred." Windows will be standard contemporary storefront construction, with 2" frame exposure.

3) Not applicable.

G36. Skylights should be limited in number and size.

Any skylights utilized on the building will be on flat roofs, not visible from the street.

G37. Maintain the traditional pattern of doors along the street.

1) The building components have well-defined front entrances found traditionally in downtown.
2) All entrances are at grade level.

ADDITIONS TO BUILDINGS

Not Applicable

MISCELLANEOUS DESIGN TOPICS

G40. Use color schemes that will complement other buildings nearby.

1) The natural color palette will complement other buildings nearby.
2) Not applicable.
3) (informational only)
4) (informational only)

G41. Use color to coordinate facade elements in an overall composition.

1) Base colors are muted natural tones.
2) Certain features (doors etc.) have accent or contrasting material colors.

G42. Reserve bright colors for accents *only*.

Not Applicable

DESIGN STANDARDS AND GUIDELINES FOR THE CORE AREA OF DOWNTOWN

C1. Develop the ground floor level of all projects to encourage pedestrian activity.

1) Commercial storefronts provide pedestrian interest along the street.
2) Commercial storefronts include some traditional elements such as display windows, kickplates, transoms etc. but also reference the more modern mid-century designs also found downtown.
3) Large storefront display windows, located at the street level, where goods or services are visible from the street, are utilized.
4) Primary building entrances are at street level.

C2. Maintain the storefront wall at the sidewalk edge.

1) "Pedestrians downtown are accustomed to having the inside edge of the sidewalk clearly defined by a wall of storefronts, all presenting interesting activities and merchandise to the street. This characteristic is an essential element of healthy downtown retailing." Proximity of storefront to sidewalk is maintained, but some areas are recessed for seating etc.
2) "Preserve the glass at the sidewalk line when feasible, to define the pedestrian zone." Note the width of the sidewalk in this block is substandard, and additional sidewalk width has been provided as requested by city staff.

BUILDING MASS, SCALE & FORM

C3. Maintain the average scale of one- story buildings at the sidewalk.

1) "Traditionally, most commercial storefronts in this area were one- or two-stories in height and, while each block contained a mix of these heights, an overall sense of unity in scale was established." To support this traditional development pattern, the building has been designed with one and two story storefronts, with a similar rhythm to that found in this block and elsewhere downtown. The average scale is maintained at the sidewalk.
2) "In larger projects, a mix of one- and two-story modules should be used to maintain variety in heights." The building has been designed per this guideline.
3) "New construction should present a tall one-story or two-story facade at the front property line. This facade height should not exceed 30 feet." The two story portion of the building is currently designed to a 31.5' parapet to accommodate taller first level space, structure and parapet for fire codes.
4) Floor-to-floor heights are designed to appear similar to those buildings seen traditionally.

C4. Where large buildings are planned, use a change in design features to suggest the traditional building widths.

1) "Changes in facade material, window design, facade height or decorative details are examples of techniques that may be considered." This technique has been provided in the design.
2) These variations are expressed through the structure such that the composition appears to be a collection of smaller buildings and additions.

C5. A larger building may be divided into "modules" that reflect the traditional scale of construction.

1) Building is divided into multiple "modules," which are expressed three-dimensionally, by having significant architectural changes, throughout the entire building.
2) Building steps down to minimize the perceived scale at the street.

C6. If a third story is to be used, it should appear as a subordinate "addition" to a two- story building.

1) "In downtown, a third story may be incorporated into a commercial type building when it satisfies all requirements established in the *Downtown Louisville Framework Plan*." The Downtown Framework Plan has the following provisions for three-story buildings:

> *"Policies: - Permit development at a two-story scale with third-story buildings permitted when defined goals are achieved. These goals could include providing public spaces such as plazas or significant outdoor dining areas, providing public art and meeting defined historic preservation goals."* The development includes provision for outdoor dining areas, significant outdoor roof decks, and public art. The design specifically respects an important historic asset to the south by maintaining a one story building adjacent to that historic property.
>
> *"Policies: - Buildings shall not exceed a floor area ratio of 2.0 in the core area."* The development does not exceed an FAR of 2.0.
>
> *"Policies: - Buildings should be one and two stories on the street and on the alley edges."* The primary street façade is one and two stories. The alley façade could be reduced to 2 story if the mass of the building were moved forward on the lot, reducing the setback from Main Street. We believe that the proposed design is more appropriate.
>
> *"Policies: - Only a portion of a building should rise to three stories. In general, no more than 50 percent of the building footprint should be a third story."* Based on the allowable area for the building footprint, the third level as designed is 54.5% of the allowable footprint, or 60.7% of the actual footprint, due to the setback areas on the main level. We could push the building out to the front setback to increase the actual footprint, and we could shift 3rd floor area to the second level (reducing the setback on the south half of the building) to meet this guideline. However, we believe the proposed design is more appropriate.

2) The third floor has been set back substantially from the sidewalk edge such that the building will appear to be two stories in height as seen from across the street.
3) "The third floor should also be set back from alley facades as well." See explanation of options to accommodate this guideline, and our recommendations above.
4) Materials and details of the third level are simpler than those of the primary facade.

C7. Rectangular forms should be dominant on Core Area facades.

1) The facade elements, or modules, appear as predominantly flat, with any decorative elements and projecting or setback "articulations" subordinate to the dominant form.

C8. Along the rear facade, a building should step down in scale to the alley.

See explanation of options to accommodate this guideline, and our recommendations above.

C9. Use a flat roof line as the dominant roof form.

1) "Historically, commercial roof forms were flat, sloped or gabled, but each had a false front that gave the appearance of a flat roof as seen from the street." Flat roof forms are utilized.

2) Not applicable.

3) "Parapets on side facades should step down towards the rear of the building." Where parapets are required for screening rooftop equipment, or fire code, they are reduced to a minimum on the alley façade, and step down on the side wall facades from west to east.

C10. Maintain the distinction between the street level and any upper floors.

1) The street level is taller than the upper floors. Main level storefront is 13.5 feet high, whereas second floor window height is 9.5' to 11 feet with 11 foot high ceilings.

2) The first floor of the primary facade is predominantly transparent glass. The full height of this area is glass, except for retail/restaurant entries which are lowered for emphasis.

3) Upper floors are more opaque than the lower floor.

4) Distinction in floor heights is expressed through detailing, materials and fenestration.

C11. Ornamentation should reflect the simple, restrained decorative tradition of Louisville.

1) "Repeat similar shapes and sizes of details seen on traditional buildings." The detailing of the building is simple, restrained, and typical of traditional mid-century building design.

C12. Avoid introducing new architectural elements at the front facade that were not used traditionally.

Storefront and façade elements are more contemporary interpretations of design elements found on historic properties, and similar to traditional mid-century façade design.

1) "Parapets should be high enough to screen roof top appurtenances, as seen from the street." Parapet height and RTU positioning create screening of the equipment as seen from the street.

C13. Special features that highlight buildings on corner lots may be considered.

Not Applicable

Please note the explanation of the format of the Design Standards and Guidelines included on page x of the Handbook. Policies are indicated to be broad statements explaining the city's basic approach for the treatment of the design feature being discussed. These concepts, or policies are typically incorporated in some manner into the design. The specific Design Standards or Guideline statements have been addressed specifically above.

Page 3 and 4 of the Handbook introduction provides additional explanation of the terms used and how compliance is measured. Note the latitude for alternative methods of achieving the desired outcome. The application of "should" to guidelines and "shall" to standards is an important distinction in this document.

BOULDER CREEK
NEIGHBORHOODS

Boulder Creek Neighborhoods™ is seeking approval to construct a new retail/office building at 712/722 Main Street in Louisville to accommodate anticipated growth in the business and to restore street level retail space on Main Street.

Boulder Creek provides an array of Development and Construction services, including: Land Development, Land Planning, Architecture, Project Approval, Project Management, General Contracting, Option Administration, Marketing, Sales and Consulting. We have tailored our residential development to meet the demands and needs of the 'active lifestyle' homeowner – including professionals, empty nesters, semiretired and post-children "Baby Boomers", through the creation of low-maintenance, single-family and multi-family residential products. We believe that a change in lifestyle is the main reason people within this demographic are interested in purchasing a new home and we design and build to achieve that end.

Boulder Creek moved from Boulder to Downtown Louisville (841 Front Street) in Early 2010 with fewer than 10 employees. In 2013 Boulder Creek purchased two additional buildings (712 and 722 Main Street) to accommodate growth in the company. Today Boulder Creek and its affiliate companies own and occupy 4 downtown buildings (630 Front Street) and have over 80 employees.

As a fast-growing company and active corporate citizen of Downtown Louisville, Boulder Creek has faced the challenge of obtaining needed office space several times in the past seven years. Despite our growth and the lack of availability of larger office space it has been our strong desire to remain in Downtown Louisville where we can benefit from and support the small-town atmosphere. We have 25+ employees who dine out for lunch daily. We have been a significant supporter of the DBA and Street Faire every year since 2010 and we have significant business operations in the City of Louisville.

The redevelopment of 712/722 Main Street into a mixed-use retail/office building will provide Boulder Creek with the opportunity to consolidate office based operations while providing over 5,000 Sq. Ft. of street level retail space and 30+ onsite parking spaces in the core of the downtown retail district.

HARTRONFT
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Mr. Rob Zuccaro, AICP, Planning & Building Safety Director
Ms. Kristin Dean, AICP, Principal Planner
City of Louisville, Colorado
749 Main Street
Louisville, CO 80027

2 October, 2017

Re: 712-722 Main Street Final PUD
Including Replat and SRU

Rob and Kristen,

We are pleased to submit the attached Final PUD for the redevelopment of 712-722 Main Street in Downtown Louisville. This application also includes a replat to combine the two lots into a single lot, and an SRU for outdoor activity areas.

Overview

The redevelopment of 712-722 Main Street is intended to accommodate the growing business of Boulder Creek Neighborhoods currently located in the existing buildings, as well as other buildings downtown. Boulder Creek Neighborhoods currently employs approximately 80 people and has been a very active, involved corporate citizen of downtown Louisville. It is the company's desire to remain in downtown rather than relocate to accommodate the growth of the business. A primary goal of the redevelopment is to accommodate the office uses above the main floor to give back the street level presence to retail and restaurant uses to enliven the streetscape.

The existing one-story buildings, originally constructed in 1968/1960 , totaling 7,558 sf, will be replaced by a new 20,000 sf building with under-building and main floor parking garage with 30 total spaces. The intent of the design regarding parking is to provide the total required parking on-site, with the ability to convert the parking to commercial space if it is more desirable from the City's point of view, or the owners' perspective. This could be due to future increases in the City's public parking capacity, changing demographics and attitudes towards private vehicles as primary transportation, or other factors. The building is also designed with a 5,500 sf basement which is not currently served by the on-site parking.

Therefore the Applicant is requesting that the PUD be approved with two options related to parking. While no occupancy of the basement is anticipated at this time, if it is ever converted to habitable space in the future, the Applicant would pay the fee in lieu of on-site parking current at the time to utilize this additional space. Also, if the space currently shown as parking on the main level is converted to commercial space, then the fee in lieu of on-site parking would be provided for the lost spaces, as well as the demand generated by the habitable space.

Architectural Design Concept

Downtown buildings require particular attention to design and massing to relate to the existing architectural fabric of Downtown and to contribute to the history and vibrancy of Downtown. Louisville's Main Street is characterized by a diverse, eclectic mix of building styles and periods of Louisville's history.

To accommodate the required square footage for the project, the majority of the mass of the building is located 50 feet back from the sidewalk, allowing a one and two story facade at the street. Of particular importance to this project is the proximity to the historic building to the south, currently housing the Huckleberry Restaurant, formerly Louisville's bank at the turn of the last century. To respect this one-story historic structure, the southern half of the Main Street facade is designed at one-story, actually lower than the historic parapet.

The building facade at Main Street is envisioned as a composition of three parts: a pair of 2-story storefront facades, patterned after typical western false front buildings in scale and pattern; and a low, one-story retail storefront replacing the mid-century modern building in that location, with similar form and simple detail. The three storefronts divide the 95 feet of facade into modules that were historically used and that are prevalent today in Downtown. The rhythm of the buildings on the east side of the 700 block cycles from one story to two story, with alternating horizontal and vertical emphasis, with paired buildings such as the Singing Cook/Book Cellar, and Huckleberry buildings. These varying elements form the context for the new building at 712/722 Main. As the buildings being replaced are mid-century, it is appropriate to take cues from the simple, straight-lined architecture of that era.

The materials for the Main Street facade are primarily wood and metal. A natural IPE hardwood siding is proposed for the major elements at pedestrian level, with a combination of black anodized and wood storefront detailing. Natural finish metals such as patina copper and dark mill finish steel provide accents. Storefront windows are generous to promote commerce and provide interest at the pedestrian level. The southern half of the facade retains a significant setback from the property line, similar to the existing condition. This allows for outdoor seating, sheltered by an overhang, extending the season beyond that of the temporary patios. This relief from the street begins with a smaller area of setback at the northern part of the facade, then a minimum of 36" additional sidewalk width is maintained to a maximum of 7.5 feet at the southern end.

The third story is set back 50 feet from the front of the property to minimize it's impact when viewed from Main Street. This is the design standard specified in the Downtown Design Handbook and Framework Plan. The Framework Plan states "In general, no more than 50 percent of the building footprint should be a third story". Although the building does not fill the entire footprint, based on the allowable building footprint, the proposed third story is 55% of the building footprint. We feel that this is justifiable based on the fact that the second floor is also set back 50' on the south side to respect the historic property to the south. If the second story was built out to the lot line in front, this suggestion of less than 50% would be met, as well as providing the suggested alley setback of the third level. However we felt that it was more important to provide a significant setback to the historic property. These items are not specific codes or standards, but they are guidelines.

Waiver Request

Where a 20' rear setback at the alley is required, and provided for the majority of the building mass, we are requesting to project a stair tower and balconies into the setback to break down the scale and mass of the building, instead of providing a monolithic rear wall.

Thank you for this opportunity to present this redevelopment plan. Please let us know if there is any additional information that may be required, or if you have any questions regarding this project.

Sincerely,

J. Erik Hartronft, AIA, LEED® AP

HARTRONFT ASSOCIATES, P.C.
Architecture - Planning - Interiors

pc David Sinkey, President, Boulder Creek Neighborhoods
Rick Woodruff, CFO, Boulder Creek Neighborhoods
File – Proj#: 1451 City Corresp.

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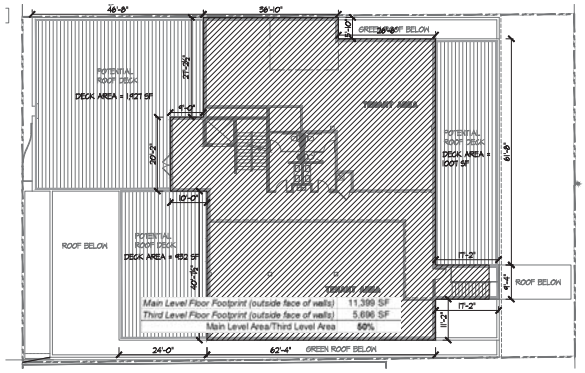
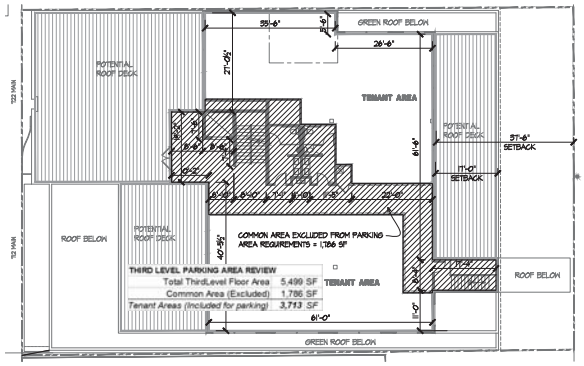


C3 EX1 **THIRD LEVEL-3rd LEVEL ALLOWABLE AREA** 1/16" = 1'-0"

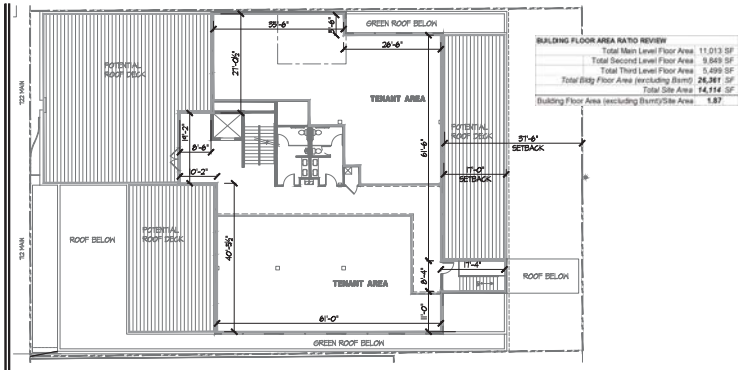
THIRD LEVEL FOOTPRINT = 5,696 SF

NORTH



C2 EX1 **THIRD LEVEL - PARKING AREA REVIEW** 1/16" = 1'-0"

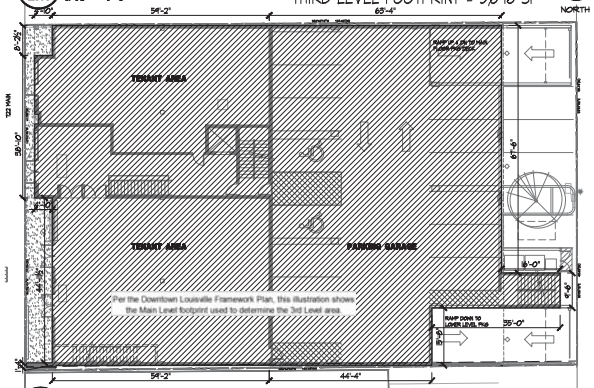
NORTH



C1 EX1 **THIRD LEVEL-FLOOR AREA RATIO REVIEW** 1/16" = 1'-0"

FAR FLOOR AREA = 5,499 SF

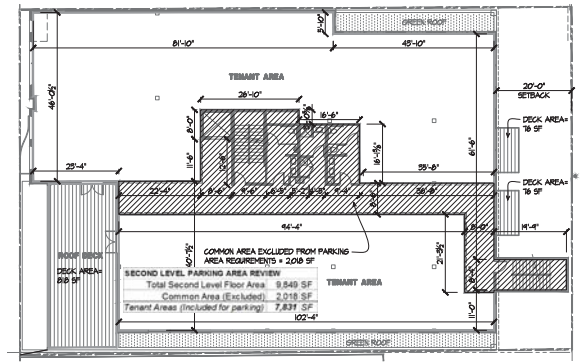
NORTH



B3 EX1 **MAIN LEVEL-3rd LEVEL ALLOWABLE AREA** 1/16" = 1'-0"

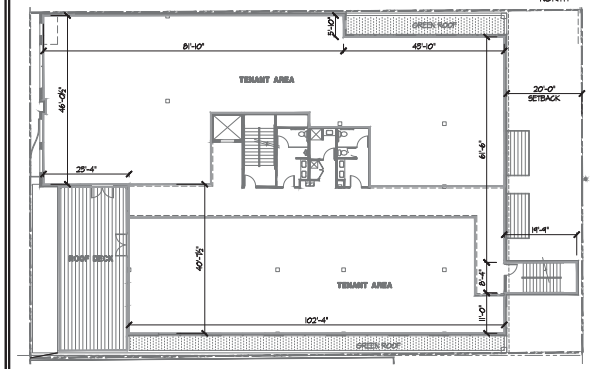
MAIN LEVEL FOOTPRINT = 11,399 SF

NORTH



B2 EX1 **SECOND LEVEL - PARKING AREA REVIEW** 1/16" = 1'-0"

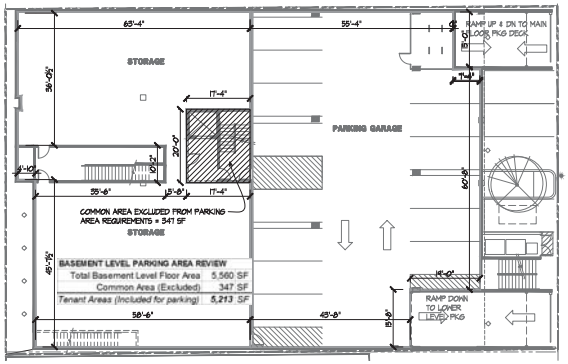
NORTH



B1 EX1 **SECOND LEVEL-FLOOR AREA RATIO REVIEW** 1/16" = 1'-0"

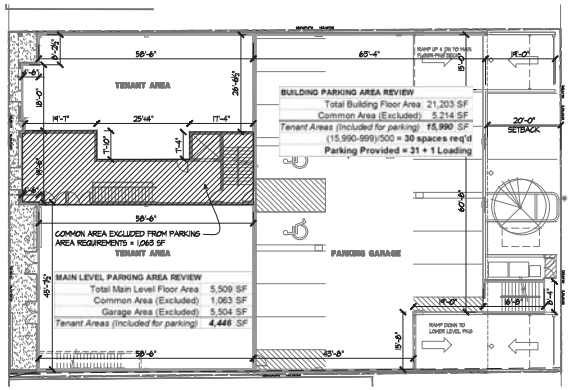
FAR FLOOR AREA = 9,849 SF

NORTH



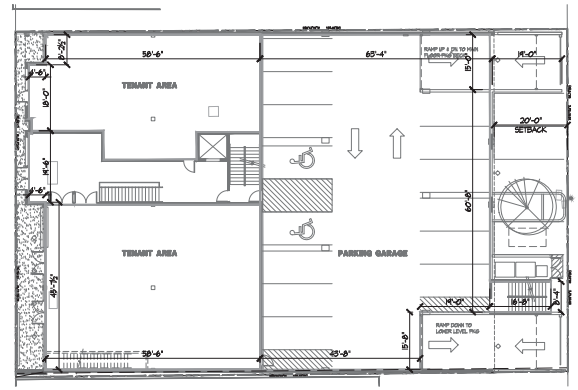
A3 EX1 **BASEMENT LEVEL - PARKING AREA REVIEW** 1/16" = 1'-0"

NORTH



A2 EX1 **MAIN LEVEL - PARKING AREA REVIEW** 1/16" = 1'-0"

NORTH



A1 EX1 **MAIN LEVEL-FLOOR AREA RATIO REVIEW** 1/16" = 1'-0"

FAR FLOOR AREA = 11,013 SF

NORTH

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TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUISVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SRU

PROJECT # 1451
DATE 10/2/17
DRAWN BY: HAPC
CHECKED BY: JEH
REVISIONS:
FPC-S1 - 12/21/17
FPC-S2 - 01/26/18
FCC -

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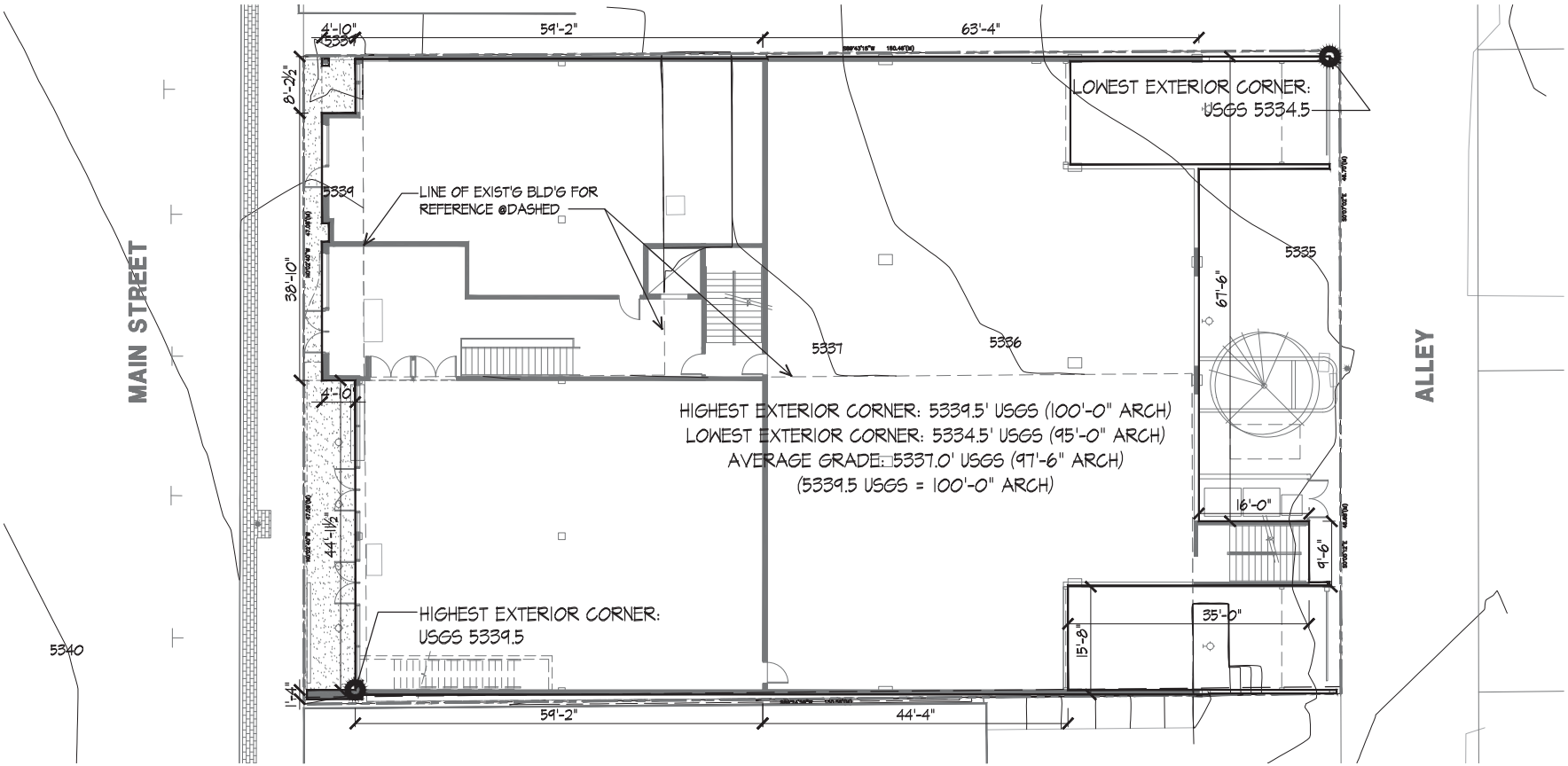
PUD PLAN
FLOOR PLANS
PERSPECTIVE

Sheet
EX-1
1 of 1 Sheets



1 EX2 MAIN LEVEL - BUILDING HEIGHT CALCULATION

1/16" = 1'-0"

NORTH

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Louisville, CO 80027
TEL: 303.673.9304
FAX: 303.673.9319

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS

LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUISVILLE, CO

FINAL PUD AND SPECIAL REVIEW USE

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PROJECT # 1451
DATE 01/26/18
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REVISIONS:

EX-2

OF

MATERIAL KEYNOTES

A: IPE OR SIMILAR HORIZONTAL (4"-6") WOOD SIDING

A1: IPE OR SIMILAR WOOD LATTICE

B: TRESPA OR REYNOBOND COMPOSITE PANEL WITH WOOD GRAIN

C: IPE OR SIMILAR SQUARE-EDGE WOOD SHIPLAP SIDING

D: FLAT-SEAMED PATINA METAL (WEATHERED COPPER LOOK)

E: METAL PANEL (DARK GALVANIZED PATINA)

F: LIGHT COLOR HARDI-PANEL

G: DARK GREY HARDI-PANEL OR STUCCO

H: LIGHT GREY HARDI-PANEL

J: STUCCO FOR MURAL PAINTING

K: PAINTED CONCRETE (MATCHES ADJACENT COLOR)

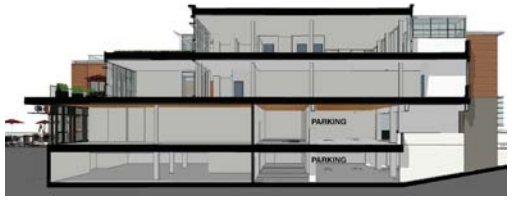
L: MEDIUM GREY HARDIPANEL

S1: STOREFRONT FRAMING - BLACK ANODIZED

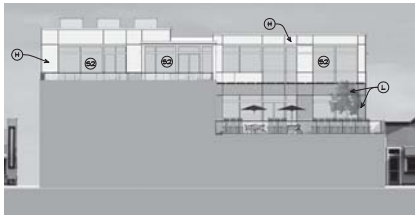
S2: STOREFRONT FRAMING - CLEAR ANODIZED

S5: STOREFRONT FRAMING - WOOD FINISH

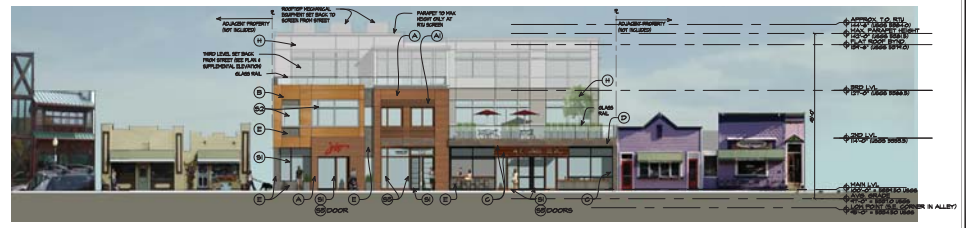
NOTE: WHERE IPE IS INDICATED, OTHER SIMILAR HARDWOODS MAY BE UTILIZED, SUCH AS CUMARU OR TIGER WOOD



A3 / A2 BUILDING SECTION/PERSPECTIVE
NOT TO SCALE

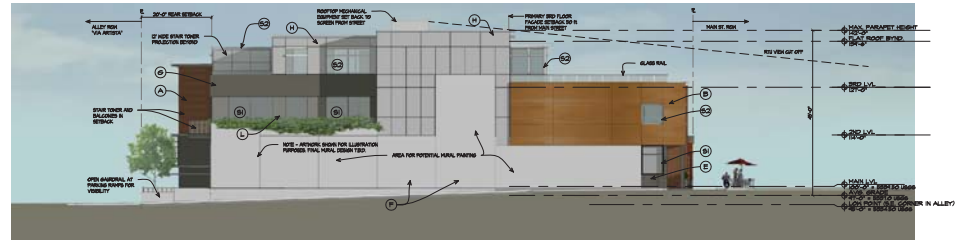


A2 / A2 WEST ELEV./SECTION - 2ND/3RD FLOOR
SCALE: 1/16 = 1'-0"

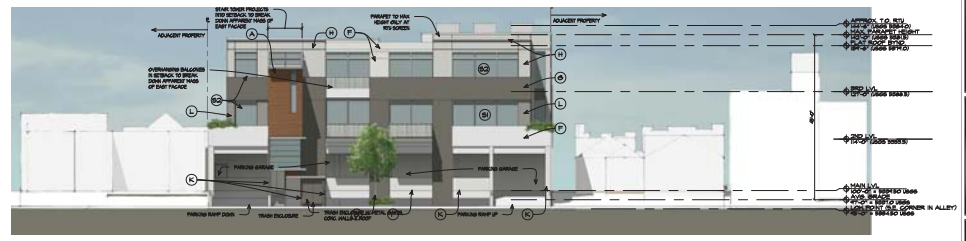


D1 / A2 WEST ELEVATION - MAIN STREET
SCALE: 1/16 = 1'-0"

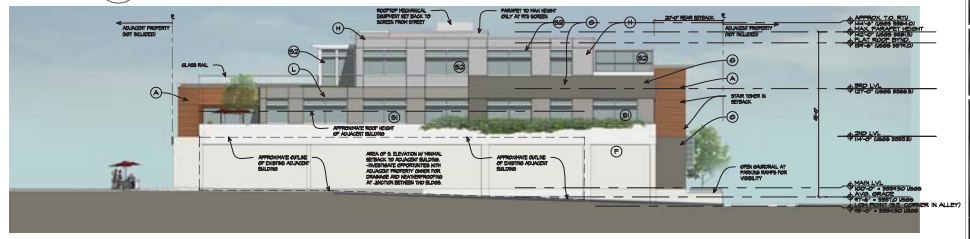
NOTE - TENANT SIGNAGE EXAMPLES SHOWN FOR ILLUSTRATION PURPOSES ONLY. SEPARATE SIGN PERMIT TO BE APPLIED FOR TENANT AND BUILDING SIGNAGE



C1 / A2 NORTH ELEVATION - FROM ADJACENT PROPERTY
SCALE: 1/16 = 1'-0"



B1 / A2 EAST ELEVATION - ALLEY (W/ MAIN LEVEL PARKING)
SCALE: 1/16 = 1'-0"



A1 / A2 SOUTH ELEVATION - FROM ADJACENT PROPERTY
SCALE: 1/16 = 1'-0"

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TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUSVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SRU

PROJECT # 1451
DATE: 10/2/17
DRAWN BY: HAPC
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REVISIONS:
FPC-51 - 12/21/17
FPC-52 - 01/26/18
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COLOR ELEVATIONS MATERIALS & PERSPECTIVES

Sheet
EX-3
1 of 7 Sheets

MAIN STREET WEST ELEVATION PERSPECTIVE

NOTE - THESE RENDERINGS ARE CONCEPTUAL IN NATURE AND MAY NOT REFLECT THE ACTUAL DESIGN. PLEASE REFER TO DRAWINGS FOR MORE ACCURATE INFORMATION.

SOUTHEAST VIEW FROM MAIN STREET AND PINE STREET

NORTHWEST VIEW FROM MAIN STREET

NORTHEAST VIEW FROM ALLEY (VIA ARTISTA)

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COLOR ELEVATIONS & PERSPECTIVES

Sheet
EX-4
1 of 7 Sheets

Attachment 3

NORTHEAST VIEW FROM ALLEY (VIA ARTISTA)

SOUTHEAST VIEW FROM MAIN STREET AND PINE STREET

NOTE - THESE RENDERINGS ARE CONCEPTUAL IN NATURE AND MAY NOT REFLECT THE ACTUAL DESIGN. PLEASE REFER TO DRAWINGS FOR MORE ACCURATE INFORMATION.

NORTHWEST VIEW FROM MAIN STREET

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3
TOWN OF LOUISVILLE, CO
FINAL PUD & SPECIAL REVIEW USE

PROJECT DIRECTORY

OWNER	712 MAIN STREET, LLC & 722 MAIN STREET, LLC 712 Main Street Louisville, CO 80027 (303) 544-5857 Contact: Rick Woodruff
ARCHITECT/PLANNER	Hartronft Associates, p.c. 950 Spruce Street, #2A, Louisville, CO 80027 (303) 673-9304 / Fax (303) 673-9319 Contact: J. Erik Hartronft, AIA Email: erik@hapcdesign.com
CIVIL ENGINEER	Scott Cox & Associates, Inc. 1530 55th Street, Boulder, CO 80303 (303) 444-3051 / Fax (303) 444-3387 Contact: Don Ash Email: ash@scottcox.com

SHEET INDEX

SHEET	DESCRIPTION
ARCHITECTURAL	
1 – A0.1	COVER, SIGNATURE BLOCKS, PROJECT DATA, SHEET INDEX
2 – A1.0	PUD PLAN, FLOOR PLANS, PERSPECTIVE
3 – A1.1	SPECIAL REVIEW USE PLAN
4 – A2.0	ELEVATIONS, MATERIALS, AND SECTION
5 – PH1.0	PHOTOMETRIC PLAN
CIVIL	
6 – C1.01	GRADING, DRAINAGE, & EROSION CONTROL PLAN
7 – C1.02	UTILITY PLAN

VICINITY MAP

PROJECT DATA

PROJECT LOCATION:	712-722 MAIN ST.
LOT AREA:	14,114 SF
ZONING: OVERLAYS:	CC - COMMERCIAL COMMUNITY DOWNTOWN CORE AREA; CENTRAL BUSINESS DISTRICT
APPLICABLE STANDARDS:	DESIGN HANDBOOK FOR DOWNTOWN LOUISVILLE DOWNTOWN LOUISVILLE FRAMEWORK PLAN DOWNTOWN LOUISVILLE SIGN MANUAL
PROPOSED USES:	ANY APPROVED USES INCLUDING RETAIL, RESTAURANT, AND PROFESSIONAL OFFICES
LEGAL DESCRIPTION:	LOTS 8 AND 9 OF BLOCK 3 TOWN OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO
PROJECT DESCRIPTION:	FINAL PUD TO REDEVELOP THE TWO EXISTING BUILDINGS @712 & 722 MAIN STREET. TO PROVIDE A NEW 3-STORY COMMERCIAL BUILDING OF 26,417sf WITH A 2-STORY PARKING GARAGE FOR 28 VEHICLES PARTIALLY BELOW GRADE PLUS ALLEY PARKING FOR 3 PLUS ONE LOADING SPACE.

YARD & BULK REQUIREMENTS

	Required	Provided
Minimum Lot Area	N/A[1]	N/A
Minimum Lot Width	N/A[1]	N/A
Maximum Lot Coverage	N/A[1]	N/A
Minimum Front Yard	0 [1]	0
Minimum Side Yard	0 [1]	0
Minimum Rear Yard	20'	20'
Maximum Building Height	45' [2]	45'

FOOTNOTES PER LMC 17.12.040

1. *These requirements for the C-C district shall not be applicable in the Central Business District.*
2. *In the Commercial Core area of downtown, maximum building height for principal uses shall be 45' or as applicable in the Design Handbook for Downtown Louisville*

GENERAL NOTES

1. OVERHEAD POWER LINES ON THIS PROPERTY WILL BE BURIED UNDERGROUND.
2. PARKING GARAGE TO HAVE TRAFFIC CONTROL SYSTEM TO COORDINATE IN & OUT UTILIZING SINGLE LANE. PARKING COUNTERS WILL BE PROVIDED AT ENTRY TO INDICATE PARKING AVAILABLE PER LEVEL.

REQUESTED WAIVERS

1. LMC 17.12.040: 20' REAR SETBACK ENCROACHMENT OF 19'-3" FOR 12' WIDE STAIR TOWER & 6'-11" FOR OVERHANGING BALCONIES. THESE ELEMENTS VISUALLY LESSEN THE IMPACT OF THE MASS OF THE BUILDING.

FLOOR AREAS

BASEMENT		
Tenant Areas	0 SF	
Storage Area	5,213 SF	
Common Area	347 SF	
Garage		5,250 SF
Total Basement Floor Area	5,560 SF	
Garage Area		5,250 SF
MAIN LEVEL		
Tenant Areas	4,446 SF	
Common Area	1,063 SF	
Garage		5,504 SF
Total Main Level Floor Area	5,509 SF	
Garage Area		5,504 SF
SECOND LEVEL		
Tenant Areas	7,831 SF	
Common Area	2,018 SF	
Total Second Level Floor Area	8,849 SF	
THIRD LEVEL		
Tenant Areas	3,713 SF	
Common Area	1,786 SF	
Total Third Level Floor Area	5,499 SF	
Total Tenant Areas:	15,990 SF	
Total Storage Areas:	5,213	
Total Common Areas:	5,214 SF	
Total Garage Areas:		10,754 SF
BUILDING FLOOR AREA: TOTAL GARAGE AREA:	26,417 SF	10,754 SF
TENANT FLOOR AREA	15,990 SF	
TOTAL STORAGE AREA	5,213 SF	
ABOVE GRADE		
BUILDING FLOOR AREA:	26,361.0 SF	
(Not incl. basement but incl. main level pk'g garage)		

REQUIREMENTS FOR DOWNTOWN CORE AREA

FAR	
Allowed	*2.0*
Actual	*1.87*
(Building Floor Area not including Basement divided by Lot Area)	
PARKING	
Required	*30*
Provided	*31+ 1 Loading space*
(Based on Tenant Floor Area not including basement)	
BIKE PARKING	
Required	*3*
Provided	*8*
(Bicycle parking is required at the rate of 1 bicycle parking space per every 10 required parking spaces)	

PARKING NOTES:

1. LMC 17.020.025 DESIGNATES PARKING STANDARDS FOR DOWNTOWN LOUISVILLE
   1.1. REQUIRED: AFTER FIRST 999SF, PARKING SHALL BE PROVIDED AT A RATE OF 1 SPACE PER 500SF
2. COMMON AREAS LISTED ON THE FLOOR AREA TABULATION CHART ARE CONSIDERED FLOOR AREAS NOT REQ'D TO BE USED FOR THE PURPOSES OF CALCULATING PARKING PER LMC 17.020.025: SUCH AS VENT SHAFTS, COURTS, UNINHABITABLE AREAS BELOW GROUND LEVEL OR IN ATTICS, OR AREAS WITHIN HALLWAYS, STAIRWAYS, ELEVATOR SHAFTS AND BATHROOMS." THEREFORE THE "TENANT AREA" LISTED IN THE FLOOR AREAS TABULATION HAS BEEN USED TO CALCULATE PARKING REQUIREMENTS. FURTHER, STORAGE & COMMON AREAS IN THE BASEMENT ARE INTENDED SOLELY FOR STORAGE, MECHANICAL EQUIPMENT, A FIRE ROOM & THE ELEVATOR SHAFT. ANY MODIFICATIONS TO USE OF THE BASEMENT INCLUDING TO OFFICE OR RETAIL, IS SUBJECT TO REVIEW & CONSIDERATION OF THE PROVISIONS SET FORTH UNDER SECTION 17.020.025 OF THE LMC - PARKING STANDARDS DESIGNATED FOR DOWNTOWN LOUISVILLE OR AS HEREINAFTER AMENDED. ANY TENANT FINISH THAT MODIFIES THE PUD PLAN LAYOUT WILL NEED TO BE RE-EVALUATED & PARKING RECOUNTED AT TIME OF BUILDING PERMIT SUBMITTALS AS APPLICABLE.

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 ___ day of _____, 20___.

_____
Owner Name and Signature

_____ (Notary Seal)
Notary Name (print)

_____
Notary Signature

My Commission Expires _____

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_____
Owner Name and Signature

_____ (Notary Seal)
Notary Name (print)

_____
Notary Signature

My Commission Expires _____

CLERK AND RECORDER CERTIFICATE (COUNTY OF BOULDER, STATE OF COLORADO)

I hereby certify that this instrument was filed in my office at _____ o'clock, ____ M., this ____ day of _____, 20___, and is recorded in Plan File _____. Fee _____ paid. _____ Film No. _____ Reception.

_____
Clerk & Recorder

_____
Deputy

CITY COUNCIL CERTIFICATE

Approved this ___ day of _____, 20___ by the City Council of the City of Louisville, Colorado.

Resolution No. _____, Series _____

(City Seal)

_____
Mayor Signature

_____
City Clerk Signature

PLANNING COMMISSION CERTIFICATE

Approved this ___ day of _____, 20___ by the Planning Commission of the City of Louisville, Colorado.

Resolution No. _____, Series _____

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COVER
SIGNATURE BLOCK
PROJECT DATA
SHEET INDEX

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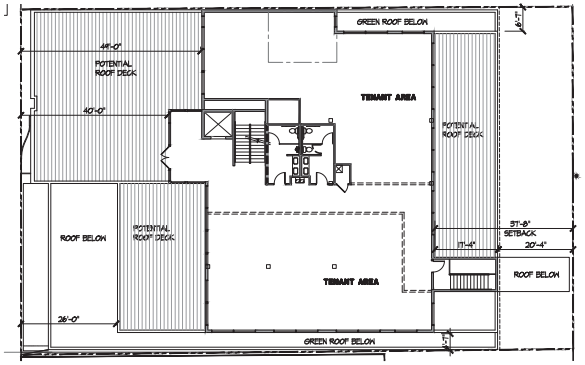
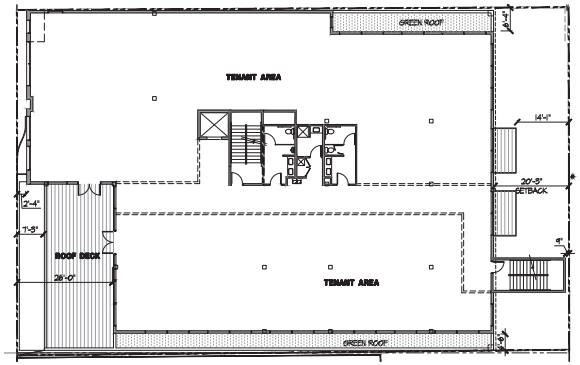
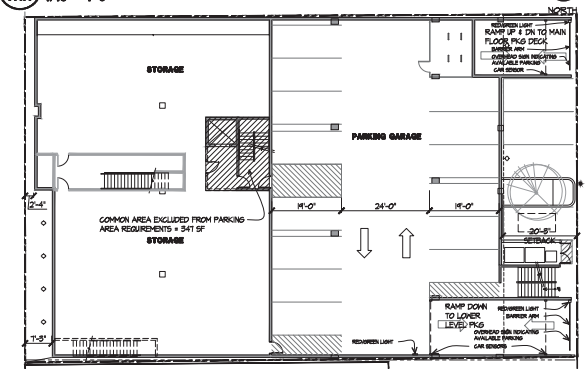


C4 / A1.1 **THIRD LEVEL FLOOR PLAN**
1/16" = 1'-0"

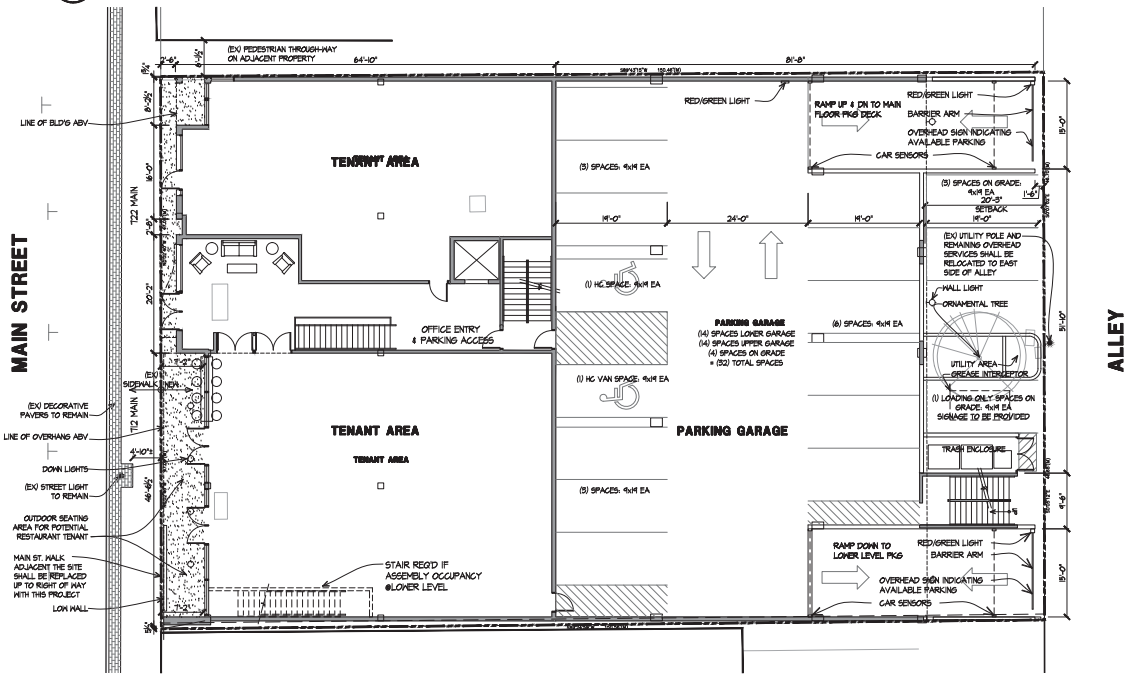


B4 / A1.1 **SECOND LEVEL FLOOR PLAN**
1/16" = 1'-0"



A4 / A1.1 **BASEMENT LEVEL FLOOR PLAN**
1/16" = 1'-0"

C1 / A1.1 **MAIN STREET WEST ELEVATION PERSPECTIVE (VIEWED FROM WEST SIDE OF STREET)**
NOT TO SCALE



A1 / A1.1 **PUD PLAN / MAIN LEVEL FLOOR PLAN**
1" = 10'-0"

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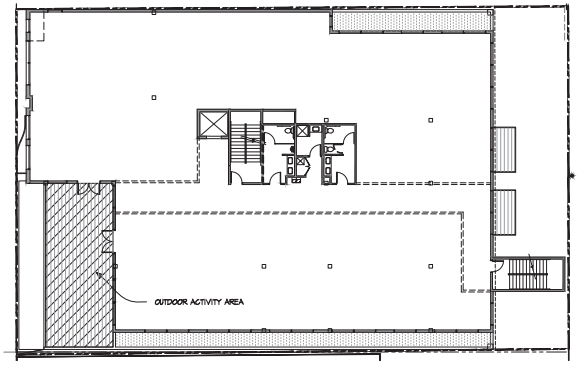
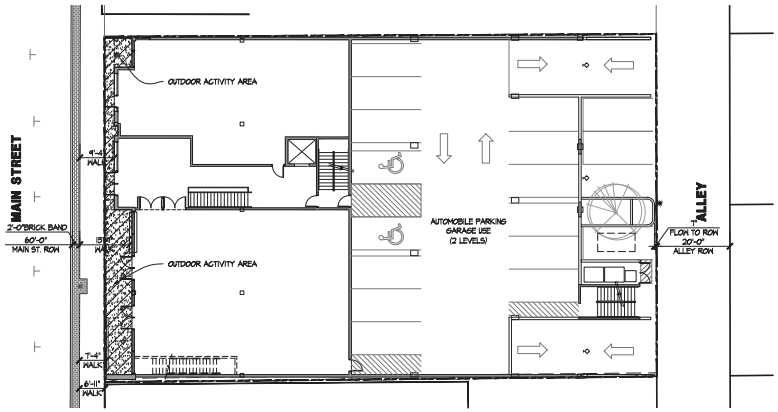
PUD PLAN
FLOOR PLANS
PERSPECTIVE

Sheet
A1.0
2 of 7 Sheets



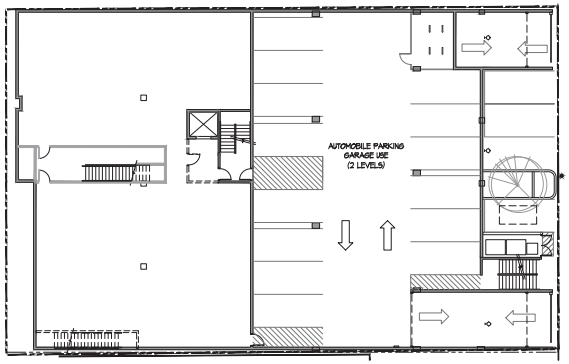
C1 A1.1 **SECOND LEVEL FLOOR PLAN** 1/16" = 1'-0"

NORTH



B1 A1.1 **MAIN LEVEL PLAN** 1/16" = 1'-0"

NORTH



A1 A1.1 **BASEMENT LEVEL FLOOR PLAN** 1/16" = 1'-0"

NORTH

712 - 722 MAIN STREET - SPECIAL REVIEW USE

NOTES:

1. EXISTING ZONING CC ALLOWS OUTDOOR ACTIVITY USES AND PARKING GARAGES WHEN AUTHORIZED THROUGH A SPECIAL REVIEW USE.
2. OUTDOOR ACTIVITY USES SHALL INCLUDE: AMUSEMENT, OUTDOOR COMMERCIAL, OUTDOOR SALES, AND EATING AND DRINKING ESTABLISHMENTS.
3. OUTDOOR AMPLIFIED MUSIC SHALL BE PROHIBITED.
4. NIGHTTIME HOURS OF OPERATION FOR THE OUTDOOR DINING AREAS SHALL NOT EXTEND PAST 12AM.

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SPECIAL REVIEW USE PLAN

Sheet
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B: TRESPA OR REYNOBOND COMPOSITE PANEL WITH WOOD GRAIN

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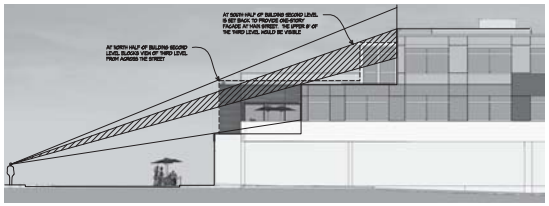
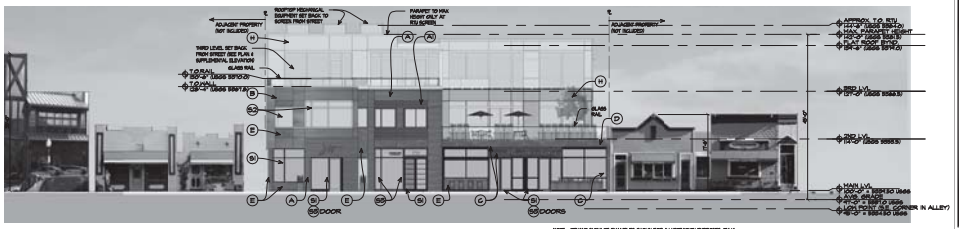
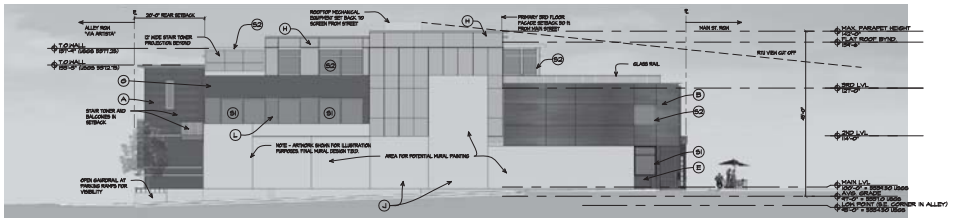


C2 / A2 **VIEW ANGLES FROM ACROSS MAIN ST.**
SCALE: 1/16 = 1'-0"

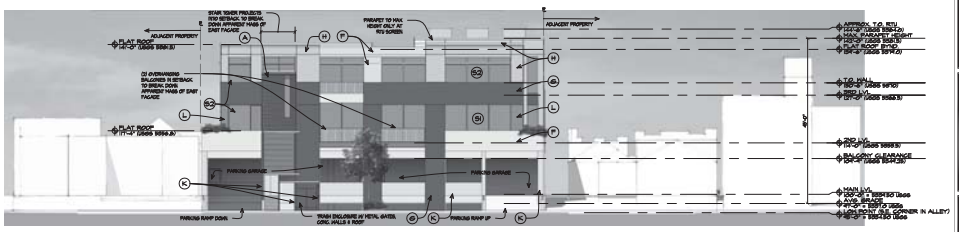


NOTE - TENANT SIGNAGE EXAMPLES SHOWN FOR ILLUSTRATION PURPOSES ONLY SEPARATE SIGN PERMIT TO BE APPLIED FOR TENANT AND BUILDING SIGNAGE

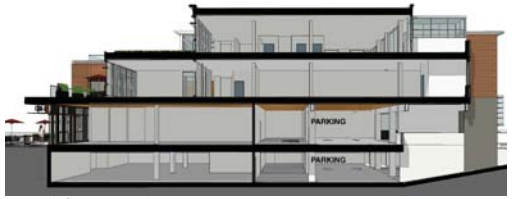
D1 / A2 **WEST ELEVATION - MAIN STREET**
SCALE: 1/16 = 1'-0"



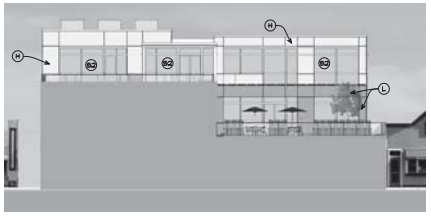
C1 / A2 **NORTH ELEVATION - FROM ADJACENT PROPERTY**
SCALE: 1/16 = 1'-0"



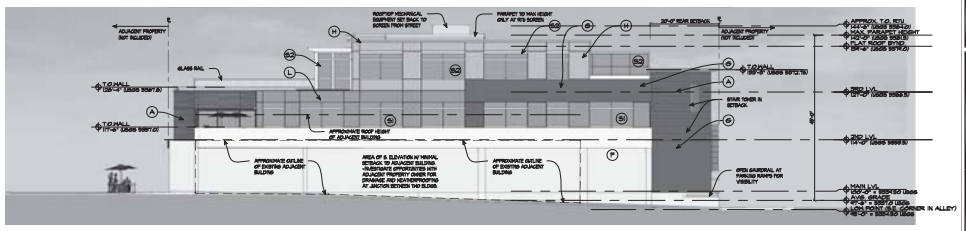
B1 / A2 **EAST ELEVATION - ALLEY (W/ MAIN LEVEL PARKING)**
SCALE: 1/16 = 1'-0"



A3 / A2 **BUILDING SECTION/PERSPECTIVE**
NOT TO SCALE



A2 / A2 **WEST ELEV./SECTION - 2ND/3RD FLOOR**
SCALE: 1/16 = 1'-0"



A1 / A2 **SOUTH ELEVATION - FROM ADJACENT PROPERTY**
SCALE: 1/16 = 1'-0"

HARTRONFT ASSOCIATES
A Professional Corporation
Planning
Architecture
Interior Design
950 Spruce Street, #2A
Louisville, CO 80027
TEL: 303.673.9304
FAX: 303.673.9319

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUISVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SRU

PROJECT # 1451
DATE: 10/2/17
DRAWN BY: HAPC
CHECKED BY: JEH
REVISIONS:
FPC-S1 - 12/21/17
FPC-S2 - 01/26/18
FCC -

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ELEVATIONS
MATERIALS
& SECTION

Sheet
A2.0
1 of 7 Sheets

Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	C	3	WE-EF USA	620-2528	QLS410 LED, Wall Luminaires / Surface Mounted QLS410-LED-3/6W [S];QLS410 LED, Wall Luminaires / Surface Mounted	3 LED, Neutral White - 120° angle of beam LEDLUMENS=246.0 lm, LEDs No=3, TOTALLUMENS= 738.0 lm, Tj=85° LEDLUMENS=156.6 lm, LEDs No=3, TOTALLUMENS= 469.8 lm, Ta=25°C	3	620-2528.ies	157	1	8.5
	D	7	Juno Lighting	MD1LG2 SQ 03LM 35K 80CRI FL WH	FLOOD	LED/35K	1	MD1LG2_SQ_03 LM_35K_80CRI_ FL_WH.ies	266	1	4.8

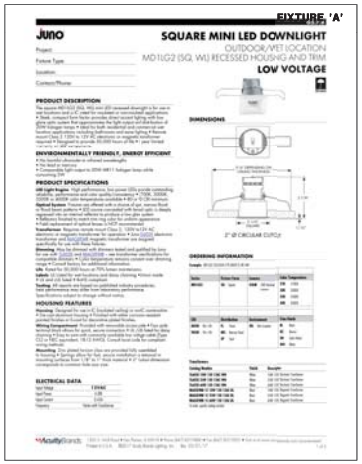
Luminaire Locations

		Location						Aim		
No.	Label	X	Y	Z	MH	Orientation	Tilt	X	Y	Z
1	C	132.00	12.00	14.00	14.00	90.00	0.00	132.00	12.00	0.00
2	C	132.00	55.75	14.00	14.00	90.00	0.00	132.00	55.75	0.00
3	C	131.75	83.25	14.00	14.00	90.00	0.00	131.75	83.25	0.00
1	D	5.00	89.75	12.00	12.00	0.00	0.00	5.00	89.75	0.00
2	D	1.50	54.00	12.00	12.00	0.00	0.00	1.50	54.00	0.00
3	D	4.00	40.25	12.00	12.00	0.00	0.00	4.00	40.25	0.00
4	D	4.00	31.25	12.00	12.00	0.00	0.00	4.00	31.25	0.00
5	D	4.00	17.75	12.00	12.00	0.00	0.00	4.00	17.75	0.00
6	D	4.00	8.50	12.00	12.00	0.00	0.00	4.00	8.50	0.00
7	D	146.50	27.25	10.00	10.00	0.00	0.00	146.50	27.25	0.00

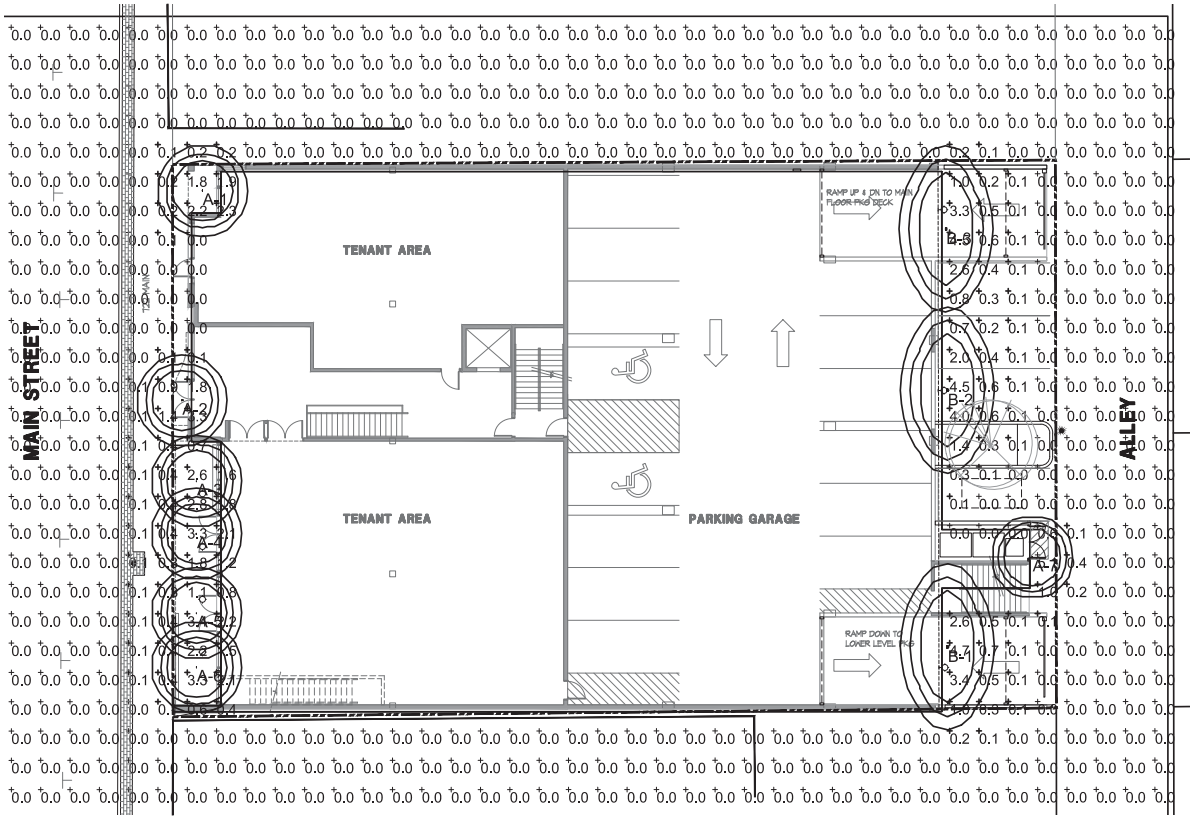
Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	0.2 fc	5.1 fc	0.0 fc	N/A	N/A

FIXTURE 'A'



FIXTURE 'B'



A1 PH1.0 **PHOTOMETRIC PLAN**
1" = 10'-0"

NORTH

HARTRONFT ASSOCIATES
A Professional Corporation
Planning
Architecture
Interior Design
950 Spruce Street, #2A
Louisville, CO 80027
TEL: 303.673.9304
FAX: 303.673.9319

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
LOTS 8 & 9 OF BLOCK 3 TOWN OF LOUISVILLE, CO
FINAL PUD AND SPECIAL REVIEW USE

FINAL PUD & SRU

PROJECT # 1451
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PHOTOMETRIC PLAN

Sheet
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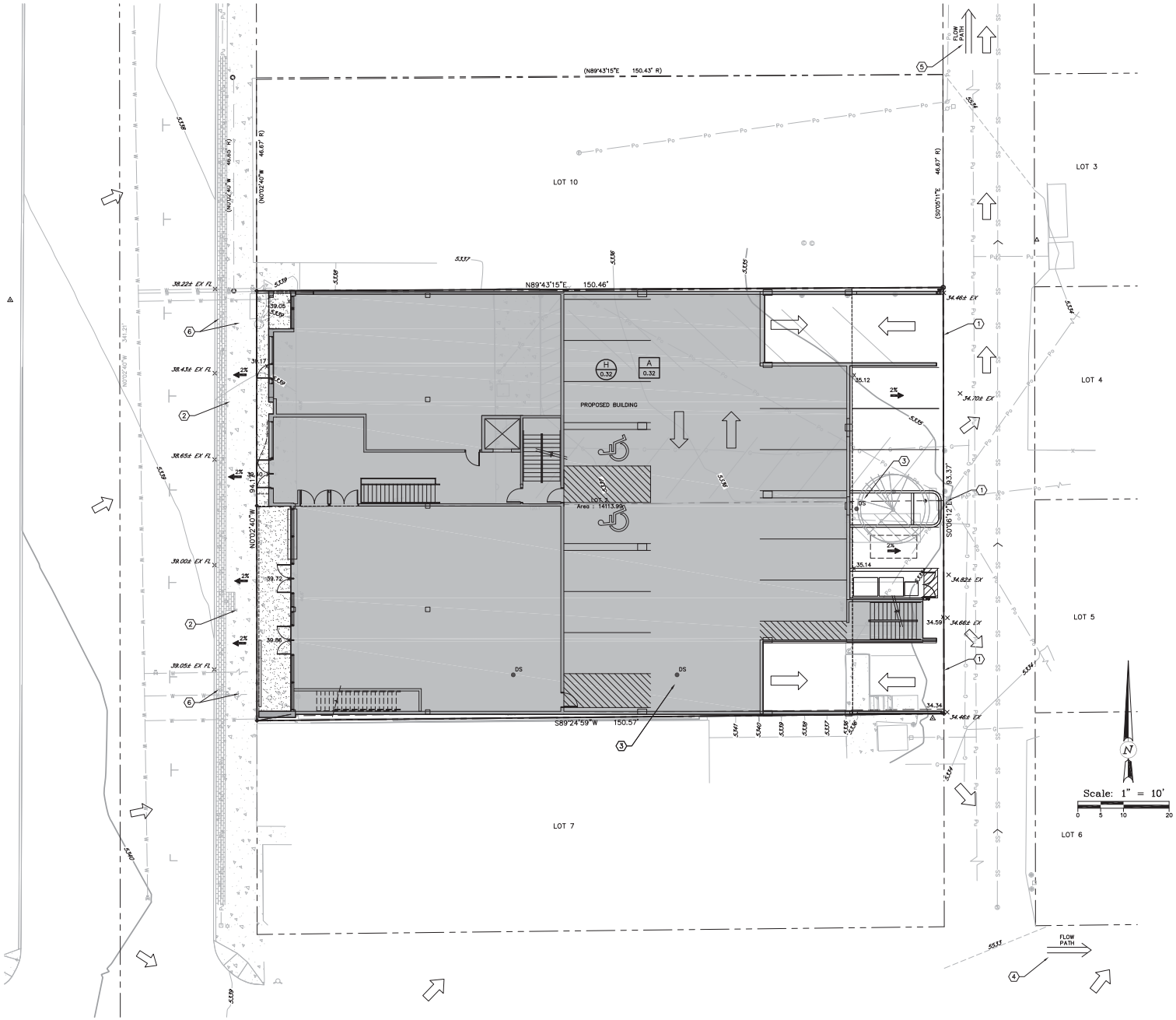
5 of 7 Sheets



LEGEND

5335	EXISTING CONTOUR
	SET #5 REBAR WITH 1" RED PLASTIC CAP STAMPED SCOTT COX ASC PLS 24302 (P&C) (UNLESS NOTED)
	SET NAIL AND 3/4" BRASS TAG STAMPED PLS 24302 (NAIL&TAG) AS NOTED
	FOUND MONUMENT AS NOTED
	EXISTING BOLLARD
	EXISTING ELECTRIC METER
	EXISTING WATER VALVE
	EXISTING CLEANOUT
	EXISTING GAS METER
	EXISTING WATER METER
	CONTROL POINT
	EXISTING POWER POLE
	EXISTING LIGHT POLE
	EXISTING FIRE HYDRANT
	EXISTING SPIGOT
X X X	EXISTING FENCE
Pu Pu	EXISTING UNDERGROUND POWER LINE
Po Po	EXISTING OVERHEAD POWER LINE
G G G	EXISTING GAS LINE
SS SS	EXISTING SANITARY SEWER W/MANHOLE
W W W	EXISTING WATER W/FIRE HYDRANT
ST ST	EXISTING STORM SEWER W/MANHOLE
(R)	RECORD COURSE
(M)	MEASURED COURSE PER THIS SURVEY
25	PROPOSED CONTOUR ADD 5300 TO ALL CONTOURS
	POINT WHERE PROPOSED GRADE MEETS EXISTING GRADE
X 25.8	PROPOSED SPOT ELEVATION ADD 5300 TO ALL SPOT ELEVATIONS
X 25.8	EXISTING SPOT ELEVATION
	HISTORIC SHEET FLOW
	PROPOSED FLOW DIRECTION
	DRAINAGE BASIN BOUNDARY (HISTORIC)
	PROPOSED BASIN BOUNDARY
H 0.32	SUB-BASIN DESIGNATION (HISTORIC)
	AREA IN ACRES
A 0.32	PROPOSED SUB-BASIN DESIGNATION
	AREA IN ACRES
FF	FINISHED FLOOR ELEVATION

KEYED NOTES (1)

1. EDGE OF CONCRETE RAMP SHALL BE 1" MINIMUM ABOVE ASPHALT ALLEY PAVEMENT. PROVIDE ASPHALT MATCH IN ALLEY ADJACENT TO NEW CONCRETE.
2. PROPOSED SIDEWALK AT 2% MAX. CROSS SLOPE.
3. PROPOSED ROOF DOWNSPOUT DRAIN THROUGH WATER QUALITY LANDSCAPE ISLAND/GREEN ROOF.
4. DRAIN TO STORM INLET AT PINE AND FRONT STREET.
5. DRAINS TO STORM INLET AT ALLEY AND SPRUCE STREET.
6. MAIN STREET WALK ADJACENT THE SITE WILL BE REPLACED WITH THIS PROJECT.

GRADING NOTES

1. GRADE AWAY FROM BUILDINGS AT A MINIMUM 10% SLOPE IN THE FIRST 10 FEET AT LANDSCAPE AREAS AND AT A MINIMUM 2% SLOPE IN THE FIRST 10 FEET AT IMPERVIOUS AREAS, EXCEPT AS NOTED.
2. TOP OF FOUNDATION ELEVATION SHALL BE SET AT LEAST 8" ABOVE THE PROPOSED GRADING AT THE EXTERIOR OF THE FOUNDATION AT LANDSCAPE AREAS.
3. FLOOD PLAIN DESIGNATION OF THE SURVEYED PROPERTY PER FIRM MAP NUMBER 08013C0582J, MAP REVISED DECEMBER 18, 2012 IS ZONE X, BEING AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
4. ALL CITY UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LOUISVILLE STANDARD SPECIFICATIONS.
5. THE LOCATION OF THE ABOVE GROUND UTILITIES SHOWN HEREON ARE BASED ON THE TOPOGRAPHIC SURVEY BY SCOTT, COX & ASSOCIATES, INC. COMPLETED ON SEPTEMBER 26, 2017. THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SAID SURVEY AND INFORMATION PROVIDED BY OTHERS (WHICH MAY INCLUDE THE UTILITY OWNER OR UTILITY LOCATING SERVICES). SCOTT, COX & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR UTILITY INFORMATION PROVIDED BY OTHERS. SCOTT, COX & ASSOCIATES, INC. RECOMMENDS THAT THE LOCATION OF THE UTILITIES BE FIELD VERIFIED PRIOR TO ANY DIGGING ON, OR ADJACENT TO THE SUBJECT PROPERTY.
6. ORIGIN BENCHMARK: CITY OF LOUISVILLE BENCHMARK LP5 BEING THE CENTER EAST 1/16 CORNER OF SECTION 8, A 3 1/2" ALUMINUM CAP DATED 2000, PLS 14083, FOUND IN A RANGE BOX 16.8' NORTH OF SOUTH FLOWLINE OF SOUTH ST. NORTH OF 824 SOUTH ST. ELEVATION = 5349.49' NAVD88. SITE BENCHMARK: TOP OF A 1 1/2" ALUMINUM CAP LOCATED AT THE NE CORNER OF LOT 9. (AS SHOWN HEREON). CONTOURS SHOWN ARE FROM A GROUND SURVEY.
7. IF REQUIRED, ALL APPLICABLE CITY AND/OR STATE PERMITS PERTAINING TO THE DISCHARGE OF GROUNDWATER MUST BE OBTAINED PRIOR TO PREPARATION OF BUILDING PERMIT PLANS.
8. A FINAL STORMWATER PLAN AND REPORT IS REQUIRED BY THE CITY OF LOUISVILLE PRIOR TO ISSUANCE OF A BUILDING PERMIT.
9. PARKING GARAGE DRAINS SHALL BE ROUTED THROUGH SAND AND OIL SEPARATORS PRIOR TO DISCHARGE TO THE SANITARY SEWER SYSTEM.

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1559 Oxford Street, Denver, Colorado 80204
(303) 444 - 3261

12/27/17 JOB NO. 17271B DRAWING NO. 17271B-1

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
TOWN OF LOUISVILLE REPLAT A
LOUISVILLE, CO 80027

FINAL PUD

PROJECT # 1451
DATE: 10/2/17
DRAWN BY: JAS
CHECKED BY: DPA
REVISIONS:
FPC - 12/21/17
PPC - 01/26/18
FCC -

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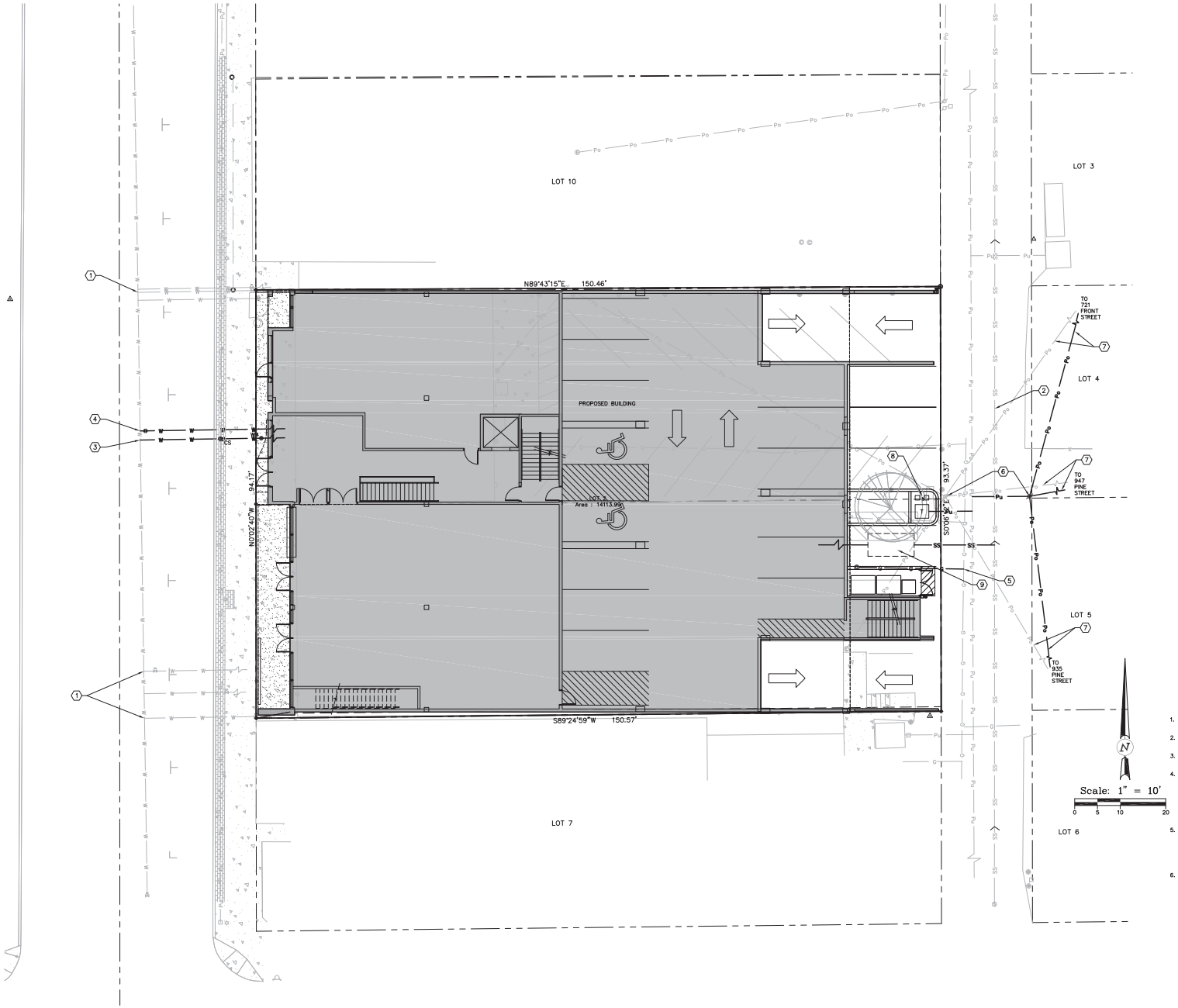
FINAL GRADING DRAINAGE AND EROSION CONTROL PLAN

Sheet
C1.01
5 of 7 Sheets



LEGEND

5125	EXISTING CONTOUR
	SET #5 REBAR WITH 1" RED PLASTIC CAP STAMPED SCOTT COX ASC PLS 24302 (P&C) (UNLESS NOTED)
	SET NAIL AND 3/4" BRASS TAG STAMPED PLS 24302 (NAIL&TAG) AS NOTED
	FOUND MONUMENT AS NOTED
	EXISTING BOLLARD
	EXISTING ELECTRIC METER
WV	EXISTING WATER VALVE
	EXISTING CLEANOUT
	EXISTING GAS METER
	EXISTING WATER METER
	CONTROL POINT
	EXISTING POWER POLE
	EXISTING LIGHT POLE
	EXISTING FIRE HYDRANT
	EXISTING SPIGOT
X X X	EXISTING FENCE
Pu Pu	EXISTING UNDERGROUND POWER LINE
Po Po	EXISTING OVERHEAD POWER LINE
G G G	EXISTING GAS LINE
SS SS	EXISTING SANITARY SEWER W/MANHOLE
W W W	EXISTING WATER W/FIRE HYDRANT
ST ST	EXISTING STORM SEWER W/MANHOLE
(R)	RECORD COURSE
(M)	MEASURED COURSE PER THIS SURVEY
SS SS	PROPOSED SANITARY SEWER W/MANHOLE
W W W	PROPOSED WATER W/FIRE HYDRANT
ST ST	PROPOSED STORM SEWER W/MANHOLE
	PROPOSED WATER VALVE
WM	PROPOSED WATER METER
C.O.	PROPOSED CLEAN-OUT
CS	PROPOSED CURB STOP

KEYED NOTES (1)

1. VERIFY ROUTING OF EXISTING WATER SERVICES. DISCONNECT AND ABANDON AT MAIN.
2. PROPOSED SANITARY SEWER SERVICE.
3. PROPOSED DOMESTIC WATER SERVICE. CURB STOP SHALL BE LOCATED WITHIN BRICK BANDING. METER PIT SHALL BE LOCATED ON PRIVATE PROPERTY.
4. PROPOSED FIRE SERVICE.
5. PROPOSED GAS SERVICE.
6. EXISTING POWER POLE TO BE RELOCATED TO THE EAST SIDE OF THE ALLEY ROW.
7. ALL OVERHEAD ELECTRICAL SERVICE LINES TO BE RELOCATED TO THE NEW POWER POLE.
8. PROPOSED ELECTRICAL TRANSFORMER AND UTILITY PEDESTALS.
9. PROPOSED GREASE INTERCEPTOR.

UTILITY NOTES

1. ALL CITY UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LOUISVILLE STANDARD SPECIFICATIONS.
2. WATER, FIRELINE, SEWER TAPS, AND SERVICE LINE SIZES SHALL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION.
3. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE DONE IN A WAY SO AS TO MINIMIZE DISRUPTION IN SERVICE TO EXISTING USERS.
4. THE LOCATION OF THE ABOVE GROUND UTILITIES SHOWN HEREON ARE BASED ON THE TOPOGRAPHIC SURVEY BY SCOTT, COX & ASSOCIATES, INC. COMPLETED ON JUNE 2, 2017. THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SAID SURVEY AND INFORMATION PROVIDED BY OTHERS (WHICH MAY INCLUDE THE UTILITY OWNER OR UTILITY LOCATING SERVICES). SCOTT, COX & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR UTILITY INFORMATION PROVIDED BY OTHERS. SCOTT, COX & ASSOCIATES, INC. RECOMMENDS THAT THE LOCATION OF THE UTILITIES BE FIELD VERIFIED PRIOR TO ANY DIGGING ON, OR ADJACENT TO THE SUBJECT PROPERTY.
5. ORIGIN BENCHMARK: CITY OF LOUISVILLE BENCHMARK LP5 BEING THE CENTER EAST 1/16 CORNER OF SECTION 8, A 3 1/2" ALUMINUM CAP DATED 2000, PLS 14083. FOUND IN A RANGE BOX 16.8' NORTH OF SOUTH FLOWLINE OF SOUTH ST. NORTH OF 824 SOUTH ST. ELEVATION = 5349.49' NAVD88. SITE BENCHMARK: TOP OF A 1 1/2" ALUMINUM CAP LOCATED AT THE NE CORNER OF LOT 9. (AS SHOWN HEREON). CONTOURS SHOWN ARE FROM A GROUND SURVEY.
6. EXISTING UTILITY SERVICES SHALL BE ABANDONED AS DIRECTED BY THE CITY.

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1559 Oxton Street, Denver, Colorado 80220
(303) 444 - 3261
12/27/17 JOB NO. 17271B DRAWING NO. 17271B-1

TERRACES ON MAIN
BOULDER CREEK NEIGHBORHOODS
TOWN OF LOUISVILLE REPLAT A
LOUISVILLE, CO 80027

FINAL PUD

PROJECT # 1451
DATE: 10/2/17
DRAWN BY: JAS
CHECKED BY: DPA
REVISIONS:
FPC - 12/21/17
FPC - 01/26/18
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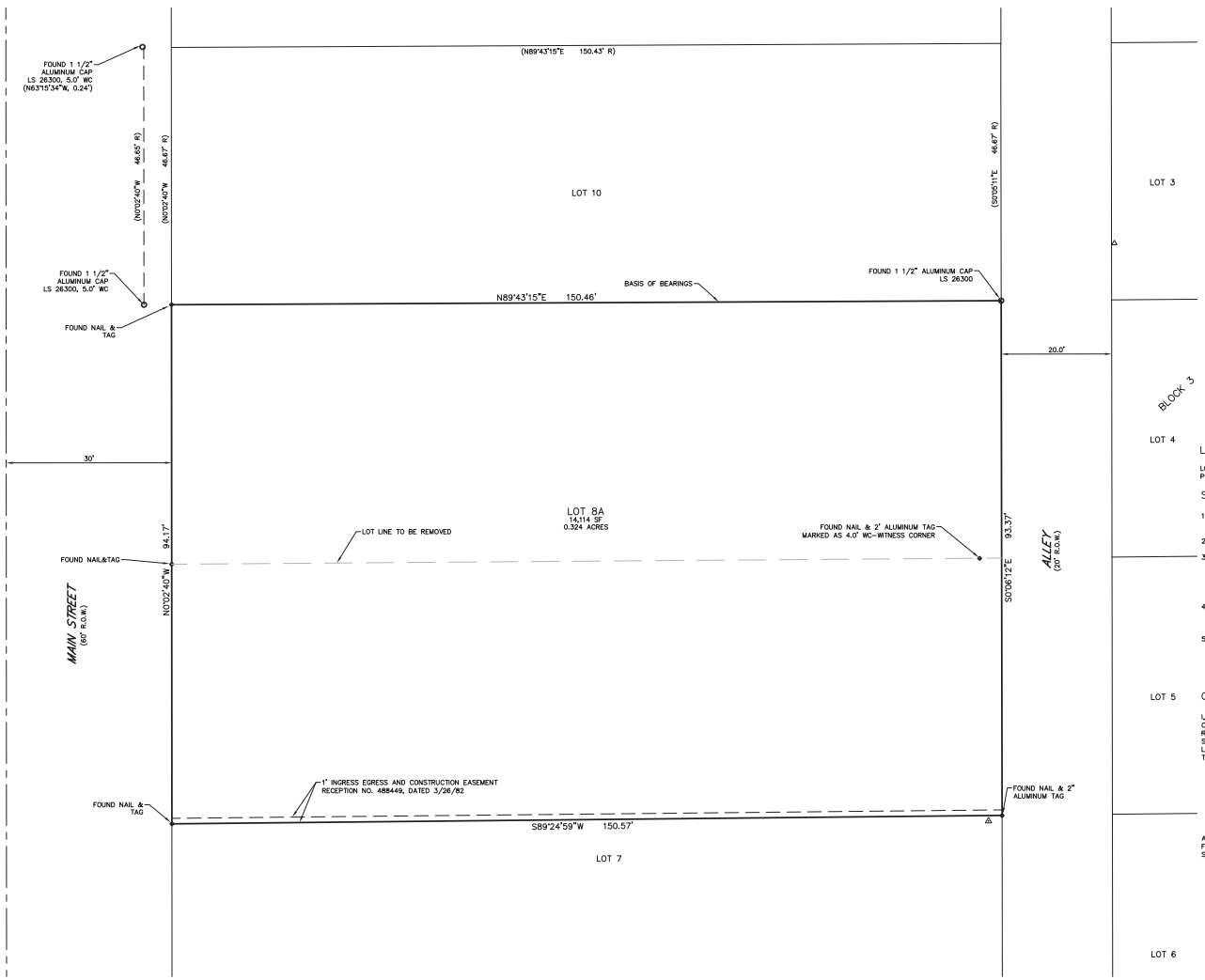
FINAL
UTILITY PLAN

Sheet
C1.02
6 of 7 Sheets

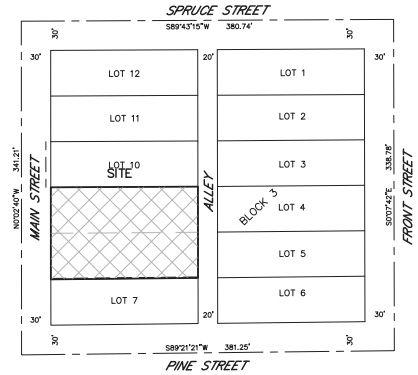
TOWN OF LOUISVILLE REPLAT A

A REPLAT OF LOTS 8 AND 9, BLOCK 3, TOWN OF LOUISVILLE
LOCATED IN SE 1/4 SECTION 8, T1S, R69W OF THE 6TH P.M.
CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO



LEGEND

○	FOUND MONUMENT AS NOTED
(R)	RECORD MEASUREMENT PER PLAT
⊕	FOUND NAIL AND TAG



CONTROL DIAGRAM

SCALE: 1" = 60'

LEGAL DESCRIPTION (PER TITLE COMMITMENT)

LOTS 8 AND 9, BLOCK 3, TOWN OF LOUISVILLE, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 2 AT PAGE 6, COUNTY OF BOULDER, STATE OF COLORADO.

SURVEY NOTES

1. THE BASIS OF BEARINGS IS THE NORTH LINE OF LOT 9 BETWEEN THE FOUND MONUMENTS SHOWN HEREON AND BEARS N89°43'15"W, PER LS-98-0156.
2. THE SIZE AND TYPE OF MONUMENTS FOUND ARE SHOWN HEREON.
3. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED 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. CRS-13-80-105 (3)(a)
4. FLOOD PLAIN DESIGNATION OF THE SURVEYED PROPERTY PER FIRM MAP NUMBER 08013C0582J, MAP REVISED DECEMBER 18, 2012 IS ZONE X, BEING AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
5. LAND SURVEY PLATS DEPOSITED AT BOULDER LAND USE DEPARTMENT, REFERENCED OR USED FOR THIS SURVEY: BELL SURVEYING COMPANY, IMPROVEMENT SURVEY PLAT, LS-03-0246; FLAGSTAFF SURVEYING, INC. IMPROVEMENT SURVEY PLAT, LS-98-0156 WAS GENERALLY HELD AND USED FOR BLOCK BREAKDOWN.

CERTIFICATION

I, A. JOHN BURI, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS REPLAT OF THE TOWN OF LOUISVILLE REPLAT A, WAS PREPARED UNDER MY SUPERVISION AND IS BASED ON A BOUNDARY SURVEY MADE BY SCOTT, COX & ASSOCIATES, INC., AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, IN COMPLIANCE WITH C.R.S. 38-50 THROUGH 38-53 GOVERNING THE SUBDIVISION OF LAND.

A. JOHN BURI, PLS 24302
FOR AND ON BEHALF OF
SCOTT, COX & ASSOCIATES, INC.

N

Scale: 1" = 10'
U.S. SURVEY FEET
0 5 10 20

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED BEING THE OWNER OF LOTS 8 AND 9, BLOCK 3, TOWN OF LOUISVILLE, A PLAT RECORDED OCTOBER 24, 1878 AT PLAT BOOK 2 AT PAGE 6 OF THE BOULDER COUNTY RECORDS, BEING A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH AND RANGE 69 WEST, 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 TOWN OF LOUISVILLE REPLAT A, A SUBDIVISION OF A PART OF THE CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO, 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 ITEMS 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. CENTURY LINK, 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.

OWNERSHIP

HAVE LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS UNDER THE NAME OF TOWN OF LOUISVILLE REPLAT A AND ALSO DEDICATE EASEMENTS AS SHOWN ON SAID TOWN OF LOUISVILLE REPLAT A AS LAID OUT AND DESIGNATED ON THIS PLAT. WITNESS OUR HANDS AND SEALS THIS_____ DAY OF _____, 201___.

OWNER: _____ OWNER: _____

NOTARY: _____

CITY COUNCIL CERTIFICATE

APPROVED THIS _____ DAY OF _____, 201___ BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO. RESOLUTION NO. _____ SERIES _____

MAYOR: _____ CITY CLERK: _____

CLERK AND RECORDER CERTIFICATE

STATE OF COLORADO)
COUNTY OF BOULDER)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, _.M., THIS _____ DAY OF _____ 201___, AND IS RECORDED IN PLAN FILE _____, FEE PAID _____
FILM NO. _____ RECEPTION NO. _____

RECORDER: _____ DEPUTY: _____

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1530 55th Street • Boulder, Colorado 80303
(303) 444 - 3051

Designed by AJB	Date 10/02/17	Scale 1"=10'	Drawing no. 17271D-1		Sheet 1
Drawn by JAS	Revision	Description		Date	Project no.
Checked by AJB	1	CITY COMMENTS		12/27/17	17271D
	2	CITY COMMENTS		01/26/18	

X:\DRAWINGS\2017 PROJECT FOLDER\17271 712-724 Main St. Louisville\17271D-1.dwg, 1/26/2018 9:28:39 AM,
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City of Louisville
COLORADO • SINCE 1878

Planning Commission
Meeting Minutes
February 8, 2018
City Hall, Council Chambers
749 Main Street
6:30 PM

Call to Order – Brauneis called the meeting to order at 6:30 P.M.

Roll Call was taken and the following members were present:

Commission Members Present:	Steve Brauneis, Chair David Hsu, Vice Chair Jeff Moline Debra Williams Dietrich Hoefner Tom Rice
Commission Members Absent:	Keaton Howe
Staff Members Present:	Rob Zuccaro, Dir of Planning & Building Safety Kristin Dean, Principal Planner Lisa Ritchie, Associate Planner Amelia Brackett, Planning Clerk Aaron DeJong, Economic Development Director

NEW BUSINESS – PUBLIC HEARING ITEMS

Terraces on Main (712 & 722 Main Street): A request for a Final PUD to allow for a 37,171 square foot commercial building with a 10,754 sf parking garage on 14,114 square feet zoned CC; a Final plat to vacate the lot line between Lots 8 and 9, Block 3, Town of Louisville; and a SRU to allow for outdoor eating and drinking establishments and a parking garage, Resolution 04, Series 2018, (PUPL – 094-2017 & SRU – 095-2017).

- Applicant and Owner: 712 Main St. LLC & 722 Main St. LLC
- Case Manager: Kristin Dean, Principal Planner

STAFF PRESENTATION
Notice was posted in the Boulder Daily Camera on January 21, 2018 and posted in City Hall, Public Library, Recreation Center, and the Courts and Police Building, and mailed to surrounding property owners January 24, 2018.

Staff and the Commission were reviewing three applications: a PUD, a Final Plat, and an SRU.

Dean stated that Boulder Creek Neighborhoods wanted to consolidate their employees into one building. The proposed building would include 26,417 square feet of office and retail, 10,754 square feet of parking garage, ground floor retail, and office on the second and third floors.

Staff used the numerous policies to evaluate projects: the Design Handbook for Downtown, the Downtown Louisville Framework Plan, the City of Louisville Comprehensive Plan, and the limited standards in the Development Code.

The building is two-stories at the street on the north end and one-story at the street at the south end adjacent to The Huckleberry. A third story is setback 49 feet from Main St. and 37.5 feet from the alley. A small portion of the third story is setback 40 feet from Main St. to provide articulation, but the majority of the third story is setback 49 feet. The building includes roof top decks above the first and second stories. The application includes a request for a Special Review Use for outdoor eating and drinking establishments and a parking garage. The application also includes a Final Plat (Attachment 5) to vacate the lot line between Lots 8 & 9.

The applicant is requesting two waivers. One is for a rear setback encroachment of 19.25' for the stairwell and the other is for a rear setback encroachment of 6.9' for the 2nd story balconies. Staff supports these waiver requests based on the aesthetic considerations, allowing some architectural interest.

All the parking needs generated by the project are accommodated on site in a two-level parking garage with 28 spaces in the parking garage and 4 surface parking spaces adjacent to the alley. This exceeds the parking requirements, which stipulate that this application needs 30 spaces. The garage also has two ramps in the alley. The surface parking spaces meet the space requirements, so no cars will be hanging out in the alley.

Dean summarized the design guidelines used to evaluate the application. Buildings should be one and two stories at Main Street, have a rectangular form and a flat roof, privilege retail on the street level, provide visual interest along the street, and provide visual relief in the form of colors and materials. On the alley, buildings are encouraged to step down. This application does so as it is setback 20 feet from the alley. The third story is significantly setback at 37'8" from the alley. The parking garage is loaded from the alley.

The Municipal Code limits height to 45' downtown. The Code also gives City Council the ability to determine if a lesser height is more appropriate and that determination is based off compliance with the Design Handbook, the Downtown Louisville Framework Plan, Subdivision Criteria, PUD, and the Comprehensive Plan.

Dean stated that she would address each policy. She started with the Municipal Code, stating that it framed the application with language about ensuring varied building heights and the appearance of two-story building mass from the street pedestrian scale. There are only three other three-story buildings downtown and the Framework Plan allows for three-story buildings because variation in height was determined to be appropriate.

The Design Handbook notes on height that projects should respect the traditional context of Downtown, that new construction should appear similar in mass and scale to structures found traditionally in the area and to the established context, that new interpretations of traditional building types are encouraged but should be seen as products of their own time, and that new buildings should maintain a visual sense of continuity. Dean added that the Design Handbook stipulated that the third story should be a subordinate "addition" to a two-story building and should be setback substantially from the sidewalk edge such that it appears two stories in height as seen from across the street, that the third story should be setback from the alley faces, and that the materials and details should be simpler than those on the primary façade. Dean showed an image demonstrating that part of the third story would be visible behind the first-story building, but not from in front of the second-story buildings.

Dean stated that the Framework Plan also addressed height. Third stories are deemed appropriate since they provide variation, but one- and two-story should be the norm. It also states that one- and two-story buildings are permitted when defined goals are achieved. Dean stated that the language was nebulous but it did address activating the street with outdoor

dining areas, which the project does. The Framework Plan also contained measurable guidelines for considering a third story, allowing for a Floor Area Ratio (FAR) of 2.0, meaning a third story of no more than 50% of the building footprint. The application met these stipulations.

Subdivision Criteria stated that height provide consistency with the Comprehensive Plan, promote the purpose of the Subdivision regulations and compliance with the plat design requirements including orderly growth and the projection of the character and social and economic stability of all parts of the City.

In the Comprehensive Plan, the downtown area is a “mixed-used center” where two and three stories are considered appropriate, ground floors should be activated by primary retail, and that projects should promote the health of Downtown through traditional development pattern and pedestrian scaled redevelopment.

Under the PUD criteria, height should reflect an appropriate relationship to the surrounding area; an appropriate density, site relationship, and bulk; design considerations should include materials, colors, and lighting; it should comply with Design Standards and be consistent with the Comprehensive Plan; it should reflect architectural compatibility with surrounding designs and harmonious transitions and scale in character in areas of different planned uses; and it should contribute to a mix of styles within the city.

Dean stated that in weighing these applicable policies, no additional consideration or weight was given to any policy or group of policies. Instead, all policies had to be interpreted comprehensively. In doing so, staff finds that the project is in compliance with the various policies given the following demonstrated compliance:

1. 1 and 2 stories at Main Street to reflect the varied height of buildings along Main Street and to complement the adjacent buildings.
2. The third story is setback 49 feet from Main Street, 37.9 feet from the alley, and comprises 50% of the building footprint.
3. FAR of 1.87.
4. Architectural interest through the use of colors, materials, and window glazing.
5. Third story is more subdued and has less window glazing than first and second stories.

Dean presented the application’s compliance with the SRU Criteria:

1. Comprehensive Plan: Outdoor seating contributes to a “healthy and vibrant” Downtown. Garage parking facilitates all parking needs being met on site and with alley-loaded access.
2. Economic Compatibility with Surrounding Character: Overall project retains 80+ employees to support local businesses. Project replaces ground floor office space with retail. Outdoor eating compatible with other restaurants that offer outdoor seating on site and in the Main Street patios.
3. Internal Efficiency: All parking needs met onsite. Increased walkway on Main Street. Drainage, sewer, and water facilities.
4. External Effects: Limitation on outside patio use (closes at 12 a.m. and no amplified music.) No nearby residences. No light spill.
5. Pedestrian Circulation: Increased sidewalk width adjacent to the building.

The Plat was for vacating the interior lot line. The lot meets all the design standards and affords adequate water, sewer, drainage, and access. New utilities to the building will be buried and the existing utility line overhead serving private property will be relocated by moving the pole across the alley. The City will not incur the cost of burying the lines to private property.

Dean stated that staff typically reserves the Fiscal Impact Model presentation for Council, but they went ahead and ran it for this presentation. She stated that there was a typo in the staff

report. It should read “net positive impact” instead of “net negative impact.” The model staff uses that considers employee impact is currently under review, so the model used for this application produced an estimate that is on the low side as it does not include employee spending impact. Dean added that $103,000-217,000 over 20 years in sales tax dollars or $5,150-10,850 per year from the project. The model depends on the types of uses and buildout that it includes, but staff wanted to show that the project has a net positive impact.

Dean stated that staff had been submitting emails daily to the Commission and that commissioners had a printed copy of additional public comments that came in today. The Commission had received all public comment before considering the application.

Staff finds that the application is in substantial conformance with all the applicable criteria and development standards and recommends that the Planning Commission approve Resolution No. 04, Series 2018, recommending approval of a request for a Final PUD to allow for a 37,171 square foot commercial building which includes a 10,754 square foot parking garage on two lots totaling 14,114 square feet zoned CC, a Final Plat to vacate the lot line between Lots 8 and 9, Block 3, Town of Louisville and a SRU to allow for outdoor eating and drinking establishments and a parking garage.

QUESTIONS OF STAFF
Brauneis asked for conflict of interest from the Commission.

Williams disclosed that she had been inside the Boulder Creek building, owns a Boulder Creek home, and has worked with the company as a member of her HOA. She added that she as a councilmember in Superior, CO she had voted on several PUD applications put forward by Boulder Creek. She stated that she still felt she could be impartial in her judgement.

Brauneis asked for questions of staff.

Moline asked if staff had considered visibility from other parts of the block and the area aside from across the street.

Dean responded that the Design Handbook was conflicting in how it defines context. It does speak to the broader context of Downtown related to how the building fits in with other development. She added that they had not gotten any additional views, as the only policy question was on visibility from across the street and that was the only one they asked the applicant to address graphically. She reiterated that three stories were considered to be appropriate and the application was meeting the other measurable standards. She added that subjectivity from the public comment was mixed. Staff finds that it fit well with the overall context of downtown.

Rice moved to include in the record the emails that were added after the packet. Hsu seconded. Voice vote. Motion passed unanimously.

Rice stated that, in general, the public comments against the application stated that the development was just too big. He asked Dean to respond to this concern.

Dean stated that staff had to analyze the application from a technical perspective, as subjective measures such as “too big” were gray. She reiterated that the development was a change for Louisville that everyone involved wanted to consider carefully. She stated that the applicant revised the original application based on staff comments to meet more policies and the applicant was responsive in reducing floor area and bringing the building in. From staff’s perspective it finds within the defined parameters that were definable. From a technical aspect it fits.

Rice asked about the setback on the building at 908 Main Street. He also asked about the height of the Mercantile Building.

Dean stated that staff did not have building permit records for the Mercantile Building as it was an old building.

Rice asked about the height of the Melting Pot/Black Diamond structure.

Dean stated that 908 Main was setback 15 feet and the Boulder Building proposal included a setback of 50 feet.

Rice asked about the setback on the Zucca building second-story development that had come before the Commission a few months ago.

Hsu asked staff to define what “pedestrian-scale” buildings meant in the guidelines.

Zuccaro stated that it meant something different to everyone, but in Historic Downtown it generally meant 1-2 story buildings, wide sidewalks, and no parking in front of the building. Glazing, recessed doorways, and materials of buildings all play into a friendly pedestrian scale.

Hsu asked why the application had been brought before the Historic Preservation Commission.

Dean responded that HPC was a referral agency and staff asked them to review the existing Boulder Creek buildings as at least one of them was over 50 years old.

Hsu asked if HPC made any motion or findings.

Dean stated that HPC did not come to consensus. Their process was more to gather comments. The Commission reviewed the application early on in the review process. The applicant has amended the application since HPC saw it.

Hsu asked if there was any objective measure for evaluating whether a building was representative of its time and place.

Dean responded that the Design Handbook had a number of stipulations for what was and was not appropriate. For example, highly ornate designs are not appropriate, while flat roofs are appropriate. The Design Guidelines calls for buildings that are of the current time but acknowledge and reflect the past.

Williams asked how many other buildings have basements.

Dean stated that there were basements downtown, but she did not know how many. For example, the Voltage building that was approved last year had a basement and there were already a number of buildings that already exist that have basements.

Williams asked if this development was taking away from the 150,000 square feet left of commercial development in Downtown Louisville.

Williams asked if this development was taking away from the 150,000 square feet of commercial development earmarked in Downtown Louisville. She also asked if the building’s previous designation as retail meant that they had previously been counted as part of the 150,000 square feet.

Dean replied that it would take away from the 150,000 square feet of development and that the existing square footage was already included the overall square footage Downtown.

Zuccaro clarified that all development, commercial or otherwise, was capped at 150,000 square feet.

Williams asked if this was the first parking garage Downtown.

Dean stated that the library had a parking garage.

Williams asked if like the library the proposed garage was public.

Dean stated she would left the applicant speak to the use of their garage.

Hoefner asked how many iterations the application has been through.

Dean stated that they originally submitted in September or October. Each application goes through a review process with City agencies to solicit comments. The applicant responds to all comments from the various agencies and revises based on those comments. Those are then re-reviewed by the agencies and staff moves forward to a public hearing. The applicant in this case responded to comments from the Planning Department that added an extra month to the process. If the application were to be approved tonight, it would move to City Council on March 20th.

Hoefner asked how different the proposal was tonight than it was when it first started.

Dean stated that the architecture along Main Street is the same, but the third story was not setback from the alley like it is in the current proposal.

Hoefner asked about the two PUD amendments for the alley and the balcony. He clarified that there was nothing else that required a waiver.

Dean confirmed that there were only two waivers requested in the application,

Ritchie responded to Commissioner Rice's earlier question, stating that the Zucca application proposed 104 feet and the 908 Main is setback from property line approximately 4-6 ft. Black Diamond/The Melting Pot is at zero setback.

DeJong stated that Google Earth said the Melting Pot structure was 38 feet.

APPLICANT PRESENTATION
Brauneis asked for the applicant presentation.

David Sinkey, one of the owners of Boulder Creek Neighborhoods, 712 Main Street thanked the staff for their input as they combed through code together, some of which was unclear. He stated that he was a long-time stakeholder in downtown Louisville and wanted to keep it a wonderful place to be. In 2010, the company moved to its first building in Louisville with a staff of seven people. Since moving to Louisville, the company had built a team in part based on the attraction of working in downtown Louisville. He acknowledged that the project represented change for the city and that staff had a lot of concerns to balance among the criteria for development.

Sinkey addressed the issue of how big is "too big." He stated his company had around 85-100 employees and thousands of subcontractors. When people visit their company they are

impressed with Louisville. He and his company did not want to leave. He stated that the square footage that they currently inhabited would be better used in retail. The company did not want to leave, because while that might produce more retail space it would also result in the loss of a number of people in the downtown area. He and other business-owners agreed that the town would benefit from a greater daytime population and the conversion of office space to retail to increase the vitality of Downtown. He added that the design was also made to carry its own weight in parking, which made the project bigger. The company needed well-configured 9-12,000 square feet for its office. It was suboptimal to be housed in four different buildings.

Sinkey concluded that it was important to do something cool on Main Street. He acknowledged that public feedback wanted to see more of what we already have, but he thought that Louisville looked like a diverse set of buildings. He stated that the renderings they produced do not express the materiality of their proposal. He added that the building could actually be bigger, but they decided to setback the building at the same level as it stands, which was valuable square footage but it was worth giving it up to space for pedestrians. He thanked the Commission for their time and for the process.

Moline made a motion to enter the materials into the record. Williams seconded. Voice vote, passed unanimously.

Erik Hartronft, 950 Spruce Street Suite 2A in Louisville, stated that he had been in Louisville since 1984, that he and his family loved Louisville, and that he had been practicing in the city for his whole career. He stated that he had a stake beyond being the architect of the proposed building. He thanked staff for their work on the various codes and stated that the revisions to the plan had improved it. They were proposing a building that was less square footage than would be allowed on the lot and were providing for more sidewalk than existed there today. The plan did not use every available square foot that could be used.

Hartronft stated that having office space on the storefront level was not the highest and best use of the space. He felt that the one-story building next to the Huckleberry was important, since the Huckleberry was in a historic building and it was their responsibility to respect the relationship between the Huckleberry and the adjacent buildings. There were also existing mid-century modern buildings, like the Empire building. He stated that variety is part of the charm of Downtown and that it should not be a historic district where everything looks the same or looks like fake history. He added that Boulder Creek Neighborhoods was a major downtown employer.

Hartronft presented a list of design drivers he and the client came up with early in the project:

- Meet the needs of significant downtown employer (client)
- Move offices upstairs and give back the storefront
- Provide rich pedestrian experience, outdoor seating
- Provide all required parking on-site. Until the City provides a broader public parking option, each project should take care of its own parking. Building a lot elsewhere off-site would create new problems.
- Relocate from other street level downtown buildings, from four to one.
- Provide opportunities for new downtown businesses
- Respect the adjacent historic buildings
- Relate to eclectic downtown aesthetic – mid-century
- Comply with downtown design guidelines

Hartronft stated that the parking garage takes up a little over half of the square footage. The plan proposed an upper and lower deck and ramp for parking. He stated that it was not efficient to build a garage like this for 30 parking spots, and that the applicant was going to great lengths to avoid creating a parking problem. He pointed out that the central spine of the building would be open to retail and would bring the streetscape inside. He added that there would be roof

decks on the second level and green roofs set back from the property lines to create relief for the second and third floor. The third floor had roof decks as well.

Hartronft reiterated that the proposal included a significant upper level set back at Main Street, one story façade adjacent to the historic structure, and a Main Street sidewalk area that was expanded for seating and open space.

Hartronft presented the proposed building materials. The wood was sustainably harvested hardwood for a warm material experience that was durable. There would be metal accents on the building. He showed a 3D model of the pedestrian experience from across the street. A pedestrian would be able to see the second and third floor when standing in front of the first floor building. He added that reducing square footage with the sidewalk and the one-story building was in response to respecting the historic building of the Huckleberry and promoting a positive pedestrian experience.

Hartronft stated that no particular style was promoted by the Code and that the Code doesn't say development has to be historic. The Code directed applicants to use proportion, massing, and scale to respect the look and feel of Downtown. The proposal nodded to Western architecture, as well as midcentury modern buildings with an updated version of the latter's massing. He added that the Code did not say that third stories needed to be invisible.

Hartronft stated that the massing in the proposal was divided into smaller elements to relate to existing context. He characterized the proposal as being an organic composition, having a human scale at the sidewalk level, and respecting the rhythm of the varying height facades Downtown. He stated that the Design Guidelines called this approach "variation," which creates a street rhythm. He added that they would like to reanimate the alley and treat it as another street, for example with a mural. He reiterated that the only waiver requests were for the stairs and the balcony in the parking garage. He stated that everything was on their property, not in the alley, and that they had no intention of using the alley as a full-blown street.

QUESTIONS OF APPLICANT
Williams read G-24 of the Design Handbook, stating that "new interpretations of traditional building styles are encouraged." She asked how this applied to the windows in the proposal, which she stated were very large compared to the older buildings.

Hartronft responded that they had done a lot of historic renovations including false fronts and that it was standard to reduce window size as you go up the building. They did not interpret that style literally, but their window design was homage to that style. He added that they were trying to design an efficient building as well, and sunlight was an important way to reduce energy consumption.

Williams stated that the glass was the one element that stood out as incredibly modern, whereas the two-story northern structures were more in line with contextual design. She also asked to see the full-on front view of the building to walk the Commission through the materials that would be on the facades. She also asked why they did not choose brick as one of the materials.

Brauneis asked staff to address the question of metal in the development criteria.

Zuccaro responded that the criteria for downtown were different from the Commission had considered with the Fire Station application previously. Metal could be used for accents, but not as a primary material.

Williams stated that C-6 in the Design Handbook described materials for developments.

Hartronft stated that the outside face of the one-story building above the windows was metal and the setback section beneath it was wood. The windows had metal siding, but the greatest percentage of the one-story storefront was glass. The center section had horizontal wood siding and a wood storefront with small metal awnings. The north section had horizontal wood siding, a setback section with a metal kick-plate, and a column of metal with wood panelized siding above. The second and third levels had painted cement-wood siding and glass. In the north elevation in the alleyway, where they would like to paint a mural, there was stucco, which has a good fire rating. Brick was using for the library and the Chase building from the 1980s, but they felt that wood would be a nice, friendly material more so than brick.

Williams asked if the gray on the color rendering was metal.

Hartronft responded that some of it was metal and some of it was paneling.

Brauneis reminded the Commission that they were not an architectural review board.

Hartronft responded to an earlier question from Commissioner Rice about the height of nearby buildings, stating that the Mercantile building was 34 feet rising to 38 feet at the peak.

Hoefner asked what other parking options they considered.

Hartronft responded that they looked at what could be provided on the alley level alone, which provided about half the required parking. They also considered off-site parking, which would require razing a nearby building downtown, and paying the fee in lieu of parking.

Hoefner asked if the third-story was being driven by the parking issue.

Hartronft stated that they could accommodate the necessary square footage in two stories if they did not have the parking garage. That being said, the proposal is below the maximum allowable square footage and within design guidelines, meaning that they had a land cost for building a new building instead of buying an empty lot and buying a new building. He stated that these kinds of project had razor-thin margins and that they never pay for themselves in the first few years. If the parking garage were not required, the project makes a lot more sense financially.

Hoefner asked if they didn’t need the third story.

Hartronft stated that hypothetically if the client did not want to maximize his investment, they might not need the third story.

Sinkey stated that as a stakeholder in the city, he thought more parking bringing more people downtown was a benefit. He added that they had held serious and meaningful debates with the members of the nearby residential neighborhoods, who had expressed concern about the effect parking would have on their neighborhoods. He stated that it was politically important to present a project that parks itself.

Hsu asked about the specific design cues in the proposal with respect to traditional and midcentury architecture.

Hartronft responded that the north half of the second-story buildings take cues from Western false-fronts and the south half of the main Street façade takes cues from midcentury buildings like the Empire and the Blue Parrot. The buildings behind the storefront were designed to be sustainable and energy efficiency.

Hsu asked if the setback buildings took any design cues.

Hartronft stated that they wanted those to be muted by comparison to the rest of the project.

Hsu stated that some of the public comments were concerned that the third floor would make the whole building appear larger and asked Hartronft to address this concern.

Hartronft stated that the third floor was divided into three sections. In the center was a central lobby element with an elevator. He stated that it would be hard to see most of the third floor from anywhere on Main Street, as you would never see the third floor at once.

Hsu asked about the G-26 guideline that encouraged awnings. He stated that the project did not need awnings because it had recessed entryways, but he wanted to know if they had considered awnings.

Hartronft stated that some store owners might want awnings. The northern part of the building would lend itself well to awnings, but the deep recess in front of the one-story building did not make sense with awnings. They would work with what retailers wanted to do.

Williams asked if the parking garage was a public garage.

Hartronft stated that it was being built to accommodate employees, but it followed a model called “shared parking.” When the office space was not being used by Boulder Creek employees, retail tenants would have rights to parking garage in evening hours.

Williams asked how the arrangement would operate financially.

Hartronft stated that tenants could pay for parking to Boulder Creek.

Sinkey stated that they did not intend to use a kiosk to pay for the parking, but all parking was paid for by someone. During the daytime hours, their employers would use the lot and during the evening customers could use it.

Williams asked if they would be pushing it off onto retail.

Sinkey stated that it would likely not make sense to put the price of parking off onto retail, but that they would negotiate that with their retailers.

Williams asked why they decided the parking was a cost they wanted to take on.

Sinkey stated that they did not think, politically, that a project that did not park itself would not be acceptable.

Williams asked if there were two entrance/exits that were one and the same and asked how that would work.

Hartronft stated that there was a 15-foot, one-way ramp that would have an indicator light showing if there was a car in the ramp. It is not a long ramp, so visibility would be good to see oncoming cars. If all the spots are full, the entry gate will not lift.

Williams asked what happens when the indicator light doesn’t work.

Hartronft stated that someone would have to fix it.

Hsu asked what happened to the other 48 employees in excess of the30-32 parking spaces.

Hartronft stated that they were required to have one parking spot for every 150 square feet, which is a ratio that results in a lot of underutilized space and un-utilized space in the form of parking spaces. However, other buildings Downtown that have the same ratio applied to them seem to accommodate their parking needs.

Zuccaro stated that the parking ratios are different than usual because the environment in Downtown had public parking and on-street parking. The applicant was meeting the requirements but not necessarily providing for all their parking use.

Sinkey stated that Boulder Creek had 11 other locations other than Louisville and that employees came in from elsewhere in addition to the 40-50 that are in downtown Louisville.

Williams asked if Sinkey owned the other buildings.

Sinkey responded that each building was owned by a separate LLC and in some cases there were other owners. The building cross from Lucky Pie was an affiliate mortgage company that had a tenant upstairs, Summit Real Estate.

Williams asked what they planned for the other buildings.

Sinkey responded that they imagined using them for retail and other options but that they did not have a detailed plan for those uses as of yet.

Hoefner stated that public comment was generally against the three stories. He asked if they were willing to continue working on the third-floor option if the Commission sent them back to the drawing board.

Sinkey stated that they did not have a contingency plan for that situation.

Williams asked if there would be any signage on the parking to let the public know they could park in the lot.

Hartronft stated that during the day the lot would be full of employees and the gate would not go up when the lot was full. In the evenings, there would be no other control measures on the lot except if the lot was full. The usage would depend on the tenants' needs.

Brauneis called a 5-minute break.

PUBLIC COMMENT
Brauneis opened public comment.

Liz Connor, 931 Main Street and 670 Johnson Street, stated that she welcomes and supports the development, which responds to her concerns about the future plan for Louisville. As a realtor, she feels that realtors are on an island in Louisville. Quality retail space is difficult to find and it took them a year to get their current location. The development would bring something that she felt was missing. She also appreciated the plan's attention to parking, as they hear often from their clientele that there is a lack of accessible parking. A project that is attentive to this issue helps her bottom line and respects its other business partners.

Ernie Villany, 1358 Caledonia Circle and owner of Boulder Valley CPA at 917 Front Street, expressed support as a business owner. His company had 10 full-time and 10 part-time

employees who looked forward to eating and spending money downtown in the new retail space. The excitement they felt was similar to what they felt about the opening of the underpass. He commended the efforts of staff, the Commission, and the applicant.

Brauneis clarified that the Commission had not worked on the project until now.

Rick Kron, resident at 746 West Fir Court and President of the Downtown Business Association, stated that the board had discussed the project this morning at their regularly scheduled meeting and had come to a consensus opinion. He read from a paraphrased version of their position: "The LDBA supports the development. Downtowns, like Louisville's, can and should evolve to avoid stagnation. We need more retail space and more business generating retail vibrancy in this downtown. A variety of building footprints is a good idea. We need the additional retail base to support new and established retail in Downtown. A healthy, interesting downtown, such as Louisville, must include a diverse retail sector. The third floor of this proposal is set back from Main Street and is not too big under the City's own design guidelines, and it helps the retail on the first floor. The 32 parking spaces on site is a good thing, and is the right thing to do."

Howard Zaremba, 750 South Street resident and majority owner at 728 Main Street, which is adjacent to the development. He supported the project. The applicant and architect were well-known in the community and were open to meeting with his company in December to give them a heads-up. He was concerned with his tenants, the bookstore and the Singing Cook restaurant, which would be affected by construction. He hoped that the construction would be broadcast in advance and kept to a minimum and that there would be some kind of allocation made for any kind of loss of business. He thought it would be great for Main Street and good for their flow of business in the long-run, but small businesses exist in the short-run and he did not want his tenants' business to be unreasonably disrupted by the construction.

Audrey Debarros, 839 West Mulberry Street, expressed her support. She loves hearing the project described as a cool project because we are a cool and inclusive town. She appreciates that the applicant has been attentive to the parking issue. She stated that this could be an opportunity to remember that public transportation, bicycling, and walking were options. The Dash served Main Street and connected Louisville to Lafayette and Boulder and there was also service to McCaslin for regional transportation. She stated that Boulder County offered an Ecopass program that reduced the cost of offering transportation to employees by 60%.

Trent Davel 1020 Rex Street and owner of Pica's Taqueria at 901 Front Street. He supported the project as it frees up retail and restaurant opportunities, eliminates a dead space on the block, and creates more vibrancy downtown. The third floor allows for the first floor to be retail and while the building is big, the setback mitigates the size. He stated that restaurants rely on retail for lunch business and that keeping people Downtown offered patrons for city business owners.

Cindy Bedell, 662 West Willow Street stated that she was not a Downtown business owner and she thought of the project as "Titanic on Main." It is not appropriate in mass or scale for the downtown area. She requested that it be downsized. Louisville is attractive because it is charming, but this building is not charming. She stated that the third-floor setback will contribute to the claustrophobic feel of the building. She asked the Commission to keep in mind that the balconies were not public space. She also directed the Commission to page 28 of the Louisville Design Handbook, which discussed glass. She stated that as Louisville lost its charm, there would be fewer people coming downtown and that we could be killing the golden goose.

Patrick Walsh, 836 Main Street, owner of Bittersweet Café and Por Wine House, stated that he was a long-time restaurateur and was planning to open a Cuban restaurant in Louisville. He

stated that the town can be slow and difficult to run a business in, but places like Boulder Creek Neighborhoods have a big impact that make it possible to run a business. Having people in Louisville is very, very important. He stated that a business owner willing to provide parking space was helpful to all business owners. He added that it is also important to address that what is there currently is not aesthetically pleasing and the proposed development is a beautiful structure. Looking at a picture did not give a good idea of what the building would look like and that the Commission should consider this limitation. Finally, he encouraged the City to spend its money to save other historic buildings, not buildings like this.

Tracy Hobbes, resident at 2157 Wagon Way, owner of Eleanor and Hobbes at 901 Front Street, stated that she has a private parking structure for employees, who have parking stickers in their windows. The structure frees up parking spaces for customers on the street. The project provided vitality, traffic, and retail space. Currently, Downtown is slow. The project will bring a little life to Main Street. She added that she likes the architecture and felt it had been well thought-out. She stated that staff and the applicant have done an amazing job making a building that works and that losing Boulder Creek Neighborhoods employees would be a big loss to the city.

Jenni Hlawatsch, owner of Singing Cook at 728 Main, stated that she was a property owner of a business next door. The presentation tonight eased some of her concerns and she appreciates the effort put into it. She encouraged Boulder Creek Neighborhoods to rent more to shopping than to restaurants. While Louisville has been maxed-out on restaurants, shopping retail would help her business. She was concerned about the construction process, as her business was her sole income. No matter how large or small, any construction project would affect businesses in the area. She asked that Boulder Creek Neighborhood consider compensation or some other help to ensure that she and the bookstore stay open. She stated that overall it was great for the future of Louisville, but that there was a danger that adjacent businesses would fail during the construction process.

Tom Rafferty, resident at 945 Rex Street, stated that the parking plan was a responsible thing to do. He stated that it helps to avoid needing to build a parking structure in another neighborhood. He was generally in support of the concept, but did not support the design. He stated that the eye care building next to Moxie was an example of a good balance between modern and historic. He suggested studying the height of the floor-to-floor height, which might reduce the building's overall height. He liked maintaining the midcentury south half of the first floor, but the north half second-story buildings looked like the 28th Street Mall in Boulder. He stated that the second floor should have reduced glass. He did not like the modulation of the upper two floors was insufficient. More modulation could reduce the overall size of the building.

Sherry Somner, resident at 910 South Palisade Circle stated that another asset Downtown was the library. She asked how the proposal would affect the feel in that area. She also questioned if the parking would be adequate. She added that the windows could make the street hotter in the summer.

Mike Baren, resident at 2205 Park Lane, stated that Boulder Creek Neighborhoods built their house and the company was interested in the town. He supported the plan and thought it was a good thing to have a local company stick around rather than leave and that they were also important as a consumer.

Jim Tienken, resident at 404 West Spruce Lane and owner at 824 Pine Street, stated that he can see the Boulder Creek Neighborhoods buildings every day from his conference-room windows. He stated that the redevelopment would be a tremendous asset to Louisville. He stated that he was a member of the LBDA for 16 years, and they had to field retailers wondering how to survive as a retail establishment. The answer is they need more retail and more parking.

This project addresses both issues. While other building projects create parking problems, this one solves them. He added that if we do not want three-story buildings, we have to change the Code.

Carlos Hernandez, resident at 795 Bluestem Lane, supports the project. He stated that the development of the post office was a controversial, but in brought retail and restaurant opportunities to the City. He stated that he looks forward to experiencing the new retail space. He stated that he did not see it as the Titanic. Instead, he saw it as the Mayflower. He stated that the people are the character and the buildings are where we have the experiences. He stated that projects like this are how we make history.

Brauneis asked staff and the applicant for closing statements.

Dean stated that staff recommends approval of the project.

COMMISSION DISCUSSION
Brauneis closed the public comment.

Rice stated that he was fully in support of the project. De minimis waivers are evidence of the work to make sure the proposal was done right. The project displayed a good balance between the building and the area, with the single story on the south side and the third-story setbacks. He stated that it was a very impressive investment in the downtown area and the parking structure was commendable.

Moline agreed with much of what Commissioner Rice stated. He stated that the mass of the building was a challenge for him, given the look of the three-story buildings that already exist in Downtown. He stated that he liked the front part of the building. He stated that he thought the Commission could rule that it does not meet the criteria under LMC Title 16 and there was room to make a different recommendation.

Williams stated that she was in support, even though the architecture gave her pain. She would prefer more wood and less or zero metal and less glass. However, she acknowledged that architecture was objective and no one was going to agree. She hoped that the applicant could make “shared parking” work. She stated that the building meets and exceeds the criteria. She stated that the Downtown Design Handbook and the Framework were a bit more difficult, but they were guidelines that she was here to interpret. She listed the reasons that she supported the project, relevant to her interpretation of the guidelines:

- Good for other businesses.
- 50% or less of the footprint taken up by the third floor.
- Keeping a good business in the neighborhood.
- Terrace on Main is a good name.
- Helps with parking in downtown.

She asked the applicant to consider how the construction would affect adjacent businesses.

Hoefner stated that the applicant had reached out to their neighbors and was impressed by their support of the project. He was also impressed by the applicant presentation and the staff report. He also appreciated the community involvement displayed in the emails and the people who came to speak tonight. The applicant went above and beyond to meet their own needs and the numerous requirements. He echoed Commissioner Rice in saying that he was impressed that the application only required two waivers. He supported multi-modal transportation and he supported the project.

Hsu stated that he was generally in support, but he was hesitant. The positives include the rooftop space and the merging of office space and retail space. He also appreciated the

community interest displayed tonight. The main negative is the application's relationship with the surrounding area. The second and third floors reminded him of Cherry Creek and the 28th Street Mall in Boulder. He liked the southern half, but not the northern half. He understood that the second and third floors looked modern because they were trying to be more subtle but he still thought those floors were too modern. He stated that the impact of the second and third floors had been mitigated by the setbacks, but he was overall in support.

Brauneis stated that it was a thoughtful project. While we were all concerned about the third story, it was important to remember that three-story buildings are allowed in the Code. He appreciated the first-story response to surrounding buildings and noted that their commitment to providing parking in this location is expensive and he appreciated that they had taken that on. He added that it was interesting to note that the Commission usually has to discuss the waivers, but it had not been part of the discussion this evening, which speaks to the strength of the project itself.

Rice move to approve Resolution 04, Series 2018, a request for a Final PUD to allow for a 37,171 square foot commercial building with a 10,754 square feet parking garage on 14,114 square feet, A Final plat to vacate the lot line between Lots 8 and 9; and an SRU to allow for outdoor seating and drinking establishments and a parking garage. Williams seconded.

Hsu noted that there was an SRU review use and he thought it was compatible with SRU requirements.

Rice thanked Hsu for bringing it up.

Hoefner stated that there was also a re-plat included in the motion they were about to vote on.

Brauneis asked for a roll call. Moline voted no. Passes 5-1.

RESOLUTION NO. 17, SERIES 2018 – A RESOLUTION APPROVING A FINAL PUD TO ALLOW FOR A 37,171 SQUARE FOOT COMMERCIAL BUILDING, WHICH INCLUDES A 10,754 SF PARKING GARAGE, ON TWO LOTS TOTALING 14,114 SQUARE FEET ZONED CC; A FINAL PLAT TO VACATE THE LOT LINE BETWEEN LOTS 8 AND 9, BLOCK 3, TOWN OF LOUISVILLE; AND A SRU TO ALLOW FOR OUTDOOR EATING AND DRINKING ESTABLISHMENTS AND A PARKING GARAGE; LOTS 8 & 9, BLOCK 3, TOWN OF LOUISVILLE SUBDIVISION (712 & 722 MAIN STREET)

Mayor Muckle called the item and outlined the hearing procedure.

Planner Dean noted the applicant is Boulder Creek Neighborhoods who currently occupy four buildings downtown. The company would like to demolish the buildings at 712 and 722 Main Street and construct a new building. The request is for a Final PUD to allow for a 37,171 square foot commercial building, which includes a 10,754 sf parking garage, on two lots totaling 14,114 square feet zoned CC; a Final Plat to vacate the lot line between Lots 8 and 9, Block 3, Town of Louisville; and a Special Review Use (SRU) to allow for outdoor eating and drinking establishments and a parking garage. The ground floor would be retail and offices on the second and third floors.

The building would have one story on the south side adjacent to the Huckleberry with two stories on north side along Main Street. The third story is set back 40-49 feet from Main Street and 37 feet 8 inches from the alley. At the alley edge, the building is two stories with a small extension for the rear stairwell which would extend to the third story.

Waiver Requests:
-Rear setback encroachment of 19.25 feet for the stairwell
-Rear setback encroachment of 6.9 feet for the second story balconies

Staff supports the setback encroachments as they lend to architectural variation along the alley side.

The application does meet the parking standards for downtown. The requirement would be 30 parking spaces; the applicant is providing 32 on site with 28 spaces in a parking garage and 4 surface spots.

Downtown development is governed by multiple standards included in the Design Handbook, the Framework Plan, the Municipal Code (LMC), and the Comprehensive Plan. Design is detailed in the staff report and staff finds the application meets many architectural standards including:

- 1 and 2 stories at Main St.
- Rectangular form
- Flat roof
- Retail on the main level
- Visual interest along the street

- Change in colors and materials
- Significant window glazing
- Recessed entries
- Building steps down at the alley
- Building is setback 20 feet from the alley with the exception of the stairwell and balconies
- 3rd story is setback 37'8" from the alley
- Alley loading parking garage

Height
- LMC limits height to 45'
- Council can reduce height based on the Downtown Louisville Design Handbook, the Downtown Louisville Framework Plan, the Subdivision criteria (Chapter 16), The PUD criteria (Chapter 17), and the Comprehensive Plan

<u>Height – Louisville Municipal Code</u>
- Ensure varied building heights and the appearance of two-story building mass from the street pedestrian scale

<u>Framework Plan</u> allows for 3-story buildings because variation in height determined appropriate. There are only 3 other 3-story buildings downtown.

<u>Height – Design Handbook</u>
- Projects should respect the traditional context of Downtown
- New construction should appear similar in mass and scale to structures found traditionally in the area and to the established context
- New interpretations of traditional building types are encouraged but should be seen as products of their own time
- Maintain a visual sense of continuity
- 3rd story should be a subordinate "addition" to a 2 story building and should be setback substantially from the sidewalk edge such that it appears 2 stories in height as seen from across the street
- 3rd story should be setback from the alley faces
- Materials and details should be simpler than those on the primary façade

<u>Height – Framework Plan</u>
- Desire to maintain and enhance the historic scale and character of Downtown
- 1 and 2 story buildings should be the norm, but incentives could be created to allow limited 3 story buildings in the core
- 3rd story permitted when defined goals are achieved
- Floor Area Ratio (FAR) of 2.0/3rd story no more than 50% of the footprint

<u>Height – Subdivision Criteria</u>
- Consistency with the Comprehensive Plan
- Promote the purpose of the Subdivision Regulations and compliance with the plat design requirements
    - Orderly growth
    - Protect the character and social and economic stability of all parts of the City

Height – Comprehensive Plan

- Mixed-use "Center"
- Building heights of 2-3 stories
- Ground floor activated by primary retail
- Promote health of Downtown through traditional development pattern and pedestrian scaled redevelopment

Height – PUD Criteria

- Appropriate relationship to the surrounding area
- Appropriate density, site relationship and bulk
- Design – materials, colors, lighting
- Compliance with Design Standards
- Consistency with the Comprehensive Plan
- Architectural compatibility with surrounding designs and harmonious transitions and scale in character in areas of different planned uses
- Contribution to a mix of styles within the City

Height – Policy Considerations

- 1 and 2 stories at Main St. to reflect the varied height of buildings along Main St. and to complement the adjacent buildings
- The third story is setback 40-49 feet from Main St., 37.9 feet from the alley and comprises 50% of the building footprint
- FAR of 1.87
- Architectural interest through the use of colors, materials and window glazing
- 3rd story is more subdued and has less window glazing than 1st and 2nd stories
- Building steps at the alley
- Adds architectural variation in Downtown
- Existing ground floor office uses will be relocated to 2nd and 3rd stories and ground floor is activated with retail space
- Recessed entries, 1 and 2 stories along Main St. & significant window glazing facilitate a pedestrian friendly design
- Increase in commercial uses and retention of 80+ employees downtown to support local business

SRU Criteria Compliance

1. Comp Plan: Outdoor seating contributes to a "healthy & vibrant" Downtown. Garage parking facilitates all parking needs being met on site and with alley loaded access.
2. Economic Compatibility with Surrounding Character: Overall project retains 80+ employees to support local businesses. Project replaces ground floor office space with retail. Outdoor eating compatible with other restaurants that offer outdoor seating on site and in the Main St. patios.
3. Internal Efficiency: All parking needs met onsite. Increased walkway on Main St. Drainage, sewer and water facilities.
4. External Effects: Limitation on outside patio use (closes at 12 am & no amplified music). No nearby residences. No light spill.
5. Pedestrian Circulation: Increased sidewalk width adjacent to the building.

Plat

- Vacation of Existing Lot Line
- Lot meets design standards
- Water, sewer, drainage, access provided
- Utilities to the building will be buried
- Overhead utility line serving private property relocated

Fiscal Impact: $591,000-$777,000 over twenty years or $29,550-$38,350 per year.

Planning Commission recommended approval by a 5-1 vote on February 8, 2018.

Staff recommends approval.

Councilmember Loo made a motion to enter the materials and all constituent letters and emails into the record. Councilmember Stolzmann seconded. All in favor

Mayor Pro Tem Lipton asked about changes made by the applicant after review by the Historic Preservation Commission. Planner Dean said it was primarily to do with the step up of the second floor in the alley.

Mayor Pro Tem Lipton asked about the parking garage access from the alley and where the light is situated. Planner Dean noted a light will be at each entry point visible before entry and there will also be an arm.

Councilmember Maloney asked about the parking requirement if 80 employees and retail; are those 80 employees already housed downtown. Dean noted the applicant can speak to that.

Councilmember Maloney asked what helps assure we have variations in height. Dean noted how the framework plan was developed and noted the public preference for varied heights. Historic preservation goals were considered and staff looked at all policies with no policy given extra weight.

Councilmember Stolzmann thanked the applicant for addressing the criteria in the downtown design handbook. She asked if the third story was 50% of actual footprint. Staff answered yes. Councilmember Stolzmann asked why the parking calculation excluded the basement. Dean said the basement is not considered habitable floor area. Director Zucarro noted habitable use in the basement would require an amendment. Councilmember Stolzmann asked if the rooftop patio was used to calculate parking. Staff said no. Councilmember Stolzmann asked about a phrase in the code about the parking structure footage not being included in the calculation and noted she would share her interpretation later.

Applicant Presentation

David Sinkey, 712 Main Street, with Boulder Creek Neighborhoods thanked City staff for help in answering questions and helping them study any conflicting policies. Boulder Creek came to Louisville in 2010 to be a part of a community where they build homes. The company takes pride in being a part of Louisville. He noted companies of the size of theirs often are housed in a more corporate setting. Their current offices have become too small. They now own 4 buildings in downtown. Boulder Creek has about 80 employees along with contract employees. 30-40 are currently housed in downtown Louisville. He felt the company is an asset to downtown, but noted they have displaced some retail space. Talking to his neighbors on Main Street he realized the need for providing retail space. The design has gone through several iterations. The setback of top floors loses square footage but provides a better feel. He appreciated the thoughtful feedback they have gotten.

Erik Hartronft, 950 Spruce Street, project architect, stated this project has been in the works for about 4 years. The economics of downtown are dependent on every single lot. Retail is important and they tried to respect the surrounding buildings. Historic structures should not be copied but complement the inventory of buildings. Downtown is quite eclectic. He noted they had several design drivers to look at as they developed the design. He stated providing parking on site is expensive. The parking has a gate and lights telling if there are open spaces. The third level is set back 49' from the front of the building, subordinate and not visible where the two story element is. The third floor is setback on the alley side as well. The balcony on the second floor gives relief to what would otherwise be just a two story façade. He showed the design board and described the different siding elements for the building. There is space for a mural on the side of the building. The stair tower and two balconies are the only waivers requested.

Director Zuccaro addressed the downtown parking calculation and staff's belief that a parking structure doesn't count toward FAR in downtown.

Public Comments

Joel Hayes, 187 Harper, said the mass and scale are incompatible with this location in historic downtown. The height dwarfs everything on the block. It changes the character on the block and invites other buildings to change as well. Parking doesn't meet needs and will be full.

Andy Johnson, 920 Lincoln, felt a flier he received on his door needed some correction from his view as an architect. He commended the applicant, architect and staff for putting together a difficult project. Parking calculations are met. The basement as an area should not be considered as habitable space. He said the flier didn't correctly portray the look.

Charles Haseman, 247 S. Lark Avenue, showed slides and voiced his objection to combining the two lots; two buildings would be better. There is not enough space to view artwork in the alley. He felt the third floor towered above and showed images to

support his point of view. He felt the rear elevation view was deceptive since the measurement doesn't account for the full elevation change from Main to the alley. If there has to be a three story building, he thought a midcentury style with hip roof and dormitory windows would be more appropriate for Main Street.

Rick Kron, 746 W. Fir Court, noted the Louisville Downtown Business Association supports this application. There is a need for more retail and business space downtown. The third floor is set well back. 32 parking spaces on site is good and as a resident, he felt this would add to the vibrancy and contribute to the downtown scene. Downtowns evolve over time and this will be a good addition.

John Leary, 1116 LaFarge Avenue noted the sales tax revenue in downtown has increased even more than other areas in town in the past 15 years. Downtown doesn't need additional sales tax revenue. He addressed the fiscal model and felt it would take 45 years to pay off the deficit if it was done the right way. He addressed the Framework plan and felt this project doesn't fit the downtown area.

Barbara Butterworth, 501 South Street and part owner of the building downtown next to Boulder Creek Builders, stated as owner of the Book Cellar Boulder Creek has been a good neighbor and noted they came to the neighbors before presenting to the city. She noted the parking lot in back of her building is rarely full and expressed her support for the project. She reported the employees of Boulder Creek do shop downtown.

Steve Rolapp, 821 LaFarge, a recent resident of Louisville was very surprised there had been no other announcement of this project. He was concerned about the parking as he experiences lack of parking in front of his own home.

Caleb Dickinson, 721 Grant Avenue, resident and downtown business owner as well as a member of the Historic Preservation Commission. He noted the history of Louisville is made every day. As a resident and business owner, he didn't think having a local business owner want to stay in town and build a new building destroyed the small town feel.

Renzo Verbeck, 936 Parkview Street, was strongly in favor of this project and felt it will foster economic development. He liked the look and felt it met the guidelines. The owner is local, already downtown, and shows the commitment. Architect did a good job with the concept. Building is new but has a nice cadence. The project celebrates the history by not having the new be a knock off. He felt the parking requirement would be met.

Matt Berry, 740 Garfield, noted his family is downtown a lot. He spoke in favor of the project. It takes into account the place it is in. Employees will patronize during the day and residents will have the opportunity to support the downtown in the evening. He was dismayed at the flier that landed on his doorstep showing a straight elevation perspective. He felt there should be trust in the planning department and the process.

Ronda Grassi, 916 Main Street, noted the process and how hard staff has worked to examine this project. She noted the parking would free up spaces downtown. She supported the project and asked Council to do the same.

Larry Meyer, 1919 Quail Ct. and owns a business at 625 Main St., loves downtown and is invested and feels lucky to be here. He noted the applicant is making a further investment in Louisville and he supported the project.

Jenny Hlawatsch, owner of the Singing Cook at 728 Main Street, in a building next door to this project, supports this project. The lack of retail space in downtown is a problem. She was glad to have a local business expand in the area and felt additional retail would help all thrive.

Cindy Bedell, 662 W. Willow St., asked Council to not approve this application. She felt it was too big and did not fit or match the character of the downtown area. She felt the third story would be visible and suggested it be removed. She asked Council to preserve downtown by not approving this project.

Liz Connor, 670 Johnson Street, owns a business at 931 Main Street. She said the downtown is not vibrant and keeping pace with the rest of the City. Her vision for Louisville is somewhere her children could live or visit. Parking is a problem and causes folks to not shop her store. She suggested the Boulder Creek employees are already working here and the parking garage will be a great addition. She supported the project.

Tracy Hobbs, 2157 Wagon Way, resident and business owner found the flier interesting and noted the division of opinions. She felt the criteria had been met and did not want it to come down to emotions. The parking garage would free up parking. She did not want to see Boulder Creek go away.

Jim Tienken, 404 W. Spruce Lane and owns 824 Pine Street stated his family supports downtown Louisville. He felt the flier distributed to downtown residents was fear mongering, inaccurate and fake news. He asked Council to approve the project.

Chapin Diamond, 809 Pine Street thanked Council for listening. He asked if this project would open up downtown for other buildings to become three stories. He wanted enforcement of the current parking regulations as he often finds his driveway blocked.

Michael Menaker, 1827 W. Chokecherry Drive stated he had read all the emails and noted this project meets our code and feared if this project was rejected who would trust us in the future. Only two minor waivers have been requested. Three-story buildings are not as jarring as might be thought and are accepted once built. Louisville is not a museum nor should it be allowed to become one. Need to be vital and communities must change over time. He urged Council to support the project.

Debbie Davies, 603 W. Aspen Court, spoke to the math of the parking. Currently there are about 15 spots behind the building so adding the proposed spaces would only be net gain of about 15. She noted any new tenants in the other buildings owned by the applicant would take up spaces as well.

Jean Morgan, 1131 Spruce Street, wanted the project to protect scale and mass. This is too tall and third story will overwhelm the block and be precedent setting for more three story buildings. She noted Louisville had received a historic preservation award and asked Council to not approve this as presented but make this project be an appropriate addition to downtown Louisville.

Council Questions

Mayor Pro Tem Lipton asked if there is a way to make sure the first floor will always be retail.

Director Zuccaro said there is no regulatory note to require the retail at this time but one could be added if the applicant agreed.

Councilmembers discussed the process and whether this item should be continued to another meeting. Councilmember Loo moved for Council to make a decision on this project at this meeting. No second was heard.

Attorney Light cautioned Council on making a motion to wrap this up as it might cause an obstacle if they choose to continue the resolution approval or disapproval to a later date. He was asked if the items later on the agenda could be continued; he replied they could, however, it should be done item by item not as one.

Mayor Muckle moved to continue this agenda item to the April 3 meeting; Councilmember Keany seconded. Roll Call Vote: Motion failed (Yes = 2, No = 5; voting no were Councilmember Maloney, Mayor Pro Tem Lipton, Councilmember Leh, Councilmember Loo, Councilmember Stolzmann.)

Mayor Muckle called for Council comments.

Councilmember Stolzmann thought there was some agreement on this project namely; first floor retail, some parking issues exist in downtown, and there is support for redeveloping this piece of property. The themes she kept hearing that need addressed are parking, the massing and the materials. She didn't feel the basement storage space should be excluded from the parking calculation. She felt the patio space should be included in the parking calculation. She said the design guidelines are part of City code. She noted the northern part of the building and asked if there are ways to reduce massing. She said it is in Council's purview to address the massing. Stepping down on the second floor on the alley would help the pedestrian sense. The alley walkway could

expand onto this property. On the materials she noted comments on more wood and less glass with this project. She felt there was middle ground that could be addressed to have more support for the project and to more appropriately meet the City Code.

Councilmember Loo asked if this did meet City code as the staff recommendation indicated. Attorney Light noted staff felt it did and Council would make the final decision.

Councilmember Loo felt the various boards' recommendations were positive. The downtown design guidelines were reviewed heavily. She noted the emails asking for disapproval noted the small town character but a new build should reflect the time it is built, not the past. She found the applicant had gone above and beyond and met the parking standard. The fiscal model met the guidelines. The applicant has bent over backwards to meet the concerns and she was in strong support of this project.

Councilmember Maloney appreciated the passion of the members of the community. He felt this project had economic benefit for the future as long as the first floor remains retail. He did see a parking deficiency. Mass and scale; he felt the front met the intent of the rules but was not as sure on the alley side. The fiscal model is important as a directional model and shows a positive over time but could be argued it could be more finely tuned. He was generally in favor of the project.

Councilmember Keany noted the public interest in this project. He asked for staff discussion on the parking especially whether to include the basement area. He did not see the upstairs patio area being used for parking calculations unless there was a use change. He wondered if the two story front could be lowered; ceiling height or some other adjustment. He wondered if the third story were removed, what the building would look like; it would likely look even bulkier and not as diverse. He had heard downtown businesses were struggling and he wanted to continue to enhance the downtown area.

Councilmember Leh appreciated staff's work and the thoughtful comments from the public. He felt there is sometimes an impression Council has more control over what happens downtown than they do. Rules have to be applied as they are now. He too was concerned by the massing of the third floor but with the discussion tonight he felt he had a better perspective of how it might actually look. He was confident in the fiscal model. Downtown needs people to spend money during the day and supported the regulatory note that the first floor remains retail. This project could energize downtown but not change the character of downtown. He felt the criteria are met and the project should be approved.

Mayor Muckle thanked everyone for their participation. He agreed with Councilmember Stolzmann and felt there could be a middle ground. The guidelines do give discretion for compatibility with the surrounding buildings. He wanted the materials on upper floors to be less glass and metal and more wood and other finishes for reduction of glass, look at other angles. He wanted the front more symmetric on the northern end; not so

startling. He did not feel as strongly about the step down on alley. Minimal changes to this project would make him happy with it.

Councilmember Loo felt wood on the third floor might be heavier and more visible.

Councilmember Stolzmann noted she made comments about glass based on design guidelines. She noted the project doesn't meet all criteria. Council is supposed to look at the criteria and apply. Council judgement doesn't have to align with staff's judgement.

Mayor Pro Tem Lipton noted the responsibility for supporting good architecture and found Council guiding the project is appropriate. He was still concerned about parking. He wanted assurances the first floor remains retail and the second floor balcony not be used for a restaurant and bar. He was okay with the third floor but felt it looked like an add-on. He expressed concern with massing and materials. He felt more could be done to have the building fit in. He felt it was over glazed. He asked about lighting on the patio area as well as railing. He wanted to scale back the contemporary look. He would like to see where the bicycle parking might be and asked about use of awnings to break up the appearance in the front. He didn't feel the fiscal model captured the cumulative effect of this project. Need to continue to invest in the downtown and support the sales tax base.

Additional Public Comment

Michael Menaker, 1827 W. Chokecherry Drive noted the basement discussion in relationship to parking as noted in the packet. If the use changes; the parking would have to be re-considered. Glazing benefits such as natural light, solar gain and overall greenness far outweigh the disadvantages.

John Leary, 1116 LaFarge noted this is the first time this fiscal model version has been run. This takes into account employee spending. If you compare the model output presented to Planning Commission with this model output there is about $20,000 unaccounted for and changes the math. Parking requirements are insufficient and this project only adds 12 spaces.

Caleb Dickinson, 721 Grant Avenue, was confused by all the concentration on the parking. Coming with the parking by the applicant is a foot forward and impressive.

Jean Morgan, 1131 Spruce Street was concerned about the glass on the third floor and there be a slope to decrease the glare and not have birds running into it.

Jenny Hlawatsch, owner of the Singing Cook at 728 Main Street, thanked Council for recognizing that downtown businesses have the opportunity to move elsewhere.

Jim Tienken, 404 W. Spruce Lane, suggested staff has gone through the process and examined the architecture. He noted it is art and subjective; it would be a less desirable

project if we mess with architecture. He asked for approval by Council for this project as presented. He thought the retail on the first floor could be achieved easily with a note.

Charles Haseman, 247 S. Lark Avenue, wondered why the office space was necessary downtown when there are empty office spaces in other parts of the city.

Cindy Bedell, 662 W. Willow, didn't think downtown needed a boxy building that doesn't fit. She didn't want Council to be swayed by businesses threatening to move if this project is not approved as presented. She suggested downsizing this project and preserving the character of historic downtown.

Applicant
David Sinkey noted things change and the retail note could hamstring someone in the future. There is no plan to finish the basement space but it can function as storage. There is also no intent to use the patio space for offices. Third story is designed to look like an add-on according to design guidelines. The project is intended to be its own statement. He asked for really concrete ideas if Council wishes to change the look. The bike spaces are depicted on the plan in the garage. He noted he will be offering Eco passes to employees.

Erik Hartronft noted the parking spaces were based on what the City has done in the past as well as the patio space; based on Code. Downtown parking standards were set with the cross use in mind. Energy usage and daylighting were considered in the design. He was not opposed to continuing to work on the design.

Mayor Muckle was interested in seeing an updated conceptual drawing.

Councilmember Keany noted the applicant needed something more specific in regards to direction and noted design is subjective.

Councilmember Stolzmann felt this should be remanded to the Planning Commission (PC) to address mass, scale and parking.

Councilmember Leh asked what the constraints on this might be.

City Attorney Light noted this could be remanded to PC but that would shift where Council puts the comments and direction. The applicant could ask for a decision on the application as presented. Notice would have to be repeated if remanded to PC. Items to be focused on would need to be clear.

Councilmember Loo noted staff and PC had forwarded this to Council for approval. If this is sent back the expectation needs to be very clear. She did not want applicants to leave because of the process and the cost to their business.

Mayor Muckle noted Council does not always have to follow the board recommendation. He felt the community gets a better outcome because of Council's review.

Councilmember Maloney agreed Council should rely on staff and the appointed boards and commissions.

Motion: Councilmember Maloney moved to approve Resolution No.17, Series 2018 with a note to require retail or restaurant on the first floor. Councilmember Loo seconded.

City Attorney Light suggested language for the note; prior to recordation of the PUD, the PUD shall be amended to include a note to state "first floor uses shall be limited to retail or restaurant use. Any first floor use other than retail or restaurant use requires City Council approval of a PUD amendment." Councilmember Maloney noted that captured his intent.

Mayor Muckle felt there were minor things that could be done that would make him happier about the project so he would be voting against the motion.

Mayor Pro Tem Lipton wanted thought put into softening the appearance. He felt Council had the ability to suggest revision to the architecture. He asked if staff had enough direction to work with the applicant.

Director Zucarro noted staff had taken a lot of notes but would be happy to have more detail. Those noted ideas included consider some types of awning or other shapes or forms in the architecture, work on scale and mass, lower floor plates, lighting on patios, first floor retail note.

Substitute Motion: Mayor Pro Tem Lipton moved to continue this item to the next meeting seconded by Councilmember Keany.

Councilmember Loo wanted more precise direction if Council was continuing this matter. She did not have objections to the architecture as presented.

Mayor Pro Tem Lipton stated he would like the following considered: he wanted to soften the contemporary look, look at the top section of windows on first floor, top row of windows on third floor so not so prominent, how does the material interact with other elements (can't be seen well in this rendering) – a better depiction of the color selection on the third floor. Balcony on south section would like to see more detail of what is contemplated; nice feature if done well. Not a lot of opportunity for awnings but maybe some architectural feature where awning might create more interesting design.

Mayor Muckle noted achieving symmetry on the north end of the building with the upstairs windows.

City Attorney Light noted as a procedural issue and making sure the record is clear he requested Council by a motion, formally include in the record of this proceeding the following documents: all the application materials submitted by the applicant in connection with this plat, PUD and SRU application, all materials in the Council packets consisting of the staff communication and all the attachments to the staff report, the meeting notices for the hearings on these applications, all written referrals and all letters and emails received regarding the application including the supplemental materials that came in after the packet was posted including emails, all PowerPoint materials, materials board and all documents submitted this evening as agenda related material and the City's subdivision and zoning ordinances in Titles 16 and 17 of the City Code as well as the City's Comprehensive Plan including the Downtown Framework Plan and the Design Handbook and Design Standards and Guidelines.

So moved by Councilmember Stolzmann seconded by Councilmember Keany.
All in favor.

Substitute Motion amendment: A friendly amendment was made to the motion to continue this to the May 1 meeting. Motioner and seconder accepted.

Councilmember Stolzmann felt the motion to continue did not address parking, mass and material and worried the outcome won't be different if the item is continued. She felt standards G34, C8, G33 and C3 were not being met. Mayor Muckle asked staff to look at those issues as well.

Vote on substitute motion: Motion passed (**summary:** Yes = 6, No = 1; no vote from Councilmember Loo.)

CLEMENTINE COMMONS – EAST STREET & LOCK STREET

RESOLUTION NO. 18, SERIES 2018 – A RESOLUTION APPROVING A FINAL PLANNED UNIT DEVELOPMENT (PUD) AND SUBDIVISION PLAT FOR 42 RESIDENTIAL TOWNHOME LOTS AND COMMON AREAS ON 3.7 ACRES ZONED RM (LOTS 1A, 1B, AND 1C CLEMENTINE SUBDIVISION FILING NO. 2, LOT 2 CLEMENTINE SUBDIVISION), AND APPROVAL OF DETENTION FACILITIES AND OTHER LANDSCAPE IMPROVEMENTS ON THE ADJACENT CITY-OWNED 1.44 ACRE PARCEL WEST OF HIGHWAY 42 AND NORTH OF LOCK STREET

ORDINANCE NO. 1758, SERIES 2018 – AN ORDINANCE APPROVING THE VACATION OF A 20-FOOT WIDE UTILITY EASEMENT LOCATED ON LOT 2, CLEMENTINE SUBDIVISION AND LOTS 1B AND 1C CLEMENTINE SUBDIVISION FILING 2 –2ND READING – PUBLIC HEARING (advertised Daily Camera 3/11/18)

City Attorney Light introduced the resolution and ordinance. Mayor Muckle opened the public hearing and asked for a staff presentation. Mayor Pro Tem Lipton left the meeting at 11:22 PM

Louisville Historical Museum
Department of Library & Museum Services
City of Louisville, Colorado
January 2018

712 Main St. & 722 Main St. Histories

At the request of the Louisville Planning Dept., the Louisville Historical Museum is supplying the following summary of information along with photos from the Museum's photo collection for the properties at 712 and 722 Main Street.

Summary: These two parcels were both strongly connected with Irish immigrants who settled in Louisville. The two families that originally lived at the two locations became related to each other in 1917, when the daughter of Patrick and Mary Cummings of 712 Main married the grandson of Hanora Collins McNyland of 722 Main.

The current buildings at 712 Main and 722 Main are associated with a public utility and with governmental functions at the city, county, and federal levels. Also, the current building at 712 Main was also the location of commercial enterprise from 1964 until 1979.

Legal Descriptions and Dates of Construction:

712 Main – Lot 8, Block 3, Original Louisville; current building constructed 1964
722 Main – Lot 9, Block 3, Original Louisville; current building constructed 1959

<u>Photos of Historic Structures</u>

The Museum photo collection includes the following scenes of 712 & 722 Main. Their appearances date to when 712 Main was the home and store of the Cummings family and 722 Main was the home of the McNyland/Klee/Campbell family.

The following photo from the 1930s shows Lois Goodhue with 722 Main (the low building on the left) and 712 Main (the white building and darker storefront) behind her, across the street to the east. The photo was taken from the yard of her home at 717 Main.

This aerial photo from the 1930s shows the buildings. 722 Main is the long, one-story house at the center. 712 Main consisted of the white building and the darker storefront partially obscured by a tree.

This photo from the 1948 Assessor Card primarily shows the white building that was the Cummings property at 712 Main, with part of the house at 722 Main showing on the left side:

712 Main St. History

Historic Buildings (demolished by 1964)

This property contained the home and general merchandise store of Patrick Cummings (1855-1920) and Mary Reedy Cummings (1856-1950). Patrick purchased the west two-thirds of the lot in 1882, three years after Louisville was established as a town (eventually the parcel came to include all of Lot 8). Both had been born in Ireland and came in the 1870s to the U.S., where they married in about 1880. They had six children whom they raised in their house at 712 Main.

By 1890, and possibly in the 1880s, Patrick Cummings began to operate a general merchandise store at 712 Main. The store was in business for at least 30 years, until Patrick's death in 1920. Mary then continued to live on the property with her son, Tom (b. 1895) into the 1930s. Tom worked as a coal miner.

For 12 years in about 1936-1948, Public Service Company of Colorado was located at 712 Main, as seen in the following photo from that time:

In about 1948, Dove Jewelry moved into 712 Main and continued there until about 1955. Next, Zing Saw Sharpening Shop was located there. At the same time when Public Service, Dove Jewelry, and Zing were renting 712 Main, members of Louisville's Santi family were the owners of the property.

In 1963, Dwight Sullivan purchased 712 Main. The exact year when the historic buildings were demolished is not known.

Current Building, since 1964:

Louisville Times articles, available online at the Colorado Historic Newspapers Collection website, show that the current building at 712 Main was constructed in 1964 (not in

1968 as the County website currently indicates). Owner Dwight Sullivan constructed the current building and opened Bungalow Drug in the building in 1964. It was located there until 1979. Bungalow Drug had previously been located across the street where the City Hall parking lot is now located, just north of 717 Main. While at 712 Main, beginning in 1970, it became affiliated with Walgreen's.

This photo shows 712 Main in circa 1978, when it was Bungalow Drug:

In 1979, City Hall offices were in need of temporary space due to the renovations of City Hall at 749 Main. The City moved some operations into 712 Main in 1979 (renting from owner Dwight Sullivan). The offices that were moved to 712 Main included the Louisville Public Library. The Library was located at 712 Main, with the use of 800 square feet, until late 1980, when it moved to the first floor of the renovated City Hall building, according to the November 5, 1980 issue of *The Louisville Times*.

In 1981, Boulder County Tri-City Offices opened their doors at 712 Main with a public dedication. The County also purchased the property in 1983. Directories from the 1980s show that the following County functions had a presence in the building at that time: Boulder County Annex, County Clerk, Social Services, Mental Health, Emergency Family Assistance, Private Industry Partnership, Human Services, District Attorney, Human Services, and Veterans Services. In addition, a store called "Lou's Near New" was located at 712 Main in the mid-1980s.

According to the July 18, 2013 *Daily Camera*, the Boulder County offices moved out of 712 Main a few years before 2013 and it had become the new offices of Boulder Creek Neighborhoods, formerly Boulder Creek Builders.

<u>722 Main St. History</u>

Historic House, demolished by 1959:

Michael McNyland purchased this lot from Louis Nawatny in 1880 and it stayed in the family for 75 years, until 1955. McNyland and his wife, Hanora Collins Klee McNyland, had both been born in Ireland in the mid-1800s. As early as the 1880 census, they can be seen as living in this location with Hanora's children from her previous marriage to Franklin Klee. Following Michael and Hanora McNyland's deaths that are believed to have taken place in the early 1900s, two of Hanora's daughters, Maggie and Philomena, lived in the house. (Another daughter, Anna, married John Moffitt and lived nearby on Main St.)

Maggie Klee Campbell is believed to have lived in the dwelling at 722 Main until the late 1930s. Her nephew was the administrator of her estate and sold the property in 1955.

Current Building, since 1959:

In 1959, a group of Louisville men purchased the property at 722 Main. They were James Fenolia, Ray Caranci, and Glenn Fischer. James Fenolia was the U.S. Postmaster at the time. They formed as the "FCF Company" and had a new U.S. Post Office constructed on the site that year (not in 1960, as the County website states). It had its dedication on August 23, 1959. As described in the August 21, 1959 *Louisville Times*, it was constructed under the federal Post Office Department's Commercial Leasing program to encourage the modernization of post offices. Buildings such as this one were constructed to postal specifications using private financing and then leased to the federal government.

The new Post Office opened in 1959 with James Fenolia continuing as Postmaster. This Assessor Card photo shows 722 Main in 1960:

Fenolia retired at the end of 1964. In 1965, Lois Goodhue Mall was appointed as Postmaster. (She is also shown in a photo above, and she had a very short commute to work since she lived directly across the street in her family home at 717 Main Street.)

The following photo shows Lois Goodhue Mall in front of the P.O. at 722 Main in 1971:

This photo shows 722 Main in circa 1978:

Lois Mall served as Postmaster until 1978. In 1983, the Post Office moved to a larger space at 637 Front (the current location of Lucky Pie and Sweet Cow) in response to Louisville's population growth.

Next, the building at 722 Main served as the location of a store called "Kids at Heart" in the mid-1980s, then "Country Squires Florist" in the late 1980s.

In 1991, Boulder County opened offices for its Clerk and Recorder at 722 Main, next to the County offices next door at 712 Main. Residents of the East County used this location for such functions as vehicle registration and marriage/civil union licenses. In addition, it is remembered as being a voting location for Louisville residents for many years. According to the July 18, 2013 *Daily Camera*, the Boulder County offices moved out of 722 Main (and to Lafayette) in 2013, after about 22 years in that location.

The preceding research is based on a review of relevant and available online County property records, census records, oral history interviews, Louisville directories, and Louisville Historical Museum maps, files, and obituary records.

NOTE: Page 5 in Plat Book 2 is blank

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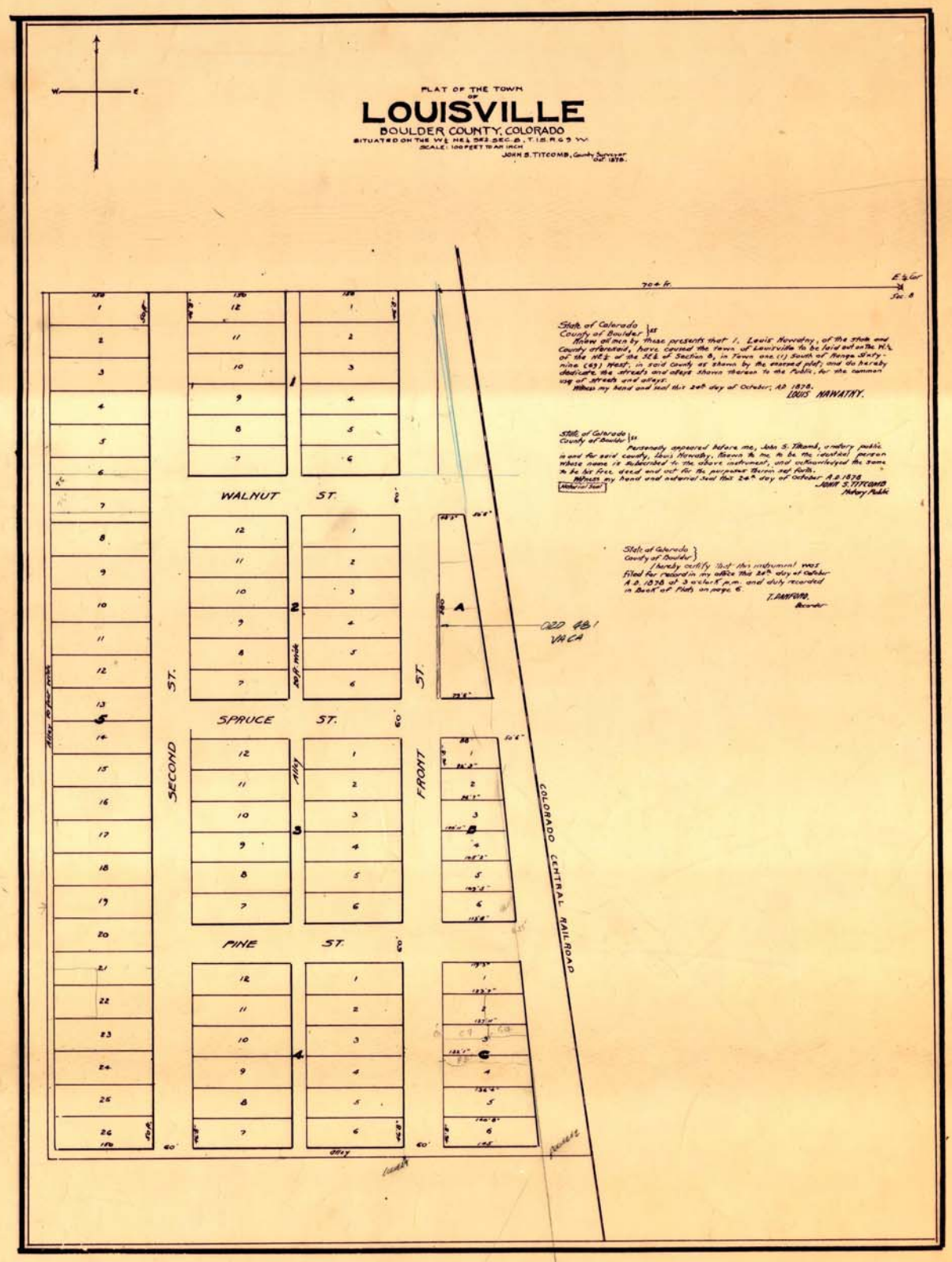

LOUISVILLE

DRAWING NUMBER
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
RECORDER'S NUMBER
LOUISVILLE, TOWN OF
OCT. 1878

City of Louisville
COLORADO • SINCE 1882

Historic Preservation Commission

Meeting Minutes

December 17, 2018
City Hall, Council Chambers
749 Main Street
6:30 PM

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

Roll Call was taken and the following members were present:

Commission Members Present:	Chair Lynda Haley
	Debbie Fahey
	Caleb Dickinson
	Chuck Thomas
	Michael Ulm
	Hannah Parris
	Cyndi Thomas
Commission Members Absent:	None.
Staff Members Present:	Rob Zuccaro, Dir of Planning & Building Safety
	Felicity Selvoski, Planner I
	Amelia Brackett, Planning Clerk

APPROVAL OF AGENDA

Chuck Thomas made a motion to approve the December 17, 2018 agenda. Fahey seconded. Agenda approved by voice vote.

APPROVAL OF MEETING MINUTES

Dickinson made a motion to approve the November 19, 2018 minutes. Parris seconded. The minutes were approved as written by voice vote.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

PUBLIC HEARING

Public Hearing – Demolition of 307 Eisenhower Drive

- Owner & Applicant: Shelley Kneebone
  307 Eisenhower Drive
  Louisville, CO 80027
- Case Manager: Felicity Selvoski, Planner I

Selvoski presented the demolition request to remove more than 50% of the roof area to facilitate a second-story addition to the house and detached garage. A subcommittee recommended a full committee hearing due to the scope of the project. She showed the house as-is and the plans. Selvoski noted that the proposed addition retained much of the historic architecture.

Selvoski presented the social significance. The Harper family of Harper Lake fame owned the original land. Frank and Anna Hocheder bought a portion of the house and built the structure. They passed the home and land to their son in 1963 and it is still in the family's possession today.

Selvoski presented the architectural significance. It was constructed between 1922 and 1925. It has retained its original footprint, plus the garage.
Architectural features include:

- Stone veneer
- Low-pitched front-gable roof
- Wide, unenclosed eave overhangs
- Decorate triangular knee braces

The following changes have occurred over time:

- Front porch enclosed
- Rafter tails enclosed
- Roof replaced
- Decorate woodwork added to the front gable
- Detached garage added to the property.

In five out of the seven criteria from the national measures of integrity the structure maintains its integrity. Cost estimates for repairs and the current condition of the home are unknown.

Staff finds that the property has a high level of architectural significance and is potentially eligible for landmarking. However, staff has had the necessary time to review available incentives and benefits of landmarking with the applicant and does not believe additional time will result in the possibility of landmarking. For these reasons, staff recommends release of the demolition permit.

Haley asked for questions of staff. Seeing none, she invited the homeowner to present.

Shelley Kneebone, 307 Eisenhower in Louisville, explained to the Commission that she and her husband want to keep as much of the existing house as possible, since it was built by her family.

Dickinson asked if the owner grew up in the house.

Kneebone replied that she was raised in town, but this was her grandparents' home when she was a child.

Chuck Thomas asked how much of the original building would be retained.

Haley responded that the side elevation showed that much of it would be retained.

Dickinson asked if the original porch was becoming a porch again.

Kneebone responded that it was.

Chuck Thomas stated that he had no objection to releasing the permit.

Haley stated that it could be landmarked if it was in the Historic District. Since they were maintaining the structure and it was staying in the family, she was fine releasing it.

Dickinson stated that he had a strong opinion that since it was the family home that their family had built, the building belonged to them. It was a different situation than if someone had bought the home recently and wanted to make changes to the structure.

Cyndi Thomas stated that she had no objections to releasing the permit.

Fahey moved to release the demolition permit on 307 Eisenhower Drive. Chuck Thomas seconded. Roll call vote. Approved unanimously.

REFERRAL

Terraces on Main, 712 and 722 Main Street

- Applicant and Owner: 712 Main, LLC and 722 Main Street, LLC
  712 Main Street
  Louisville, CO 80027
- Case Manager: Rob Zuccaro, Director of Planning & Building Safety

Zuccaro reminded the Commission that they reviewed a proposal for the Terraces on Main project in October of 2017. Whenever there are developments in the Downtown Business District, Council requests input from the HPC. 712 Main was built in 1968 and 722 Main was built in 1960.

Zuccaro presented the amendments to the plan since 2017. The new plan decreases the total floor area, coming mostly out of the third-floor addition and the parking space. The architecture and architectural materials were similar to the 2017 proposal. These changes are largely in response to City Council comments at the most recent public hearing. He asked the Commission to review the structure based on the "Core Area" criteria in the Downtown Design Handbook.

Haley asked for questions of staff.

Fahey asked if there could be a specific meeting for this building in particular.

Zuccaro responded that staff traditionally brought referrals to the Commission during their regular meetings. He explained that staff was looking for a recommendation on whether the proposal fit into the criteria.

Fahey asked about the official role and authority of the HPC vis-à-vis a referral.

Zuccaro replied that there was nothing explicit in the Code, but that the Council gave them the directive to give recommendations and advise them on matters related to historic preservation. This building was not being preserved, but as a downtown district it was relevant to hear how new developments fit in with the historic context. He added that any developments of parks and open space, even though it was not in any ordinance, it was practice to bring them before the relevant commissions.

Ulm asked about a visual in the staff packet.

Zuccaro responded that they were rough estimates of the property lines. Those lines are often off by several feet when staff makes those graphics.

Ulm asked if the property line was set back from other storefronts along the street.

Zuccaro stated that he did not know if that was accurate, but he could look it up or the applicant could respond to that question during his presentation.

Haley suggested that the Commission go through the handbook criteria to shape their recommendation for Council.

Haley invited the applicant to present.

Eric Hartronft of Hartronft Associates, 950 Spruce Street in Louisville, CO, architect for Boulder Neighborhoods, described the design concept of the project. He explained that the plan was responding to the opportunity to improve underutilized buildings and provide new retail and/or restaurant businesses on Main Street and to respect the adjacent historic property at The Huckleberry. The property line met the same line as the other buildings on the block, but they wanted to retain the setback from the sidewalk to give a break from the narrow walkway on the rest of the block. Some of the changes they had made since 2017 included decreasing the parking garage and allowing the City to build a nearby parking garage at some point in the future. They were also relating their architecture to the mid-century aesthetic that they were replacing to help maintain the eclectic architectural feel downtown.

Hartronft described the proposal to the Commission, highlighting the one-story section next to The Huckleberry, the roof deck, and the setback from the sidewalk. He added that the proportion of the two-story buildings were a nod to false-front architecture. He

described the concept as dividing the large structures in the plan into smaller building elements and as responding to the variation recommended by the Downtown Handbook. At the back of the building, he hoped that the alley could one day become a vibrant pedestrian street. Right now, there was a parking garage facing the alley. In the future, there could be something more, such as a public art installation and green roofs. He ended by noting that the only waiver request was for the stair and balconies in the setback and the small third story with large setbacks.

Haley asked for questions of Hartronft.

Fahey asked if there would be parking underground.

Hartronft stated that there would not be underground parking but that there would be a basement along Main Street.

Fahey asked what was being planned for the second floor.

Hartronft responded that the second floor would be for office space and the third floor would provide elevator access to a third-floor roof deck.

Fahey asked if there would be a reduction in the number of employees compared to the 2017 PUD.

Hartronft replied that the Code for downtown did not dictate parking based on number of employees and that they were still meeting 80% of the parking for the structures.

Fahey asked if they could reduce the glass, since the guidelines recommended limiting glass.

Hartronft replied that sustainable windows helped temperature regulation and people in offices liked glass.

Haley asked if the second story was windows or glass.

Hartronft responded that it was a combination of windows and wall. The wall material was meant to help the structure look less bulky overall.

Haley asked for public comment.

Jean Morgan, 1131 Spruce Street in Louisville, asked the Commission to consider staff's questions, including about the mass and scale of the structure and the traditional context of the downtown district. She did not feel that this proposal respected any of the considerations staff listed in their guiding questions for the Commission. She added that the glass may encourage birds to crash into the building. She hoped that the proposal would include sloped glass to prevent bird deaths if the proposal were passed. She

thought the reduced third story was a good idea, but it still had too much glass. The south building was respectful of The Huckleberry, but the norther buildings did not respect its neighbors. The north buildings reminded her of the Chase Building on Main Street, which no one likes. She added that the parking was inadequate and it might encourage the City to pursue a citizen-paid parking structure. She also felt that it would set a precedent for large buildings to provide inadequate parking downtown.

Haley asked for additional public comment. Seeing none, she opened commissioner discussion.

Dickinson asked what “the traditional context of downtown” from the Design Handbook meant to his fellow commissioners. He thought that the context precluded chains from coming downtown, but he was not sure what else that phrase meant.

Ulm replied that the history of Main Street was small business and small-scale business. You don’t see many office buildings and the added retail in this plan would help enliven the area.

Haley replied that this proposal was more respectful than structures like the buildings that housed Pica’s and Eleanor & Hobbes, for example. The three-story building on that same block was another example of what did not fit in to the traditional context of downtown.

Chuck Thomas agreed with Commissioner Ulm and added that the buildings should be segmented. He noted that there were plenty of two-story structures, including ones that were next to one-story buildings. Though this was a large building, it was segmented in its design, respecting the nature of Main Street. The two-story structures next to the one-story ones did not bother him. He agreed with Jean Morgan than the Chase building was a poor example, but he did not agree that there should be more parking. Too many downtowns have been destroyed by adequate parking. Parking orphaned the structure from the buildings around it.

Dickinson stated that the parking was beyond the scope of the HPC, though he observed that the proposal parked itself more than other downtown structures. He thought that if this were three different proposals for three different buildings, the HPC would probably be fine with those proposals. He added that he thought they probably checked all the boxes and worked with staff to make sure they met the Design Handbook criteria.

Haley added that the proposal responded to the directive to attend to size and place through the architecture and the materials.

Parris stated that the proposal seemed to incorporate newer, current materials while nodding to the buildings to the south and north along the block.

Cyndi Thomas agreed and stated that it was a modern take on a traditional architecture, which met the criteria to be respectful of the context and the surrounding mass and scale. She added that attending to retail needs was important for a Main Street to survive.

Haley stated that all the bullet points were addressed.

Fahey agreed and reminded the Commission that they had recommended approval of the first design in 2017 and this proposal was even better. She still did not like the glass and suggested taking Jean Morgan's suggestion that the windows be sloped or perhaps tinted.

Parris replied that the glass was in the setbacks, which responded to the design guidelines to minimize glass at the street level.

Ulm agreed with Commissioner Fahey that it was a better proposal than last time, though he still did not get a western vibe from the two-story buildings. He liked their attempt to maintain some of the open sidewalk space.

Chuck Thomas stated that he thought that the proposal attended to the guidelines and that the new version was an improvement on the old one. In particular, he thought the changes to the massing on the third story responded to the major concerns from 2017.

Haley asked for additional comments from the Commission.

Chuck Thomas recommended approval of the proposal. Ulm seconded. Roll call vote. All in favor. Passed unanimously.

DISCUSSION/DIRECTION

Miner's Cabins

Chuck Thomas disclosed that he was part of a volunteer committee that was lobbying the City to do the renovations for the structures. He asked if anyone had a problem with him being part of the discussion.

Haley asked Director Zuccaro what he thought.

Zuccaro replied that for the sake of this conversation, it should be fine. Future meetings on the miner's cabins might not be appropriate.

Dickinson stated that he thought this discussion was about location and not cost so he thought it was fine for Commissioner Chuck Thomas to be involved.

Selvoski reviewed the history and status of the City's efforts to preserve the Lee Avenue Miners Cabins. City Council identified two sites for additional analysis.

Option 1: Miner's Field
Selvoski presented a mockup of how the cabins could be positioned at the field. Pros of this location include the ability to co-locate the cabins and to the original location, safer pedestrian access, avoids majority of utility and drainage conflicts, cheaper option, and no easement impacts. Cons include that it requires the removal or movement of trees and there is more grading to meet ADA requirements.

Option 2: Highway 42 and Pine/Miner's Field
Selvoski presented the second option, where one would be at Highway 42 and the other at Miner's Field. Pros include less grading and offers prominent visual placement. Cons include that any future roadwork could change the work at Highway 42, it is $25-30,000 more expensive to locate at two sites, and there is some loss of historic connection to each other and to their original locations. Also, there would be easement, utility, and sewer issues with this option.

Selvoski stated that the next steps for the Miners Cabins include review by Parks and Public Landscaping Advisory Board and the final determination will be made by City Council, on the docket for the March 5th meeting.

Staff recommends option 1, since the pros outweigh the cons in that situation.

Chuck Thomas asked if the restrictions on Miner's Field would preclude placing the cabins there since it the cabins were not recreational.

Zuccaro replied that there was a deed restriction from its original donation. Staff reviewed the deed and did not find that it would violate the deed. The deed required that the area be used for activities, not baseball specifically.

Haley asked for additional questions of staff. Seeing none, she invited the architect for the site plan to present.

Melonie Short, 726 South Glencoe Street in Denver, stated that she did not have additional comments.

Chuck Thomas asked if Short agreed that option 1 was the preferable option.

Short did support option 1. As a historic preservationist, she thought that keeping them together told a better story and emphasized that people used to live in the cabins rather than letting them become a decontextualized symbol.

Haley asked for public comment.

Jean Morgan, 1131 Spruce in Louisville, supported option 1. She was interested in the Highway 42 as a statement location, but she thought a restored coal cart and a mule would be a better option there. She thought putting them together at the field was a

good option. She suggested making one cabin into a baseball hall of fame. She noted that one of her neighbors had an outhouse they could add to the field, as well. She stated that one of the trees at that location was put in only a couple years ago and she had never seen the flagpole there used. She emphasized that she was excited for the project.

Haley thanked Jean Morgan for her work preserving the cabins.

Haley reminded the Commission that people in the neighborhood had expressed a desire to keep the cabins in the neighborhood and it made sense to keep the cabins together in the neighborhood, especially since the neighoborhood had worked to preserve them. She thought that since the tree was not old, it could be okay to move it.

Ulm stated that the context of the location was the most important thing for the cabins. He thought something else could be placed at the Highway 42/Pine location.

Fahey agreed and added that it was neat that you could see the original location from Miner's Field.

Chuck Thomas supported option 1.

Parris added that option 1 was a better and more responsible use of the City's money.

Ulm asked if the City had been able to save any of the fence.

Zuccaro replied that the owner was not interested in donating the fence when they asked, but they could ask again.

Jean Morgan added that the fence was historic as well.

Fahey moved to propose that the location of the Miner's Cabin be at Miner's Field and to move the tree and the flagpole if necessary. She added that they should try to get the fence added. Cyndi Thomas seconded. Voice vote. All in favor. Motion passed unanimously.

Historic Preservation Fund Reauthorizations
Selvoski reminded the Commission that the renewal was an opportunity to reevaluate the Historic Preservation Fund. She described previous discussions and directives from the Commission from the June 2018 meeting. The goals of tonight's meetings were to:

1. Staff provides more information to the Commission based on June 2018 meeting requests.
2. HPC makes recommendations based on additional information.

The next steps after this meeting are for staff and the subcommittee to draft a resolution with the City Attorney and for staff to bring the final resolution back to HPC for approval, followed by first and second readings in Council.

Fahey asked to hear from commissioners Dickinson and Cyndi Thomas, since they had gone through the HPF process.

Haley suggested that the Commission go through the discussions questions in sequence.

Discussion Question 1a
What are the maximum grant amounts for HSAs?

Haley explained some of the subcommittee findings on the HSA. She stated that the architects were approved so the City knew they were trustworthy and that staff and the Commission would need to be more active about making sure the HSAs were up to par.

Chuck Thomas added that the $5,000 amount was a compromise based on the ranges of the amounts in the architects' survey staff conducted.

Cyndi Thomas stated that she thought $5,000 was reasonable. Dickinson agreed.

Ulm stated that the higher grant amounts would create more rigorous assessments to catch more of the structural issues ahead of time.

Dickinson noted that his assessment missed that his house was missing a foundation. He thought the increase would help address those kinds of issues.

Zuccaro clarified that staff was recommending bumping up the commercial assessment amount as well based on the survey responses and to align with the State Historic Preservation Program.

Chuck Thomas stated that the subcommittee had not discussed that amount, but he did not have any objection to it.

Haley asked if anyone had any objections to the $10,000 amount for commercial assessments. None voiced.

Discussion Question 1b
What are the maximum grant amounts for flexible/focused grants?

Haley and Chuck Thomas stated that as a subcommittee they could not figure out a reason for the distinction.

Ulm asked if commercial and residential would be the only two categories if they did away with the flexible/focused categories.

Dickinson agreed that the flexible/focused distinction did not make sense as a distinction is his experience.

Cyndi Thomas stated that she would be surprised if most people did not go over both limits anyway. She assumed that the original intent was to privilege some types of preservation over others, but she thought it was still confusing. She recommended keeping general categories to maintain those distinctions but she thought it should be streamlined.

Chuck Thomas replied that he thought the two most important distinctions were the difference between work that kept a structure in working order and one toward preserving the structure. He did not think a dollar amount per area was useful.

Cyndi Thomas stated that she thought that the City would want more going toward preservation work than upkeep.

Haley asked what routine maintenance would be.

Dickinson replied that in situations where residents were going back to original materials, routine maintenance was often much higher, for example with wood windows and walls instead of vinyl. His choice for his home to go with wood would cost thousands of additional dollars over the life of his home.

Haley asked if anyone was interested in breaking up the money based on categories of work.

Chuck Thomas suggested simplifying the process by being stricter on the type of work being done overall, rather than maintaining any internal divisions between pots of money.

Cyndi Thomas replied that there needed to be a certain amount dedicated to preservation to avoid people using grant money for non-preservation issues. She did not think routine maintenance should be included, especially since the only fair way to handle that would be to go back and offer it to previous property owners.

Haley responded that the HSAs were meant to provide priority items to guide the fund allocations. Grants could go to prioritized projects rather than maintaining distinctions. She also suggested that the flexible/focused distinctions could be renamed.

Dickinson agreed that the Commission needed to explain the differences between rehabilitation, restoration, and preservation. He suggested describing the different types of work in those terms, but not putting specific dollar amounts in each category.

Ulm summarized that there would be a single grant, but the categories would be used to limit what could be done with that grant money.

Cyndi Thomas agreed with Commissioner Haley that more rigorous HSAs would help make the process clearer.

Zuccaro asked the Commission to discuss the amounts of $50,000 for residential grants and $200,000 for commercial grants.

Dickinson stated that he was fine with the higher amounts as long as it was matching.

Ulm asked if they should match 100%. Another idea was not to match the firs $10,000 and have the rest to be matched.

Dickinson thought either way would work.

Chuck Thomas stated that he had a preference for matching. He noted that the 100% match was reasonable since this was not an affordable housing situation.

Dickinson explained that for him, he knew he would get $1,000 but didn't know he would get $20,000, which did not feel like an incentive. Making the first $10,000 as part of the guaranteed amount would be an incentive. He noted that the grant process had a measure of uncertainty that offering a higher initial, guaranteed incentive of $10,000 would be an effective carrot.

Haley responded that the $10,000 as an initial incentive would be great, but it needed to be connected to the HSA and not be given in the same model as the current $1,000 model, in other words it should not be an amount without strings.

Cyndi Thomas asked if $10,000 was the right number and asked if it should be obtained through a reimbursement process.

Haley thought that it should be a reimbursement to make sure it was used the way the fund intended.

Cyndi Thomas agreed, but thought $10,000 was too high.

Haley thought $5,000 could work.

Ulm asked what you could do on a project with $5,000.

The commissioners discussed the different grant amounts in percentages.

Dickinson noted that one of the directives of the tax vote was to incentivize landmarking so that Louisville citizens would see preservation over demolition in the city. He thought that $10,000 might be more than was necessary in all cases, but it might bring more people to the table.

Cyndi Thomas responded that if people are demolishing houses, the financial problem wasn't $10,000.

Dickinson clarified that what he meant was that someone who currently owned a house might find the $10,000 an incentive, could landmark it, and then the next person who bought it could not demolish it.

Chuck Thomas reiterated that there needed to an incentive. $1,000 was not enough and anything under $5,000 would be incidental.

Haley asked for the unmatched amount currently.

Selvoski responded that it was currently $5,000.

Cyndi Thomas asked if the $5,000 could become the bonus amount and make the $50,000 a 100% match. That would increase the total limit but increase the match amount, as well.

Haley added that those who needed simple updates could still use the $5,000. She asked if the Commission needed to come up with numbers tonight.

Selvoski and Zuccaro replied that numbers would be helpful, but they could change them before the final resolution.

Dickinson summarized that there was still disagreement over the amount, but there was agreement that nothing should be for free and that the grant amounts should be split into unmatched and matched, with a cap at $50,000 or some similar number. The something-for-nothing element was gone, but it was overall a more generous grant. He also noted that the grant amounts were taxable income and that he as a homeowner was not prepared for that information. He wondered if there was any way around that issue of having the grant as taxable income.

Fahey noted that there was discussion at a former HPC meeting to eliminate the tax burden on the recipient.

Zuccaro stated that staff could research this issue.

Cyndi Thomas added that homeowners were eligible for tax credits through the state. Thomas and Dickinson thought that there should be better education about the tax

credits during the process. Staff could share the History Colorado pamphlet and avoid giving tax advice that way.

Discussion Question 3
If the flexible/focused grant categories are eliminated, how will the categories be structured?

Haley summarized that the Commission had agreed that the HSA should govern the structure of the grant.

The Commission agreed.

Discussion Question 4
What structure/limitations will the new grant process have?

Chuck Thomas thought the 3-year time limit was reasonable.

Cyndi Thomas asked if people could apply for an extension.

Haley clarified that the three-year limit started at the landmarking. She thought the three years was a short amount of time for someone who was landmarking for the good of landmarking and not for the money.

Dickinson replied that he thought there might not need to be a time limit. If someone came back in the future and there was no money, the City could refuse them based on the lack of funds.

Haley agreed and thought that someone could landmark without feeling the pressure of landmarking immediately. Applicants may not have the ability to spend the money immediately. She did think there should be a time limit on when you can spend the money once you get a grant.

Selvoski asked if the Commission was concerned with the HSA losing its validity over time.

Ulm replied that by requiring the spending earlier to encourage people to protect their homes and deal with potential issues before they become major problems.

Dickinson noted that he ran into time limits and the extension was an easy process. The Mayor had to sign a form.

Haley replied that Dickinson had landmarked with the knowledge that he would be doing work on the house.

Dickinson responded that he did not have the money together at the time, though. He also noted that construction can take a long time.

Haley asked if someone had to take the $10,000 and use the money within the time limit.

Dickinson stated that the reason people landmark was for the money. They wait to landmark until they need the money.

Zuccaro reiterated the incentive element of the fund. It was supposed to be structured so you could build a house that makes you happy with while evening out the cost of working on your house without demolishing it. That's another reason why staff was recommending a time limit.

Haley asked the Commission if they thought it was de-incentivizing to put a time limit on it.

No one thought so.

Cyndi Thomas asked what staff thought between three and five years.

Zuccaro clarified that the projects did not have to be complete within three years, it just had to be started with planning staff through permitting, et cetera. He thought that five years sounded long.

The Commission agreed that three years was sufficient.

Dickinson did not think routine maintenance should be included. The Commission agreed.

Zuccaro recommended that the heritability process remain the same, making the next owner still eligible.

Haley asked how the time limit would apply.

Zuccaro replied that the three-year time limit from the date of landmarking would still apply.

Dickinson asked that staff reach out to new owners of recently landmarked homes.

Fahey asked how staff would know the house was sold. She pointed out that that would be a difficult task for staff.

Haley noted that the situations would be rare so staff did not need to track them.

The Commission did not think that the reauthorization should be applied to previously landmarked homes, especially since the Commission was not supporting routine maintenance and because it was meant to be an incentive program.

Discussion Question 5
What language will be used for new construction/alteration certificates?
Selvoski explained that staff was trying to align the language in new construction and alternation certificates. The proposed language was to privilege architectural differentiation between new work from the old.

The Commission supported with the proposed language.

Discussion Question 6
Will there be any changes to the interest rate for HPF loans?

Chuck Thomas stated that revolving loans were typically tied to prime or below prime by a percentage point or more.

Haley asked if the Commission thought that using prime was an incentive.

Cyndi Thomas thought that prime was punitive. She said that it was all about the cost of capital, which here was pretty low. She suggested updating the rate each year based on a host of factors and not just going below prime.

Chuck Thomas offered that in his experience they would offer an interest rate and then review it. He did not think affordability was the issue here.

Haley thought that having lower than prime made sense.

Cyndi Thomas agreed that to be an incentive it needed to be below market rate.

Fahey asked what the length of the loans was.

Selvoski responded that it depended on the amount. She thought the longest was 15 years.

Fahey suggested making it a 10-year interest-free loan.

Haley and Cyndi Thomas replied that the point of the loan was to get money back and to make these loans an investment.

Cyndi Thomas was thinking 4%, but thought there should be something less arbitrary.

Chuck Thomas added that he was thinking 3%.

Zuccaro offered that staff could do more research if the Commission was interested in offering a loan rate below prime.

Chuck Thomas suggested annual reviews based on reports from staff. In principle they should be below prime.

Dickinson noted that his silence was a form of recusal, but he suggested that his fellow commissioners could consider tying the rate to something that is moving constantly since looking at it annually since there was so much variation within a year. He thought it should be tied to something that moved with the markets since that was always current. He added that you could still have an annual review process even if it was tied to something moving.

Cyndi Thomas did not think it should be tied to the market because the reason for the loan program wasn't about the market, it was more about what other non-profits were doing.

Chuck Thomas reiterated the Commission's desire to have additional research on this issue from staff.

Discussion Question 7
What changes will there be to overall timeline of process, if any?

The Commission agreed that there did not need to be any changes.

Zuccaro asked the Commission to consider an additional question. Did the Commission want to continue the extraordinary circumstances language? If so, he wanted to work with the subcommittee to draft better criteria for those circumstances.

Cyndi Thomas replied that not having a cap on the extraordinary circumstances was fine, but she thought there needed to be better communication during the process so that applicants knew they could possibly have access to more money under the criteria.

ITEMS FROM STAFF

Demolition Review Updates
No demolition reviews minus the 307 Eisenhower item on tonight's agenda.

Alteration Certificate Updates
Selvoski updated the Commission on the 816 McKinley Avenue alteration certificate to add a chimney. The subcommittee release the permit based on the findings that the change was minor and reversible.

Upcoming Schedule
December
17th – HPC Meeting, 6:30 PM, Council Chambers

<u>January</u>
15th – City Council Study Session – Historic Context presentation
TBD – Historic Preservation Commission Meeting, 6:30 PM, Council Chambers

Selvoski asked if any of the commissioners have an issue with the January 14th date change.

Zuccaro informed the Commission that Council would be updating the funding resolutions to acknowledge the new ballot language before then. There were no substantive changes there.

Selvoski noted that the Saving Places Conference was coming up in the schedule. Dickinson asked to be added to the list of interested commissioners.

Selvoski thanked Commissioners Cyndi Thomas and Deborah Fahey for their service on the Commission, since tonight was there last night.

UPDATES FROM COMMISSION

Fahey noted that she passed the DBA information to Planner Selvoski. Dickinson reiterated his interest in taking over this duty.

DISCUSSION ITEMS FOR NEXT MEETINGS

Adjourn:
Chuck Thomas moved to adjourn. Haley seconded. The meeting was adjourned at 9:12 PM.

City of Louisville
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Planning Commission
Meeting Minutes
January 10th, 2019
City Hall, Council Chambers
749 Main Street
6:30 PM

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

Roll Call was taken and the following members were present:

Commission Members Present:	Steve Brauneis, Chair
	David Hsu, Vice Chair
	Dietrich Hoefner
	Jeff Moline
	Keaton Howe
	Debra Williams
Commission Members Absent:	Tom Rice
Staff Members Present:	Rob Zuccaro, Dir of Planning & Building Safety
	Lisa Ritchie, Senior Planner
	Amelia Brackett, Planning Clerk

COMMISSION ELECTIONS

Moline made a motion to re-elect the chair, vice chair, and secretary. Howe seconded. Voice vote. All in favor.

APPROVAL OF AGENDA

Moline moved and Williams seconded a motion to approve the January 10th, 2018 agenda. Motion passed unanimously by voice vote.

APPROVAL OF MINUTES

Williams recommended that the City Council members watch the YouTube recording of the December 13th, 2018 minutes.

Hoefner moved and Hsu seconded a motion to approve the December 13th, 2018 minutes. Motion passed unanimously by voice vote.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

NEW BUSINESS – PUBLIC HEARING ITEMS

Terraces on Main (712 & 722 Main Street): A request for a PUD to allow for a 22,020 sf commercial building, and a 5,802 sf parking garage at 712 & 722 Main ST, and a final plat to consolidate two lots, and a special review use to allow an

automobile garage and outdoor sales for retail goods and eating and drinking establishments (Resolution 1, Series 2019).

- Applicant: 712 Main Street, LLC and 722 Main Street, LLC
- Case Planner: Rob Zuccaro, Director of Planning and Building Safety

Public notice was published in the Boulder *Daily Camera* on December 23rd, 2018 and in all other required postings on December 21st, 2018.

Brauneis asked for conflicts of interest. None disclosed.

Zuccaro noted that there had been substantial changes to the original application from last year. The new proposal included a 22,020 square-foot commercial building and a 5,802 square-foot parking garage, designed with the intent to have commercial uses on the first floor and office space on the second. The overall height was still 45 feet. The main changes between the original proposal and the current one dealt with the third story.

Zuccaro addressed parking and other development criteria. There was a 23-space parking requirement of which the proposal covered 18. The remaining 5 spaces would be paid as a fee in lieu for the Downtown Parking Fund. Zuccaro reviewed the Downtown Louisville Framework Plan, Design Handbook for Downtown Louisville, the Comprehensive Plan, and the zoning code, all of which regulate development downtown.

Staff finds that the proposal meets the requirements and review criteria.

Zuccaro presented the rear setback waiver request. The majority of the building met the setback requirement. All of the alley setback requirements are met in the proposal, plus the balconies and the staircase are well-designed and add to the architectural interest of the building. Staff found that the proposal met the waiver criteria by enhancing the design of the building.

Zuccaro presented the view angles for the third story. The third story is 1,000 square feet and the applicants provided a view analysis, showing that the third story would be behind the second story from straight across the street. Some view angles would be able to see portions of the third story.

Staff finds the project meets all applicable PUD criteria as outlined in the staff report.

Zuccaro addressed the SRU compliance criteria for outdoor sales. The second-floor deck and the patio area were included in the SRU. The proposal includes limits to the uses under the SRU typical of similar SRUs staff has seen and staff finds that this SRU request meets the criteria.

On the subdivision plat, the proposal moved the lot line to allow for a single building on the property. Staff finds that it meets all criteria.

Staff recommends the proposal overall.

Howe asked how many proposed retail spaces could fit on the ground floor.

Zuccaro replied that it was being designed for two retail spaces with a lobby area.

Hsu asked what space should be included in the parking calculations, particularly whether the basement space should be included in the calculation.

Zuccaro stated that the PUD limited the basement space to storage, which could not be occupied. Zucca and Voltage had similar garage allowances on their PUDs. The applicant would have to come back through the PUD process if they wanted to use the basement for something other than storage.

Hsu asked how the loading time limit would be enforced.

Zuccaro replied that the PUD required the applicant to put up a sign. Violations would go through the typical enforcement process.

Howe asked for the width of the alley beyond the projections.

Brauneis clarified that the projections were encroaching into the setback space, not the alley. Brauneis asked if any other buildings came up to the property line.

Zuccaro replied that there were structures that were not set back as far as 20 feet.

Brauneis asked for additional questions. Seeing none, he invited the applicant to speak.

Erik Hartronft, 950 Spruce Street in Louisville, stated that they had made significant changes to the project and called the project an opportunity to transform the ground floor from office space to a more retail-friendly storefront. He pointed out that there was a historic structure south of 712 & 722 Main, which the design responded to. The design also carried forward the architectural simplicity of the existing buildings from the 1960s and 1970s while reflecting current architectural styles.

Hartronft noted that the building may be too small at this point to contain its current owner, Boulder Creek Neighborhoods. Other occupants were interested in the second-floor addition. Hartronft noted that offices generated sales for the downtown area and that the first floor could attract new retail.

Hartronft described the materials. The proposal included warm and inviting materials on the ground floor, architectural nods to classic western architecture, elements that divided the mass of the building, and a two-story appearance from a sidewalk view. He also noted the proposal’s attention to the rhythm and street music of varying height facades on the block. The back of the building featured a wall of stucco along the alley, which could display a mural and encourage pedestrian use and interest in the alley.

Brauneis asked for questions of the applicant.

Hsu asked if there was a stairwell on the rear south side.

Hartronft confirmed.

Hsu asked why the second and third floors were a different look than the first floor.

Hartronft replied that they did not want to create a monolithic building by carrying through the same materials and design from the second and first stories to the third story. There was also a specific design guideline that says a third floor should look different than the rest of the building and should look like an addition that was put on later. They thought a more transparent third floor would feel lighter and would tend to recede more than if it were a more massive, solid design.

Williams asked if the office space was designed for multiple tenants.

Hartronft responded that it was currently designed for a single tenant, but it could accommodate more.

Williams asked if Boulder Creek Neighborhoods was planning to stay in the new building.

David Sinkey, Founder and President of Boulder Creek Neighborhoods, 712 Main Street in Louisville, replied that the company had not made a decision. They were looking for bigger buildings so they could accommodate all their employees. They were far enough along on this proposal that they wanted to see it taken forward whether Neighborhoods ended up occupying it or not. Sinkey added that the ground floor could accommodate as many as three retail spaces. He explained that they created a lobby to make an entry environment for the second floor.

Williams asked what the third floor could be used for.

Sinkey replied that it was essentially an amenity space for employees and could be used as a kitchen or for company events space. It would not be used as restaurant or retail space.

Williams stated that the design was well thought-out and an improvement on the previous proposal. She pointed to the amount of glass was an improvement over the last application and noted the appeal of the street music, skyline-feel of the varying heights. On the parking, she thought that the ingress/egress separation was an improvement over the last proposal and she understood why the parking was about half. She asked for the total square footage of the current buildings.

Sinkey responded that 712 Main was roughly 5,600 square feet and 722 Main was roughly 1,700-1,900 square feet.

Howe asked for clarification on the movement of cars in and out of the garage and if there was enough room for delivery trucks, pedestrians, and cars.

Hartronft responded that the ramp ended at the property line. Hartronft added that they used a turning radius template to ensure there would be enough space. He acknowledged that a delivery truck parked in front of the ramp, it would block the

garage, but that was already the reality downtown. It was not currently a big issue since the delivery trucks move quickly.

Williams asked if the proposal would allow for a summer patio.

Hartronft replied that it would allow for the patios and on the south building the setback was large enough for tables. Public Works wanted them to make sure that there was enough space for a public walkway, since it was a narrow sidewalk.

Williams clarified that the parking was not a shared or public parking space.

Hartronft confirmed.

Hoefner moved to enter the materials board into the record. Howe seconded.

Williams asked for a description of the materials and where they would be used.

Hartronft showed the materials that would be used for accents and to divide up the mass of the building.

Williams noted that there were a number of guidelines that pertain to size, mass, stepdown of the alley, and the ratio of the windows. She noted that she thought all of these measurements were an improvement on the previous proposal. She would not call the proposed step-down a true step-down.

Howe asked how much farther back the building was compared to the Singing Cook and the Huckleberry and if the alley between the Singing Cook and the proposed building would remain in place.

Hartronft responded that the setbacks were farther back than the Huckleberry. He added that the alley was on the neighbor's property so it would not be affected by the proposal.

Brauneis asked for public comment.

John Leary, 1116 Lafarge Avenue in Louisville, stated that he believed the mass and scaling of the building were now consistent with city standards. However, the project illuminated policy issues that the City needed to address. First, the public twice passed a tax to preserve the character of downtown, yet there were municipal incentives for the redevelopment of the downtown, directives that pulled in opposite directions. Second, the parking in downtown was not based on estimated parking demand, it was based on policy meant for adaptive reuse of existing buildings. Currently, the Terrace on Main was required to have 23 spaces. If you were to apply the standards for an office to this building, it would require 40, plus about 32 parking spots for the retail spaces. Leary did not think that an office being downtown should exempt it from the higher requirement. Over the past decades, job growth in Louisville has been at a faster rate than population growth, but fewer people are working in Louisville percentage-wise than ever before. Leary summarized that the parking and development requirements were not sustainable.

Cindy Bedell, 662 West Willow Street in Louisville, stated that the mass and scale of this proposal was better than the past application. She still did not think that the two-story section fit in the downtown area. She noted that there was a jolting height contrast between the two-story structure and the one-story neighbors. Bedell suggested that the eye line could be improved by softening the roof on the northern section with a gabled roof or architectural features added to the top like the State Mercantile building. This was an iconic location and she thought we should take our time to get a design that fits and enhances the historic downtown.

Moline asked about parking lots being obsolete by 2030 and wondered if the Transportation Management Plan would be looking at parking.

Zuccaro replied that the Transportation Master Plan would not be looking at parking policy, however the update to the Commercial and Industrial Design Guidelines will look at parking, but not for downtown. Policy work downtown would require a City Council work plan to look at that item.

Moline asked if staff had done downtown parking studies recently.

Zuccaro replied that there had been several studies over the years to make recommendations on acquisitions and promoting biking and walking to implement the previous planning efforts to provide more public parking.

Brauneis asked where most of the newly purchased parking spots came from.

Zuccaro responded that the numbers came from the three areas around DELO, Lucky Pie, and the Corner.

Brauneis asked Mr. Sinkey for his thoughts on the fee-in-lieu amount of $18,000 per space.

Sinkey replied that creating a parking space in a small garage downtown would cost about $40,000 per space. However, the fee-in-lieu payments were for parking spaces that did not have leasable benefits for the tenants. He noted that there were many approved PUDs in town that were not being built largely because the economics did not support it. But in the scheme of things, $18,000 for a space was probably fair.

Brauneis closed public comment and opened commissioner discussion.

Hoefner stated that the Commission did not have a lot of direction from Council about what they did not like about the previous proposal. That said, the changes to the application do respond to the concerns from the Commission and the public from the last proposal.

Moline appreciated the street music concept. He agreed that the northern portion did feel a bit out of place, but thought that it might help offset the two-story building from the historic buildings. He thought the massing had been improved and was no longer a problem.

Hsu stated that he had voted for the application previously even though he had been concerned about the mass and the new proposal addressed that issue. He thought that the process and the public comment made the project better, even without specific direction from Council. He liked the southern section more than the northern section, but that was an aesthetic opinion and the architecture met the criteria. Hsu noted that the third-floor windows could be judged not to be traditional according to the language in the guidelines, but he thought that could be waived since there were benefits to having windows there. He felt that the calculations for the parking spaces were correct.

Williams stated that one of the reasons she voted yes the first time was to keep Boulder Creek Neighborhoods in Louisville and she was disappointed to hear that they might leave downtown. She asked the applicant to remember to consider their neighbors during the construction process.

Howe stated that it was an opportunity to improve what was there currently.

Brauneis stated that the project stitched the fabric of the block together and replaces a current dead zone downtown. He also thanked Mr. Leary for his long-term insights.

Hsu moved to approve Resolution 1, Series 2019. Hoefner seconded. Roll call vote. All in favor.

Office Zoned Property Zone Change – Rezone to Agricultural and Administrative Office – A request to rezone certain property from the Office zone district to the Agricultural and Administrative Office zone district (Resolution No 19, Series 2018).

- Applicant: City of Louisville
- Case Manager: Lisa Ritchie, Senior Planner

Public notice was published in Boulder *Daily Camera* on November 25, 2018 and at all other required postings at November 23, 2018. The notice was continued to this meeting.

Howe recused himself due to a conflict of interest.

Ritchie presented the history of the Office Zone District, which was established in 1973 and repealed in 1984. This item was the last bit of clean-up to address historic zoning irregularities in the city.

Ritchie showed the areas that staff proposed to rezone agricultural. Staff worked with Parks and Open Space to determine the proposed zoning, which was consistent with the properties immediately to the north and east. The agricultural zone is consistent with current use.

Ritchie showed the areas that staff proposed to rezone to Administrative Office Properties These areas contain smaller office buildings with medical, dental, and other professional office users. Staff has official consent in writing from three out of the four property owners and a conversation with the final property owner, even though the City

is not required to get that consent before rezoning. The proposed rezoning is consistent with the properties to the west as well as the uses on the site.

Staff finds that the application meets criterion 1 in Section 17.44.050 and that the other criteria are not applicable. Criterion 1 reads, “The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the city’s comprehensive plan.” It also appears that the original zoning was done in error since it was repealed later.

Hsu asked why staff was proposing to change the zone to Agriculture instead of Business Office, which was also near the property.

Ritchie stated that the Business Office zone was inconsistent with the current use and the projected use of the area.

Hsu asked if there were any agricultural uses, such as crop-growing, in the area.

Ritchie replied that the zone was the closest fit among the zoning options, but no crop-growing is occurring in the area.

Hsu asked why they were not recommending the Open Space zone district.

Ritchie replied that OS staff thought that the agricultural zone was a better fit at this time. Also, the Open Space zone was very restrictive to change and any future zoning changes from Open Space would require a vote from Louisville residents.

Brauneis asked for additional questions of staff. Seeing none, he asked for commissioner comments.

Hsu did not think that agriculture was a perfect fit but it made more sense than any other zone. Office space was a suitable use for the other area.

Williams made a motion to approve Resolution 19, Series 2018. Roll call vote. All in favor.

Davidson Highline Replat 2 – A request for a replat of Davidson Highline Replat subdivision, Lots 1A and 2A to adjust the lot boundaries of Lots 1A and 2A, vacate Tract Q, Takoda subdivision, and create Outlot A (Resolution No 2, Series 2019).

- Applicant: City of Louisville.
- Case Manager: Lisa Ritchie, Senior Planner

Williams disclosed that she lived near the block in question but confirmed that she could be fair.

The application met all public notice requirements on December 23rd and December 21st, 2018.

Ritchie presented the proposal, one of the purposes of which was to create an outlot that the City could purchase from the property owner in accordance with the Regional

Trail Improvement Plan for the construction of an underpass. She noted that the property was privately owned, however the City of Louisville was the applicant and staff had the owner's consent to conduct this application. The application included moving a lot line, creating an outlot, and creating a dedication for state highway 42.

Staff recommends approval of Resolution 2, Series 2018 with the following condition: Concurrent with the recordation of the plat, deeds shall be recorded which reflect the revised legal description of each affected property.

Moline asked if the highway reservation was part of the replat and why it did not have a label as a tract or something similar.

Ritchie replied staff would make sure the new version had a label.

Hsu made a motion to enter Sheet 2 into the record. Williams seconded. Voice vote. All in favor.

Hsu asked if Outlot A was being created as part of the proposal.

Ritchie replied that it was an outlot, not a lot, so it was not for development per se. It was an acceptable shape and location related to the subdivision ordinance.

Zuccaro added that staff used outlots on other developments for drainage and were not measured against minimum lot widths, et cetera.

Hsu asked why the creation of an outlot need the change in the lot line between lots 2A and 1A.

Ritchie replied that they were unrelated requests, however the property owner and the City desired to set forth the intent to link up Kaylix Avenue should the property be sold or transferred.

Brauneis asked why it the lot line not straight.

Ritchie replied that the two parts of the avenue did not line up in a straight line.

Moline asked if in a future situation Lot 1A would have to be modified for Kaylix Avenue development.

Ritchie confirmed that it would have to be modified and the City would have to go through a right-of-way process.

Hsu asked if it would be possible to do the subdivision as part of a PUD.

Ritchie confirmed.

Hsu asked Ritchie to explain more of staff's reasoning for the modification criteria. He stated that he was concerned the staff report was stretching the definition of "physical circumstances or conditions" under modification criterion number one. Since the street

was not on the property, he did not think “peculiar to the specific property” applied, either.

Williams asked if there was a condition requiring the future development of a street on the lot line.

Zuccaro replied that there was no such condition related to this plat application. The City has had long-range plans to extend Kaylix Avenue and had approached the property owner to acquire the necessary right-of-way. The property owner supported those plans, but did not want to go through the right-of-way process at the moment. This replat was trying to make it easier in the future so no one will build where the City wants to put the future road, while also creating two lots that can be developed or sold.

Ritchie added that the Comprehensive Plan addressed connecting the two parts of Kaylix Avenue.

Zuccaro responded to Commissioner Hsu’s concern about modification criteria number one. He acknowledged that it was not black and white, but they considered the lot to be “unique” because the property was in the middle of two sides of a road that the City wanted to connect in the future.

Hsu stated that having a right-of-way would not affect the future sale of the lot. The modification review criteria was pretty stringent and was only to be waived with a PUD.

Zuccaro responded that another way to look at it was that the development had already taken place with the shed, which was “reasonable development.”

Ritchie added that the phrase “reasonable development” could address future development, including the desired road.

Brauneis asked for additional questions of staff. Seeing none, he asked for staff final statements.

Ritchie reminded the commissioners that they could ask for further information and that staff recommended the proposal.

Moline stated that he was in favor of both aspects of what the replat would let the City do: create a consistent street pattern for this portion of the town and create Outlot A, allowing the City to purchase the land to construct an underpass for the trail system in an area where there was a recent fatality.

Brauneis asked Commissioners Williams and Hsu if their reservations stemmed from the outcome or the procedure.

Williams and Hsu indicated that they were concerned with procedure.

Hsu confirmed that his issues were procedural. He supported the underpass, but he was not convinced that criteria 1, 2, or 5 were satisfied. For criterion 5, he thought there

were other alternatives, for example tearing down the shed or going through a PUD process.

Brauneis asked if Hsu had a different procedure in mind.

Hsu responded that he had not considered the application with the PUD criteria in mind, but that the present application seemed to involve a lot of legal wrangling that might be unnecessary.

Hoefner recommended that they add a note recommending that City Council waive the modification review criteria.

Hsu replied that he did not think the Council could do that.

Zuccaro added that the Council did have the authority but would have to pass an ordinance. He asked the Commission to consider what it meant to reasonably develop a property for criterion 2. Staff determined that it was not possible to reasonably develop the lot with both the shed and the road.

Hoefner agreed and stated that he did not see the friction point, since staff, the property owner, and the Commission agreed with the application in substance and outcome, even if there was disagreement over procedure.

Howe agreed and noted that the application was part of an effort to complete goals in the Comprehensive Plan and to build the underpass.

Hsu stated that there were two workarounds already. They could not move the line in the current application since it does not affect the underpass or they could wait for a PUD.

Williams agreed, stating that moving the lot line had nothing to do with the underpass. She understood that moving the lot line helped facilitate development, but the lot was developed as-is. She did not understand what the application was trying to solve right now other than the underpass.

Zuccaro responded that it was a fair analysis and Council would have to make that judgement based on the Commissions' recommendation.

Williams stated that not changing the lot line did not change anything for the future.

Brauneis responded that this was an opportunity to lay out the lot lines to make it easier in the future, since right now the property owner was amenable.

Williams replied that for all the City knew one person could buy the whole lot in the future.

Hoefner and Brauneis asked what the harm was in moving the line.

Hsu responded that they were stretching the law and he did not know what they were trying to achieve by doing that.

Hoefner stated that the replat did meet the criteria and that Council could recognize in this instance that everyone was in agreement that moving the lot line made some sense, notwithstanding the criteria in the code.

Williams asked what would happen if someone wanted to develop the shed on lot 1A.

Zuccaro replied that shed would become a legally non-conforming structure. Under the code, you can further that kind of structure but you could not further the encroachment.

Williams asked about the process for reviewing a non-conforming structure.

Ritchie stated that it depended on the incoming request. It could be reviewed by the Commission or by staff depending on what the owner asked for.

Williams asked if that made it a hardship for lot 1A.

Hsu added that right now the shed could be expanded more.

Brauneis pointed out that the owner had already agreed to the changes in the application.

Hsu replied that this application could actually harm the reasonable development of the shed.

Howe asked if Commissioner Hsu was suggesting resubmitting the proposal as a PUD.

Hsu responded that he was suggesting to keep outlot A in the application and leave the lot line as-is.

Howe asked what it would take to resubmit the application as a PUD.

Ritchie replied that there was no development that would be associated with a PUD at this time. She added that the shed was likely constructed prior to the Design Standards adopted today, so the design itself would be problematic to develop without bringing it up to design standards. She noted that staff would have to confirm with the property owner with this request to relocate the lot line and staff would have to confirm that he was comfortable moving forward with the application without moving the lot line.

Williams asked how much square footage Divine Canine would be losing off their lot.

Brauneis clarified that the Commission should not think about the current business but instead think of it as the entire lot, since the same owner owns both lots.

Williams asked for clarification on lot ownership.

The other commissioners confirmed that it was the same owner for all the lots.

Brauneis noted that they could not do what they were proposing to do if the lot had more than one owner. He appreciated Commissioners Hsu and Williams for their desire to follow the rules, but he felt those rules were to protect people from harm, which in this case was not a concern.

Ritchie responded to Commissioner William's earlier question and stated that the lot sizes were swapping 33,968 square feet, not including Tract Q. Staff also recognized that not moving the lot line now put the City at a bit of a risk for development on Kaylix Avenue.

Williams asked if the owner was aware of the lot-line change reason.

Zuccaro and Ritchie replied that they were aware that it was to accommodate a future right-of-way. Public Works have had direct conversations with the owner, though he had not.

Williams stated that there was no condition requiring the development of Kaylix Avenue in this application. If there was no such condition, the City may not be able to convince the owner for a right-of-way consideration through a future PUD process.

Zuccaro replied that the reason the City was trying to move the lot line now was to set it up for good future development. To redevelop it now would require a replat anyway to avoid creating oddly shaped lots in a future right-of-way process. He recommended that the Commission vote on the proposal based on the criteria and he asked commissioners to articulate their reasons for supporting or not supporting the criteria.

Hsu asked if the lot line could be moved anywhere west of where it is.

Zuccaro replied that the lot line was the property owner's preferred placement.

Ritchie added that there could be a modification on the west side.

Hsu stated that he was pretty convinced that at least one of the criteria was not met.

Williams stated that she would feel more comfortable if the proposal came forward from the property owner instead of the City or if there were confirmation of support from the property owner in writing.

Moline and Brauneis pointed out that the owner signed the application.

Williams stated that she was unconvinced by the signature.

Ritchie added that the property owner would also have to sign the plat.

Zuccaro stated that one possible reason for the property owner to support this could be that it made it easier to sell or develop one lot without having to deal with the right-of-way. He acknowledged that he could not speak for the applicant, but he imagined that there could be a logic of convenience.

Brauneis added that the application also grandfathered in the shed.

Hoefner addressed criteria 1, 2, and 5. He noted that for criterion 1, the road and the lot line did not match and that was a unique physical circumstance. For criterion 2, straight roads were important for public safety. Finally, for criterion 5, he noted that the language did not say no alternatives, it said no reasonable alternatives, and in this case it was much more reasonable to move a line on a piece of paper than to move the road to the line.

Brauneis agreed with Hoefner's assessment.

Ritchie responded to Commissioner Hsu's earlier question, stating that there was another shed further to the west of the proposed property line.

Moline appreciated the perspective from staff about taking the opportunity to work with an amenable property owner to make a huge improvement to trail infrastructure.

Hsu asked what the process would be if the City extended the right-of-way right now.

Zuccaro replied that there were a number of scenarios. It would be difficult to extend the road without a request for redevelopment. The City would have to negotiate to purchase the right-of-way. He could not imagine a scenario where they would not be applying to replat, anyway, since the right-of-way process would create a remnant lot.

Howe stated that the proposal had benefits as part of the Commission's goals for land use in the city and that the Comprehensive Plan supported it, as well.

Brauneis noted that the benefits were significant. Not doing this now, the City ran the risk of the lot getting sold off to someone else who was not amenable to the City's plan.

Hsu stated that regarding criterion 1 that he was not convinced that having a road somewhere outside the property met criterion 1. He agreed that there were benefits to the application, but the benefits were not part of his evaluation of the criteria. Making it easier for the property owner to sell property was not a reason to approve the application. He thought moving the lot line somewhere else was a reasonable alternative option.

Brauneis stated that if the proposal set off alarm bells or red flags, he would be concerned. He appreciated Commissioner Hsu's attention to procedure.

Williams stated that process was important to her. She did not think the criteria were met and she would have preferred to have the property owner present the proposal. She also did not think that the lot line had anything to do with the underpass. She felt that criterion 1 was absolutely not met, which negated the other criteria.

Moline noted a property created in 1990 well before the street was laid out and the lots were laid out around it. He wondered if there was some reasonableness that the City should accommodate the property owner's request to update the lot lines to be more in step with what is around it.

Brauneis stated that there was one place where the lot line needed to be and the application had it.

Hoefner moved to approve Resolution 2, Series 2019. Howe seconded. Roll call vote. Four in favor. Commissioners Hsu and Williams voted nay.

COMMISSIONER COMMENTS

Howe asked if it was appropriate for the Planning Commission to discuss long-term lot vacancies, which came up in the marijuana ordinance issue last meeting.

Zuccaro replied that one of the roles of the Planning Commission was to make comments on the Comprehensive Plan that dealt with future land use. Within that context, the City refreshes its Comprehensive Plan policy every 10 years. There could be more frequent discussions about land use changes and policy implications in a study session, for example.

Brauneis stated that it could be a proactive discussion about vacancies.

Hoefner added that he thought a study session made sense, where recommendations did not have to be necessary.

Hsu stated that it might be nice to organize the sessions around specific topics, like parking or affordable housing.

Zuccaro suggested bringing a general work plan discussion for 2019 on a future agenda. Staff could provide background information and analysis and the Commission could recommend policy changes at the end of those discussions if the commissioners wanted.

Hsu asked if the Commission would be commenting on budget issues for the City Council.

Zuccaro replied that the Council just adopted a budget for 2019 and 2020. The capital plan could be an opportunity to address budget issues. He stated that the City has a 6-year capital plan that may come up again in 2020.

STAFF COMMENTS

Open Government & Ethics Pamphlet – 2019 Edition

Zuccaro noted that the pamphlet was included the staff packet.

Public Notice Posting Locations (Resolution No 3, Series 2019)

State law requires that each year every municipal board or commission establish the location(s) where the notice of their public meetings will be posted. It is required the location be established at that body's first regular meeting of the year.

Staff recommends the following official locations for posting of Planning Commission agendas as follows:

- City Hall, 749 Main Street
- Library, 951 Spruce Street
- Recreation/Senior Center, 900 Via Appia
- Police Department/Municipal Court, 992 Via Appia
- City Web Site: www.LouisvilleCO.gov

Staff proposed to continue the item to February with a copy of the resolution to be included the staff packet.

Brauneis recommended that commissioners be more proactive in notifying staff if they were going to make it to the meetings or not.

2019 Meeting dates
Regular meetings are held at 6:30 p.m. on the 2nd Thursday of every month in the 2nd floor of City Hall, City Council Chambers. As needed, overflow meetings will be held at 6:30 p.m. on the 4th Thursday of every month. The 3rd Thursday of each month should be held for Study Sessions, as needed. Exceptions to these dates are in November and December.

ITEMS TENTATIVELY SCHEDULED FOR THE MEETING ON FEBRUARY 14TH, 2019

- Ascent Church Final PUD and St Louis Parish and Commercial Park Final Plat

Adjourn:
Howe made motion to adjourn. Hoefner seconded. Brauneis adjourned meeting at 9:33 PM.

Planning Commission

From: Linda Abrams <lindadba@msn.com>
Sent: Sunday, February 4, 2018 2:05 PM
To: Planning Commission
Subject: Terraces on Main Proposal (Between Huckleberry's and Book Cellar)

This proposed building is not consistent with the "mass and scale" of existing buildings on Main Street in Louisville. The height of the proposed building is too high. The building should not be higher than 30' and preferably about 28'. The current building is about 7500 sq feet and only about 15000 sq feet would be tolerable for 2 stories. The proposed 37000 sq feet is completely out of character with our downtown area.

The design of the structure is extremely modern and does not fit in with the unique, quaint and charming character of our downtown.

I hope the planning commission and our city council will reject this grotesque design and not allow our town's charm and uniqueness to be further eroded by greedy developers. Please do not allow Louisville as we know it to be destroyed.

Sincerely,
Linda Abrams
415 Fairfield Ln
Louisville, CO 80027

Planning Commission

From: Bob Abrams <bob_abrams@hotmail.com>
Sent: Sunday, February 4, 2018 10:04 AM
To: Planning Commission
Subject: New terrace proposal

The thought that you are even considering this 3 story terrace is pretty disturbing.
It is not Louisville at all. The height and the style is not us.
Do we need more out of business places in Louisville?
If we are that desperate for money, spend more time finding a business for the Sams CLub site

bob abrams
415 Fairfield Lane

Sent from Outlook

Lisa Ritchie

From: Marion Antonellis <marion.antonellis@gmail.com>
Sent: Thursday, February 1, 2018 2:28 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello Planners,

Just giving my two cents on the proposed new building downtown. Do not like it. Don't like the height and don't like the style. Doesn't go with what our historical little Main Street should look like. It would be fine on McCaslin. Why can't it be built in the mode of the mercantile building?

Just so you know, I also don't like the city hall and the chase bank building.

Lastly , do you know if the granary will ever be done and occupied and by whom and what? Seems we are building more retail space but haven't filled up existing spots.

Thank you for serving our community!

Best,
Marion Antonellis

Sent from my iPhone

Planning Commission

From: Kelly Arens <kellyarens@gmail.com>
Sent: Sunday, February 4, 2018 2:41 PM
To: Planning Commission
Subject: Terraces on Main is a Great Idea!

Dear Planning Commission - I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

Thanks,
Kelly McCormack

Planning Commission

From: Linda Armantrout <armantroutstudio@gmail.com>
Sent: Sunday, February 4, 2018 2:50 PM
To: Planning Commission
Cc: Ashley Stolzmann
Subject: boulder creek project on main

Terraces on Main Street

I am a concerned 25 year resident of Old Town (then Raintree) in Louisville.
i am also a small business person.
I create product that I sell in Louisville and create Sales Tax.
I have watched small business people with projects much less impactful be thwarted in efforts to build Retail/office on Main Street.
I have worked with the Louisville Arts District and the Street Faire (DBA) over the years to create vitality on Main Street in Louisville.

Concerns:
1. Why do the developers think 32 parking spaces will work for 80 employees and retail customers.
I owned at 817 Pine and my impressions on the parking situation are experiential.

2. Why not locate an office building in Delo or at McCaslin?
That seems more appropriate for office space.
Also are the offices on Main Street and on Walnut filled?
Christopher Plaza? South Boulder Road?

3. Will this drive Retail rents on Main up further?
Retail businesses on Main are not thriving.

4. How will the 80 employees continue to enrich downtown?
Will they buy only lunches and beer? Will they participate in cultural growth?
Will they buy any non-consumables? Will they attract people from other communities to spend dollars here?
What attracts Boulder Creek Communities to Main Street?

5. The scale of the building encroaches on the Historical center of Louisville.
It will cast a large shadow across Main. Citizens have been tireless in efforts to make Louisville attractive in character.
36,000 volunteer hours last time we counted.
The scale makes this building seem out of place and to take Old Town in a new direction.

6. Demolition and Construction will cost restaurants and retail business.
I watched 44th and Tennyson in Denver run all the existing businesses out while the construction was ongoing, and ongoing, and ongoing.

7.It seems that this is an ongoing theme everywhere. Creative people build an attractive community then developers develop and leave no room for the people who created the vitality on Main. How will BCN be different?

I know Eric will make an attractive building and BCN is “sweet" to add a mural but
37,000 square feet seems way too much. And please, not 3 stories.

Linda Armantrout
armantroutstudio@gmail.com
www.armantroutstudio.com
303-664-0086

443 East Raintree Ct.
Louisville, CO 80027

Planning Commission

From: brian armstrong <barmstrob@gmail.com>
Sent: Monday, February 5, 2018 2:25 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission,

I am writing to you to express my strong support for the proposed Terraces on Main project. I find projects like this for our downtown exciting and energizing as they solidify our reputation in the Denver/Boulder area as an innovative, living, evolving town as opposed to what I consider to the be the opposite reputation, and one that I believe we are at risk of moving toward -- an anti-growth "museum town" not open to change and new ideas. I would appreciate your consideration of the following points:

- We need MORE RETAIL OPTIONS on Main Street – this project does just that as it calls for offices on the upper floors to return the street level to new retail uses

- We need MORE TENANTS downtown, not the ongoing concentration of one tenant in multiple retail properties – this project will consolidate their employees into one space and open up downtown office space for NEW tenants

- We need to support MORE RETAIL DAYPARTS– this project's 80 employees will eat, shop and support our small local businesses during the day, not just in the evening, striking a much needed improvement in the complexity and diversity of foot traffic spending.

- We need MORE HIDDEN, YET FLEXIBLE, PARKING OPTIONS – this project does that by proposing to build the required parking spaces based on the city code (underneath the building)

- We need MORE DIVERSITY IN ARCHITECTURE, not less, if we are to remain a vital, vibrant downtown community that attracts visitors and residents rather than become a "museum town" – this project's architecture respects our small town character by adhering to our current code including the 3rd floor setback.

- We need to enable a healthier balance between office space and retail space downtown as becoming overly concentrated in retail sets us up for failure over the long term in achieving most of the points I have outlined above. Retail depends on office workers being present who become customers.

Finally, I would just say that I also strongly believe that we, as a community, as a Planning Commission, and especially as a City Council, need to work harder to avoid the risk of evaluating every single new idea or proposal that has a development attribute through only the lens of growth vs. anti-growth. That attitude will surely kill the spirit and character of Louisville that has served us so well over the last 17 years of exciting change (which we have all benefitted from). If we say no to every new idea on the basis of fear of growth and fear of change, we will stifle the very strength of this great town.

Brian Armstrong
1201 La Farge Avenue

Planning Commission

From: Sunday Barrett <sundaybarrett@comcast.net>
Sent: Sunday, February 4, 2018 1:05 PM
To: Planning Commission
Subject: New building on a Main

Thank you for reviewing community feedback! I do not support the proposed 3 story building on Main. It will detract from the charm of the street and promote a generic modern vanilla look. Please don't allow this disappointment to progress.

Thank you.

Sent from my iPhone

Planning Commission

From: Theresa Bauer <zeccat@yahoo.com>
Sent: Sunday, February 4, 2018 4:13 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello,
I am against the building of Terrances on main. In my opinion, the three story building would alter the uniqueness and quaintness of Louisville. That is why we currently love downtown. It has such character and if we start allowing multiple-story buildings in downtown, it will loose its character and small town look and feel.

Theresa Bauer

Sent from my iPhone

Planning Commission

From: Bruce Becker <brbpdb@msn.com>
Sent: Thursday, February 8, 2018 11:25 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

The proposed structure does NOT meet code--lets keep this LOUISVILLE AND NOT ANOTHER BOULDER!!
Sincerely,

Bruce & Patricia Becker
533 Coal Creek Ln

Kristin Dean

From: Bruce Becker <brbpdb@comcast.net>
Sent: Wednesday, March 7, 2018 12:57 PM
To: City Council
Subject: New Building--Terrace on Main

Dear Council:

Again we must state our objection to the proposed structure--are you listening to the people that live here?

Someone once said "if it doesn't fit you must acquit" and same applies here so please reverse your unbelievable vote to approve this project which violates long standing city code in many ways. Thank you for your attention.

Sincerely,

Bruce & Patricia Becker

533 Coal Creek Ln

Planning Commission

From: David Benjes <david@eventsllc.org>
Sent: Tuesday, February 6, 2018 12:59 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission,

I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)

Thank you for your time

David Benjes
Resident

Planning

From: Matt Berry <m.berry@ascentgrp.com>
Sent: Thursday, February 8, 2018 10:16 PM
To: Planning
Subject: Terraces on Main 712-722 Main Street

Planning Commission

I was at tonight's meeting, but I could not speak before I had to leave for a youth coaching obligation.

This project is good. Be confident in the rules and guidelines that your board has crafted over years of experience that this project conforms to.

With this project Louisville is getting 80+ daytime employees in the center of downtown who will have their own parking AND we will get additional retail space. It is win win.

As for the comments regarding the size and aesthetic look of the building: It is ignorant to use the direct front architectural elevations alone to make that judgement call. A view from the pedestrians perspective must be used. These comments are knee jerk at best and time and time again I see the same people saying no to every good plan that is presented.

You have a good thing here for the future of downtown and willing owners to make it happen. An outside group would likely be maxing out the square footage and disregarding the neighboring buildings for the sake of profit alone.

Please don't miss this opportunity.

Thank you

Matt Berry
740 Garfield Ave
Louisville, CO

Lisa Ritchie

From: Lisa Blumensaadt <lblumensaadt@yahoo.com>
Sent: Thursday, February 1, 2018 5:55 PM
To: Planning Commission
Subject: Terraces on Main -Louisville resident comment

Hello,

I would like to comment that while we appreciate the many improvements and advances in Old Town Louisville by the city and private businesses, the character of the Terraces on Main as illustrated and proposed would be very out of character and detrimental in that particular location due to the 1) stark contrast of its modern architecture, and it's 2) massive footprint, as well as the 3) vertical obstruction, even with the 3rd story setback. It would be a pleasing structure elsewhere, but not in that location. A modern structure on the north end of Old Town (where Picas is located) works because it is separate and set off from original buildings, not right in the middle, as a strange contrast to all the surrounding structures.

This structure would be out of character with the other commercial buildings on that block, on either side, and so prominent that it would dominate the character of the block and make existing structures look out of place. It would dwarf the quaint Huckleberry -an extremely popular neighborhood haunt, and a bit of a Louisville institution, as well as dwarfing the bookstore and cooking shop on the other side. It would block sunlight during some morning hours. It would also make that block feel less open as you walk, (or drive, bike) along it.

If the building was not as massive and tall, and if it was in character with the buildings along that block, that could be a very nice upgrade to the existing structures. What residents and visitors love about Old Town Louisville is it's character --I hear this again and again from people. We do not want to lose that character simply in the name of new. Many, many businesses in town have revamped properties to open new restaurants and shops, but have still maintained the unique character of Old Town Louisville. Our family urges you to maintain that character with whatever you approve for that location.

Be forward thinking in your decision. If such a structure goes in, how long will it be before another block of buildings is converted to a similar look? At what point will Old Town then cease to be Old Town and have that distinctive character? Will that feel be what keeps Louisville one of the best small towns and best places to live?

Lastly, it is a tremendous insult and burden to the residents of Old Town who must work within the confines of much stricter building requirements to maintain the character of the residential area, and incur greater costs to do so when they wish to renovate or build an addition to their residential property. Why would you saddle residents with such requirements and expenses, yet not hold commercial entities to the same standards?

Please do not approve this proposal. Merely lowering the height is not enough to accept this proposal. Please insist on a structure that is in character with the other buildings on the block in terms of 1) architecture (not modern), 2) mass/scale, 3) height. Again, it is not that we don't want anything to change -we love so many of the changes that have come to our little town. We just want to ensure that the changes keep with the character of this community, just as the City recently did

when they purchased land with Boulder County and the City of Lafayette to retain the beauty and feeling of an entrance to our town along hwy 42 and Empire Road.

Thank you for your time and consideration,
Lisa Blumensaadt -resident

Planning Commission

From: Mary Boven <maryboven@yahoo.com>
Sent: Monday, February 5, 2018 1:12 PM
To: Planning Commission
Subject: RE: Comment regarding proposed Terraces on Main

No do not want 3 story building MaryBoven

Sent from Yahoo Mail on Android

On Mon, Feb 5, 2018 at 10:15 AM, Planning Commission <PlanningCommission@louisvilleco.gov> wrote:

Hello,

I wanted to let you know that there are no comments attached to your email.

From: Mary Boven [mailto:maryboven@yahoo.com]
Sent: Saturday, February 3, 2018 3:36 PM
To: Planning Commission <PlanningCommission@louisvilleco.gov>
Subject: Comment regarding proposed Terraces on Main

Sent from Yahoo Mail on Android

Planning Commission

From: Ross Bowdey <ross@advobusinesssolutions.com>
Sent: Saturday, February 3, 2018 8:50 AM
To: Planning Commission
Subject: Terraces on main

Dear Planning Commission - I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

303.748.3478
Ross@advobusinesssolutions.com

Kristin Dean

From: Rob Zuccaro
Sent: Tuesday, February 6, 2018 1:41 PM
To: Kristin Dean
Subject: FW: Proposed Terraces on Main, Boulder Creek Project

Robert Zuccaro, AICP
Planning & Building Safety Director
City of Louisville
rzuccaro@louisvilleco.gov
303-335-4590

The Department of Planning & Building Safety is collecting feedback to improve our customer service. Please let us know how we are doing by completing this short survey!

From: Jay Keany
Sent: Tuesday, February 6, 2018 11:47 AM
To: Rob Zuccaro <rzuccaro@louisvilleco.gov>
Subject: Fw: Proposed Terraces on Main, Boulder Creek Project

From: Karen Brown <karen.brown31@gmail.com>
Sent: Tuesday, February 6, 2018 8:11 AM
To: City Council
Subject: Proposed Terraces on Main, Boulder Creek Project

Dear Honorable Councilmembers,

I am writing today to express my support for the proposed Boulder Creek project, Terraces on Main.

As a 24 year resident of Louisville, I have watched as downtown has changed to meet the needs and desires of our community. The one thing that has remained through all of this change is the wonderful eclectic feel of the downtown area.

This project is just one more opportunity to improve on what is already there:

- This building is an aesthetic improvement to what is currently there
- Keeps an important community partner downtown
- Adds off street parking
- Increases retail on Main Street
- Meets the design guidelines set forth by the city

I welcome this addition to our downtown and encourage you to support this project.

Thank you.
--
Karen

Karen Brown

505 Grant Avenue
Louisville, CO 80027
303-673-0648

Rob Zuccaro

Subject: FW: Terraces on Main St. Proposal

Dear Honorable Councilmembers,

I am writing in support of the proposed Terraces on Main St.

While the modernization of downtown pulls at the nostalgic heartstrings from time to time, it is important to remember that the clock moves forward. This project has a lot going for it that benefits downtown. A property owner that is committed to downtown. The addition of retail on main street. The addition of off-street level office space. And the addition of the necessary parking to accommodate the additional space.

Aesthetically it is an improvement on the existing mid-century building that currently exists on the site.

I welcome this addition to downtown as another of the incremental improvements that continue to reflect the modern usage of historic downtown area. While it certainly represents change, I believe that it is change that is consistent with the current state of downtown Louisville.

Thanks for your service and your consideration.

Don

Don Brown
Corporate Evangelist
dbrown@optimalblue.com
Office: (303)483-2190
Cell: (303)883-2537

Optimal Blue | www.optimalblue.com

Kristin Dean

From: Meredyth Muth on behalf of Open Records
Sent: Wednesday, January 31, 2018 9:38 AM
To: Rob Zuccaro; Kristin Dean
Subject: FW: CAC ALERT: New 3-Story Building Proposed for Historic Downtown Lousiville

FYI in case you haven't already seen this.

MEREDYTH MUTH
CITY CLERK
CITY OF LOUISVILLE
303.335.4536
303.335.4550 FAX
www.LouisvilleCO.gov
MeredythM@LouisvilleCO.gov

The City Clerk's Office is collecting feedback to improve our customer service.
Please let us know how we are doing by completing this short survey!

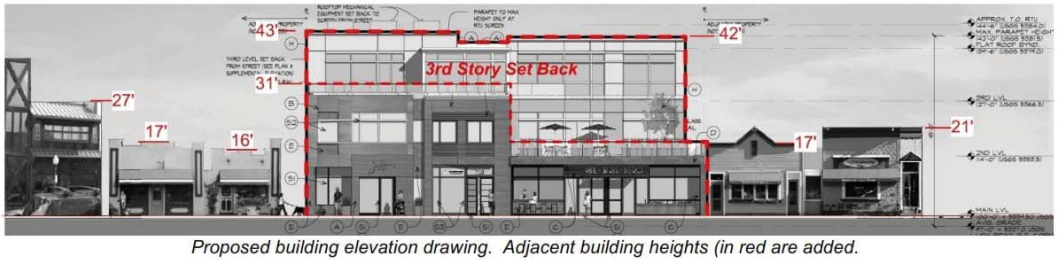
From: Citizen's Action Council [mailto:caclouisvilleco=gmail.com@mail221.atl101.mcdlv.net] **On Behalf Of** Citizen's Action Council
Sent: Wednesday, January 31, 2018 9:35 AM
To: City Council
Subject: CAC ALERT: New 3-Story Building Proposed for Historic Downtown Lousiville

View this email in your browser

NEWS FLASH

NEW 3-STORY, 37,171 SF COMMERCIAL BUILDING PROPOSED IN HISTORIC DOWNTOWN.

City Code Says It Must Fit the Area



Proposed building elevation drawing. Adjacent building heights (in red are added.

The Louisville Planning Commission will consider a development proposal to scrape off two single story buildings on Main Street between the Huckleberry and the Book Cellar. The current buildings total 7,558 sq. ft. and the replacement 3-story building would total 37,171 sq. ft.

The Commission, with input from residents, will make a recommendation to the City Council answering the following questions posed by the City Code:

- Is the building's mass and scale compatible and appropriate for this location in Historic Downtown?
- Does it exceed appropriate building height for this block?
- Is the proposed architectural style compatible with adjacent historic buildings?
- Does it enhance or detract from downtown's historic character and sense of place?

CITY CODE:

Policy: Mass and Scale

"The mass and scale of buildings in downtown Louisville are among the greatest influences for compatible construction in the community. The height, width and depth of a new building should be compatible with existing buildings in the area and especially with those structures that are immediately adjacent to a project. The scale of a building also should relate to its lot size and placement on the lot."

"New construction should appear similar in mass and scale to structures found traditionally in the area."

Building Height:

"As part of any subdivision or development plan approval, the city council may require a lower maximum building height within such commercial Core Area or Transition Area of Downtown Louisville based on application of criteria set forth in titles 16 and 17 and the Design Handbook for Downtown Louisville, and in order to ensure varied building heights and the appearance of a two-story building mass from the street pedestrian scale."

3-story development is allowed in downtown, but only when meeting specific limited conditions. The City Council has the ability to deny or approve the 3rd story request by setting the building height at a level that fits the area consistent with Code requirements.

See the developer's full proposal "Terraces on Main": http://www.louisvilleco.gov/residents/departments/planning-building-safety/current-development-projects/land-development-applications/st-louis-parish-gdp-copy

Let the Planning Commission hear your thoughts and comments.

The Hearing is scheduled
Thursday, February 8, 6:30 PM
at City Hall. Email the Commission:
Planning@LouisvilleCO.gov
Public input will be accepted at the meeting.

CAC ***Citizens' Action Council***
caclouisvilleco@gmail.com

CAC is a citizens' organization dedicated to keeping Louisville residents apprised of major issues being addressed by our City Council.

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You were added to the Louisville CAC Community Update Campaign by giving us your email after attending a CAC sponsored meeting and/or expressing interest in our wonderful Louisville community. We thrive to keep you up to date on Louisville issues and CAC sponsored activities.

Our mailing address is:

Citizen's Action Council
1116 Lafarge Avenue
Louisville, CO 80027

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URGENT

ONE OF THE MOST SIGNIFICANT DEVELOPMENTS PROPOSED FOR HISTORIC DOWNTOWN.

The City Council will be hearing a proposal next week for a new 3-Story (37,171 SF) Commercial Building for Historic Downtown Louisville.

YOUR INPUT NEEDED!

This is a resend of the prior email with the correct flyer attached. Sorry for the second email.

The Louisville City Council will consider a development proposal for a new 3-story in historical downtown Louisville on Tuesday, March 20. **YOUR COMMENTS ARE IMPORTANT! ATTEND THE MEETING OR EMAIL THE ENTIRE CITY COUNCIL** to give your opinion on how this development will fit the downtown area. A flyer with more information below.

To download flyer (correct flyer): Flyer Terraces On Main

Also the following are useful links:

Email the City Council: CityCouncil@LouisvilleCO.gov

See the full development proposal: CLICK HERE

The Public hearing is schedule for 7:00 PM Tuesday, March 20th in City Hall.

PROPOSED IN HISTORIC DOWNTOWN.
City Code Says It Must Fit the Area

Proposed building elevation along Main Street. Adjacent building heights (in red are added.

The Louisville City Council will consider a development proposal to scrape off two single story buildings on Main Street between the Huckleberry and the Book Cellar. The current buildings total 7,558 sq. ft. and the replacement 3-story building would total 37,171 sq. ft.

City Council will answer the following questions posed by the City Code:

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"New construction should appear similar in mass and scale to structures found traditionally in the area."

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"As part of any subdivision or development plan approval, the city council may require a lower maximum building height within such commercial Core Area or Transition Area of Downtown Louisville based on application of criteria set forth in titles 16 and 17 and the Design Handbook for Downtown Louisville, and in order to ensure varied building heights and the appearance of a two-story building mass from the street pedestrian scale."

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See the developer's full proposal "Terraces on Main":
http://www.louisvilleco.gov/residents/departments/planning-building-safety/current-development-projects/land-development-applications/st-louis-parish-gdp-copy

It's very important for City Council to hear your thoughts and comments on this issue

The Hearing is scheduled
Tuesday, March 20, 7:00 PM
at City Hall. Email the City Council:
CityCouncil@LouisvilleCO.gov
Public input will be vital at the meeting.

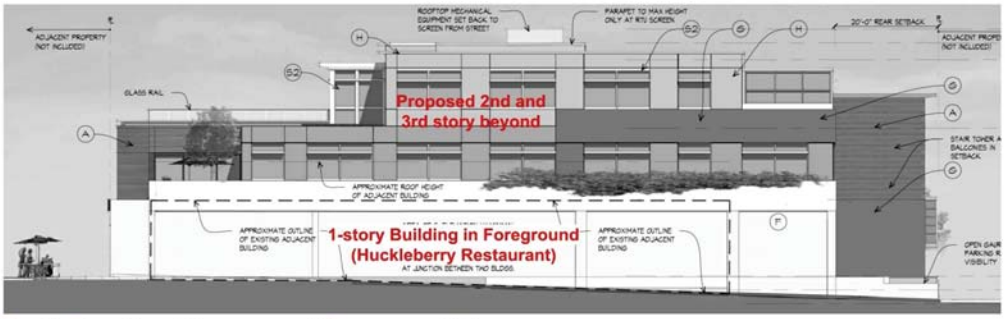
Project to Create Large Parking Shortfall !!

Historically, Downtown Louisville evolved as a place for small businesses, with on-street parking. To support downtown small businesses the city reduced off-street parking requirements in this area.

- Using these reduced standards the **Terraces on Main** development is required to provide **32** parking spots – **14** more than are on the property today.
- Based on the parking standards used in the rest of Louisville, **over 100 parking spaces are needed** to support the proposed uses for the building. This means the project is creating a **shortfall of 70 spaces**.
- The City estimates the cost of providing a parking space at **$25,500**.
- Who should cover the resulting **$1.75 million** for the needed parking? The taxpayers of Louisville, or the developer, or should adjacent neighborhoods be expected to absorb the impacts of parking spilling over onto their streets? Or should it not be built?

It needs to be noted that the City Council has the authority to set project appropriate parking requirements – above or below the downtown standards.

*Does it make sense for the City to **subsidize** parking for large scale development downtown?*



South Elevation of the proposed Terraces on Main.

Do the large areas of glass on much of the building meet design standards? The Design Handbook states:

The ratio of windows to wall surface should be similar to that seen traditionally. 1) Large surfaces of glass are inappropriate on .... the upper floor of commercial buildings."

Your comments are important!
Attend the meeting and/or email the entire City Council at:

CityCouncil@LouisvilleCO.gov

CAC ***Citizens' Action Council***
caclouisvilleco@gmail.com

CAC is a citizens' organization dedicated to keeping Louisville residents apprised of major issues being addressed by our City Council.

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Planning Commission

From: Mike Catechi <catechi77@gmail.com>
Sent: Friday, February 2, 2018 3:19 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

I have been a resident of Louisville for 1 year. I would recommend not giving a permit for the Terraces on Main. One of the things I like most is to go to historic old town Louisville and enjoy the old town feeling whether in the middle of winter or on a warm summer evening. I would not like this to become another Pearl St. Like Boulder. Think hard planning commission and visualize what you would be losing instead of what you would be gaining with this project. Thank you for your time in reading this response.

Sincerely Michael Catechi

Kristin Dean

From: Mike Catechi <catechi77@gmail.com>
Sent: Tuesday, March 6, 2018 4:52 PM
To: City Council
Subject: New 3 story building on Main St. Louisville

All I can say is ,what about the parking...???

Planning Commission

From: Debbie Catechi <dcatechi@gmail.com>
Sent: Friday, February 2, 2018 1:11 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Dear planning commission members,

I am writing in regards to the proposal to add a three story building on main street, downtown Louisville..

While I believe this proposed space could benefit from a new, more functional building, the proposed design in my opinion is not in keeping with the charm and overall appeal of the other businesses on Main st. I strongly feel that we need to strive to keep old town Louisville preserved. Not only does the architectural design stray from the overall vibe and charm of Old town, but three stories will stick out like a sore thumb.

I would request that you go back to the drawing board on this one. This proposal will look really out of place and the large scale will ruin the streets visual profile.

Thank you for your time and consideration.

With regards,

Resident, Debbie Catechi

Planning Commission

From: Andy Clark <moxielox@gmail.com>
Sent: Monday, February 5, 2018 6:43 PM
To: Planning Commission
Subject: Support from Moxie for Boulder Creek Neighborhoods new building

Hello,

I just wanted to voice my opinion in support of this new building. I feel it allows for sensible growth on Main Street while increasing the opportunity on the street level for more lucrative businesses such as restaurants, bars or mercantiles.

We need to continue to support the thoughtful growth of Old Town and lure more unique and interesting retailers to help make downtown a destination. I feel this would work to support that.

Regards,

Andy

Andy Clark
Moxie Bread Co.
641 Main Street
Louisville, CO 80027
(720) 456-8461
www.moxiebreadco.com
सबैलाई यहाँ स्वागत छ ।

Planning Commission

From: Dani Coleman <dani.coleman@gmail.com>
Sent: Wednesday, February 7, 2018 10:32 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

The proposed 3-story building will not be "compatible with ... those structures immediately adjacent" to it (quotes from the City Code: Policy on Mass and Scale). Also, approving it will make it possible for other buildings to pass this test.

I'm not against development on Main St, but how about simply using two story buildings? Not as profitable for the developer, obviously, but would be a compromised that preserves the character of Main St better.

Thanks for your time and service,
Dani Coleman
278 Jackson Cir

Lisa Ritchie

From: Sara Cory <saracory09@gmail.com>
Sent: Thursday, February 1, 2018 4:56 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

That building looks out of place and ugly in that location. Is Boulder's downtown expanding to Louisville's downtown?

Sara cory

Planning Commission

From: Paula Dallabetta <pauladallabetta@gmail.com>
Sent: Thursday, February 1, 2018 10:16 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Dear Sirs/Madam
The current 3 story proposal is wrong form main street Louisville. It does not fit with the architecture and will significantly dwarf other buildings in the area. I am glad it is being redesigned but please keep with the character and scope of the current buildings of old town Louisville.

Paula Dallabetta
303.883.2999

Planning Commission

From: Debbie <debdavies47@msn.com>
Sent: Saturday, February 3, 2018 11:30 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission ,
I have a question and some concerns about the Terraces on Main project.

First, how many parking spots are they required to build under their building for the 80 employees and extra foot traffic the first floor retail spots will generate? And how will people access this parking area? I work at the Book Cellar, and there are many times that delivery trucks make it difficult to get into our parking lot from the narrow alley. I can only imagine 80 employees plus shoppers trying to use the alley to park at their building. The downtown area is sorely lacking in parking, and any new development should be proactive in easing this problem if they can.

I do not think the two story part fronting Main Street fits in with the rest of the buildings. It is too big and square looking. All the other buildings have triangular and other interesting elements at the front of their buildings. The third floor aspect doesn't bother me as much as the blocky two story fronting Main Street. It just isn't an appropriate design for that location.

I am also concerned about the sales hit to the existing businesses near by during construction. I remember how businesses struggled when the water/sewer lines were put in on Front St. The Book Cellar has parking for their customers in the back, and a narrow walkway between them and the new proposed building. I wonder how that walkway will stay safe for the employees and customers of the Book Cellar to access it's parking lot. It would be a huge inconvenience to have to walk all the way around the block to access the building. Many pedestrians also use this little walkway as they make their way towards Front Street.

Some of the drawings I have seen of this project show the summer patios in front of this building, which would take away more parking spots and speaks to more restaurant spots in that space instead of retail spots.

I am looking forward to new construction at that location, but have some very real concerns.

Thank you,
Deborah Davies
603 W. Aspen Ct

Louisville CO 80027

Planning Commission

From: Chris Epp <chrisepp1@gmail.com>
Sent: Sunday, February 4, 2018 8:21 AM
To: Planning Commission
Subject: Terraces on main

I wanted to voice my opinion on boulder creeks builders new project "the terraces on main" the scale and design of this building have zero relevance to the adjacent buildings and are totally out of character with the downtown as a whole. The scale is too large for the setting and the sheer volume of will loom over downtown like a cloud. Please don't make the same mistake other municipalities have. Character counts.

Best,
Chris Epp
275 short place
Louisville

Sent via mobile.

Planning Commission

From: Jane Evans <revansj@comcast.net>
Sent: Thursday, February 1, 2018 7:14 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Having reviewed the proposal of building a 3 story Boulder Creek building in historic main street I say no! First- this building is taller than the library , the bank , the other office building by Creative Framing (which also doesnt fit downtown)!!! Adding their monster building does more than destroy the historic downtown charm that our town has pride itself on. It will add even more parking issues that their occupants will need, it doesn't bring more people to our businesses except to fooderies. We need retail and a variety of businesses not more office space. If they want this , we have the Colorado tech center for this type of building!
Added to this proposed blight, it was very obvious this past holiday that the whole downtown was festive except the Boulder creek building and the bank! They were dark, no lights and ugly. They are not adding anything to our downtown just taking up valuable space.

I strongly oppose this development. Louisville can do better! Where is you vision??? What culture do you want to promote for the downtown?
Jane Evans
Louisville resident

Planning Commission

From: Allison Frazier <allisonsher@me.com>
Sent: Thursday, February 1, 2018 11:40 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello,
I am a resident of Louisville, and I am writing to express my concern over the proposed 3-story building on Main Street. I have seen the proposed renderings, and as I suspect you will hear from many residents, the look and feel of this new building does not fit in with the historic charm of our downtown. It is much too modern and generic looking. There are so many areas in Louisville that are stuck with the generic mini-mall aesthetic. Is that really what we want for Old Town? People come to Old Town for the historic charm. If this proposal is approved, I am afraid that it will just be the beginning of the end of Old Town. If the developer really wants to build something in Old Town, then they should be forced to match the surrounding aesthetic. Even with new construction, surely there are architects who can make new look "old."

Sincerely,
Allison Frazier

Planning Commission

From: Curtis Frazier <CFrazier@radius-global.com>
Sent: Thursday, February 1, 2018 12:22 PM
To: Planning Commission
Subject: Terraces on Main

Hello,

I am a resident of Louisville, and I am writing to express my concern over the Terraces on Main proposal. I feel of this new building does not fit in with the historic charm of our downtown. It is much too modern and generic looking. There are so many areas in Louisville that are stuck with the generic mini-mall aesthetic.

People come to Old Town for the historic charm. If the developer really wants to build something in Old Town, then they should be forced to match the surrounding aesthetic. Even with new construction, surely there are architects who can make new look "old."

Thanks,
Curtis Frazier.

GLOBAL MARKET RESEARCH
radius

Curtis Frazier, Ph.D. | Director of Advanced Analytics | Radius Global Market Research
Louisville, CO | Tel 512.270.5173
Discover our strategic solutions: **radius-global.com**

Planning

From: Shadlee Friesen <shadleef@yahoo.com>
Sent: Monday, February 5, 2018 1:47 PM
To: Planning
Subject: The proposed three-story building on Main

Dear Planning Commission,
I will be unable to attend this week's meeting so I am sending this email in SUPPORT of the proposed three-story building downtown. Having been a Louisville resident and an active member of this community for the past 26 years, I have lived through the positive transformation of our small city into the very desirable place it has become. One of the many reasons that our city owns this distinction is due to its "Hometown Main Street." The proposed plan, with its thoughtful massing, self-contained parking and street-level retail possibilities will only add to the character of our beloved home town. I commend the company that wants to keep its workers happily growing its business, producing and paying taxes, and is willing to make positive accommodations in order to stay in our downtown area. Allowing their growth, yet maintaining, even improving, those two lots thoughtfully, is in the best interests of Louisville.
Best regards,
Shadlee Friesen

Kristin Dean

Subject: FW: Terraces on Main

From: Chris Gabriel [mailto:chrisgabriel101@gmail.com]
Sent: Monday, February 26, 2018 2:06 PM
To: City Council
Subject: Terraces on Main

Hi,
Just writing in support of this project. The buildings that this would replace are worn down and this seems like a much better use of valuable real estate.
Thanks!
Chris

Planning Commission

From: Jeffrey Gass <jeffreygass19@gmail.com>
Sent: Thursday, February 1, 2018 8:43 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Have no objection to a 3 story commercial building.
I would like to see the structure have an old town feel, something that ties into historical Louisville(Mercantile Building)not like the Chase Bank building or modern looking residential building

Is the parking garage below ground? Assuming set back is exactly like existing building so dining on sidewalk will not hinder pedestrian flow and eliminate street parking in the summer

Jeffrey Gass
914-656-7918

Sent from my I-phone

Jeffrey Gass
914-656-7918
Jeffreygass19@gmail.com

Sent from my I-phone

Planning Commission

From: Alex Gorsevski <churuk@yahoo.com>
Sent: Tuesday, February 13, 2018 3:31 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission:

I'm in support of the Terraces on Main project, but I do have one concern regarding the parking garage. The basement floor plan shows only one entrance/exit to the parking area. This would potentially be a problem for someone entering the garage when the garage is full, since there is no obvious way to turn around or safely exit. The problem would be compounded if another car were to follow the first.

Thank you,
Alex Gorsevski, PE
711 Pine-Needle Lane

Lisa Ritchie

From: Jennifer Haggar <jenniferhaggar@outlook.com>
Sent: Thursday, February 1, 2018 3:10 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

I live in Louisville and would like to provide my input on the Terraces on Main. I think a 3 story building in that location is fine. I don't think it will block anyone's view of the mountains and there are other buildings of that height in the area, so the height and overall size of this building seem reasonable.

I'm a little concerned about the style though. I would encourage the developers to try to mimic the historic buildings in the area, at least on the first level, and try to design the top so that it blends in with the current architectural style of the area. The current 3 story buildings in Main did not use the architectural style of the area, and the result is disappointing. For example, the Chase building and 908 Main.

Thanks,

Jennifer Haggar
720-544-1446

Kristin Dean

Subject: FW: Building proposed

---------- Forwarded message ----------
From: **Becky Harney** <bucket4roses@gmail.com>
Date: Wed, Feb 7, 2018 at 9:19 AM
Subject: Building proposed
To: Ashley Stolzmann dennism@louisvilleco.gov

Ashley & Dennis,

I just wanted to weigh in on the building being proposed by Boulder Creek Neighborhoods to replace their offices on Main Street -

I am **FOR** letting them build as planned.

Thanks for serving the citizens of Louisville!
Becky Harney
105 Rose St., Lsv.

Planning Commission

From: Gail Hartman <gail.a.hartman@gmail.com>
Sent: Wednesday, February 7, 2018 10:26 AM
To: Planning Commission
Subject: Comments re: Terraces on Main proposal

To the Louisville Planning Commission,

I am so disappointed and surprised to see the renderings and read the descriptions of Terraces on Main. I'm even more stunned to read that the Planning Dept. is recommending approval. With just one glance at the renderings, it is clear that the mass, scale, and design don't come close to fitting our existing, historic downtown—nor do they meet the intentions and guidelines of the City's Comprehensive Plan.

There are many talented architects and developers worldwide who work diligently to blend historic and new architecture in ways that do not overwhelm original, historic, surrounding buildings, but rather complement them. That kind of work requires an insightful vision that the current plan for Terraces on Main does not reflect in any way.

John Robertson, Principal Director of John Robertson Architecture in the UK stated that, "*The work on historic constructions is about respecting the past while providing a worthy legacy for the future.*" I see neither a respect for Louisville's past nor a worthy legacy for its future in the current Terraces on Main design. I therefore urge the Planning Commission to reject this plan that contains so many jarring extremes between modern and historic design, mass, and scale—and instead urge the City to work alongside professionals who are interested in integrating new design that truly complements the look and feel of Louisville's unique, historic downtown architecture.

Thank you,

Gail Hartman
Louisville, CO

Kristin Dean

Subject: FW: Comments: Terraces on Main plan

From: Gail Hartman [mailto:gail.a.hartman@gmail.com]
Sent: Monday, March 12, 2018 6:04 AM
To: City Council
Subject: Comments: Terraces on Main plan

To the Louisville City Council,

I am writing to urge the City Council to reject the Terraces on Main plan in its current form.

I was truly shocked as I watched the web stream of the Planning Commission (PC) meeting about this plan. All but one member of the PC (who were present) approved to move the plan forward to the City Council. The plan for a 3-story wall of glass alone should have given them pause. And, it did. For a few minutes. Some members rightly expressed concern about the wall of glass, as well as other troubling issues with the overall design. And then all but one chose to ignore their own concerns and comments—expressed moments earlier—by voting to approve the plan. One would have expected the PC to have at least continued the meeting to work with planning staff and the applicant to address their concerns. That didn't happen and I believe it was a huge mistake that will have serious ramifications for Louisville's historic downtown.

With just one glance at the renderings, it is clear that the mass, scale, materials, and design don't come close to fitting our existing, historic downtown—nor do they meet the intentions and guidelines of the Design Handbook for Downtown Louisville and the Downtown Louisville Framework Plan. For example, I remain stumped by the planning staff's odd interpretation that the Terraces on Main meets the Municipal Code Criteria, which requires a PUD to have "an appropriate relationship to the surrounding area." I fail to see how that specific criteria is met, not to mention the criteria outlined in the Design Handbook for Downtown Louisville, which states that the "… height, width and depth of a new building should be compatible with existing buildings in the area and especially with those structures that are immediately adjacent to a project." I can't fathom how the planning dept. and PC believe that a 3-story wall of glass is "compatible" with The Huckleberry. Really?

What's at stake is the Pine and Main St. area which acts as a "gateway" to our downtown. There is no question that the existing buildings in question should be redeveloped. But communities all around CO (and the world) have redeveloped historic areas in ways that seamlessly blend historic and new architecture such that they do not overwhelm the surrounding buildings, but rather complement them. That kind of work requires an insightful vision that the current plan for Terraces on Main does not contain.

John Robertson, Principal Director of John Robertson Architecture in the UK stated that, "*The work on historic constructions is about* ***respecting the past while providing a worthy legacy for the future.***" I see neither a respect for Louisville's past nor a worthy legacy for its future in the current Terraces on Main plan.

I therefore urge the City Council to reject the current plan that contains so many jarring extremes between modern and historic design, materials, mass, and scale—and instead work alongside the applicant and planning staff to revise the plan into one that truly integrates into and complements the mass, scale, and design of Louisville's existing unique historic downtown.

Thank you,

Gail Hartman

Louisville, CO

Planning Commission

From: Debbie Haseman <hasemandebbie@gmail.com>
Sent: Monday, February 5, 2018 7:22 AM
To: Planning Commission
Cc: Debbie Haseman
Subject: Terraces on Main development

Hello Planning Commission,
I don't support the design for the Terraces on Main development in downtown Louisville. I don't like the straight vertical and horizontal lines right on the sidewalk and the on the sides of the second stories. I don't like the boring design of the windows. It is uninteresting and not the look that I want to have for our downtown. I have heard the architect say that the design follows the current code and respects downtown small town character. It may do this but it is following the mid-century design that should not be copied. Yes, the current old county building had that design, but why should be copy something so uninteresting. When I hear people talk about downtown they talk about how cute and charming it is. This design for the Terraces is not that. To me it looks urbanized, big city, sleek and industrial. It just doesn't fit in that space.

I also am concerned about the impact of the garage. Yes, I think underground would be good. That I think is a good idea, but what are the studies of impact for traffic patterns in the alley? And I also heard that there will be an extension into the alley. That is a small space back there. This doesn't seem like a good idea.

Please please don't allow this design to move forward. Ask for a new design for this development that fits with turn of the century design, that is cute and charming, that looks small town. This is so important.

Thank you,
Debbie Haseman

Planning Commission

From: Joel Hayes <hayesjoel@gmail.com>
Sent: Thursday, February 1, 2018 8:40 AM
To: Planning Commission
Subject: Proposed Terraces on Main

Dear Commissioners:

I write to oppose the proposed Terraces on Main project. I believe the 3-story design is incompatible with buildings in the area, and is particularly incompatible with the neighboring buildings. It would tower over all of the existing buildings along Main Street, and change the feel charm of old town Louisville. And it would to an already problematic parking and traffic flow problem.

I think it is understatement to say that that it would not appear similar in mass and scale to buildings found traditionally in the area. It would be a disservice to the people who have invested in restaurants, coffee houses, art galleries and other businesses in the area based on a old town entertainment scene. And it would eliminate the small downtown feel we love about Louisville.

Thank you for your attention to my letter.

Sincerely,

Joel Hayes
187 Harper St.
Louisville CO 80027

Planning Commission

From: Chris Hobbs <cshobbs@ameritech.net>
Sent: Saturday, February 3, 2018 3:48 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission - I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

Respectfully,

Chris

Chris Hobbs
216-346-2588

Planning Commission

From: Jessica Hogan <jhogan11@gmail.com>
Sent: Friday, February 2, 2018 12:04 PM
To: Planning Commission
Cc: Benton Hogan
Subject: Public Comment: Terraces on Main Building Proposal

Dear Commissioners,

We are 12 year residents of Louisville and believe that our historic downtown is critical to our culture, our unique community and our overall city health. The proposed Terraces on Main simply do not fit within our downtown -- the aesthetic will be completely wrong, the size will be incredibly large, dwarfing the adjacent buildings and it will post a major threat to the future of our downtown environment. This building, if approved, will signal to all developers that Louisville doesn't care to maintain our historic landmarks and everything is for sale. It's a slippery slope we should be wise to avoid.

Thank you and thank you for your hard work on behalf of our community.

Jessica and Ben Hogan
236 W Sycamore Lane, Louisville

Re: https://mailchi.mp/c3ba43adf7e6/neighborhood_meeting_87_houses_and_townhomes_proposed-1111969

--
Jessica Hogan
c 214.236.0984

Planning Commission

From: Nick Jacobs <nickongrant@gmail.com>
Sent: Monday, February 5, 2018 8:21 PM
To: Planning Commission
Subject: Main St Building Proposal

Dear Commissioners,
I am so pleased and truly excited to hear about the newly proposed development on Main St., next to Huckleberry. The third floor is a brilliant idea and so wonderfully designed. More density is needed in Old Town. People like me are seeking greater choice, more density, and diversity in our beloved town. I believe this project will deliver much needed office space, a huge restaurant and finally, underground parking!!! Even if the parking is private, it's the precedent-setting action of simply having it here that gets me so excited.

It is critically important that our town evolves just like our pioneering, coal mining first residents intended. Yes, they did intend for growth...that's why they came here. We must not fall prey to the people whose primary civic contribution seems to be screaming, "no," at everything and everyone. Please encourage more development of this size, density, type, and intensity before Old Town Louisville is leap-frogged by neighboring downtowns for doing the same. We are not immune to economic collapse or the chronic depression of our vibrant growth, to suggest otherwise is nonsense. The vast majority of Old Town residents desperately want more and better options for commerce in Old Town. All proprietors will benefit because it will draw more people, for longer periods, more frequently.

Please act with authenticity and intellectual honesty about our future.

Sincerely,
Nick Jacobs
1108 Grant Avenue

Lisa Ritchie

From: patsy <pjames7420@msn.com>
Sent: Thursday, February 1, 2018 6:35 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Dear Planning Commissioner

I hope you do not grant a building permit to the Louisville Downtown development of the three story commercial building in Historic Downtown building. It is massive, does not fit with the culture of downtown and does not fit with the overall growth plan for Louisville

Louisville is a charming small town and does not need a three story box in the middle of Main Street.

I was a long time residence of Louisville and really hate to see this type of development to go through. Progress is important, but not this massive development.

Thank you for your consideration and listening to the people who cherish Louisville.

Kindly

Patsy James
7420 Panorama Drive
Boulder County,

Planning Commission

From: E Kaufman <e3d.kaufman@gmail.com>
Sent: Sunday, February 4, 2018 7:58 PM
To: Planning Commission
Subject: Terraces on Main Project

Dear Planning Commission,

I support the Terraces on Main project. I believe this is what Louisville needs to stay vibrant and progressive in attracting people to live, work, shop, and do business in Louisville. Some things to consider:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

If Louisville doesn't change with the times, it runs the risk of becoming the early 2000's version of the Druid Arms, Senõr T's and Hickory Sticks. No one will want to spend money and time here. I trust you all to ensure current code compliance. Please move forward with this project and take Louisville into the future.

Thank you,
Elizabeth Kaufman
783 Orchard Dr
Louisville
720-891-3553

Planning Commission

From: Gloria Kirkpatrick <gloriaskirkpatrick@gmail.com>
Sent: Friday, February 2, 2018 9:18 PM
To: Planning Commission
Subject: Terraces on Main Street

To the Planning Commission,

I am in favor of going forward with Boulder Creek Neighborhoods building plan for the following reasons

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

Gloria Kirkpatrick
303-941-6158

Gloria sent from my iPad

Planning Commission

From: Jill Kranitz <jillkranitz@gmail.com>
Sent: Friday, February 2, 2018 12:00 PM
To: Planning Commission
Subject: 3 Story building on Main Street.

Please do not approve either the size of this building or the style. The size looks ridiculous in contrast to the buildings it is next two. Do we not care about the charm of this town that is part of what makes Louisville a wonderful place to live? As for the style, that too looks ridiculous. I think there must be a way to find something that matches Louisville.

It looks like this building wouldn't even have enough frontage space to match the size its size.

Again, PLEASE don't approve this building's size or style!!!

Thank you.

A concerned Louisville resident.

Jill Kranitz

Planning Commission

From: Michael Kranzdorf <mike@amterre.com>
Sent: Wednesday, February 7, 2018 10:51 AM
To: Planning Commission
Subject: February 8 Agenda

Hello,

I am writing in support of both proposals on the February 8, 2018 agenda. Clementine Commons appears to be a good use of the land on East Street. I do have a concern about the increased traffic on East Street, which is not very wide, and also at the intersection at Pine Street and East Street. Perhaps the city can find a way to keep that intersection moving more freely in the future.

Terraces on Main is a great reuse of the outdated structures at 712 and 722 Main Street. The return of the ground floor to retail use and the additional parking are very positive for the downtown environment. The third floor seems far enough from Main Street to be unobtrusive and will provide excellent office space for years to come.

Thank you,

Michael Kranzdorf
Amterre Property Group LLC

Planning Commission

From: Deb Kulcsar <debkulcsar55@gmail.com>
Sent: Thursday, February 1, 2018 7:04 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello
My husband and I moved to Old Town Louisville on Jefferson Ave 30 years ago. We had our lovely home put on the historical register to preserve the old town feel. We've seen too many homes that were scraped and now look like California.

After seeing the plan for the 3 story building smack dab in the middle of Main Street, I'm writing to request that any building in that spot at least LOOK like the rest of Old Town. That huge block would change the character, and if that's what Louisville is attempting to do, maybe that is the right style. But it looks like Boulder does NOW. The other building on Main the next 2 blocks north was enough of a change. AND — is that building even OCCUPIED?

I'm for reducing the height for sure. If Louisville is heading towards a more Boulder feel, then it looks like a nice building.
But it's doesn't lend itself to the old town feel of Louisville.

Thanks for reading.
==========
Deb Kulcsar, MS
Director, *Experiential Learning Associates*
Adjunct Faculty, *Red Rocks Community College*
Lead Challenge Course Facilitator, *West Pines Training Center*

http://experientiallearningassociates.org
http://www.facebook.com/debra.kulcsar
westpinestrainingcenter.org
https://www.facebook.com/ExperientialLearning

720-291-6390 cell
303-665-9381 alternate

MEMORANDUM

DATE: February 2, 2018

TO: Planning Commission

FROM: John Leary

SUBJECT: Terrace on Main PUD

Introduction

The decision on the Terrace on Main PUD is straightforward with a judgment laden decision process. It is straightforward as it essentially comes down to answering the question – Does it fit? It is highly judgmental as, aside from a few fairly objective criteria, there is no prescriptive basis for answering the question. Rather, the decision must be made by relying largely on aesthetic judgments.

This being said, there are a number of policies, standards, and laws that must be used to inform these judgments. It is not a decision to be made on a on the basis of personal ideologies.[1]

Decision Context

The PUD approval criteria in the Louisville Municipal Code interface with two City documents – the Downtown Louisville Framework Plan (Framework Plan) and the City of Louisville Design Handbook for Downtown Louisville (Handbook). The Framework Plan has been incorporated into the City's Comprehensive Plan and the Handbook has been incorporated into the Municipal Code.

Since the Framework Plan is part of the Comprehensive Plan, the PUD in question must be found consistent with it. One of the main issues for developing the Plan was "… the need to ensure that new development, redevelopment and restoration are in keeping with the historic scale

[1] There has been a perception in the community that, in the past few years, some Planning Commission members have eschewed using mandated criteria in favor of personal ideologies.

and character of the downtown area." [2] The first goal of the project for developing the Plan was: The "downtown should develop in a manner that enhances its traditional character." The Plan's first recommendation for action was to "develop formal urban design and architectural guidelines for the downtown commercial area that can be applied during the City's planned unit development (PUD) review process. These guidelines should ensure that the historic scale and character of the downtown streetscape is maintained."[3]

Based on this recommendation the Handbook was developed[4]. As with the Framework Plan, the Handbook dedicates considerable space to establishing the intent of the document. This creates a clear context and helps define the purpose of the standards and guidelines. The introduction contains the following "general standard for new construction: New interpretation of traditional building types are encouraged, such that they are seen as products of their own time and yet compatible with their old neighbors.
1) Historic details that were not found in Louisville are inappropriate.
2) However, using traditional proportions of height, width and depth are very important to be compatible with the established mass and scale of downtown Louisville."[5]

I have initially focused on the intent of these documents to emphasize their overall purpose. They exist for the main purpose of preserving the historical character of downtown Louisville and are integral to informing the judgments required by the Louisville Municipal Code (LMC) in determining the acceptability of PUDs in downtown Louisville. It is a mistake to focus solely on individual standards and guidelines and to essentially add up yeses and noes. The important thing is to look at them in the overall context of their purpose. Most of the standards and guidelines in the Handbook are not intended to be prescriptive as "they do not dictate solutions. Instead, they define a range of appropriate

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[2] Framework Plan p. 3.
[3] Framework Plan p. 5.
[4] The Handbook and Framework Plan were actually developed in roughly in the same timeframe. The Council adopted the Framework Plan and incorporated the Handbook into the Code in the "proper" order.
[5] Handbook p. 3.

responses to a variety of specific design issues."[6] Yes, some of the standards are mandatory, but it takes a combination of mandatory and voluntary to meet the purpose of the Handbook and to subsequently satisfy mandatory PUD criteria.

The City is solidly and purposely in the business of regulating design, mass, and scale in downtown Louisville. Hopefully, you will believe this to be obvious. However, in the past, it has not always been the view of some members of the Planning Commission.

Municipal Code PUD Requirements Relating to Handbook

17.28 of the LMC practically trips over itself making it clear that standards and guidelines in the Handbook must be considered in considering a commercial PUD. Moreover, it sets a very high standard for "waiving or modifying" standards by requiring a project must first meet the requirements of 17.28.110 and consequently the "spirit and intent" of the criteria in 17.28.120. This is a very high standard as some of these criteria outweigh standards and guidelines found in the Handbook.

The predominant issue in deciding the acceptability of this PUD is that of mass and scale. The following Handbook policy addresses this issue: "The mass and scale of buildings in downtown Louisville are among the greatest influences for compatible construction in the community. The height, width and depth of a new building should be compatible with existing buildings in the area and especially with those structures that are immediately adjacent to a project. The scale of a building also should relate to its lot size and placement on the lot."[7]

A number of Handbook standards address this issue. Below is a list of key standards followed by an assessment of how well they are met by the Terrace on Main proposal.

1) G1. "All projects should respect the traditional context of downtown."

[6] Handbook p. vii.
[7] Handbook p. 24.

Despite some attempts to mitigate the mass and scale of this building it clearly is not close to traditional buildings. From most street views[8] the building will not approach looking traditional.

2) G20. "New construction should appear similar in mass and scale to structures found traditionally in the area."

(Assessment same as G1).

3) G21. "A larger building may be divided into “modules” that reflect the traditional scale of construction."

The applicant makes a good faith effort to use this standard. However, the third floor creates a “cap” that unifies the appearance of the building. The modular effect is essentially negated.

4) G34. "The ratio of windows to wall surface should be similar to that seen traditionally. Guideline 1) under this standard states “large surfaces of glass are inappropriate on residential structures and on the upper floor of commercial buildings."

The third floor of the building violates this standard.

5) C6."If a third story is to be used, it should appear as a subordinate addition to a two-story building. Guideline 2) The third story should be setback substantially from the sidewalk edge such that the buildings will appear to be two stories in height as seen from across the street."

The third story setback does not eliminate the ability to see the story from across the street. The building design ensures that, for half the building, most of the third story will be visible and it is

[8] This building would look humongous from the sidewalk across the street. Additionally, the street view also includes views from sidewalks on all sides of the proposed building. For example, the view from the sidewalk between the Lucky Pie and Main Street would also be extremely impacted.

unlikely the other half will be blocked by the modular two story structures.[9] Furthermore, as can be seen in the north and south views of the structure, as one approaches the building, from either direction on the sidewalk across the street, the third story is clearly visible.

The Framework Plan also addresses the third story issue. It contains the following policy: "Permit development at a two story scale with three-story buildings permitted when defined goals are achieved. These goals could include providing public spaces such as plazas or outdoor dining areas, providing public art and meeting defined historic preservation goals.

To my knowledge, there has never been a delineation of goals in response to this policy. As discussed earlier, the Framework Plan called for the development of "urban design and architectural guidelines" that "should ensure that the historic scale and character of the downtown streetscape is maintained."[10] Given this direction, I believe it is safe to say the Handbook philosophies and standards reasonably express the goals for downtown Louisville.

<u>Municipal Code PUD Plan Criteria</u>

17.28.050 and 17.28.110 of the LMC, in combination, allow standards and guidelines from the Handbook to be waived by the City Council, but only if the criteria in 17.28.120 are met. 17.28.120 contains the criteria for approving a development plan.

17.28.120. A 1,8 and 11 apply to the Terrace on Main development plan. A.1 and A.3 deal with related issues. A.1 requires the proposed building to have "an appropriate relationship to the surrounding area. A.8 requires the building to have an appropriate "site relationship and bulk."

The mass and scale of this building is far in excess the buildings on either side of it. It would totally dominate the row of buildings in which

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[9] There are no to scale drawings from "across the street" in the applicant's proposal.
[10] Framework Plan, Page 5.

it would be built. Furthermore, it would exceed the height of any other building in the downtown area. Criteria A1 & A3 are not met.

A.11 requires the plan to comply with "all applicable design standards and guidelines... This creates an interesting "catch 22," as this criterion cannot be waived unless it is met. As has been demonstrated above many of the standards have not been met.

Part B of 17.28.120 requires the project, as opposed to Part A which deals with the plan, to be consistent with a set of criteria and guidelines. [11]

B 1 and 15 are relevant to this project. B.1 requires the development to "be in accordance with the adopted elements of the comprehensive development plan of the city, and in accordance with any adopted development design standards and guidelines." As discussed above this criterion has not been met.

B.15 states "architectural design of buildings shall be compatible in design with the contours of the site, compatible with surrounding designs and neighborhoods, shall promote harmonious transitions and scale in character in areas of different planned uses, and shall contribute to a mix of styles within the city." Based on above discussions, this criterion has not been met.

<u>LMC Zoning Requirements</u>

Early in this memo I dwelled on the issue of this decision being a mixture of aesthetic judgments and compliance with the spirit and intent of documents created to inform your decision. The way the zoning ordinance deals with height restrictions in downtown Louisville fully demonstrates this relationship. Footnote 10 in 17.12.040 of the LMC leaves the issue of heights to the discretion of the City Council. The footnote reads: "... As part of any subdivision or development plan approval, the city council may require a lower maximum building height within such commercial Core Area or Transition Area of Downtown Louisville based on application of criteria set forth in titles

[11] For the matter at hand, this appears to be approaching a distinction without a difference.

16 and 17 and the Design Handbook for Downtown Louisville, and in order to ensure varied building heights and the appearance of a two-story building mass from the street pedestrian scale."

The message here, is that taking certain pieces of information into account, the City Council can set building heights that would accommodate the need for varied building heights and ensuring no building looks taller than two stories from the street.

In sum, there is no "height by right" in downtown Louisville.

Summary

Preserving the historical character of downtown Louisville is a high priority for the City of Louisville. Our leaders have, over the pass 20 years, demonstrated this by putting in place policies and requirements to achieve this goal. The citizens of Louisville have backed up this goal by twice taxing themselves to help preserve the character of our downtown. At the same time we have, as a City, recognized there will be change in the downtown area and it your responsibility to guide that change in a way that is consistent with established policies and regulations.

To sum up, despite all of the above verbiage, the issue before you comes down to answering the simple question I began with. Does it fit? I think not.

Planning Commission

From: Ron LoSasso <etz74@yahoo.com>
Sent: Friday, February 2, 2018 3:08 PM
To: Planning Commission
Subject: 3 story Main Street plan

We are not in favor of this plan.
Ron LoSasso
498 Eisenhower Dr

Planning Commission

From: Jeffrey Lucas <JLucas@baronproperties.com>
Sent: Tuesday, February 6, 2018 8:14 AM
To: Planning Commission
Subject: Letter in Support of New Boulder Creek Neighborhoods Building

Planning Commission Board Members –

I recently wrote a letter to Council in favor of the Voltage building proposal on Main Street. Since it captures my feelings about the proposed Boulder Creek Neighborhoods building so well, I will reiterate my sentiment below:

I am writing in regard to the proposed Boulder Creek Neighborhoods on Main St. As a member of the DBA and devoted resident of Historic Downtown Louisville, I am in full support of the proposal. A failure to foster growth, innovation, and job creation in our community would be a huge detriment to all Louisville citizens. The Planning Commission has a duty to uphold the best interests of the community, and there is no doubt that halting business development and progress in Historic Downtown is in direct opposition to this charter.

Surrounding cities such as Lafayette, Erie, and Longmont are competing to attract businesses, citizens, and a prized reputation. In many instances, such as Retail, these communities have began to outcompete Louisville. If this continues, Louisville's reputation, vibrancy, and character are at stake.

I am 28 years old and have owned property in Old Town for 2 years. I intend to be here for many more decades, and have faith that the unique buzz of our community will only grow over time. However, the prejudice against change and progress must stop. I urge you to make the right decision and support, not only the Boulder Creek neighborhoods PUD proposal, but all future commerce and development in Old Town.

My very best,
Jeff

Jeffrey Lucas
Baron Properties | Mountain West Industrial Properties | Liv URBN
1401 17th Street, Suite 700
Denver, CO 80202
(719) 640-5828 – mobile

Planning Commission

From: Terry Lynch <tlynch11@gmail.com>
Sent: Tuesday, February 6, 2018 6:31 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Members of the Louisville City Planning Commission;
Please do not approve the Terraces on Main development.
I believe this new building would change the character of Main Street, one of the city's greatest assets.
Louisville has enough development that falls within the current guidelines, making exceptions opens up a "bag of worms" and encourages other developers to spend time and money planning a development which will cost the city time and money to review.
Thank you,
Terry Lynch
1117 1/2 La Farge Avenue
Louisville, CO 80027

Lisa Ritchie

From: Jules Marie <ecowriter@yahoo.com>
Sent: Thursday, February 1, 2018 7:24 PM
To: Planning Commission
Subject: 3-story building feedback.

Scale it down! Geez! What is with the commission? The fact that the design is this far along tells me the writing's on the wall and it's a done deal. It's completely ridiculous that it's even gotten this far.

How about you say no and don't suck up to whomever is trying to persuade you to say yes to this deal. Just say no!

We have got to stop trying to make Louisville like every other town. Louisville is losing its charm due to construction ideas/projects like this that don't even begin to fit our homey downtown image. Delo's "Monopoly-like" homes detract even further. Don't blast me with a NIMBY response; that's not what this is about. I'm all for growth when it's planned well and fits with the character of the town and this project does NOT fit with Louisville's character, IMHO. If we say yes to this design, it'll be a snowball effect.

Please say no. Do not succumb to peer pressure; we do not need a building of this height in downtown. Please think this through and say no to this ridiculous project.

Thank you.

Jules Marie

Planning Commission

From: Michael McClure <michael.mcclure.inc@gmail.com>
Sent: Sunday, February 4, 2018 2:56 PM
To: Planning Commission
Subject: Boulder Creek Redevelopment Project

I am a Louisville resident in support of the Boulder Creek offices on Main Street in Louisville being redeveloped according to the plans on the website, including the 3rd story.

More parking is great, and more people working downtown helps support the local restaurants at lunch and dinner, etc.

I think having it look new is a good idea - new buildings trying to look old end up looking neither. I used to live in Denver and areas like Mayfair, Wash Park, and Cherry Creek have mixed old and new nicely.

We already have a 3 story building on Main Street and I don't think another will harm anything.

--
Michael McClure michael.mcclure.inc@gmail.com **303.807.3210**

Planning Commission

From: Vickee McFarren <vickeemcfarren@gmail.com>
Sent: Sunday, February 4, 2018 12:00 PM
To: Planning Commission
Subject: 712-722 Main St, Louisville CO 80027

I am in support of the proposed building by Boulder Creek Neighborhoods. The 3rd story setback keeps the old feel, and if their parking is as promised, will not adversely affect the neighborhood too much. Yes, there will be a bit more traffic. I do believe the employees will shop/eat/be a benefit. As a person who goes to downtown Louisville frequently, I agree with all the bullet points below:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

Respectfully submitted,

Vickee McFarren

689 Flagstone Place

Superior, CO 80027

Lisa Ritchie

From: Tommi McHugh <tommibeth@gmail.com>
Sent: Thursday, February 1, 2018 7:56 PM
To: Planning Commission
Subject: Proposed Terraces on Main

Planning Commission Members,
I am so saddened by the continued growth and development in our town and how it is impacting the quality of life. As a resident of Old Town I see daily how the parking, congestion, and general feel of our "small town" has already changed drastically in the past 10 years. Small homes are being replaced by huge homes that do not at all fit in with what original homes look like. New developments are popping up so constantly that I no longer feel like I live in an oasis surrounded by a sea of development. I now live in the midst of that development.

Can we please work with a rationale that limits the desire to grow, and instead work to truly preserve what makes our town so special? The proposed building would greatly impact our town. If we allow one three story building, it will quickly become the trend to build all buildings even bigger, and taller. Where will all these people park? The building that is there is certainly not of great historical significance, but the proposed building would so greatly impact even further the look and feel of our town. Let's work towards the preservation of what made Louisville the best place to live, and stop trying to cash in on that by replacing that special look and feel with more people, and development.

Thanks for your time and your work to keep Louisville great. I appreciate all you do, and the time you give.

Tommi McHugh
700 Lincoln Ave

Michael B. Menaker
1827 W. Choke Cherry Drive
Louisville, Colorado 80027
303.665.9811
michael@hostworks.net

February 3, 2018

Dear Chairman Brauneis and Planning Commissioners:

I will be unable to attend your meeting on February 8th, but wanted to share my thoughts and comments on the "Terraces On Main Street" project.

A small group (truly less than a dozen folks) have been circulating an alarmist and distorted representation of this project in an attempt to stir up public angst and anger. Using a technical elevation that is not representative of real world views and total square footage numbers, this is an attempt to present the Terraces as some kind of gross outlier and unacceptable to Louisville.

Nothing could be further from the truth. As detailed in your meeting packet:

- The 3rd story is set back 49 feet from the street and less than half the size of the main floor to minimize mass.

- Of the total square footage (37,171sf) –10,754sf is in the parking garage, and 5,560sf plus half of the parking garage is basement space – invisible from the street.

- The Main St. façade is divided into sections which are similar to traditional downtown buildings.

- Half of the building is one story to accommodate the existing historic building that is home to the Huckleberry.

You will hear much about “compatibility” and “character”. That discussion should recognize that most of the block is comprised of old, non-historic structures that may well be redeveloped themselves in the future. Should the design of the Terraces be held hostage to – as an example - the old Black Diamond, now home to The Melting Pot? I think not. Is the building now home to the Double Happy an architectural treasure?

Compatibility with the future is as important as compatibility with the present.

As to “character”. I find that the character of downtown is defined by the people in the buildings more than the buildings themselves. Creating a new place for a daytime population downtown that will work, shop and dine there will do nothing but add to the character of downtown and the success of our local businesses

I find the “The Terraces On Main Street” to be welcome and needed addition to Louisville. The third story allows for retail uses at street level, it’s design respectful of its historic neighbor to the South, its new tenants welcome by all downtown businesses, and its accommodation of all required parking on site commendable.

Let me leave you with two thoughts:

- Louisville is not, and never should become, a museum. We should always aspire to be a dynamic, vital and evolving community.

- We need not deprive the present (and the future) in the name of protecting the past. Let us not confuse history with nostalgia – successful communities change over time.

Thank you all for your consideration.

Sincerely,

Planning Commission

From: Leslee Miller <lesleem_21@icloud.com>
Sent: Sunday, February 4, 2018 4:05 PM
To: Planning Commission
Subject: New downtown development

Dear Planning Commission - I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code

Leslee Miller
2150 Charles Lane
Louisville

Sent from my iPhone

Planning Commission

From: Debbie Moguillansky <dmoguill@gmail.com>
Sent: Friday, February 2, 2018 8:41 PM
To: Planning Commission
Subject: Support for Terraces on Main

Hello, I am a Louisville resident and live near Fireside Elementry school. I wanted to express my support for the Terraces on Main project. It will add more retail/restaurant space to the street while also allowing businesses to stay local in Louisville. I think having more retail space will be very valuable and will bring more people to our lovely little downtown and expand our economy.

Thanks for considering!
Debbie Moguillansky

Planning Commission

From: Richard Morgan <richardmorgan644@gmail.com>
Sent: Saturday, February 3, 2018 1:39 PM
To: Planning Commission
Subject: I support The Terraces on Main

Good afternoon, Planning Commissioners.

I am a 20 year resident of Louisville. I live at 644 W. Pine Street.

I'm writing you today to express my full support for the Terraces on Main, a new development by Boulder Creek Neighborhoods, a Louisville business. They have designed two beautiful buildings that respect the character and culture of historic downtown, while also adding maximum utility.

I would ask that you give consideration to the following strong project details:

1. Boulder Creek Neighborhoods intends to consolidate their employees into this new office space, which will make available new downtown office space for other tenants.

2. Consolidating employees into this location will increase demand for local retail businesses and restaurants, which is sorely needed.

3. The architectural design, especially the 3rd floor set back, respects the small town character of Louisville and adheres to current code.

4. New office space will be located on the upper floors thereby returning the street level to new retail uses.

5. Required parking will be conveniently located under the building.

Boulder Creek Neighborhoods is a valued local business and employer. I support their desire to activate this current "dead" space on Main Street. Thank you for giving their project your full and fair consideration.

Most sincerely,
Richard

_____
Richard Morgan
303.956.8188 (cell)

Planning Commission

From: mrgnfmly3 <mrgnfmly3@aol.com>
Sent: Thursday, February 8, 2018 5:15 PM
To: Planning Commission
Subject: The Terraces on Main

Good afternoon members of the Planning Commission.

My name is Margaret Morgan. I live at 644 W. Pine St. I'm writing you today to express my total support for the project known as The Terraces on Main.

I believe you should give this thoughtfully designed project your full consideration and approval given some of its primary business and design attributes to include:

1. Although it's a 3-story building, the 3rd floor is set way back off the street. Moreover, required parking will be under the buildings.

2. Boulder Creek Neighborhoods, the owner, intends to consolidate its employee base (80 employees!) to downtown Louisville. No doubt, this will have very positive impact on local business receipts and the City's retail sales tax revenue.

3. The existing 70's era, single story office buildings are an eyesore! Boulder Creek's design activates the extremely important Main and Pine intersection, and returns the street level back to a retail use.

4. Finally, Boulder Creek's design respects the character of downtown Louisville and conforms to current building code.

Boulder Creek Neighborhood is a respected and valued local Louisville business and employer. I support this building concept and this business.

Thank you for your attention to this request.

Most sincerely,
Margaret Morgan

Sent from my Sprint Samsung Galaxy S7.

Planning Commission

From: Susan <susankmorris@gmail.com>
Sent: Thursday, February 8, 2018 7:22 AM
To: Planning Commission
Subject: Main Street proposal

I think the three story building proposal for Main St is a very bad idea. It is important for the Louisville downtown to maintain its very individual look. This proposal does not support that concept.
Please vote no for this proposal.
Thank you
Susan Morris
939 West Maple Court
Louisville

Kristin Dean

From: Rob Zuccaro
Sent: Friday, February 9, 2018 10:32 AM
To: Kristin Dean
Subject: FW: Feedback for City of Louisville, CO

Robert Zuccaro, AICP
Planning & Building Safety Director
City of Louisville
rzuccaro@louisvilleco.gov
303-335-4590

The Department of Planning & Building Safety is collecting feedback to improve our customer service.
Please let us know how we are doing by completing this short survey!

From: info@louisvilleco.gov [mailto:info@louisvilleco.gov]
Sent: Friday, February 9, 2018 10:13 AM
To: Citizen Inquiries <info@louisvilleco.gov>
Subject: Feedback for City of Louisville, CO

You have received this feedback from John Myers < jmyers@accountingworksllc.com > for the following page:

http://www.louisvilleco.gov/government/city-council/councilmember-dennis-maloney-ward-iii

I read the article in today's Daily Camera concerning the approval of the new building on Main Street with great interest. The Daily Camera included a rendering that significantly minimizes the mass of the new building in relation to the adjacent buildings. The large expanses of glass seem to be out of character with other buildings in the area. I certainly am no fan of the existing buildings at the site, but I feel the replacement building is too big. The Boulder Creek Neighborhoods 80 person workforce might be better served by locating in the CTC. John C Myers 229 S Cleveland Avenue 303.913.8590

Planning Commission

From: Emily Norman <emilyrebeccanorman@gmail.com>
Sent: Thursday, February 1, 2018 10:56 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hi,

Thanks for asking our input.

To me this feels a lot like what Boulder did on the west end of pearl. Going from an open and charming historic feel to much taller and more modern feel. Personally I take me really sad. The west end of pearl no longer feels like pearl anymore. And I really worry that the same thing would happen to downtown Louisville in this instance. Taller might be ok if it was built to fit in with the other building but not the way it is in this design.

Please ask for another proposal that helps us keep what we and so many others love about our downtown, that we keep our historical charm even with modern going up all around.

Thanks
Emily Norman

Planning Commission

From: Kerry Norman <kerry.j.norman@me.com>
Sent: Sunday, February 4, 2018 3:41 PM
To: Planning Commission
Subject: 712-722 Main Street development

Dear Sir/Madam,

I have just come across initial images of the 712-722 Main Street redevelopment. While the addition of the third story (with its set back) actually doesn't bother me with this building, I must comment that the first two stories of this building are quite an eyesore. I feel these would be quite a blot of the architectural aspect of small town Louisville. It is unimaginative modernistic architecture at its worse.

I would encourage the planners to reject this proposal and to promote architecture more in keeping with small town Colorado and less in keeping with Metro Denver (which is what the style reminds me off).

Thank you for you consideration.

Kerry Norman
195 W Elm St.
Louisville.

Lisa Ritchie

From: Don Parcher <donparcher@gmail.com>
Sent: Thursday, February 1, 2018 8:24 PM
To: Planning Commission
Subject: Proposal for 3-story building at 712 & 722 Main St.

I think the proposal for 3-story building at 712 & 722 Main St. would be terrible for Louisville. Please reject it.

Don Parcher
378 Grouse Ct., Louisville, Colorado
HomeCare of the Rockies caregiver
Citizens' Climate Lobby volunteer
BoulderNet co-organizer
Red Cross volunteer (Boulder/Broomfield Disaster Action Team Jurisdiction Lead & Captain, and, Response On Call Officer)
TimeBank Boulder (formerly SkillShare) volunteer member of Board & Membership Committee
BoCoDems Precinct Leader
BoCoVOAD (Voluntary Organizations Active in Disaster) participant
BoCoStrong participant
Boulder County Adult Protection Review Team member

Planning Commission

From: sharon pauley <confidence1638@gmail.com>
Sent: Friday, February 2, 2018 9:39 PM
To: Planning Commission
Subject: proposed 3 story design for Main Street

I like the proposed design. While Louisville has a history it also has a future. Louisville already has a couple multistory buildings in the Main Street-Front Street business area and the new development east of the railroad tracks which are modern and welcome. I believe this design will be appealing from street level. Please approve this building so that our business district can grow with our town.

Sharon Pauley
Ward 2

Planning Commission

From: Sandra Penoucos <sspenoucos@comcast.net>
Sent: Tuesday, February 6, 2018 2:40 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

To the Louisville Planning Commission members,

We understand that you are open to resident input regarding the Terraces on Main proposal, and we would kindly ask that that this project **NOT** be approved.

From what we have seen, the proposed building appears totally out of scale and out of character with our existing, picturesque Main Street. Its size seems massive, compared to other neighboring shops, and do we really want office space to be the dominant feature in our architecturally unique downtown? We were attracted to Louisville by it's small town charm. The downtown area, in particular, attracts walkers, outdoor dining and family activities and visitors precisely because of this unique flavor, not found in other nearby communities. The addition of a 3-story modern design seems like just another mass-produced urban structure that would detract from the quaint feeling of Main Street, Louisville. Perhaps such a building would be better located on Front Street, where the library and other similar buildings are already standing, or on the other side of the railroad tracks, where the more modern style is seen in abundance.

PLEASE, let's keep the size and architectural style in line with our existing shops and eateries on Main Street! We love historic downtown Louisville, and there is plenty of room for new building outside the charming historic district. Let's preserve what we have!

Thank you for considering our input.

Sandy and Hector Penoucos
1929 Patti Lane
Lousiville 80027

Planning

Subject: FW: Terraces on Main, Boulder Creek Project at 712-722 Main Street

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From: Bryan@trailheadwm.com [mailto:Bryan@trailheadwm.com]
Sent: Monday, February 5, 2018 4:44 PM
To: Planning <planning@Louisvilleco.gov>
Subject: FW: Terraces on Main, Boulder Creek Project at 712-722 Main Street

To Whom it May Concern,
As a fellow business owner in downtown Louisville, I am in support of the proposal below being approved. It's a very thoughtful plan and design and I believe it promotes the values of our great community.

Thank you
Bryan Pieper

SERVICE ADVICE SIMPLICITY

Bryan J Pieper, Partner, Senior PIM Portfolio Manager
Trailhead Wealth Management, LLC
www.trailheadwm.com
Map and Directions
801 Main St., Ste 300
Louisville, CO 80027
Phone: 720-625-3300, Fax: 720-625-3349

Please look to our website for up to date stock quotes:
http://www.trailheadwm.com/marketwatch.cfm

2-2-2018 Terraces on Main Louisville, Colorado

Dear Planning Commission:

Thank you for the opportunity to provide one property owner's feedback to this proposed project. I have read the applicant's narrative, and generally looked at the drawings. Here is our input:

We feel the general proposed design concept makes sense to add a storey or two and give the Owner the opportunity to generate better Main Street first floor facade and floor space to accommodate uses to engage the public. However, you should deny this proposed design because it is not in compliance with the Design Handbook for Downtown Louisville as follows:

1. **The north 1/2 of the West Facade** comprised of a pair of 2-Storey storefront facades ***does not reflect a "Traditional Commercial Storefront and False-front Commercial Facade" for the pedestrian as recommended throughout the handbook.***
   (Reference Handbook pages ix, 2, 15, 25, 26): The proposed design's subject storefronts look more like Cherry Creek or Boulder's 28th Street Contemporary Commercial. The Handbook page 25, G24 recommends "...new design that draws upon the fundamental similarities among traditional buildings without copying." The brick Candy Store on Front Street just north of Pine and the Beauty Salon-Eye Care Shop just south of Moxie are good examples of executing this recommendation. Traditional "elements and forms" of a storefront facade can be achieved while still being in the "Mid-Century style" the Designer is recalling.
   (Reference Handbook page 2): "Avoid clutter, lead eye to the goods and services inside..." ***instead, the proposed designs facade is more about the ritzy architecture, nice looking, but inappropriate and not respecting the "Traditional" context of this very important Old Town Main Street.***
   (Reference Handbook page 26): G27: Avoid stylistic details that confuse the history of Louisville." Again, the stylistic 2-Storey storefronts with the IPE grille and non-distinction between pedestrian street level storefront and the 2nd storey windows ***do not convey a "Traditional" reference to the History of Main Street Louisville.***
   (Reference Handbook page 26 & 33): G26: "Building components should be similar in scale to those used traditionally." Anodized aluminum storefronts are not "Traditional". Rather a Ground Level painted wood storefront is "Traditional" and more respectful of the neighboring Main Street Storefronts.
   (Reference Handbook page 33): "...a horizontal band of molding separating ground floor from upper floor with cornice...harmonious in form, material and scale..." is recommended, ***and the proposed design does not comply with such.***

2. **Mass, Scale, Heights and Form:**
   (Reference Handbook page 24): "..such new building should be compatible with existing buildings in the area, *especially* those directly adjacent...." The very large3-storey two blocks to the north is not adjacent to this building. And, that building does not look reasonably scaled to be respectful of the average Main Street Building let alone be compatible with the Huckleberry or The Singing Cook and Book Cellar. Realizing that someday those Owners may propose to also build up, the question is how big is too big for a building in this Main Street zone?
   (Reference Handbook page 24) G21: "A larger building may be divided into "modules" that reflect the traditional scale of construction." ***This proposed design could benefit from treating the north 1/2 of the upper levels differently from the south 1/, and thereby break the scale of the building down in mass to help diminish the bulk and to help it fit better into Downtown Main Street.***
   (Reference Handbook page 36) C6: "...3rd Storey if used should be a "subordinate" addition to a 2-Storey building. " and, "...(2) 3rd Floor setback substantially from sidewalk edge such that the building will appear as a 2-Storey from across the street. The proposed design does not insure that you will not see the 3rd storey from Moxie, Lulus, Blue Parrot and the Lucky Pie. ***Therefore, it is not in compliance with the Handbook.*** It is

possible to reduce the height of the storefront to be consistent w/ Huckleberry and Book Cellar-Singing Cook as well as ceiling and floor to floor heights a bit so as to reduce the overall height and scale of the building. As the Handbook says, maintaining a smaller mass and height is part of the charm of our current small town Main Street character and ambiance that attracted many of us in the first place.

3. **Balance of the Facades:**
(Reference Handbook page 28) G34: "The ratio of windows to wall surface should be similar to that seen traditionally. 1) Large surfaces of glass are inappropriate on residential structures and on the upper floors of commercial." 2) For commercial type buildings in the Core Area a solid-to-void ratio of 1:2 is appropriate. ***Therefore, this proposed Design's Ground floor storefronts and Upper level facades do not comply with the Handbook.***

What we find to be attractive about the proposed design:

A. **Parking**; If all the required parking is provided on site, this is a big plus and will help in reducing some folks urge to build a big, unsightly, and costly 250 car parking structure in some other person's neighborhood. If in the future autonomous cars and the use of so many personal cars diminishes and *some of the parking is not needed*, then conversion to usable space in lieu of parking may be advantageous to Owner and or City. However, cash- in- lieu of concept for inadequate on- site parking ***is not fair to those who then have to shoulder the burden of someone else's responsibility.***

B. **The south 1/2 of the West Facade** complies with the Handbook in respecting the "Mid-Century" existing building being replaced, however the Handbook also recommends against setting the facade back from the property line. We believe the design is to be commended for respecting the original building setback here while providing as the narrative says outdoor seating within its property line. This is something we have always felt is the responsible solution to alfresco eating as opposed to robbing parking spaces and creating a Mardi Gras atmosphere type of pedestrian gauntlet with dining and alcohol into the public zone which is supposed to be for the public domain; street and public sidewalks zone. This project has the opportunity to set a good example to show how to accommodate such alfresco dining/drinking all within their own property line, still open and inviting to pedestrians.

In Conclusion: While we would rather the Main Street improvements slow down, and we worry about more congestion and debatable need for parking, we respect the property owner's rights and the creativity of the designers to satisfy the owner's needs. We feel the same way about this proposed project as we do about the yearly growth of the street fair chaos (except that last year the tuning back was a good change, thank you.). So, please consider the needs of the pedestrian as well as the Owner. Please deny this proposed design until the following are corrected:

- Revise the north 1/2 pair of two-Storey Storefronts per the Handbook.
- Reduce the height and mass of the 3rd Storey to be hidden to the pedestrian across the street per the Handbook.
- Better modulize the 2nd and 3rd Storeys and Correct the ratio of Solid to Window per the Handbook.
- Maintain the required parking on site with no possibility of shifting such responsibility.

We hope our input is helpful, and thank you for your consideration.

Respectfully,
Tom Rafferty Diane Rafferty
Tom and Diane Rafferty 945 Rex Street

Planning Commission

From: Kim Regier <kfr1014@gmail.com>
Sent: Saturday, February 3, 2018 7:29 AM
To: Planning Commission
Subject: Terraces on main

Hi,
I saw the proposed drawings for Terraces on Main and I would like to suggest that the building be redesigned to appear in line with the historic buildings of downtown.
Thank you for your consideration,
Kim Regier
294 Matchless St.
Louisville, CO

Sent from my iPad

Planning Commission

From: s ross <sross_3@hotmail.com>
Sent: Sunday, February 4, 2018 4:45 PM
To: Planning Commission
Subject: Proposed new building on Main Street

Dear Commissioners,

While I support replacing the old county building, I do not like AT ALL the design of the proposed building. It is so blah, and does not provide pedestrian interface, and will detract from the character of our charming Main Street. Please have the architects design something that works better with our town, since that building will be there for a hundred years. It is simply awful.

Sincerely,
Sandra Ross
501 Spruce Street
Louisville

Planning Commission

From: Janetta Shepard <jasheron@comcast.net>
Sent: Tuesday, February 6, 2018 7:19 AM
To: Planning Commission
Subject: Terraces on Main proposed project

Our family has lived in Old Town Louisville for the past 24 years. While we are disturbed about what's been happening to the residential character of Old Town over the past few years, but these are private residences - not structures under control of the City

We are not opposed to development of the downtown, and in fact wholly support any development project that adds to the vibrancy of our downtown area. That said, we were taken aback by the super-modern architectural rendering of the proposed three-story Terraces on Main commercial building on Main Street. It looks like a building you'd find in the downtown of a major city - certainly not in the heart of a historic mining community. Can the city not find an architect that can incorporate modern features into a design while remaining sensitive to preserving the historic look and feel of a former mining community?

While modern structures may be appropriate for development east of the RR tracks (as everything there is new and modern), as long-time Old Town homeowners, we are opposed to erecting a steel girder and glass modern building that will certainly dominate Main Street.

Please consider having the architectural firm head back to the drawing board to come up with a building that truly will enhance and reflect the historic character of Louisville.

Janetta and Lance Shepard
600 Short Street
Louisville, CO 80027

Lisa Ritchie

From: Paula <pjslick32@comcast.net>
Sent: Thursday, February 1, 2018 3:39 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello,
I have lived in Louisville 13 years. I value so many things about our downtown. While I understand that we need to be progressive about bringing business to downtown, I believe this building would be a mistake. The value of our homes depends on the "feel" of Louisville. This is the one block that gives the signature historic feel to our downtown and it is where most newcomers come to see the real Louisville, to gauge the feel of the place. That four-way stop is the place most people identify with Louisville. Please do not allow this too-large building with the wrong visual feel to be built. I am depending on you to listen to the public input that I am sure will flow in and to do the right thing for all of us. This is not the right thing.

Thanks for your time and service,

Paula Slick, 410 West Street

Lisa Ritchie

From: Kurt Soderberg <kurt_soderberg@yahoo.com>
Sent: Friday, February 2, 2018 11:07 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Dear planning commission members,
I am writing about the proposed Terraces on Main and would like to share my opinion as a member of the Louisville community. This is the first time I've ever written to a planning commission, but I feel very strongly about the character of Louisville and have a desire to retain it as much as possible.

Let me first say that I love the idea of transforming that space to make it more functional for the community by adding retail space on street level. If done properly this can add tremendous value to a prime location which currently provides minimal benefit to the community.

As far as the design goes, I don't believe that the mass and scale as well as the architectural style fits the character of downtown Louisville. The mass and scale in the drawing illustrates how poorly it fits on the block. I am not familiar with the height restrictions in that zoning area, but in my opinion a two story building would be more suitable for that location.

The architectural style, while nice in the right location, doesn't quite fit in with the style of Louisville and the character of the older establishments along the Main Street corridor.

I ask that you reject this plan and ask the developers to listen to the desires of the community and make another attempt at a design. It is my hope that the developer can find a way to make it work financially for them while fitting in better with its surroundings and reflecting the character of our town.

Best Regards,
Kurt Soderberg
962 W Willow Street

Planning Commission

From: Kimber Spradlin <kimber.spradlin@gmail.com>
Sent: Thursday, February 1, 2018 7:13 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

I am very opposed to a 3 story building on Main St, it will destroy the historic character. We already have the too-new looking building at the other end of the street. Renovating the brown brick building that used to have county offices makes sense - it's clearly not historical and not attractive - and I can see a 2 story building in it's place, but not 3.

Regards,
Kimber Spradlin, Louisville Resident.

February 3, 2018

Louisville Planning Commission
749 Main Street
Louisville, CO 80027

RE: Proposed Terraces on Main project
Hearing date: February 8, 2018

Dear Planning Commission members,

Downtown Louisville is a special place. It is special because of its sense of place, and historic character. Our elected officials and residents agree there is a character which contributes to this feeling and is part of the economic success of downtown. When asked, most people point out 3 buildings on Main Street (all constructed prior to 2000) which do not contribute to this character and in fact detract from downtown's character. Recognizing the threat of inappropriate development and its impact to the town the City developed design standards and guidelines to maintain the downtown character and to prevent incompatible development.

The downtown design standards, policy's, and associated changes which were made to the Municipal Code requires new development to be compatible with the adjacent properties and its context in historic downtown. Regarding mass and scale the city policy states:

> *Policy: Mass and Scale "The mass and scale of buildings in downtown Louisville are among the greatest influences for compatible construction in the community. The height, width and depth of a new building should be compatible with existing buildings in the area and especially with those structures that are immediately adjacent to a project. The scale of a building also should relate to its lot size and placement on the lot."*
> *(page 24 Design Handbook – highlight added)*

Also, LMC Sec. 17.12.040. - Yard and bulk requirements, regarding building height, and 3rd stories:

> *"As part of any subdivision or development plan approval, the city council may require a lower maximum building height within such commercial Core Area or Transition Area of Downtown Louisville based on application of criteria set forth in titles 16 and 17 and the Design Handbook for Downtown Louisville, and in order to ensure varied building heights and the appearance of a two-story building mass from the street pedestrian scale." (highlight added)*

Concern:
The proposed building's first and second stories provide varied building heights along this block of Main Street and are well modulated and designed. However, the third story is problematic. The proposed third story's overall mass – height, width, and depth – do not meet either of these goals and standards. Its height is substantially higher than the *"structures immediately adjacent",* its width does not maintain the 25 foot modules of the block, its wall length will not have the *"appearance of a two-story building mass from the street pedestrian scale"* from a majority of vantage points.

Example:
For a height and scale example, consider the structure at 908 Main Street. This building is 1/3 smaller in total floor area and similar in height (slightly lower) than the building proposed. Its third story has a length and width less than the proposed Terraces project. Its third story is setback 50 feet from Walnut Street, behind a one-story building mass. Yet it still appears out character and scale with its context and does not appear as a two story building. I believe this example represents what the City (the residents of Louisville) believes is incompatible and trust the adopted design standards and guidelines would prevent similar type development in the future.

908 Main Street

Close perspective

Other pedestrian level perspectives

Conclusion:
While there are select vantage points where the proposed building has the *"appearance of a two-story building"* (as illustrated by the developer), I believe a majority of all other pedestrian level views of the building will have the appearance of having a large third story, out of scale with its context. Similar to 908 Main Street, the mass and height of the proposed third story will not only be visible from Main Street, but also from Pine, Front, Spruce Streets and the alley. As such, the proposed structure does not meet the requirement of having the "*appearance of a two-story building mass from the street pedestrian scale."* Although the design guidelines provide an example in explaining this standard, *"as seen from across the street",* I believe the

intent of the standards, and more specifically LMC Sec. 17.12.040, is from the perspective of a pedestrian as one experiences the town (i.e. from many vantage points).

Residents are counting on the City's design standards and guidelines to work as a tool in maintaining the defined character of downtown, and to assure incremental growth. As our representatives in the development review process I trust you will uphold the City's goals and requirements for downtown when reviewing this development request.

Thank you for your time serving the city and for consideration of my comments,

Peter Stewart
1132 Jefferson Ave. Louisville, CO

Planning Commission

From: Patience Thomas <patiencethomas1@gmail.com>
Sent: Tuesday, February 6, 2018 8:28 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

To whom it may concern,
I am appalled to think that Louisville would consider allowing a building of 3 stories to be built anywhere in downtown Louisville. The integrity of the historic element of our downtown would be jeopardized. As it is when existing homes are "scraped" and a huge houses are built on its footprint, our small historic homes are dwarfed in comparison. The architect rendering of this proposed terraced building between the Huckleberry and the Book Cellar is totally overwhelming. I sincerely hope that Louisville is not willing to sacrifice its charm. What about "less is more". Money magazine said this town is one of the most desirable places to live but the "boom " has reached the point of excessive. Please do not give in to the pressure of big business. There needs to be a height restriction and some kind of reasonable restrictions made to insure our "village" to remain simple and beautiful.
Thank you for listening and acting in accordance with your conscience.
Sincerely,
Patience Thomas
637 Johnson Avenue
Louisville

Sent from my iPhone

Planning Commission

From: Sarah Treharne <sctreharne@gmail.com>
Sent: Monday, February 5, 2018 1:34 AM
To: Planning Commission
Subject: Terraces on Main St

Dear Planning Commission,

I am a downtown Louisville homeowner and support the Terraces on Main project. I would appreciate your consideration of the following points:

Their new offices will be on the upper floors to return the street level to new retail uses. In our many walks around town with our family, we have developed relationships with store owners and their employees. We love spending our dollars in our town and would appreciate more opportunities to do so.

One concern locals could have concerning this project is the impact on parking downtown. However, they are proposing to build the required parking spaces based on the city code (underneath the building). This is a practical, unobtrusive solution to the potential increase in cars downtown.

Lastly, the Terraces on Main project is committed to preserving the character of our small town's aesthetic. One of the reasons we chose to move to Louisville was the unique look of our beloved Main Street. With their proposed third level being built set back from the street, our storefronts will be able to maintain their charming, historic appearance.

Thank you for your consideration of these points in your decision to approve the Terraces on Main Street project.

Best,

Sarah Treharne

Lisa Ritchie

From: Cynthia Walser <thia.walser@bvsd.org>
Sent: Friday, February 2, 2018 6:58 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

This plan doesn't fit the character of downtown Louisville. Please don't approve it.

Thank you,

Cynthia Walser
2279 Cliffrose Lane
Louisville

Planning

From: padlw@aol.com
Sent: Friday, February 2, 2018 2:17 PM
To: Planning
Subject: proposal for a new 3-story in historical downtown Louisville on Thursday, February 8

Planning Board,
Regarding the proposal for a new 3-story, 37,171 square foot commercial building between the Book Cellar and the Huckleberry on Main Street in Louisville.
Please do not allow this 3 story building!!!! It does not belong on Main Street !!
I as a Louisville resident since 1988 see this as being out of whack for what should be on Main Street. !!
I do not see anything wrong with a 1 or 2 story building.

Thank You
David Walters
739 Peach Court
Louisville, CO
80027

Planning

From: Jeremiah Whitney <jwhit2244@aol.com>
Sent: Tuesday, February 6, 2018 2:38 PM
To: Planning
Subject: proposal, 3 story on Main St.

The proposed 3 story building on Main St. is totally inappropriate on many levels : an affront to the aesthetics of our streetscape and a clear disregard for the City's guidelines on massing and compatibility. Granting the proposal would be a slap in the face to me and the many people with whom I have talked and who love Louisville's downtown.

Jeremiah W. Whitney- Architect
804 Walnut Street

Planning

From: Cecilia Wilson <ceciliaawilson@gmail.com>
Sent: Thursday, February 1, 2018 4:31 PM
To: Planning
Subject: New 3 story building

I am registering my objection to the 3 story building that is being proposed downtown. I have no problem with this being built in a place that is appropriate, but this does not fit where it is proposed. It just does not fit! Maybe the developer can purchase another property, so the building would only be 2 stories. As proposed, this is out of character for the historic downtown area.

Please register my objection as I am out of state and can not attend meetings.

Sincerely,

Cecilia Wilson
2311 Cliffrose Lane - for 30 yrs.

Planning Commission

From: Rita Zamora <rita@ritazamora.com>
Sent: Sunday, February 4, 2018 1:02 PM
To: Planning Commission
Subject: Boulder Creek Redevelopment Project

Hi - I am in support of the Boulder Creek Redevelopment Project at 712-722 Main St.

My husband and I moved here from the Cherry Creek North area in Denver. The redevelopment in Louisville reminds us of what we saw in Cheery Creek years ago, a mix of old and new coming together to create a vibrant, beautiful and desirable area to work, live and enjoy life.

Please consider these points:

- Boulder Creek's new offices will be on the main floor to return the street level to new retail uses

- Boulder Creek will consolidate their employees into one space and open up office spaces for new tenants

- Boulder Creek will consolidate their 80 employees into one space who will eat, shop and support downtown

- Boulder Creek is proposing to build the required parking spaces based on the city code (underneath the building)

- Boulder Creek's architecture respects our small town character by adhering to our current code. I am in support of a mix of old and new... We don't want Louisville to end up looking like a bad Disneyland wild west history remake, so the addition of new and old for business on Main St. is both inevitable and wise for business, investment and vitality.

Thank you!

--
Rita Zamora
Custom Social Media Management Services, Speaking & Training Programs
Phone: (303) 807-3827
RitaZamora.com
Facebook.com/RitaZamoraConnections
Twitter.com/RitaZamora

Planning Commission

From: Mark Zaremba <mark@gozaremba.com>
Sent: Monday, February 5, 2018 8:26 AM
To: Planning Commission
Subject: Terraces on Main Street

Dear Planning Commission, thank you for considering the following.

After reviewing the drawings for this project I believe this is a really nice solution for the space. It is certainly an upgrade from the current structures. In my opinion, an opinion shared by at least two local architects, Historic Downtown architecture is defined by its eclecticism. The Terraces on Main Street is an appropriate, even inspired, addition to our community.

I won't be able to attend the meeting on Thursday but wanted to state my support for Terraces on Main Street.

Sincerely,
Mark Zaremba

ZAREMBA
Graphic + Web Solutions
303.604.6378
gozaremba.com

City of Louisville
COLORADO • SINCE 1878

City Council
March 20, 2018

Addendum #1
Public Comments

(includes some emails left out of the City Council packet and emails received from March 16 to the morning of March 20)

Planning Commission

From: Linda Abrams <lindadba@msn.com>
Sent: Sunday, February 4, 2018 2:05 PM
To: Planning Commission
Subject: Terraces on Main Proposal (Between Huckleberry's and Book Cellar)

This proposed building is not consistent with the "mass and scale" of existing buildings on Main Street in Louisville. The height of the proposed building is too high. The building should not be higher than 30' and preferably about 28'. The current building is about 7500 sq feet and only about 15000 sq feet would be tolerable for 2 stories. The proposed 37000 sq feet is completely out of character with our downtown area.

The design of the structure is extremely modern and does not fit in with the unique, quaint and charming character of our downtown.

I hope the planning commission and our city council will reject this grotesque design and not allow our town's charm and uniqueness to be further eroded by greedy developers. Please do not allow Louisville as we know it to be destroyed.

Sincerely,
Linda Abrams
415 Fairfield Ln
Louisville, CO 80027

Planning Commission

From: Bob Abrams <bob_abrams@hotmail.com>
Sent: Sunday, February 4, 2018 10:04 AM
To: Planning Commission
Subject: New terrace proposal

The thought that you are even considering this 3 story terrace is pretty disturbing.
It is not Louisville at all. The height and the style is not us.
Do we need more out of business places in Louisville?
If we are that desperate for money, spend more time finding a business for the Sams CLub site

bob abrams
415 Fairfield Lane

Sent from Outlook

Lisa Ritchie

From: Marion Antonellis <marion.antonellis@gmail.com>
Sent: Thursday, February 1, 2018 2:28 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello Planners,

Just giving my two cents on the proposed new building downtown. Do not like it. Don't like the height and don't like the style. Doesn't go with what our historical little Main Street should look like. It would be fine on McCaslin. Why can't it be built in the mode of the mercantile building?

Just so you know, I also don't like the city hall and the chase bank building.

Lastly , do you know if the granary will ever be done and occupied and by whom and what? Seems we are building more retail space but haven't filled up existing spots.

Thank you for serving our community!

Best,
Marion Antonellis

Sent from my iPhone

Planning Commission

From: Kelly Arens <kellyarens@gmail.com>
Sent: Sunday, February 4, 2018 2:41 PM
To: Planning Commission
Subject: Terraces on Main is a Great Idea!

Dear Planning Commission - I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

Thanks,
Kelly McCormack

Planning Commission

From: Linda Armantrout <armantroutstudio@gmail.com>
Sent: Sunday, February 4, 2018 2:50 PM
To: Planning Commission
Cc: Ashley Stolzmann
Subject: boulder creek project on main

Terraces on Main Street

I am a concerned 25 year resident of Old Town (then Raintree) in Louisville.
i am also a small business person.
I create product that I sell in Louisville and create Sales Tax.
I have watched small business people with projects much less impactful be thwarted in efforts to build Retail/office on Main Street.
I have worked with the Louisville Arts District and the Street Faire (DBA) over the years to create vitality on Main Street in Louisville.

Concerns:
1. Why do the developers think 32 parking spaces will work for 80 employees and retail customers.
I owned at 817 Pine and my impressions on the parking situation are experiential.

2. Why not locate an office building in Delo or at McCaslin?
That seems more appropriate for office space.
Also are the offices on Main Street and on Walnut filled?
Christopher Plaza? South Boulder Road?

3. Will this drive Retail rents on Main up further?
Retail businesses on Main are not thriving.

4. How will the 80 employees continue to enrich downtown?
Will they buy only lunches and beer? Will they participate in cultural growth?
Will they buy any non-consumables? Will they attract people from other communities to spend dollars here?
What attracts Boulder Creek Communities to Main Street?

5. The scale of the building encroaches on the Historical center of Louisville.
It will cast a large shadow across Main. Citizens have been tireless in efforts to make Louisville attractive in character.
36,000 volunteer hours last time we counted.
The scale makes this building seem out of place and to take Old Town in a new direction.

6. Demolition and Construction will cost restaurants and retail business.
I watched 44th and Tennyson in Denver run all the existing businesses out while the construction was ongoing, and ongoing, and ongoing.

7.It seems that this is an ongoing theme everywhere. Creative people build an attractive community then developers develop and leave no room for the people who created the vitality on Main. How will BCN be different?

I know Eric will make an attractive building and BCN is “sweet" to add a mural but
37,000 square feet seems way too much. And please, not 3 stories.

Linda Armantrout
armantroutstudio@gmail.com
www.armantroutstudio.com
303-664-0086

443 East Raintree Ct.
Louisville, CO 80027

Planning Commission

From: brian armstrong <barmstrob@gmail.com>
Sent: Monday, February 5, 2018 2:25 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission,

I am writing to you to express my strong support for the proposed Terraces on Main project. I find projects like this for our downtown exciting and energizing as they solidify our reputation in the Denver/Boulder area as an innovative, living, evolving town as opposed to what I consider to the be the opposite reputation, and one that I believe we are at risk of moving toward -- an anti-growth "museum town" not open to change and new ideas. I would appreciate your consideration of the following points:

- We need MORE RETAIL OPTIONS on Main Street – this project does just that as it calls for offices on the upper floors to return the street level to new retail uses
- We need MORE TENANTS downtown, not the ongoing concentration of one tenant in multiple retail properties – this project will consolidate their employees into one space and open up downtown office space for NEW tenants
- We need to support MORE RETAIL DAYPARTS– this project's 80 employees will eat, shop and support our small local businesses during the day, not just in the evening, striking a much needed improvement in the complexity and diversity of foot traffic spending.
- We need MORE HIDDEN, YET FLEXIBLE, PARKING OPTIONS – this project does that by proposing to build the required parking spaces based on the city code (underneath the building)
- We need MORE DIVERSITY IN ARCHITECTURE, not less, if we are to remain a vital, vibrant downtown community that attracts visitors and residents rather than become a "museum town" – this project's architecture respects our small town character by adhering to our current code including the 3rd floor setback.
- We need to enable a healthier balance between office space and retail space downtown as becoming overly concentrated in retail sets us up for failure over the long term in achieving most of the points I have outlined above. Retail depends on office workers being present who become customers.

Finally, I would just say that I also strongly believe that we, as a community, as a Planning Commission, and especially as a City Council, need to work harder to avoid the risk of evaluating every single new idea or proposal that has a development attribute through only the lens of growth vs. anti-growth. That attitude will surely kill the spirit and character of Louisville that has served us so well over the last 17 years of exciting change (which we have all benefitted from). If we say no to every new idea on the basis of fear of growth and fear of change, we will stifle the very strength of this great town.

Brian Armstrong
1201 La Farge Avenue

Planning Commission

From: Sunday Barrett <sundaybarrett@comcast.net>
Sent: Sunday, February 4, 2018 1:05 PM
To: Planning Commission
Subject: New building on a Main

Thank you for reviewing community feedback! I do not support the proposed 3 story building on Main. It will detract from the charm of the street and promote a generic modern vanilla look. Please don't allow this disappointment to progress.

Thank you.

Sent from my iPhone

Planning Commission

From: Theresa Bauer <zeccat@yahoo.com>
Sent: Sunday, February 4, 2018 4:13 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello,
I am against the building of Terrances on main. In my opinion, the three story building would alter the uniqueness and quaintness of Louisville. That is why we currently love downtown. It has such character and if we start allowing multiple-story buildings in downtown, it will loose its character and small town look and feel.

Theresa Bauer

Sent from my iPhone

Planning Commission

From: Bruce Becker <brbpdb@msn.com>
Sent: Thursday, February 8, 2018 11:25 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

The proposed structure does NOT meet code--lets keep this LOUISVILLE AND NOT ANOTHER BOULDER!!
Sincerely,

Bruce & Patricia Becker
533 Coal Creek Ln

Kristin Dean

From: Bruce Becker <brbpdb@comcast.net>
Sent: Wednesday, March 7, 2018 12:57 PM
To: City Council
Subject: New Building--Terrace on Main

Dear Council:

Again we must state our objection to the proposed structure--are you listening to the people that live here?

Someone once said "if it doesn't fit you must acquit" and same applies here so please reverse your unbelievable vote to approve this project which violates long standing city code in many ways. Thank you for your attention.

Sincerely,

Bruce & Patricia Becker

533 Coal Creek Ln

Planning Commission

From: David Benjes <david@eventsllc.org>
Sent: Tuesday, February 6, 2018 12:59 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission,

I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)

Thank you for your time

David Benjes
Resident

Planning

From: Matt Berry <m.berry@ascentgrp.com>
Sent: Thursday, February 8, 2018 10:16 PM
To: Planning
Subject: Terraces on Main 712-722 Main Street

Planning Commission

I was at tonight's meeting, but I could not speak before I had to leave for a youth coaching obligation.

This project is good. Be confident in the rules and guidelines that your board has crafted over years of experience that this project conforms to.

With this project Louisville is getting 80+ daytime employees in the center of downtown who will have their own parking AND we will get additional retail space. It is win win.

As for the comments regarding the size and aesthetic look of the building: It is ignorant to use the direct front architectural elevations alone to make that judgement call. A view from the pedestrians perspective must be used. These comments are knee jerk at best and time and time again I see the same people saying no to every good plan that is presented.

You have a good thing here for the future of downtown and willing owners to make it happen. An outside group would likely be maxing out the square footage and disregarding the neighboring buildings for the sake of profit alone.

Please don't miss this opportunity.

Thank you

Matt Berry
740 Garfield Ave
Louisville, CO

Lisa Ritchie

From: Lisa Blumensaadt <lblumensaadt@yahoo.com>
Sent: Thursday, February 1, 2018 5:55 PM
To: Planning Commission
Subject: Terraces on Main -Louisville resident comment

Hello,

I would like to comment that while we appreciate the many improvements and advances in Old Town Louisville by the city and private businesses, the character of the Terraces on Main as illustrated and proposed would be very out of character and detrimental in that particular location due to the 1) stark contrast of its modern architecture, and it's 2) massive footprint, as well as the 3) vertical obstruction, even with the 3rd story setback. It would be a pleasing structure elsewhere, but not in that location. A modern structure on the north end of Old Town (where Picas is located) works because it is separate and set off from original buildings, not right in the middle, as a strange contrast to all the surrounding structures.

This structure would be out of character with the other commercial buildings on that block, on either side, and so prominent that it would dominate the character of the block and make existing structures look out of place. It would dwarf the quaint Huckleberry -an extremely popular neighborhood haunt, and a bit of a Louisville institution, as well as dwarfing the bookstore and cooking shop on the other side. It would block sunlight during some morning hours. It would also make that block feel less open as you walk, (or drive, bike) along it.

If the building was not as massive and tall, and if it was in character with the buildings along that block, that could be a very nice upgrade to the existing structures. What residents and visitors love about Old Town Louisville is it's character --I hear this again and again from people. We do not want to lose that character simply in the name of new. Many, many businesses in town have revamped properties to open new restaurants and shops, but have still maintained the unique character of Old Town Louisville. Our family urges you to maintain that character with whatever you approve for that location.

Be forward thinking in your decision. If such a structure goes in, how long will it be before another block of buildings is converted to a similar look? At what point will Old Town then cease to be Old Town and have that distinctive character? Will that feel be what keeps Louisville one of the best small towns and best places to live?

Lastly, it is a tremendous insult and burden to the residents of Old Town who must work within the confines of much stricter building requirements to maintain the character of the residential area, and incur greater costs to do so when they wish to renovate or build an addition to their residential property. Why would you saddle residents with such requirements and expenses, yet not hold commercial entities to the same standards?

Please do not approve this proposal. Merely lowering the height is not enough to accept this proposal. Please insist on a structure that is in character with the other buildings on the block in terms of 1) architecture (not modern), 2) mass/scale, 3) height. Again, it is not that we don't want anything to change -we love so many of the changes that have come to our little town. We just want to ensure that the changes keep with the character of this community, just as the City recently did

when they purchased land with Boulder County and the City of Lafayette to retain the beauty and feeling of an entrance to our town along hwy 42 and Empire Road.

Thank you for your time and consideration,
Lisa Blumensaadt -resident

Planning Commission

From: Mary Boven <maryboven@yahoo.com>
Sent: Monday, February 5, 2018 1:12 PM
To: Planning Commission
Subject: RE: Comment regarding proposed Terraces on Main

No do not want 3 story building MaryBoven

Sent from Yahoo Mail on Android

On Mon, Feb 5, 2018 at 10:15 AM, Planning Commission <PlanningCommission@louisvilleco.gov> wrote:

Hello,

I wanted to let you know that there are no comments attached to your email.

From: Mary Boven [mailto:maryboven@yahoo.com]
Sent: Saturday, February 3, 2018 3:36 PM
To: Planning Commission <PlanningCommission@louisvilleco.gov>
Subject: Comment regarding proposed Terraces on Main

Sent from Yahoo Mail on Android

Planning Commission

From: Ross Bowdey <ross@advobusinesssolutions.com>
Sent: Saturday, February 3, 2018 8:50 AM
To: Planning Commission
Subject: Terraces on main

Dear Planning Commission - I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

303.748.3478
Ross@advobusinesssolutions.com

Kristin Dean

From: Rob Zuccaro
Sent: Tuesday, February 6, 2018 1:41 PM
To: Kristin Dean
Subject: FW: Proposed Terraces on Main, Boulder Creek Project

Robert Zuccaro, AICP
Planning & Building Safety Director
City of Louisville
rzuccaro@louisvilleco.gov
303-335-4590

The Department of Planning & Building Safety is collecting feedback to improve our customer service. Please let us know how we are doing by completing this short survey!

From: Jay Keany
Sent: Tuesday, February 6, 2018 11:47 AM
To: Rob Zuccaro <rzuccaro@louisvilleco.gov>
Subject: Fw: Proposed Terraces on Main, Boulder Creek Project

From: Karen Brown <karen.brown31@gmail.com>
Sent: Tuesday, February 6, 2018 8:11 AM
To: City Council
Subject: Proposed Terraces on Main, Boulder Creek Project

Dear Honorable Councilmembers,

I am writing today to express my support for the proposed Boulder Creek project, Terraces on Main.

As a 24 year resident of Louisville, I have watched as downtown has changed to meet the needs and desires of our community. The one thing that has remained through all of this change is the wonderful eclectic feel of the downtown area.

This project is just one more opportunity to improve on what is already there:

- This building is an aesthetic improvement to what is currently there
- Keeps an important community partner downtown
- Adds off street parking
- Increases retail on Main Street
- Meets the design guidelines set forth by the city

I welcome this addition to our downtown and encourage you to support this project.

Thank you.
--
Karen

Karen Brown

505 Grant Avenue
Louisville, CO 80027
303-673-0648

Rob Zuccaro

Subject: FW: Terraces on Main St. Proposal

Dear Honorable Councilmembers,

I am writing in support of the proposed Terraces on Main St.

While the modernization of downtown pulls at the nostalgic heartstrings from time to time, it is important to remember that the clock moves forward. This project has a lot going for it that benefits downtown. A property owner that is committed to downtown. The addition of retail on main street. The addition of off-street level office space. And the addition of the necessary parking to accommodate the additional space.

Aesthetically it is an improvement on the existing mid-century building that currently exists on the site.

I welcome this addition to downtown as another of the incremental improvements that continue to reflect the modern usage of historic downtown area. While it certainly represents change, I believe that it is change that is consistent with the current state of downtown Louisville.

Thanks for your service and your consideration.

Don

Don Brown
Corporate Evangelist
dbrown@optimalblue.com
Office: (303)483-2190
Cell: (303)883-2537

Optimal Blue | www.optimalblue.com

Kristin Dean

From: Meredyth Muth on behalf of Open Records
Sent: Wednesday, January 31, 2018 9:38 AM
To: Rob Zuccaro; Kristin Dean
Subject: FW: CAC ALERT: New 3-Story Building Proposed for Historic Downtown Lousiville

FYI in case you haven't already seen this.

MEREDYTH MUTH
CITY CLERK
CITY OF LOUISVILLE
303.335.4536
303.335.4550 FAX
www.LouisvilleCO.gov
MeredythM@LouisvilleCO.gov

City of Louisville

The City Clerk's Office is collecting feedback to improve our customer service.
Please let us know how we are doing by completing this short survey!

From: Citizen's Action Council [mailto:caclouisvilleco=gmail.com@mail221.atl101.mcdlv.net] **On Behalf Of** Citizen's Action Council
Sent: Wednesday, January 31, 2018 9:35 AM
To: City Council
Subject: CAC ALERT: New 3-Story Building Proposed for Historic Downtown Lousiville

View this email in your browser

NEWS FLASH

NEW 3-STORY, 37,171 SF COMMERCIAL BUILDING PROPOSED IN HISTORIC DOWNTOWN.

City Code Says It Must Fit the Area

Proposed building elevation drawing. Adjacent building heights (in red are added.

The Louisville Planning Commission will consider a development proposal to scrape off two single story buildings on Main Street between the Huckleberry and the Book Cellar. The current buildings total 7,558 sq. ft. and the replacement 3-story building would total 37,171 sq. ft.

The Commission, with input from residents, will make a recommendation to the City Council answering the following questions posed by the City Code:

- Is the building's mass and scale compatible and appropriate for this location in Historic Downtown?
- Does it exceed appropriate building height for this block?
- Is the proposed architectural style compatible with adjacent historic buildings?
- Does it enhance or detract from downtown's historic character and sense of place?

CITY CODE:

Policy: Mass and Scale

"The mass and scale of buildings in downtown Louisville are among the greatest influences for compatible construction in the community. The height, width and depth of a new building should be compatible with existing buildings in the area and especially with those structures that are immediately adjacent to a project. The scale of a building also should relate to its lot size and placement on the lot."

"New construction should appear similar in mass and scale to structures found traditionally in the area."

Building Height:

"As part of any subdivision or development plan approval, the city council may require a lower maximum building height within such commercial Core Area or Transition Area of Downtown Louisville based on application of criteria set forth in titles 16 and 17 and the Design Handbook for Downtown Louisville, and in order to ensure varied building heights and the appearance of a two-story building mass from the street pedestrian scale."

3-story development is allowed in downtown, but only when meeting specific limited conditions. The City Council has the ability to deny or approve the 3rd story request by setting the building height at a level that fits the area consistent with Code requirements.

See the developer's full proposal "Terraces on Main": http://www.louisvilleco.gov/residents/departments/planning-building-safety/current-development-projects/land-development-applications/st-louis-parish-gdp-copy

Let the Planning Commission hear your thoughts and comments.

The Hearing is scheduled
Thursday, February 8, 6:30 PM
at City Hall. Email the Commission:
Planning@LouisvilleCO.gov
Public input will be accepted at the meeting.

CAC ***Citizens' Action Council***
caclouisvilleco@gmail.com

CAC is a citizens' organization dedicated to keeping Louisville residents apprised of major issues being addressed by our City Council.

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You were added to the Louisville CAC Community Update Campaign by giving us your email after attending a CAC sponsored meeting and/or expressing interest in our wonderful Louisville community. We thrive to keep you up to date on Louisville issues and CAC sponsored activities.

Our mailing address is:

Citizen's Action Council
1116 Lafarge Avenue
Louisville, CO 80027

Add us to your address book

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.

View this email in your browser

URGENT

ONE OF THE MOST SIGNIFICANT DEVELOPMENTS PROPOSED FOR HISTORIC DOWNTOWN.

The City Council will be hearing a proposal next week for a new 3-Story (37,171 SF) Commercial Building for Historic Downtown Louisville.

YOUR INPUT NEEDED!

This is a resend of the prior email with the correct flyer attached. Sorry for the second email.

The Louisville City Council will consider a development proposal for a new 3-story in historical downtown Louisville on Tuesday, March 20. **YOUR COMMENTS ARE IMPORTANT! ATTEND THE MEETING OR EMAIL THE ENTIRE CITY COUNCIL** to give your opinion on how this development will fit the downtown area. A flyer with more information below.

To download flyer (correct flyer): Flyer Terraces On Main

Also the following are useful links:

Email the City Council: CityCouncil@LouisvilleCO.gov

See the full development proposal: CLICK HERE

The Public hearing is schedule for 7:00 PM Tuesday, March 20th in City Hall.

PROPOSED IN HISTORIC DOWNTOWN.
City Code Says It Must Fit the Area

Proposed building elevation along Main Street. Adjacent building heights (in red are added

The Louisville City Council will consider a development proposal to scrape off two single story buildings on Main Street between the Huckleberry and the Book Cellar. The current buildings total 7,558 sq. ft. and the replacement 3-story building would total 37,171 sq. ft.

City Council will answer the following questions posed by the City Code:

- Is the building's mass and scale compatible and appropriate for this location in Historic Downtown?
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"New construction should appear similar in mass and scale to structures found traditionally in the area."

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3-story development is allowed in downtown, but only when meeting specific limited conditions. The City Council has the ability to deny or approve the 3rd story request by setting the building height at a level that fits the area consistent with Code requirements.

See the developer's full proposal "Terraces on Main": http://www.louisvilleco.gov/residents/departments/planning-building-safety/current-development-projects/land-development-applications/st-louis-parish-gdp-copy

It's very important for City Council to hear your thoughts and comments on this issue

The Hearing is scheduled
Tuesday, March 20, 7:00 PM
at City Hall. Email the City Council:
CityCouncil@LouisvilleCO.gov
Public input will be vital at the meeting.

Project to Create Large Parking Shortfall !!

Historically, Downtown Louisville evolved as a place for small businesses, with on-street parking. To support downtown small businesses the city reduced off-street parking requirements in this area.

- Using these reduced standards the **Terraces on Main** development is required to provide **32** parking spots – **14** more than are on the property today.
- Based on the parking standards used in the rest of Louisville, **over 100 parking spaces are needed** to support the proposed uses for the building. This means the project is creating a **shortfall of 70 spaces**.
- The City estimates the cost of providing a parking space at **$25,500**.
- Who should cover the resulting **$1.75 million** for the needed parking? The taxpayers of Louisville, or the developer, or should adjacent neighborhoods be expected to absorb the impacts of parking spilling over onto their streets? Or should it not be built?

It needs to be noted that the City Council has the authority to set project appropriate parking requirements – above or below the downtown standards.

*Does it make sense for the City to **subsidize** parking for large scale development downtown?*

South Elevation of the proposed Terraces on Main.

Do the large areas of glass on much of the building meet design standards? The Design Handbook states:

The ratio of windows to wall surface should be similar to that seen traditionally. 1) Large surfaces of glass are inappropriate on .... the upper floor of commercial buildings."

Your comments are important!
Attend the meeting and/or email the entire City Council at:

CityCouncil@LouisvilleCO.gov

CAC ***Citizens' Action Council***
caclouisvilleco@gmail.com

CAC is a citizens' organization dedicated to keeping Louisville residents apprised of major issues being addressed by our City Council.

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Planning Commission

From: Mike Catechi <catechi77@gmail.com>
Sent: Friday, February 2, 2018 3:19 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

I have been a resident of Louisville for 1 year. I would recommend not giving a permit for the Terraces on Main. One of the things I like most is to go to historic old town Louisville and enjoy the old town feeling whether in the middle of winter or on a warm summer evening. I would not like this to become another Pearl St. Like Boulder. Think hard planning commission and visualize what you would be losing instead of what you would be gaining with this project. Thank you for your time in reading this response.

Sincerely Michael Catechi

Kristin Dean

From: Mike Catechi <catechi77@gmail.com>
Sent: Tuesday, March 6, 2018 4:52 PM
To: City Council
Subject: New 3 story building on Main St. Louisville

All I can say is ,what about the parking...???

Planning Commission

From: Debbie Catechi <dcatechi@gmail.com>
Sent: Friday, February 2, 2018 1:11 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Dear planning commission members,

I am writing in regards to the proposal to add a three story building on main street, downtown Louisville..

While I believe this proposed space could benefit from a new, more functional building, the proposed design in my opinion is not in keeping with the charm and overall appeal of the other businesses on Main st. I strongly feel that we need to strive to keep old town Louisville preserved. Not only does the architectural design stray from the overall vibe and charm of Old town, but three stories will stick out like a sore thumb.

I would request that you go back to the drawing board on this one. This proposal will look really out of place and the large scale will ruin the streets visual profile.

Thank you for your time and consideration.

With regards,

Resident, Debbie Catechi

Planning Commission

From: Andy Clark <moxielox@gmail.com>
Sent: Monday, February 5, 2018 6:43 PM
To: Planning Commission
Subject: Support from Moxie for Boulder Creek Neighborhoods new building

Hello,

I just wanted to voice my opinion in support of this new building. I feel it allows for sensible growth on Main Street while increasing the opportunity on the street level for more lucrative businesses such as restaurants, bars or mercantiles.

We need to continue to support the thoughtful growth of Old Town and lure more unique and interesting retailers to help make downtown a destination. I feel this would work to support that.

Regards,

Andy

Andy Clark
Moxie Bread Co.
641 Main Street
Louisville, CO 80027
(720) 456-8461
www.moxiebreadco.com
सबैलाई यहाँ स्वागत छ ।

Planning Commission

From: Dani Coleman <dani.coleman@gmail.com>
Sent: Wednesday, February 7, 2018 10:32 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

The proposed 3-story building will not be "compatible with ... those structures immediately adjacent" to it (quotes from the City Code: Policy on Mass and Scale). Also, approving it will make it possible for other buildings to pass this test.

I'm not against development on Main St, but how about simply using two story buildings? Not as profitable for the developer, obviously, but would be a compromised that preserves the character of Main St better.

Thanks for your time and service,
Dani Coleman
278 Jackson Cir

Lisa Ritchie

From: Sara Cory <saracory09@gmail.com>
Sent: Thursday, February 1, 2018 4:56 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

That building looks out of place and ugly in that location. Is Boulder's downtown expanding to Louisville's downtown?

Sara cory

Planning Commission

From: Paula Dallabetta <pauladallabetta@gmail.com>
Sent: Thursday, February 1, 2018 10:16 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Dear Sirs/Madam
The current 3 story proposal is wrong form main street Louisville. It does not fit with the architecture and will significantly dwarf other buildings in the area. I am glad it is being redesigned but please keep with the character and scope of the current buildings of old town Louisville.

Paula Dallabetta
303.883.2999

Planning Commission

From: Debbie <debdavies47@msn.com>
Sent: Saturday, February 3, 2018 11:30 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission ,
I have a question and some concerns about the Terraces on Main project.

First, how many parking spots are they required to build under their building for the 80 employees and extra foot traffic the first floor retail spots will generate? And how will people access this parking area? I work at the Book Cellar, and there are many times that delivery trucks make it difficult to get into our parking lot from the narrow alley. I can only imagine 80 employees plus shoppers trying to use the alley to park at their building. The downtown area is sorely lacking in parking, and any new development should be proactive in easing this problem if they can.

I do not think the two story part fronting Main Street fits in with the rest of the buildings. It is too big and square looking. All the other buildings have triangular and other interesting elements at the front of their buildings. The third floor aspect doesn't bother me as much as the blocky two story fronting Main Street. It just isn't an appropriate design for that location.

I am also concerned about the sales hit to the existing businesses near by during construction. I remember how businesses struggled when the water/sewer lines were put in on Front St. The Book Cellar has parking for their customers in the back, and a narrow walkway between them and the new proposed building. I wonder how that walkway will stay safe for the employees and customers of the Book Cellar to access it's parking lot. It would be a huge inconvenience to have to walk all the way around the block to access the building. Many pedestrians also use this little walkway as they make their way towards Front Street.

Some of the drawings I have seen of this project show the summer patios in front of this building, which would take away more parking spots and speaks to more restaurant spots in that space instead of retail spots.

I am looking forward to new construction at that location, but have some very real concerns.

Thank you,
Deborah Davies
603 W. Aspen Ct

Louisville CO 80027

Planning Commission

From: Chris Epp <chrisepp1@gmail.com>
Sent: Sunday, February 4, 2018 8:21 AM
To: Planning Commission
Subject: Terraces on main

I wanted to voice my opinion on boulder creeks builders new project "the terraces on main" the scale and design of this building have zero relevance to the adjacent buildings and are totally out of character with the downtown as a whole. The scale is too large for the setting and the sheer volume of will loom over downtown like a cloud. Please don't make the same mistake other municipalities have. Character counts.

Best,
Chris Epp
275 short place
Louisville

Sent via mobile.

Planning Commission

From: Jane Evans <revansj@comcast.net>
Sent: Thursday, February 1, 2018 7:14 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Having reviewed the proposal of building a 3 story Boulder Creek building in historic main street I say no! First- this building is taller than the library , the bank , the other office building by Creative Framing (which also doesnt fit downtown)!!! Adding their monster building does more than destroy the historic downtown charm that our town has pride itself on. It will add even more parking issues that their occupants will need, it doesn't bring more people to our businesses except to fooderies. We need retail and a variety of businesses not more office space. If they want this , we have the Colorado tech center for this type of building!
Added to this proposed blight, it was very obvious this past holiday that the whole downtown was festive except the Boulder creek building and the bank! They were dark, no lights and ugly. They are not adding anything to our downtown just taking up valuable space.

I strongly oppose this development. Louisville can do better! Where is you vision??? What culture do you want to promote for the downtown?
Jane Evans
Louisville resident

Planning Commission

From: Allison Frazier <allisonsher@me.com>
Sent: Thursday, February 1, 2018 11:40 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello,
I am a resident of Louisville, and I am writing to express my concern over the proposed 3-story building on Main Street. I have seen the proposed renderings, and as I suspect you will hear from many residents, the look and feel of this new building does not fit in with the historic charm of our downtown. It is much too modern and generic looking. There are so many areas in Louisville that are stuck with the generic mini-mall aesthetic. Is that really what we want for Old Town? People come to Old Town for the historic charm. If this proposal is approved, I am afraid that it will just be the beginning of the end of Old Town. If the developer really wants to build something in Old Town, then they should be forced to match the surrounding aesthetic. Even with new construction, surely there are architects who can make new look "old."

Sincerely,
Allison Frazier

Planning Commission

From: Curtis Frazier <CFrazier@radius-global.com>
Sent: Thursday, February 1, 2018 12:22 PM
To: Planning Commission
Subject: Terraces on Main

Hello,

I am a resident of Louisville, and I am writing to express my concern over the Terraces on Main proposal. I feel of this new building does not fit in with the historic charm of our downtown. It is much too modern and generic looking. There are so many areas in Louisville that are stuck with the generic mini-mall aesthetic.

People come to Old Town for the historic charm. If the developer really wants to build something in Old Town, then they should be forced to match the surrounding aesthetic. Even with new construction, surely there are architects who can make new look "old."

Thanks,
Curtis Frazier.

GLOBAL MARKET RESEARCH
radius

Curtis Frazier, Ph.D. | Director of Advanced Analytics | Radius Global Market Research
Louisville, CO | Tel 512.270.5173
Discover our strategic solutions: **radius-global.com**

Planning

From: Shadlee Friesen <shadleef@yahoo.com>
Sent: Monday, February 5, 2018 1:47 PM
To: Planning
Subject: The proposed three-story building on Main

Dear Planning Commission,
I will be unable to attend this week's meeting so I am sending this email in SUPPORT of the proposed three-story building downtown. Having been a Louisville resident and an active member of this community for the past 26 years, I have lived through the positive transformation of our small city into the very desirable place it has become. One of the many reasons that our city owns this distinction is due to its "Hometown Main Street." The proposed plan, with its thoughtful massing, self-contained parking and street-level retail possibilities will only add to the character of our beloved home town. I commend the company that wants to keep its workers happily growing its business, producing and paying taxes, and is willing to make positive accommodations in order to stay in our downtown area. Allowing their growth, yet maintaining, even improving, those two lots thoughtfully, is in the best interests of Louisville.
Best regards,
Shadlee Friesen

Kristin Dean

Subject: FW: Terraces on Main

From: Chris Gabriel [mailto:chrisgabriel101@gmail.com]
Sent: Monday, February 26, 2018 2:06 PM
To: City Council
Subject: Terraces on Main

Hi,
Just writing in support of this project. The buildings that this would replace are worn down and this seems like a much better use of valuable real estate.
Thanks!
Chris

Planning Commission

From: Jeffrey Gass <jeffreygass19@gmail.com>
Sent: Thursday, February 1, 2018 8:43 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Have no objection to a 3 story commercial building.
I would like to see the structure have an old town feel, something that ties into historical Louisville(Mercantile Building)not like the Chase Bank building or modern looking residential building

Is the parking garage below ground? Assuming set back is exactly like existing building so dining on sidewalk will not hinder pedestrian flow and eliminate street parking in the summer

Jeffrey Gass
914-656-7918

Sent from my I-phone

Jeffrey Gass
914-656-7918
Jeffreygass19@gmail.com

Sent from my I-phone

Planning Commission

From: Alex Gorsevski <churuk@yahoo.com>
Sent: Tuesday, February 13, 2018 3:31 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission:

I'm in support of the Terraces on Main project, but I do have one concern regarding the parking garage. The basement floor plan shows only one entrance/exit to the parking area. This would potentially be a problem for someone entering the garage when the garage is full, since there is no obvious way to turn around or safely exit. The problem would be compounded if another car were to follow the first.

Thank you,
Alex Gorsevski, PE
711 Pine-Needle Lane

Lisa Ritchie

From: Jennifer Haggar <jenniferhaggar@outlook.com>
Sent: Thursday, February 1, 2018 3:10 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

I live in Louisville and would like to provide my input on the Terraces on Main. I think a 3 story building in that location is fine. I don't think it will block anyone's view of the mountains and there are other buildings of that height in the area, so the height and overall size of this building seem reasonable.

I'm a little concerned about the style though. I would encourage the developers to try to mimic the historic buildings in the area, at least on the first level, and try to design the top so that it blends in with the current architectural style of the area. The current 3 story buildings in Main did not use the architectural style of the area, and the result is disappointing. For example, the Chase building and 908 Main.

Thanks,

Jennifer Haggar
720-544-1446

Kristin Dean

Subject: FW: Building proposed

---------- Forwarded message ----------
From: **Becky Harney** <bucket4roses@gmail.com>
Date: Wed, Feb 7, 2018 at 9:19 AM
Subject: Building proposed
To: Ashley Stolzmann dennism@louisvilleco.gov

Ashley & Dennis,

I just wanted to weigh in on the building being proposed by Boulder Creek Neighborhoods to replace their offices on Main Street -

I am **FOR** letting them build as planned.

Thanks for serving the citizens of Louisville!
Becky Harney
105 Rose St., Lsv.

Planning Commission

From: Gail Hartman <gail.a.hartman@gmail.com>
Sent: Wednesday, February 7, 2018 10:26 AM
To: Planning Commission
Subject: Comments re: Terraces on Main proposal

To the Louisville Planning Commission,

I am so disappointed and surprised to see the renderings and read the descriptions of Terraces on Main. I'm even more stunned to read that the Planning Dept. is recommending approval. With just one glance at the renderings, it is clear that the mass, scale, and design don't come close to fitting our existing, historic downtown—nor do they meet the intentions and guidelines of the City's Comprehensive Plan.

There are many talented architects and developers worldwide who work diligently to blend historic and new architecture in ways that do not overwhelm original, historic, surrounding buildings, but rather complement them. That kind of work requires an insightful vision that the current plan for Terraces on Main does not reflect in any way.

John Robertson, Principal Director of John Robertson Architecture in the UK stated that, "*The work on historic constructions is about respecting the past while providing a worthy legacy for the future.*" I see neither a respect for Louisville's past nor a worthy legacy for its future in the current Terraces on Main design. I therefore urge the Planning Commission to reject this plan that contains so many jarring extremes between modern and historic design, mass, and scale—and instead urge the City to work alongside professionals who are interested in integrating new design that truly complements the look and feel of Louisville's unique, historic downtown architecture.

Thank you,

Gail Hartman
Louisville, CO

Kristin Dean

Subject: FW: Comments: Terraces on Main plan

From: Gail Hartman [mailto:gail.a.hartman@gmail.com]
Sent: Monday, March 12, 2018 6:04 AM
To: City Council
Subject: Comments: Terraces on Main plan

To the Louisville City Council,

I am writing to urge the City Council to reject the Terraces on Main plan in its current form.

I was truly shocked as I watched the web stream of the Planning Commission (PC) meeting about this plan. All but one member of the PC (who were present) approved to move the plan forward to the City Council. The plan for a 3-story wall of glass alone should have given them pause. And, it did. For a few minutes. Some members rightly expressed concern about the wall of glass, as well as other troubling issues with the overall design. And then all but one chose to ignore their own concerns and comments—expressed moments earlier—by voting to approve the plan. One would have expected the PC to have at least continued the meeting to work with planning staff and the applicant to address their concerns. That didn't happen and I believe it was a huge mistake that will have serious ramifications for Louisville's historic downtown.

With just one glance at the renderings, it is clear that the mass, scale, materials, and design don't come close to fitting our existing, historic downtown—nor do they meet the intentions and guidelines of the Design Handbook for Downtown Louisville and the Downtown Louisville Framework Plan. For example, I remain stumped by the planning staff's odd interpretation that the Terraces on Main meets the Municipal Code Criteria, which requires a PUD to have "an appropriate relationship to the surrounding area." I fail to see how that specific criteria is met, not to mention the criteria outlined in the Design Handbook for Downtown Louisville, which states that the "… height, width and depth of a new building should be compatible with existing buildings in the area and especially with those structures that are immediately adjacent to a project." I can't fathom how the planning dept. and PC believe that a 3-story wall of glass is "compatible" with The Huckleberry. Really?

What's at stake is the Pine and Main St. area which acts as a "gateway" to our downtown. There is no question that the existing buildings in question should be redeveloped. But communities all around CO (and the world) have redeveloped historic areas in ways that seamlessly blend historic and new architecture such that they do not overwhelm the surrounding buildings, but rather complement them. That kind of work requires an insightful vision that the current plan for Terraces on Main does not contain.

John Robertson, Principal Director of John Robertson Architecture in the UK stated that, "*The work on historic constructions is about* ***respecting the past while providing a worthy legacy for the future****.*" I see neither a respect for Louisville's past nor a worthy legacy for its future in the current Terraces on Main plan.

I therefore urge the City Council to reject the current plan that contains so many jarring extremes between modern and historic design, materials, mass, and scale—and instead work alongside the applicant and planning staff to revise the plan into one that truly integrates into and complements the mass, scale, and design of Louisville's existing unique historic downtown.

Thank you,

Gail Hartman

Louisville, CO

Planning Commission

From: Debbie Haseman <hasemandebbie@gmail.com>
Sent: Monday, February 5, 2018 7:22 AM
To: Planning Commission
Cc: Debbie Haseman
Subject: Terraces on Main development

Hello Planning Commission,
I don't support the design for the Terraces on Main development in downtown Louisville. I don't like the straight vertical and horizontal lines right on the sidewalk and the on the sides of the second stories. I don't like the boring design of the windows. It is uninteresting and not the look that I want to have for our downtown. I have heard the architect say that the design follows the current code and respects downtown small town character. It may do this but it is following the mid-century design that should not be copied. Yes, the current old county building had that design, but why should be copy something so uninteresting. When I hear people talk about downtown they talk about how cute and charming it is. This design for the Terraces is not that. To me it looks urbanized, big city, sleek and industrial. It just doesn't fit in that space.

I also am concerned about the impact of the garage. Yes, I think underground would be good. That I think is a good idea, but what are the studies of impact for traffic patterns in the alley? And I also heard that there will be an extension into the alley. That is a small space back there. This doesn't seem like a good idea.

Please please don't allow this design to move forward. Ask for a new design for this development that fits with turn of the century design, that is cute and charming, that looks small town. This is so important.

Thank you,
Debbie Haseman

Planning Commission

From: Joel Hayes <hayesjoel@gmail.com>
Sent: Thursday, February 1, 2018 8:40 AM
To: Planning Commission
Subject: Proposed Terraces on Main

Dear Commissioners:

I write to oppose the proposed Terraces on Main project. I believe the 3-story design is incompatible with buildings in the area, and is particularly incompatible with the neighboring buildings. It would tower over all of the existing buildings along Main Street, and change the feel charm of old town Louisville. And it would to an already problematic parking and traffic flow problem.

I think it is understatement to say that that it would not appear similar in mass and scale to buildings found traditionally in the area. It would be a disservice to the people who have invested in restaurants, coffee houses, art galleries and other businesses in the area based on a old town entertainment scene. And it would eliminate the small downtown feel we love about Louisville.

Thank you for your attention to my letter.

Sincerely,

Joel Hayes
187 Harper St.
Louisville CO 80027

Planning Commission

From: Chris Hobbs <cshobbs@ameritech.net>
Sent: Saturday, February 3, 2018 3:48 PM
To: Planning Commission
Subject: Terraces on Main

Dear Planning Commission - I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

Respectfully,

Chris

Chris Hobbs
216-346-2588

Planning Commission

From: Jessica Hogan <jhogan11@gmail.com>
Sent: Friday, February 2, 2018 12:04 PM
To: Planning Commission
Cc: Benton Hogan
Subject: Public Comment: Terraces on Main Building Proposal

Dear Commissioners,

We are 12 year residents of Louisville and believe that our historic downtown is critical to our culture, our unique community and our overall city health. The proposed Terraces on Main simply do not fit within our downtown -- the aesthetic will be completely wrong, the size will be incredibly large, dwarfing the adjacent buildings and it will post a major threat to the future of our downtown environment. This building, if approved, will signal to all developers that Louisville doesn't care to maintain our historic landmarks and everything is for sale. It's a slippery slope we should be wise to avoid.

Thank you and thank you for your hard work on behalf of our community.

Jessica and Ben Hogan
236 W Sycamore Lane, Louisville

Re: https://mailchi.mp/c3ba43adf7e6/neighborhood_meeting_87_houses_and_townhomes_proposed-1111969

--
Jessica Hogan
c 214.236.0984

Planning Commission

From: Nick Jacobs <nickongrant@gmail.com>
Sent: Monday, February 5, 2018 8:21 PM
To: Planning Commission
Subject: Main St Building Proposal

Dear Commissioners,
I am so pleased and truly excited to hear about the newly proposed development on Main St., next to Huckleberry. The third floor is a brilliant idea and so wonderfully designed. More density is needed in Old Town. People like me are seeking greater choice, more density, and diversity in our beloved town. I believe this project will deliver much needed office space, a huge restaurant and finally, underground parking!!! Even if the parking is private, it's the precedent-setting action of simply having it here that gets me so excited.

It is critically important that our town evolves just like our pioneering, coal mining first residents intended. Yes, they did intend for growth...that's why they came here. We must not fall prey to the people whose primary civic contribution seems to be screaming, "no," at everything and everyone. Please encourage more development of this size, density, type, and intensity before Old Town Louisville is leap-frogged by neighboring downtowns for doing the same. We are not immune to economic collapse or the chronic depression of our vibrant growth, to suggest otherwise is nonsense. The vast majority of Old Town residents desperately want more and better options for commerce in Old Town. All proprietors will benefit because it will draw more people, for longer periods, more frequently.

Please act with authenticity and intellectual honesty about our future.

Sincerely,
Nick Jacobs
1108 Grant Avenue

Lisa Ritchie

From: patsy <pjames7420@msn.com>
Sent: Thursday, February 1, 2018 6:35 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Dear Planning Commissioner

I hope you do not grant a building permit to the Louisville Downtown development of the three story commercial building in Historic Downtown building. It is massive, does not fit with the culture of downtown and does not fit with the overall growth plan for Louisville

Louisville is a charming small town and does not need a three story box in the middle of Main Street.

I was a long time residence of Louisville and really hate to see this type of development to go through. Progress is important, but not this massive development.

Thank you for your consideration and listening to the people who cherish Louisville.

Kindly

Patsy James
7420 Panorama Drive
Boulder County,

Planning Commission

From: E Kaufman <e3d.kaufman@gmail.com>
Sent: Sunday, February 4, 2018 7:58 PM
To: Planning Commission
Subject: Terraces on Main Project

Dear Planning Commission,

I support the Terraces on Main project. I believe this is what Louisville needs to stay vibrant and progressive in attracting people to live, work, shop, and do business in Louisville. Some things to consider:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

If Louisville doesn't change with the times, it runs the risk of becoming the early 2000's version of the Druid Arms, Senõr T's and Hickory Sticks. No one will want to spend money and time here. I trust you all to ensure current code compliance. Please move forward with this project and take Louisville into the future.

Thank you,
Elizabeth Kaufman
783 Orchard Dr
Louisville
720-891-3553

Planning Commission

From: Gloria Kirkpatrick <gloriaskirkpatrick@gmail.com>
Sent: Friday, February 2, 2018 9:18 PM
To: Planning Commission
Subject: Terraces on Main Street

To the Planning Commission,

I am in favor of going forward with Boulder Creek Neighborhoods building plan for the following reasons

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

Gloria Kirkpatrick
303-941-6158

Gloria sent from my iPad

Planning Commission

From: Jill Kranitz <jillkranitz@gmail.com>
Sent: Friday, February 2, 2018 12:00 PM
To: Planning Commission
Subject: 3 Story building on Main Street.

Please do not approve either the size of this building or the style. The size looks ridiculous in contrast to the buildings it is next two. Do we not care about the charm of this town that is part of what makes Louisville a wonderful place to live? As for the style, that too looks ridiculous. I think there must be a way to find something that matches Louisville.

It looks like this building wouldn't even have enough frontage space to match the size its size.

Again, PLEASE don't approve this building's size or style!!!

Thank you.

A concerned Louisville resident.

Jill Kranitz

Planning Commission

From: Michael Kranzdorf <mike@amterre.com>
Sent: Wednesday, February 7, 2018 10:51 AM
To: Planning Commission
Subject: February 8 Agenda

Hello,

I am writing in support of both proposals on the February 8, 2018 agenda. Clementine Commons appears to be a good use of the land on East Street. I do have a concern about the increased traffic on East Street, which is not very wide, and also at the intersection at Pine Street and East Street. Perhaps the city can find a way to keep that intersection moving more freely in the future.

Terraces on Main is a great reuse of the outdated structures at 712 and 722 Main Street. The return of the ground floor to retail use and the additional parking are very positive for the downtown environment. The third floor seems far enough from Main Street to be unobtrusive and will provide excellent office space for years to come.

Thank you,

Michael Kranzdorf
Amterre Property Group LLC

Planning Commission

From: Deb Kulcsar <debkulcsar55@gmail.com>
Sent: Thursday, February 1, 2018 7:04 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello
My husband and I moved to Old Town Louisville on Jefferson Ave 30 years ago. We had our lovely home put on the historical register to preserve the old town feel. We've seen too many homes that were scraped and now look like California.

After seeing the plan for the 3 story building smack dab in the middle of Main Street, I'm writing to request that any building in that spot at least LOOK like the rest of Old Town. That huge block would change the character, and if that's what Louisville is attempting to do, maybe that is the right style. But it looks like Boulder does NOW. The other building on Main the next 2 blocks north was enough of a change. AND — is that building even OCCUPIED?

I'm for reducing the height for sure. If Louisville is heading towards a more Boulder feel, then it looks like a nice building.
But it's doesn't lend itself to the old town feel of Louisville.

Thanks for reading.
==========
Deb Kulcsar, MS
Director, *Experiential Learning Associates*
Adjunct Faculty, *Red Rocks Community College*
Lead Challenge Course Facilitator, *West Pines Training Center*

http://experientiallearningassociates.org
http://www.facebook.com/debra.kulcsar
westpinestrainingcenter.org
https://www.facebook.com/ExperientialLearning

720-291-6390 cell
303-665-9381 alternate

MEMORANDUM

DATE: February 2, 2018

TO: Planning Commission

FROM: John Leary

SUBJECT: Terrace on Main PUD

Introduction

The decision on the Terrace on Main PUD is straightforward with a judgment laden decision process. It is straightforward as it essentially comes down to answering the question – Does it fit? It is highly judgmental as, aside from a few fairly objective criteria, there is no prescriptive basis for answering the question. Rather, the decision must be made by relying largely on aesthetic judgments.

This being said, there are a number of policies, standards, and laws that must be used to inform these judgments. It is not a decision to be made on a on the basis of personal ideologies.[1]

Decision Context

The PUD approval criteria in the Louisville Municipal Code interface with two City documents – the Downtown Louisville Framework Plan (Framework Plan) and the City of Louisville Design Handbook for Downtown Louisville (Handbook). The Framework Plan has been incorporated into the City's Comprehensive Plan and the Handbook has been incorporated into the Municipal Code.

Since the Framework Plan is part of the Comprehensive Plan, the PUD in question must be found consistent with it. One of the main issues for developing the Plan was "… the need to ensure that new development, redevelopment and restoration are in keeping with the historic scale

[1] There has been a perception in the community that, in the past few years, some Planning Commission members have eschewed using mandated criteria in favor of personal ideologies.

and character of the downtown area." [2] The first goal of the project for developing the Plan was: The "downtown should develop in a manner that enhances its traditional character." The Plan's first recommendation for action was to "develop formal urban design and architectural guidelines for the downtown commercial area that can be applied during the City's planned unit development (PUD) review process. These guidelines should ensure that the historic scale and character of the downtown streetscape is maintained."[3]

Based on this recommendation the Handbook was developed[4]. As with the Framework Plan, the Handbook dedicates considerable space to establishing the intent of the document. This creates a clear context and helps define the purpose of the standards and guidelines. The introduction contains the following "general standard for new construction: New interpretation of traditional building types are encouraged, such that they are seen as products of their own time and yet compatible with their old neighbors.
1) Historic details that were not found in Louisville are inappropriate.
2) However, using traditional proportions of height, width and depth are very important to be compatible with the established mass and scale of downtown Louisville."[5]

I have initially focused on the intent of these documents to emphasize their overall purpose. They exist for the main purpose of preserving the historical character of downtown Louisville and are integral to informing the judgments required by the Louisville Municipal Code (LMC) in determining the acceptability of PUDs in downtown Louisville. It is a mistake to focus solely on individual standards and guidelines and to essentially add up yeses and noes. The important thing is to look at them in the overall context of their purpose. Most of the standards and guidelines in the Handbook are not intended to be prescriptive as "they do not dictate solutions. Instead, they define a range of appropriate

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[2] Framework Plan p. 3.
[3] Framework Plan p. 5.
[4] The Handbook and Framework Plan were actually developed in roughly in the same timeframe. The Council adopted the Framework Plan and incorporated the Handbook into the Code in the "proper" order.
[5] Handbook p. 3.

responses to a variety of specific design issues."[6] Yes, some of the standards are mandatory, but it takes a combination of mandatory and voluntary to meet the purpose of the Handbook and to subsequently satisfy mandatory PUD criteria.

The City is solidly and purposely in the business of regulating design, mass, and scale in downtown Louisville. Hopefully, you will believe this to be obvious. However, in the past, it has not always been the view of some members of the Planning Commission.

Municipal Code PUD Requirements Relating to Handbook

17.28 of the LMC practically trips over itself making it clear that standards and guidelines in the Handbook must be considered in considering a commercial PUD. Moreover, it sets a very high standard for "waiving or modifying" standards by requiring a project must first meet the requirements of 17.28.110 and consequently the "spirit and intent" of the criteria in 17.28.120. This is a very high standard as some of these criteria outweigh standards and guidelines found in the Handbook.

The predominant issue in deciding the acceptability of this PUD is that of mass and scale. The following Handbook policy addresses this issue: "The mass and scale of buildings in downtown Louisville are among the greatest influences for compatible construction in the community. The height, width and depth of a new building should be compatible with existing buildings in the area and especially with those structures that are immediately adjacent to a project. The scale of a building also should relate to its lot size and placement on the lot."[7]

A number of Handbook standards address this issue. Below is a list of key standards followed by an assessment of how well they are met by the Terrace on Main proposal.

1) G1. "All projects should respect the traditional context of downtown."

[6] Handbook p. vii.
[7] Handbook p. 24.

Despite some attempts to mitigate the mass and scale of this building it clearly is not close to traditional buildings. From most street views[8] the building will not approach looking traditional.

2) G20. "New construction should appear similar in mass and scale to structures found traditionally in the area."

(Assessment same as G1).

3) G21. "A larger building may be divided into “modules” that reflect the traditional scale of construction."

The applicant makes a good faith effort to use this standard. However, the third floor creates a “cap” that unifies the appearance of the building. The modular effect is essentially negated.

4) G34. "The ratio of windows to wall surface should be similar to that seen traditionally. Guideline 1) under this standard states “large surfaces of glass are inappropriate on residential structures and on the upper floor of commercial buildings."

The third floor of the building violates this standard.

5) C6."If a third story is to be used, it should appear as a subordinate addition to a two-story building. Guideline 2) The third story should be setback substantially from the sidewalk edge such that the buildings will appear to be two stories in height as seen from across the street."

The third story setback does not eliminate the ability to see the story from across the street. The building design ensures that, for half the building, most of the third story will be visible and it is

[8] This building would look humongous from the sidewalk across the street. Additionally, the street view also includes views from sidewalks on all sides of the proposed building. For example, the view from the sidewalk between the Lucky Pie and Main Street would also be extremely impacted.

unlikely the other half will be blocked by the modular two story structures.[9] Furthermore, as can be seen in the north and south views of the structure, as one approaches the building, from either direction on the sidewalk across the street, the third story is clearly visible.

The Framework Plan also addresses the third story issue. It contains the following policy: "Permit development at a two story scale with three-story buildings permitted when defined goals are achieved. These goals could include providing public spaces such as plazas or outdoor dining areas, providing public art and meeting defined historic preservation goals.

To my knowledge, there has never been a delineation of goals in response to this policy. As discussed earlier, the Framework Plan called for the development of "urban design and architectural guidelines" that "should ensure that the historic scale and character of the downtown streetscape is maintained."[10] Given this direction, I believe it is safe to say the Handbook philosophies and standards reasonably express the goals for downtown Louisville.

<u>Municipal Code PUD Plan Criteria</u>

17.28.050 and 17.28.110 of the LMC, in combination, allow standards and guidelines from the Handbook to be waived by the City Council, but only if the criteria in 17.28.120 are met. 17.28.120 contains the criteria for approving a development plan.

17.28.120. A 1,8 and 11 apply to the Terrace on Main development plan. A.1 and A.3 deal with related issues. A.1 requires the proposed building to have "an appropriate relationship to the surrounding area. A.8 requires the building to have an appropriate "site relationship and bulk."

The mass and scale of this building is far in excess the buildings on either side of it. It would totally dominate the row of buildings in which

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[9] There are no to scale drawings from "across the street" in the applicant's proposal.
[10] Framework Plan, Page 5.

it would be built. Furthermore, it would exceed the height of any other building in the downtown area. Criteria A1 & A3 are not met.

A.11 requires the plan to comply with "all applicable design standards and guidelines... This creates an interesting "catch 22," as this criterion cannot be waived unless it is met. As has been demonstrated above many of the standards have not been met.

Part B of 17.28.120 requires the project, as opposed to Part A which deals with the plan, to be consistent with a set of criteria and guidelines. [11]

B 1 and 15 are relevant to this project. B.1 requires the development to "be in accordance with the adopted elements of the comprehensive development plan of the city, and in accordance with any adopted development design standards and guidelines." As discussed above this criterion has not been met.

B.15 states "architectural design of buildings shall be compatible in design with the contours of the site, compatible with surrounding designs and neighborhoods, shall promote harmonious transitions and scale in character in areas of different planned uses, and shall contribute to a mix of styles within the city." Based on above discussions, this criterion has not been met.

<u>LMC Zoning Requirements</u>

Early in this memo I dwelled on the issue of this decision being a mixture of aesthetic judgments and compliance with the spirit and intent of documents created to inform your decision. The way the zoning ordinance deals with height restrictions in downtown Louisville fully demonstrates this relationship. Footnote 10 in 17.12.040 of the LMC leaves the issue of heights to the discretion of the City Council. The footnote reads: "... As part of any subdivision or development plan approval, the city council may require a lower maximum building height within such commercial Core Area or Transition Area of Downtown Louisville based on application of criteria set forth in titles

[11] For the matter at hand, this appears to be approaching a distinction without a difference.

16 and 17 and the Design Handbook for Downtown Louisville, and in order to ensure varied building heights and the appearance of a two-story building mass from the street pedestrian scale."

The message here, is that taking certain pieces of information into account, the City Council can set building heights that would accommodate the need for varied building heights and ensuring no building looks taller than two stories from the street.

In sum, there is no "height by right" in downtown Louisville.

Summary

Preserving the historical character of downtown Louisville is a high priority for the City of Louisville. Our leaders have, over the pass 20 years, demonstrated this by putting in place policies and requirements to achieve this goal. The citizens of Louisville have backed up this goal by twice taxing themselves to help preserve the character of our downtown. At the same time we have, as a City, recognized there will be change in the downtown area and it your responsibility to guide that change in a way that is consistent with established policies and regulations.

To sum up, despite all of the above verbiage, the issue before you comes down to answering the simple question I began with. Does it fit? I think not.

Planning Commission

From: Ron LoSasso <etz74@yahoo.com>
Sent: Friday, February 2, 2018 3:08 PM
To: Planning Commission
Subject: 3 story Main Street plan

We are not in favor of this plan.
Ron LoSasso
498 Eisenhower Dr

Planning Commission

From: Jeffrey Lucas <JLucas@baronproperties.com>
Sent: Tuesday, February 6, 2018 8:14 AM
To: Planning Commission
Subject: Letter in Support of New Boulder Creek Neighborhoods Building

Planning Commission Board Members –

I recently wrote a letter to Council in favor of the Voltage building proposal on Main Street. Since it captures my feelings about the proposed Boulder Creek Neighborhoods building so well, I will reiterate my sentiment below:

I am writing in regard to the proposed Boulder Creek Neighborhoods on Main St. As a member of the DBA and devoted resident of Historic Downtown Louisville, I am in full support of the proposal. A failure to foster growth, innovation, and job creation in our community would be a huge detriment to all Louisville citizens. The Planning Commission has a duty to uphold the best interests of the community, and there is no doubt that halting business development and progress in Historic Downtown is in direct opposition to this charter.

Surrounding cities such as Lafayette, Erie, and Longmont are competing to attract businesses, citizens, and a prized reputation. In many instances, such as Retail, these communities have began to outcompete Louisville. If this continues, Louisville's reputation, vibrancy, and character are at stake.

I am 28 years old and have owned property in Old Town for 2 years. I intend to be here for many more decades, and have faith that the unique buzz of our community will only grow over time. However, the prejudice against change and progress must stop. I urge you to make the right decision and support, not only the Boulder Creek neighborhoods PUD proposal, but all future commerce and development in Old Town.

My very best,
Jeff

Jeffrey Lucas
Baron Properties | Mountain West Industrial Properties | Liv URBN
1401 17th Street, Suite 700
Denver, CO 80202
(719) 640-5828 – mobile

Planning Commission

From: Terry Lynch <tlynch11@gmail.com>
Sent: Tuesday, February 6, 2018 6:31 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Members of the Louisville City Planning Commission;
Please do not approve the Terraces on Main development.
I believe this new building would change the character of Main Street, one of the city's greatest assets.
Louisville has enough development that falls within the current guidelines, making exceptions opens up a "bag of worms" and encourages other developers to spend time and money planning a development which will cost the city time and money to review.
Thank you,
Terry Lynch
1117 1/2 La Farge Avenue
Louisville, CO 80027

Lisa Ritchie

From: Jules Marie <ecowriter@yahoo.com>
Sent: Thursday, February 1, 2018 7:24 PM
To: Planning Commission
Subject: 3-story building feedback.

Scale it down! Geez! What is with the commission? The fact that the design is this far along tells me the writing's on the wall and it's a done deal. It's completely ridiculous that it's even gotten this far.

How about you say no and don't suck up to whomever is trying to persuade you to say yes to this deal. Just say no!

We have got to stop trying to make Louisville like every other town. Louisville is losing its charm due to construction ideas/projects like this that don't even begin to fit our homey downtown image. Delo's "Monopoly-like" homes detract even further. Don't blast me with a NIMBY response; that's not what this is about. I'm all for growth when it's planned well and fits with the character of the town and this project does NOT fit with Louisville's character, IMHO. If we say yes to this design, it'll be a snowball effect.

Please say no. Do not succumb to peer pressure; we do not need a building of this height in downtown. Please think this through and say no to this ridiculous project.

Thank you.

Jules Marie

Planning Commission

From: Michael McClure <michael.mcclure.inc@gmail.com>
Sent: Sunday, February 4, 2018 2:56 PM
To: Planning Commission
Subject: Boulder Creek Redevelopment Project

I am a Louisville resident in support of the Boulder Creek offices on Main Street in Louisville being redeveloped according to the plans on the website, including the 3rd story.

More parking is great, and more people working downtown helps support the local restaurants at lunch and dinner, etc.

I think having it look new is a good idea - new buildings trying to look old end up looking neither. I used to live in Denver and areas like Mayfair, Wash Park, and Cherry Creek have mixed old and new nicely.

We already have a 3 story building on Main Street and I don't think another will harm anything.

--
Michael McClure michael.mcclure.inc@gmail.com **303.807.3210**

Planning Commission

From: Vickee McFarren <vickeemcfarren@gmail.com>
Sent: Sunday, February 4, 2018 12:00 PM
To: Planning Commission
Subject: 712-722 Main St, Louisville CO 80027

I am in support of the proposed building by Boulder Creek Neighborhoods. The 3rd story setback keeps the old feel, and if their parking is as promised, will not adversely affect the neighborhood too much. Yes, there will be a bit more traffic. I do believe the employees will shop/eat/be a benefit. As a person who goes to downtown Louisville frequently, I agree with all the bullet points below:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They will consolidate their employees into one space and open up downtown office space for new tenants
- Their 80 employees will eat, shop and support our small local businesses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code
- Their 3rd floor setback is consistent with our small town character

Respectfully submitted,

Vickee McFarren

689 Flagstone Place

Superior, CO 80027

Lisa Ritchie

From: Tommi McHugh <tommibeth@gmail.com>
Sent: Thursday, February 1, 2018 7:56 PM
To: Planning Commission
Subject: Proposed Terraces on Main

Planning Commission Members,
I am so saddened by the continued growth and development in our town and how it is impacting the quality of life. As a resident of Old Town I see daily how the parking, congestion, and general feel of our "small town" has already changed drastically in the past 10 years. Small homes are being replaced by huge homes that do not at all fit in with what original homes look like. New developments are popping up so constantly that I no longer feel like I live in an oasis surrounded by a sea of development. I now live in the midst of that development.

Can we please work with a rationale that limits the desire to grow, and instead work to truly preserve what makes our town so special? The proposed building would greatly impact our town. If we allow one three story building, it will quickly become the trend to build all buildings even bigger, and taller. Where will all these people park? The building that is there is certainly not of great historical significance, but the proposed building would so greatly impact even further the look and feel of our town. Let's work towards the preservation of what made Louisville the best place to live, and stop trying to cash in on that by replacing that special look and feel with more people, and development.

Thanks for your time and your work to keep Louisville great. I appreciate all you do, and the time you give.

Tommi McHugh
700 Lincoln Ave

Michael B. Menaker
1827 W. Choke Cherry Drive
Louisville, Colorado 80027
303.665.9811
michael@hostworks.net

February 3, 2018

Dear Chairman Brauneis and Planning Commissioners:

I will be unable to attend your meeting on February 8th, but wanted to share my thoughts and comments on the "Terraces On Main Street" project.

A small group (truly less than a dozen folks) have been circulating an alarmist and distorted representation of this project in an attempt to stir up public angst and anger. Using a technical elevation that is not representative of real world views and total square footage numbers, this is an attempt to present the Terraces as some kind of gross outlier and unacceptable to Louisville.

Nothing could be further from the truth. As detailed in your meeting packet:

- The 3rd story is set back 49 feet from the street and less than half the size of the main floor to minimize mass.

- Of the total square footage (37,171sf) –10,754sf is in the parking garage, and 5,560sf plus half of the parking garage is basement space – invisible from the street.

- The Main St. façade is divided into sections which are similar to traditional downtown buildings.

- Half of the building is one story to accommodate the existing historic building that is home to the Huckleberry.

You will hear much about “compatibility” and “character”. That discussion should recognize that most of the block is comprised of old, non-historic structures that may well be redeveloped themselves in the future. Should the design of the Terraces be held hostage to – as an example - the old Black Diamond, now home to The Melting Pot? I think not. Is the building now home to the Double Happy an architectural treasure?

Compatibility with the future is as important as compatibility with the present.

As to “character”. I find that the character of downtown is defined by the people in the buildings more than the buildings themselves. Creating a new place for a daytime population downtown that will work, shop and dine there will do nothing but add to the character of downtown and the success of our local businesses

I find the “The Terraces On Main Street” to be welcome and needed addition to Louisville. The third story allows for retail uses at street level, it’s design respectful of its historic neighbor to the South, its new tenants welcome by all downtown businesses, and its accommodation of all required parking on site commendable.

Let me leave you with two thoughts:

- Louisville is not, and never should become, a museum. We should always aspire to be a dynamic, vital and evolving community.

- We need not deprive the present (and the future) in the name of protecting the past. Let us not confuse history with nostalgia – successful communities change over time.

Thank you all for your consideration.

Sincerely,

Planning Commission

From: Leslee Miller <lesleem_21@icloud.com>
Sent: Sunday, February 4, 2018 4:05 PM
To: Planning Commission
Subject: New downtown development

Dear Planning Commission - I support the Terraces on Main project and would appreciate your consideration of the following points:

- Their new offices will be on the upper floors to return the street level to new retail uses
- They are proposing to build the required parking spaces based on the city code (underneath the building)
- Their architecture respects our small town character by adhering to our current code

Leslee Miller
2150 Charles Lane
Louisville

Sent from my iPhone

Planning Commission

From: Debbie Moguillansky <dmoguill@gmail.com>
Sent: Friday, February 2, 2018 8:41 PM
To: Planning Commission
Subject: Support for Terraces on Main

Hello, I am a Louisville resident and live near Fireside Elementry school. I wanted to express my support for the Terraces on Main project. It will add more retail/restaurant space to the street while also allowing businesses to stay local in Louisville. I think having more retail space will be very valuable and will bring more people to our lovely little downtown and expand our economy.

Thanks for considering!
Debbie Moguillansky

Planning Commission

From: Richard Morgan <richardmorgan644@gmail.com>
Sent: Saturday, February 3, 2018 1:39 PM
To: Planning Commission
Subject: I support The Terraces on Main

Good afternoon, Planning Commissioners.

I am a 20 year resident of Louisville. I live at 644 W. Pine Street.

I'm writing you today to express my full support for the Terraces on Main, a new development by Boulder Creek Neighborhoods, a Louisville business. They have designed two beautiful buildings that respect the character and culture of historic downtown, while also adding maximum utility.

I would ask that you give consideration to the following strong project details:

1. Boulder Creek Neighborhoods intends to consolidate their employees into this new office space, which will make available new downtown office space for other tenants.

2. Consolidating employees into this location will increase demand for local retail businesses and restaurants, which is sorely needed.

3. The architectural design, especially the 3rd floor set back, respects the small town character of Louisville and adheres to current code.

4. New office space will be located on the upper floors thereby returning the street level to new retail uses.

5. Required parking will be conveniently located under the building.

Boulder Creek Neighborhoods is a valued local business and employer. I support their desire to activate this current "dead" space on Main Street. Thank you for giving their project your full and fair consideration.

Most sincerely,
Richard

_____
Richard Morgan
303.956.8188 (cell)

Planning Commission

From: mrgnfmly3 <mrgnfmly3@aol.com>
Sent: Thursday, February 8, 2018 5:15 PM
To: Planning Commission
Subject: The Terraces on Main

Good afternoon members of the Planning Commission.

My name is Margaret Morgan. I live at 644 W. Pine St. I'm writing you today to express my total support for the project known as The Terraces on Main.

I believe you should give this thoughtfully designed project your full consideration and approval given some of its primary business and design attributes to include:

1. Although it's a 3-story building, the 3rd floor is set way back off the street. Moreover, required parking will be under the buildings.

2. Boulder Creek Neighborhoods, the owner, intends to consolidate its employee base (80 employees!) to downtown Louisville. No doubt, this will have very positive impact on local business receipts and the City's retail sales tax revenue.

3. The existing 70's era, single story office buildings are an eyesore! Boulder Creek's design activates the extremely important Main and Pine intersection, and returns the street level back to a retail use.

4. Finally, Boulder Creek's design respects the character of downtown Louisville and conforms to current building code.

Boulder Creek Neighborhood is a respected and valued local Louisville business and employer. I support this building concept and this business.

Thank you for your attention to this request.

Most sincerely,
Margaret Morgan

Sent from my Sprint Samsung Galaxy S7.

Planning Commission

From: Susan <susankmorris@gmail.com>
Sent: Thursday, February 8, 2018 7:22 AM
To: Planning Commission
Subject: Main Street proposal

I think the three story building proposal for Main St is a very bad idea. It is important for the Louisville downtown to maintain its very individual look. This proposal does not support that concept.
Please vote no for this proposal.
Thank you
Susan Morris
939 West Maple Court
Louisville

Kristin Dean

From: Rob Zuccaro
Sent: Friday, February 9, 2018 10:32 AM
To: Kristin Dean
Subject: FW: Feedback for City of Louisville, CO

Robert Zuccaro, AICP
Planning & Building Safety Director
City of Louisville
rzuccaro@louisvilleco.gov
303-335-4590

The Department of Planning & Building Safety is collecting feedback to improve our customer service.
Please let us know how we are doing by completing this short survey!

From: info@louisvilleco.gov [mailto:info@louisvilleco.gov]
Sent: Friday, February 9, 2018 10:13 AM
To: Citizen Inquiries <info@louisvilleco.gov>
Subject: Feedback for City of Louisville, CO

You have received this feedback from John Myers < jmyers@accountingworksllc.com > for the following page:

http://www.louisvilleco.gov/government/city-council/councilmember-dennis-maloney-ward-iii

I read the article in today's Daily Camera concerning the approval of the new building on Main Street with great interest. The Daily Camera included a rendering that significantly minimizes the mass of the new building in relation to the adjacent buildings. The large expanses of glass seem to be out of character with other buildings in the area. I certainly am no fan of the existing buildings at the site, but I feel the replacement building is too big. The Boulder Creek Neighborhoods 80 person workforce might be better served by locating in the CTC. John C Myers 229 S Cleveland Avenue 303.913.8590

Planning Commission

From: Emily Norman <emilyrebeccanorman@gmail.com>
Sent: Thursday, February 1, 2018 10:56 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hi,

Thanks for asking our input.

To me this feels a lot like what Boulder did on the west end of pearl. Going from an open and charming historic feel to much taller and more modern feel. Personally I take me really sad. The west end of pearl no longer feels like pearl anymore. And I really worry that the same thing would happen to downtown Louisville in this instance. Taller might be ok if it was built to fit in with the other building but not the way it is in this design.

Please ask for another proposal that helps us keep what we and so many others love about our downtown, that we keep our historical charm even with modern going up all around.

Thanks
Emily Norman

Planning Commission

From: Kerry Norman <kerry.j.norman@me.com>
Sent: Sunday, February 4, 2018 3:41 PM
To: Planning Commission
Subject: 712-722 Main Street development

Dear Sir/Madam,

I have just come across initial images of the 712-722 Main Street redevelopment. While the addition of the third story (with its set back) actually doesn't bother me with this building, I must comment that the first two stories of this building are quite an eyesore. I feel these would be quite a blot of the architectural aspect of small town Louisville. It is unimaginative modernistic architecture at its worse.

I would encourage the planners to reject this proposal and to promote architecture more in keeping with small town Colorado and less in keeping with Metro Denver (which is what the style reminds me off).

Thank you for you consideration.

Kerry Norman
195 W Elm St.
Louisville.

Lisa Ritchie

From: Don Parcher <donparcher@gmail.com>
Sent: Thursday, February 1, 2018 8:24 PM
To: Planning Commission
Subject: Proposal for 3-story building at 712 & 722 Main St.

I think the proposal for 3-story building at 712 & 722 Main St. would be terrible for Louisville. Please reject it.

Don Parcher
378 Grouse Ct., Louisville, Colorado
HomeCare of the Rockies caregiver
Citizens' Climate Lobby volunteer
BoulderNet co-organizer
Red Cross volunteer (Boulder/Broomfield Disaster Action Team Jurisdiction Lead & Captain, and, Response On Call Officer)
TimeBank Boulder (formerly SkillShare) volunteer member of Board & Membership Committee
BoCoDems Precinct Leader
BoCoVOAD (Voluntary Organizations Active in Disaster) participant
BoCoStrong participant
Boulder County Adult Protection Review Team member

Planning Commission

From: sharon pauley <confidence1638@gmail.com>
Sent: Friday, February 2, 2018 9:39 PM
To: Planning Commission
Subject: proposed 3 story design for Main Street

I like the proposed design. While Louisville has a history it also has a future. Louisville already has a couple multistory buildings in the Main Street-Front Street business area and the new development east of the railroad tracks which are modern and welcome. I believe this design will be appealing from street level. Please approve this building so that our business district can grow with our town.

Sharon Pauley
Ward 2

Planning Commission

From: Sandra Penoucos <sspenoucos@comcast.net>
Sent: Tuesday, February 6, 2018 2:40 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

To the Louisville Planning Commission members,

We understand that you are open to resident input regarding the Terraces on Main proposal, and we would kindly ask that that this project **NOT** be approved.

From what we have seen, the proposed building appears totally out of scale and out of character with our existing, picturesque Main Street. Its size seems massive, compared to other neighboring shops, and do we really want office space to be the dominant feature in our architecturally unique downtown? We were attracted to Louisville by it's small town charm. The downtown area, in particular, attracts walkers, outdoor dining and family activities and visitors precisely because of this unique flavor, not found in other nearby communities. The addition of a 3-story modern design seems like just another mass-produced urban structure that would detract from the quaint feeling of Main Street, Louisville. Perhaps such a building would be better located on Front Street, where the library and other similar buildings are already standing, or on the other side of the railroad tracks, where the more modern style is seen in abundance.

PLEASE, let's keep the size and architectural style in line with our existing shops and eateries on Main Street! We love historic downtown Louisville, and there is plenty of room for new building outside the charming historic district. Let's preserve what we have!

Thank you for considering our input.

Sandy and Hector Penoucos
1929 Patti Lane
Lousiville 80027

Planning

Subject: FW: Terraces on Main, Boulder Creek Project at 712-722 Main Street

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From: Bryan@trailheadwm.com [mailto:Bryan@trailheadwm.com]
Sent: Monday, February 5, 2018 4:44 PM
To: Planning <planning@Louisvilleco.gov>
Subject: FW: Terraces on Main, Boulder Creek Project at 712-722 Main Street

To Whom it May Concern,
As a fellow business owner in downtown Louisville, I am in support of the proposal below being approved. It's a very thoughtful plan and design and I believe it promotes the values of our great community.

Thank you
Bryan Pieper

SERVICE ADVICE SIMPLICITY

Bryan J Pieper, Partner, Senior PIM Portfolio Manager
Trailhead Wealth Management, LLC
www.trailheadwm.com
Map and Directions
801 Main St., Ste 300
Louisville, CO 80027
Phone: 720-625-3300, Fax: 720-625-3349

Please look to our website for up to date stock quotes:
http://www.trailheadwm.com/marketwatch.cfm

2-2-2018 Terraces on Main Louisville, Colorado

Dear Planning Commission:

Thank you for the opportunity to provide one property owner's feedback to this proposed project. I have read the applicant's narrative, and generally looked at the drawings. Here is our input:

We feel the general proposed design concept makes sense to add a storey or two and give the Owner the opportunity to generate better Main Street first floor facade and floor space to accommodate uses to engage the public. However, you should deny this proposed design because it is not in compliance with the Design Handbook for Downtown Louisville as follows:

1. **The north 1/2 of the West Facade** comprised of a pair of 2-Storey storefront facades ***does not reflect a "Traditional Commercial Storefront and False-front Commercial Facade" for the pedestrian as recommended throughout the handbook.***
   (Reference Handbook pages ix, 2, 15, 25, 26): The proposed design's subject storefronts look more like Cherry Creek or Boulder's 28th Street Contemporary Commercial. The Handbook page 25, G24 recommends "...new design that draws upon the fundamental similarities among traditional buildings without copying." The brick Candy Store on Front Street just north of Pine and the Beauty Salon-Eye Care Shop just south of Moxie are good examples of executing this recommendation. Traditional "elements and forms" of a storefront facade can be achieved while still being in the "Mid-Century style" the Designer is recalling.
   (Reference Handbook page 2): "Avoid clutter, lead eye to the goods and services inside..." ***Instead, the proposed designs facade is more about the ritzy architecture, nice looking, but inappropriate and not respecting the "Traditional" context of this very important Old Town Main Street.***
   (Reference Handbook page 26): G27: Avoid stylistic details that confuse the history of Louisville." Again, the stylistic 2-Storey storefronts with the IPE grille and non-distinction between pedestrian street level storefront and the 2nd storey windows ***do not convey a "Traditional" reference to the History of Main Street Louisville.***
   (Reference Handbook page 26 & 33): G26: "Building components should be similar in scale to those used traditionally." Anodized aluminum storefronts are not "Traditional". Rather a Ground Level painted wood storefront is "Traditional" and more respectful of the neighboring Main Street Storefronts.
   (Reference Handbook page 33): "...a horizontal band of molding separating ground floor from upper floor with cornice...harmonious in form, material and scale..." is recommended, ***and the proposed design does not comply with such.***

2. **Mass, Scale, Heights and Form:**
   (Reference Handbook page 24): "..such new building should be compatible with existing buildings in the area, *especially* those directly adjacent...." The very large3-storey two blocks to the north is not adjacent to this building. And, that building does not look reasonably scaled to be respectful of the average Main Street Building let alone be compatible with the Huckleberry or The Singing Cook and Book Cellar. Realizing that someday those Owners may propose to also build up, the question is how big is too big for a building in this Main Street zone?
   (Reference Handbook page 24) G21: "A larger building may be divided into "modules" that reflect the traditional scale of construction." ***This proposed design could benefit from treating the north 1/2 of the upper levels differently from the south 1/, and thereby break the scale of the building down in mass to help diminish the bulk and to help it fit better into Downtown Main Street.***
   (Reference Handbook page 36) C6: "...3rd Storey if used should be a "subordinate" addition to a 2-Storey building. " and, "...(2) 3rd Floor setback substantially from sidewalk edge such that the building will appear as a 2-Storey from across the street. The proposed design does not insure that you will not see the 3rd storey from Moxie, Lulus, Blue Parrot and the Lucky Pie. ***Therefore, it is not in compliance with the Handbook.*** It is

possible to reduce the height of the storefront to be consistent w/ Huckleberry and Book Cellar-Singing Cook as well as ceiling and floor to floor heights a bit so as to reduce the overall height and scale of the building. As the Handbook says, maintaining a smaller mass and height is part of the charm of our current small town Main Street character and ambiance that attracted many of us in the first place.

3. **Balance of the Facades:**
   (Reference Handbook page 28) G34: "The ratio of windows to wall surface should be similar to that seen traditionally. 1) Large surfaces of glass are inappropriate on residential structures and on the upper floors of commercial." 2) For commercial type buildings in the Core Area a solid-to-void ratio of 1:2 is appropriate. ***Therefore, this proposed Design's Ground floor storefronts and Upper level facades do not comply with the Handbook.***

What we find to be attractive about the proposed design:

A. **Parking**; If all the required parking is provided on site, this is a big plus and will help in reducing some folks urge to build a big, unsightly, and costly 250 car parking structure in some other person's neighborhood. If in the future autonomous cars and the use of so many personal cars diminishes and *some of the parking is not needed*, then conversion to usable space in lieu of parking may be advantageous to Owner and or City. However, cash- in- lieu of concept for inadequate on- site parking ***is not fair to those who then have to shoulder the burden of someone else's responsibility.***

B. **The south 1/2 of the West Facade** complies with the Handbook in respecting the "Mid-Century" existing building being replaced, however the Handbook also recommends against setting the facade back from the property line. We believe the design is to be commended for respecting the original building setback here while providing as the narrative says outdoor seating within its property line. This is something we have always felt is the responsible solution to alfresco eating as opposed to robbing parking spaces and creating a Mardi Gras atmosphere type of pedestrian gauntlet with dining and alcohol into the public zone which is supposed to be for the public domain; street and public sidewalks zone. This project has the opportunity to set a good example to show how to accommodate such alfresco dining/drinking all within their own property line, still open and inviting to pedestrians.

In Conclusion: While we would rather the Main Street improvements slow down, and we worry about more congestion and debatable need for parking, we respect the property owner's rights and the creativity of the designers to satisfy the owner's needs. We feel the same way about this proposed project as we do about the yearly growth of the street fair chaos (except that last year the tuning back was a good change, thank you.). So, please consider the needs of the pedestrian as well as the Owner. Please deny this proposed design until the following are corrected:

- Revise the north 1/2 pair of two-Storey Storefronts per the Handbook.
- Reduce the height and mass of the 3rd Storey to be hidden to the pedestrian across the street per the Handbook.
- Better modulize the 2nd and 3rd Storeys and Correct the ratio of Solid to Window per the Handbook.
- Maintain the required parking on site with no possibility of shifting such responsibility.

We hope our input is helpful, and thank you for your consideration.

Respectfully,
Tom Rafferty Diane Rafferty
Tom and Diane Rafferty 945 Rex Street

Planning Commission

From: Kim Regier <kfr1014@gmail.com>
Sent: Saturday, February 3, 2018 7:29 AM
To: Planning Commission
Subject: Terraces on main

Hi,
I saw the proposed drawings for Terraces on Main and I would like to suggest that the building be redesigned to appear in line with the historic buildings of downtown.
Thank you for your consideration,
Kim Regier
294 Matchless St.
Louisville, CO

Sent from my iPad

Planning Commission

From: s ross <sross_3@hotmail.com>
Sent: Sunday, February 4, 2018 4:45 PM
To: Planning Commission
Subject: Proposed new building on Main Street

Dear Commissioners,

While I support replacing the old county building, I do not like AT ALL the design of the proposed building. It is so blah, and does not provide pedestrian interface, and will detract from the character of our charming Main Street. Please have the architects design something that works better with our town, since that building will be there for a hundred years. It is simply awful.

Sincerely,
Sandra Ross
501 Spruce Street
Louisville

Planning Commission

From: Janetta Shepard <jasheron@comcast.net>
Sent: Tuesday, February 6, 2018 7:19 AM
To: Planning Commission
Subject: Terraces on Main proposed project

Our family has lived in Old Town Louisville for the past 24 years. While we are disturbed about what's been happening to the residential character of Old Town over the past few years, but these are private residences - not structures under control of the City

We are not opposed to development of the downtown, and in fact wholly support any development project that adds to the vibrancy of our downtown area. That said, we were taken aback by the super-modern architectural rendering of the proposed three-story Terraces on Main commercial building on Main Street. It looks like a building you'd find in the downtown of a major city - certainly not in the heart of a historic mining community. Can the city not find an architect that can incorporate modern features into a design while remaining sensitive to preserving the historic look and feel of a former mining community?

While modern structures may be appropriate for development east of the RR tracks (as everything there is new and modern), as long-time Old Town homeowners, we are opposed to erecting a steel girder and glass modern building that will certainly dominate Main Street.

Please consider having the architectural firm head back to the drawing board to come up with a building that truly will enhance and reflect the historic character of Louisville.

Janetta and Lance Shepard
600 Short Street
Louisville, CO 80027

Lisa Ritchie

From: Paula <pjslick32@comcast.net>
Sent: Thursday, February 1, 2018 3:39 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Hello,
I have lived in Louisville 13 years. I value so many things about our downtown. While I understand that we need to be progressive about bringing business to downtown, I believe this building would be a mistake. The value of our homes depends on the "feel" of Louisville. This is the one block that gives the signature historic feel to our downtown and it is where most newcomers come to see the real Louisville, to gauge the feel of the place. That four-way stop is the place most people identify with Louisville. Please do not allow this too-large building with the wrong visual feel to be built. I am depending on you to listen to the public input that I am sure will flow in and to do the right thing for all of us. This is not the right thing.

Thanks for your time and service,

Paula Slick, 410 West Street

Lisa Ritchie

From: Kurt Soderberg <kurt_soderberg@yahoo.com>
Sent: Friday, February 2, 2018 11:07 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

Dear planning commission members,
I am writing about the proposed Terraces on Main and would like to share my opinion as a member of the Louisville community. This is the first time I've ever written to a planning commission, but I feel very strongly about the character of Louisville and have a desire to retain it as much as possible.

Let me first say that I love the idea of transforming that space to make it more functional for the community by adding retail space on street level. If done properly this can add tremendous value to a prime location which currently provides minimal benefit to the community.

As far as the design goes, I don't believe that the mass and scale as well as the architectural style fits the character of downtown Louisville. The mass and scale in the drawing illustrates how poorly it fits on the block. I am not familiar with the height restrictions in that zoning area, but in my opinion a two story building would be more suitable for that location.

The architectural style, while nice in the right location, doesn't quite fit in with the style of Louisville and the character of the older establishments along the Main Street corridor.

I ask that you reject this plan and ask the developers to listen to the desires of the community and make another attempt at a design. It is my hope that the developer can find a way to make it work financially for them while fitting in better with its surroundings and reflecting the character of our town.

Best Regards,
Kurt Soderberg
962 W Willow Street

Planning Commission

From: Kimber Spradlin <kimber.spradlin@gmail.com>
Sent: Thursday, February 1, 2018 7:13 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

I am very opposed to a 3 story building on Main St, it will destroy the historic character. We already have the too-new looking building at the other end of the street. Renovating the brown brick building that used to have county offices makes sense - it's clearly not historical and not attractive - and I can see a 2 story building in it's place, but not 3.

Regards,
Kimber Spradlin, Louisville Resident.

February 3, 2018

Louisville Planning Commission
749 Main Street
Louisville, CO 80027

RE: Proposed Terraces on Main project
Hearing date: February 8, 2018

Dear Planning Commission members,

Downtown Louisville is a special place. It is special because of its sense of place, and historic character. Our elected officials and residents agree there is a character which contributes to this feeling and is part of the economic success of downtown. When asked, most people point out 3 buildings on Main Street (all constructed prior to 2000) which do not contribute to this character and in fact detract from downtown's character. Recognizing the threat of inappropriate development and its impact to the town the City developed design standards and guidelines to maintain the downtown character and to prevent incompatible development.

The downtown design standards, policy's, and associated changes which were made to the Municipal Code requires new development to be compatible with the adjacent properties and its context in historic downtown. Regarding mass and scale the city policy states:

> *Policy: Mass and Scale "The mass and scale of buildings in downtown Louisville are among the greatest influences for compatible construction in the community. The height, width and depth of a new building should be compatible with existing buildings in the area and especially with those structures that are immediately adjacent to a project. The scale of a building also should relate to its lot size and placement on the lot."*
> *(page 24 Design Handbook – highlight added)*

Also, LMC Sec. 17.12.040. - Yard and bulk requirements, regarding building height, and 3rd stories:

> *"As part of any subdivision or development plan approval, the city council may require a lower maximum building height within such commercial Core Area or Transition Area of Downtown Louisville based on application of criteria set forth in titles 16 and 17 and the Design Handbook for Downtown Louisville, and in order to ensure varied building heights and the appearance of a two-story building mass from the street pedestrian scale." (highlight added)*

Concern:
The proposed building's first and second stories provide varied building heights along this block of Main Street and are well modulated and designed. However, the third story is problematic. The proposed third story's overall mass – height, width, and depth – do not meet either of these goals and standards. Its height is substantially higher than the *"structures immediately adjacent",* its width does not maintain the 25 foot modules of the block, its wall length will not have the *"appearance of a two-story building mass from the street pedestrian scale"* from a majority of vantage points.

Example:
For a height and scale example, consider the structure at 908 Main Street. This building is 1/3 smaller in total floor area and similar in height (slightly lower) than the building proposed. Its third story has a length and width less than the proposed Terraces project. Its third story is setback 50 feet from Walnut Street, behind a one-story building mass. Yet it still appears out character and scale with its context and does not appear as a two story building. I believe this example represents what the City (the residents of Louisville) believes is incompatible and trust the adopted design standards and guidelines would prevent similar type development in the future.

908 Main Street

Close perspective

Other pedestrian level perspectives

Conclusion:
While there are select vantage points where the proposed building has the *"appearance of a two-story building"* (as illustrated by the developer), I believe a majority of all other pedestrian level views of the building will have the appearance of having a large third story, out of scale with its context. Similar to 908 Main Street, the mass and height of the proposed third story will not only be visible from Main Street, but also from Pine, Front, Spruce Streets and the alley. As such, the proposed structure does not meet the requirement of having the "*appearance of a two-story building mass from the street pedestrian scale."* Although the design guidelines provide an example in explaining this standard, *"as seen from across the street",* I believe the

intent of the standards, and more specifically LMC Sec. 17.12.040, is from the perspective of a pedestrian as one experiences the town (i.e. from many vantage points).

Residents are counting on the City's design standards and guidelines to work as a tool in maintaining the defined character of downtown, and to assure incremental growth. As our representatives in the development review process I trust you will uphold the City's goals and requirements for downtown when reviewing this development request.

Thank you for your time serving the city and for consideration of my comments,

Peter Stewart
1132 Jefferson Ave. Louisville, CO

Planning Commission

From: Patience Thomas <patiencethomas1@gmail.com>
Sent: Tuesday, February 6, 2018 8:28 PM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

To whom it may concern,
I am appalled to think that Louisville would consider allowing a building of 3 stories to be built anywhere in downtown Louisville. The integrity of the historic element of our downtown would be jeopardized. As it is when existing homes are "scraped" and a huge houses are built on its footprint, our small historic homes are dwarfed in comparison. The architect rendering of this proposed terraced building between the Huckleberry and the Book Cellar is totally overwhelming. I sincerely hope that Louisville is not willing to sacrifice its charm. What about "less is more". Money magazine said this town is one of the most desirable places to live but the "boom " has reached the point of excessive. Please do not give in to the pressure of big business. There needs to be a height restriction and some kind of reasonable restrictions made to insure our "village" to remain simple and beautiful.
Thank you for listening and acting in accordance with your conscience.
Sincerely,
Patience Thomas
637 Johnson Avenue
Louisville

Sent from my iPhone

Planning Commission

From: Sarah Treharne <sctreharne@gmail.com>
Sent: Monday, February 5, 2018 1:34 AM
To: Planning Commission
Subject: Terraces on Main St

Dear Planning Commission,

I am a downtown Louisville homeowner and support the Terraces on Main project. I would appreciate your consideration of the following points:

Their new offices will be on the upper floors to return the street level to new retail uses. In our many walks around town with our family, we have developed relationships with store owners and their employees. We love spending our dollars in our town and would appreciate more opportunities to do so.

One concern locals could have concerning this project is the impact on parking downtown. However, they are proposing to build the required parking spaces based on the city code (underneath the building). This is a practical, unobtrusive solution to the potential increase in cars downtown.

Lastly, the Terraces on Main project is committed to preserving the character of our small town's aesthetic. One of the reasons we chose to move to Louisville was the unique look of our beloved Main Street. With their proposed third level being built set back from the street, our storefronts will be able to maintain their charming, historic appearance.

Thank you for your consideration of these points in your decision to approve the Terraces on Main Street project.

Best,

Sarah Treharne

Lisa Ritchie

From: Cynthia Walser <thia.walser@bvsd.org>
Sent: Friday, February 2, 2018 6:58 AM
To: Planning Commission
Subject: Comment regarding proposed Terraces on Main

This plan doesn't fit the character of downtown Louisville. Please don't approve it.

Thank you,

Cynthia Walser
2279 Cliffrose Lane
Louisville

Planning

From: padlw@aol.com
Sent: Friday, February 2, 2018 2:17 PM
To: Planning
Subject: proposal for a new 3-story in historical downtown Louisville on Thursday, February 8

Planning Board,
Regarding the proposal for a new 3-story, 37,171 square foot commercial building between the Book Cellar and the Huckleberry on Main Street in Louisville.
Please do not allow this 3 story building!!!! It does not belong on Main Street !!
I as a Louisville resident since 1988 see this as being out of whack for what should be on Main Street. !!
I do not see anything wrong with a 1 or 2 story building.

Thank You
David Walters
739 Peach Court
Louisville, CO
80027

Planning

From: Jeremiah Whitney <jwhit2244@aol.com>
Sent: Tuesday, February 6, 2018 2:38 PM
To: Planning
Subject: proposal, 3 story on Main St.

The proposed 3 story building on Main St. is totally inappropriate on many levels : an affront to the aesthetics of our streetscape and a clear disregard for the City's guidelines on massing and compatibility. Granting the proposal would be a slap in the face to me and the many people with whom I have talked and who love Louisville's downtown.

Jeremiah W. Whitney- Architect
804 Walnut Street

Planning

From: Cecilia Wilson <ceciliaawilson@gmail.com>
Sent: Thursday, February 1, 2018 4:31 PM
To: Planning
Subject: New 3 story building

I am registering my objection to the 3 story building that is being proposed downtown. I have no problem with this being built in a place that is appropriate, but this does not fit where it is proposed. It just does not fit! Maybe the developer can purchase another property, so the building would only be 2 stories. As proposed, this is out of character for the historic downtown area.

Please register my objection as I am out of state and can not attend meetings.

Sincerely,

Cecilia Wilson
2311 Cliffrose Lane - for 30 yrs.

Planning Commission

From: Rita Zamora <rita@ritazamora.com>
Sent: Sunday, February 4, 2018 1:02 PM
To: Planning Commission
Subject: Boulder Creek Redevelopment Project

Hi - I am in support of the Boulder Creek Redevelopment Project at 712-722 Main St.

My husband and I moved here from the Cherry Creek North area in Denver. The redevelopment in Louisville reminds us of what we saw in Cheery Creek years ago, a mix of old and new coming together to create a vibrant, beautiful and desirable area to work, live and enjoy life.

Please consider these points:

- Boulder Creek's new offices will be on the main floor to return the street level to new retail uses

- Boulder Creek will consolidate their employees into one space and open up office spaces for new tenants

- Boulder Creek will consolidate their 80 employees into one space who will eat, shop and support downtown

- Boulder Creek is proposing to build the required parking spaces based on the city code (underneath the building)

- Boulder Creek's architecture respects our small town character by adhering to our current code. I am in support of a mix of old and new... We don't want Louisville to end up looking like a bad Disneyland wild west history remake, so the addition of new and old for business on Main St. is both inevitable and wise for business, investment and vitality.

Thank you!

--
Rita Zamora
Custom Social Media Management Services, Speaking & Training Programs
Phone: (303) 807-3827
RitaZamora.com
Facebook.com/RitaZamoraConnections
Twitter.com/RitaZamora

Planning Commission

From: Mark Zaremba <mark@gozaremba.com>
Sent: Monday, February 5, 2018 8:26 AM
To: Planning Commission
Subject: Terraces on Main Street

Dear Planning Commission, thank you for considering the following.

After reviewing the drawings for this project I believe this is a really nice solution for the space. It is certainly an upgrade from the current structures. In my opinion, an opinion shared by at least two local architects, Historic Downtown architecture is defined by its eclecticism. The Terraces on Main Street is an appropriate, even inspired, addition to our community.

I won't be able to attend the meeting on Thursday but wanted to state my support for Terraces on Main Street.

Sincerely,
Mark Zaremba

ZAREMBA
Graphic + Web Solutions
303.604.6378
gozaremba.com

Meredyth Muth

From: Marion Antonellis <marion.antonellis@gmail.com>
Sent: Saturday, March 17, 2018 10:05 AM
To: City Council
Subject: proposed new building on Main

Hello, Council members,

I will not be able to come to Tuesday's meeting regarding the proposed three story building on Main next to Huckleberry. Please note my deep concerns, however, with the shortfall of parking that I am hearing about. Our downtown Main Street is already becoming so congested and overused . . soon, we will need traffic lights and more stop signs for safety purposes for pedestrians and for traffic flow. I don't think citizens should have to supplement the cost of a parking garage for the 70 spot shortage I am reading about, do you? The developer has very deep pockets. . they should foot that bill if they want to build such a dense development.

Personally, I'd like to NOT see the building go in at all, but I doubt that will happen. I am realistic that time marches on and development means change, but please, please, don't give in on the planning for parking and traffic flow.

Thanks for listening.

Best,
Marion

Marion Antonellis, Broker Associate

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Mobile: 303-257-3661

www.abetterwayrealty.com

Meredyth Muth

From: Michelle Baker <baker.michellek@gmail.com>
Sent: Saturday, March 17, 2018 4:42 PM
To: City Council
Subject: Public Input Regarding Terraces on Main

As a long time 30+ years resident of Louisville I support the new main street development IF the ground level is public space AND a percentage of the underground parking is available to the public full time.

Meredyth Muth

From: Sally Blaser <sallyblaser108@gmail.com>
Sent: Saturday, March 17, 2018 4:18 PM
To: City Council
Subject: Fwd: Delivery Status Notification (Failure)

See below.

---------- Forwarded message ---------
From: Mail Delivery Subsystem <mailer-daemon@googlemail.com>
Date: Sat, Mar 17, 2018 at 4:06 PM
Subject: Delivery Status Notification (Failure)
To: <sallyblaser108@gmail.com>

Address not found

Your message wasn't delivered to **citycouncil@louisville.gov** because the domain louisville.gov couldn't be found. Check for typos or unnecessary spaces and try again.

The response was:

```
DNS Error: 9080601 DNS type 'mx' lookup of louisville.gov responded with code NXDOMAIN
Domain name not found: louisville.gov
```

---------- Forwarded message ----------
From: Sally Blaser <sallyblaser108@gmail.com>
To: "citycouncil@louisville.gov" <citycouncil@louisville.gov>
Cc:
Bcc:

Date: Sat, 17 Mar 2018 22:06:28 +0000
Subject: 3 story building
This building would change the look of Main Street a great deal. I do not think it is the right direction for the city to go. Louisville is special and down-home because it looks charming and small and unique. I oppose the plan for a three-story high building on that block. As well as being too high and too large, it would stress the parking capacity in town. I would say it is not needed and certainly would not enhance the "Look" of Louisville. I have lived in the area for 14 years and have applauded the majority of the changes I have seen in Louisville. I do not want to see this building built.

Thank you,
Sally Blaser
2315 Cliffrose Lane
Louisville 80027

Meredyth Muth

From: joy brook <joyalbrook@hotmail.com>
Sent: Monday, March 19, 2018 5:23 PM
To: City Council
Subject: Stop Development - NO to Downtown "Terraces"

The proposed "Terraces on Main" is NOT compatible with the location in scale or mass! It exceeds the appropriate building height and DETRACTS from downtown's historic character. Please do not give allowances for this project. We enjoy going to the Huckleberry and will NOT go downtown if this project is given approval. Our quality of life has been harmed by the alarming rate of development. Please STOP!

Meredyth Muth

From: Danielle Butler <danielleontheroad@hotmail.com>
Sent: Sunday, March 18, 2018 6:11 PM
To: City Council
Subject: Public Input Regarding Terraces on Main

Dear Louisville City Council

Please do not approve the proposed 3 story "terrace" structure on Main Street. We've reviewed the information and the proposal does not fit downtown Louisville nor appear to remotely meet city code requirements. We're so very sorry to see a proposal like this even moving forward to city council. Aren't these obviously incongruent proposals supposed to be stopped at the Planning Dept or in Planning Board meetings? We need to pick up our game. Louisville is such a special place. Have city council members seen bumper stickers in Lafayette saying "Don't Louisville our Lafayette" or something to that effect? Point is development is inevitable but let's be collaborative and community minded about it. Let's keep Louisville special.
Thank you for your hard work and considering our comments.
James and Danielle Butler
Louisville CO resident.

Sent from my iPhone

Meredyth Muth

From: Brian Catlos <bcatlos@portal9.info>
Sent: Friday, March 16, 2018 9:50 AM
To: City Council
Subject: Proposed Commercial building

Hello
Please convey my thoughts to the city council.
The proposed new 3-storey building on main street seems clearly incongruous with the feel of downtown Louisville. Significantly larger than surrounding buildings, it would break the architectural harmony of the town center and potentially serve as a wedge for future, similar developments.
Should the project go ahead it should do so on the basis of “net zero” parking costs to Louisville, either through a requirement for the developer to build adequate parking or to annually indemnify the city for any costs associated with this parking impact.
Thank you

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==========
Dr. Brian A. Catlos
890 S. Palisade Ct.
Louisville CO
80027 USA

tel.: 303-926-4359

Meredyth Muth

From: Trent Davol <trent@picasboulder.com>
Sent: Monday, March 19, 2018 4:38 PM
To: City Council
Subject: support for Terraces on Main

Dear Council members,

I spoke in support of the Terraces on Main project during the planning commission meeting last month.

Unfortunately I cannot make the Tuesday, March 20 hearing to voice my support again.

I am an 8 year resident of Louisville (we live in Old Town near Community Park) and also a business owner (we own Pica's Taqueria on Front St.).

I support the Terraces on Main project for several reasons.

1. I'm in favor of keeping people in downtown Louisville to work here. As a restaurant owner I can tell you that lunch is a particularly hard draw for downtown Louisville. We have a lot of business near us, but not within walking distance. Our lunch business depends on having people who work in close proximity and the more we can keep downtown the better it is for all restaurants and retail businesses.

2. The project will free up valuable space that Boulder Creek Builders has spread into on ground floor buildings. Freeing up those spaces will open the door to other retail, restaurant and service businesses to come downtown.

3. The project has incorporated, at great expense, a parking garage to help take cars off the street. It's not the final solution but it does help with a situation is becoming more and more of a problem downtown.

Thanks for your time,

Trent Davol
Owner Pica's Taqueria
Resident of Louisville

Meredyth Muth

From: Mailandedlin <mailandedlin@yahoo.com>
Sent: Sunday, March 18, 2018 11:10 PM
To: City Council
Subject: Public Input Regarding Terraces on Main

This 3-story structure would significantly change the feel, appearance, and appeal of old downtown Louisville. The small town ambiance is hard to find and is to be treasured. With larger and more commercialized areas like Boulder and Denver so close, we need to preserve our unique setting. It would also defeat the purpose of taxes paid to maintain the historic nature of our town.
Sincerely, Mailand Edlin
766 West Fir Court
Louisville, CO 80027

Sent from my iPhone

Meredyth Muth

From: Betsy Eller <betsy.eller4@gmail.com>
Sent: Sunday, March 18, 2018 5:30 PM
To: City Council
Subject: Public Input Regarding Terraces on Main

In my opinion, this proposed building is too tall and out of scale with the other buildings. Please vote “no” on this proposed plan. Thank you.

Meredyth Muth

From: Ann <a-ford@comcast.net>
Sent: Monday, March 19, 2018 8:10 AM
To: City Council
Subject: Proposed building on main st

I don't think the building fits the old charm feel of downtown Louisville.There is already a parking problem and many Customers avoid the area already A building like this should go down on 42 or out on McCaslin Thanks for listening Ann Ford

Sent from my iPhone

Meredyth Muth

From: Val Foster <vfoster234@comcast.net>
Sent: Friday, March 16, 2018 7:36 PM
To: City Council
Subject: Public Input Regarding Terraces on Main

To Whom It May Concern:

The small town Louisville feel should NOT be ruined by a three story building. Please keep our great town great!

Richard and Valerie Foster
234 Jackson Circle
Louisville CO 80027

Meredyth Muth

From: Joel Hayes <hayesjoel@gmail.com>
Sent: Saturday, March 17, 2018 1:57 PM
To: City Council
Subject: Terrace on Main

Dear Mayor and City Council Members:

I write to oppose the proposed building on Main St., a/k/a Terrace on Main. It's mass and scale are not compatible or appropriate for our historic downtown, which has much smaller buildings. The City Code requires a proposal to be compatible with existing buildings, especially those adjacent to it. The 42-43 foot height of the proposed design would dwarf the buildings around it, which are approximately 16-17 feet tall. The over 37,000 square feet design would exceed the square footage of the rest of the block all taken together.

It's architectural style (including large glass areas) is inconsistent with the historic style we have, as well as the Design Handbook for Downtown Louisville, which requires windows to be similar to traditional styles and bars large glass areas on upper floors of commercial buildings. It is hard to imagine a less compatible building for this block of old town Louisville. It would greatly detract from the historic small town feel we love.

The mass and scale is also problematic for parking, as Louisville parking standards generally require 100 parking spots for a building of this size, but only 32 are proposed. That suggests we will compound our current parking problems, or pass on the the public the cost of creating more parking spaces (at approximately $25,500 per space according to city estimates that comes to approximately $1,750,000.) I and many others would oppose subsidizing such development by paying for its parking spaces. Thus this building would drive away patrons from because of a lack of parking, weakening our local businesses and our tax base.

I ask you to vote against this proposal and preserve our downtown.

Respectfully

Joel Hayes
187 Harper
Louisville CO 80027

Meredyth Muth

From: Tracy Hobbs <tracy@eleanorandhobbs.com>
Sent: Monday, March 19, 2018 10:06 AM
To: City Council
Subject: Terraces on Main

Louisville City Council Members

I am writing regarding the Terraces on Main project. I plan on being at the meeting on Tuesday because the success of this project is very important to the success of my business.

I have spoken to many of my friends and neighbors who are busy, active parents who love and utilize our downtown area. They are all very excited about the prospect of a new building providing retail, restaurant, and new parking to downtown. When I ask them if they can come to support the project, the overwhelming answer is "I would like to but I am busy". Not many of them understand the threat that the members of the CAC pose to this project. The CAC members have made it their mission to disrupt anything progressive or positive in this community. I am making my voice heard because my business, and income depend on a Louisville that thrives instead of one that stays dormant.

I obviously am in favor of this project. I agree with the vision and the philosophy that Boulder Creek Builders, and David Sinkey have presented with this project. I believe that if we don't keep moving forward with the times, that our town will not sustain itself. I am not looking for quantity of growth, but quality. I believe that it is imperative that we have more retail in downtown, more walking traffic, more small businesses that are successful and thriving, instead of fighting and struggling month to month to keep their doors open. I know it is of the perception that downtown business are doing well, and that "everything is fine". I am here to tell you that without more growth and retail in historic downtown, my business will not last as long as the four years I have left on my lease.

The Terraces on Main project helps me achieve my business goals. Currently, Boulder creek builders takes up 4 first floor downtown prime spaces that could turn over to be retail or restaurant spaces. I am strongly in favor of this. I am all for getting office (accounting, law firms, mortgage companies, architecture firms, building companies) and service industry (therapists, wellness, massage) on the second floor.

The CAC is arguing right now that the parking spaces that will be added are in deficits of what will support the building. I have done the math and spoken to the project managers for the Terraces on Main and know that this is not an accurate statement. Please allow me to be clear, I have never had a customer call me, or mention in my store that parking was difficult for them (with the exception of Street Faire). By adding parking spaces underneath the ToM project, those cars (that will now park there) are going to be taken off the street parking, freeing up even more parking for my customers, and the future customers that will be utilizing the new retail spaces.

I applaud the job that BCB did on this project, and commend them for adding the parking element. They are spending money to invest in our town when the City itself wouldn't do so. I urge City Council to pass this project and invest in Historic Downtown Louisville.

Best,
Tracy Hobbs
Owner Eleanor and Hobbs 901 Front Street #100 Historic Downtown Louisville Colorado 80027

Chris, Jack and Ben Hobbs
2157 Wagon Way, Louisville CO 80027

Meredyth Muth

From: K Hogan <khogan.wp@gmail.com>
Sent: Monday, March 19, 2018 9:01 AM
To: City Council
Subject: Terraces on Main

Dear Louisville City Council,

I have looked at the current drawings for "Terraces on Main" and my initial reaction is that I am VERY concerned. The size/scale, building height and look (considerably more modern with a lot of glass) is not at all in keeping with our downtown area. I could see something like this at either end of the main Main Street area, or off one of the side streets, or on Front, or over in the new east downtown area, but NOT where they are proposing. In my opinion, it would have to be no more than 2 stories and more in traditional keeping architecture-wise for Louisville to even consider this development.

The other consideration, of course, is the parking. I believe the developer should foot most of the bill for additional parking. If taxpayers would eventually benefit from the sales taxes generated from this development, they could subsidize a small portion of the additional parking costs.

Thank you for thoughtful consideration on this matter.

Best,

Karen Hogan
305 W. Spruce St.
khogan.wp@gmail.com

Meredyth Muth

From: MIKE Koertje <KOERTJE@msn.com>
Sent: Monday, March 19, 2018 8:47 PM
To: City Council; MIKE Koertje
Subject: Terraces on Main item at March 20, 2018 Council meeting

Dear Mayor Muckle and members of Council, I request that you deny Resolution No. 17, regarding the project to redevelop 712 & 722 Main St. While the existing buildings at those addresses are not architecturally or historically significant, the proposed replacement would be very detrimental to the character of our historic downtown. The mass, scale and bulk of the proposed new buildings would tower over the historic structures on either side and destroy the character of the block, and the design shows little respect for the historic nature of our downtown. The intersection of Pine & Main is probably the most significant intersection downtown, and these new structures would loom over it and have a severe visual detrimental effect.

Many Louisville citizens and business owners have struggled for years to help maintain the historic character of the downtown area, which is widely recognized and acclaimed. Only a few months ago, the voters in Louisville extended the Historic Preservation Tax by a wide majority, again illustrating the importance to the populace of our historic character. Our historic downtown is important both economically and for the quality of life of our citizens. Approval of this project would disregard our citizens' desires, and a set a precedent for future inappropriate development on Main Street. People visit our downtown to enjoy the historic ambiance, and if Main Street filled with the soulless, boxlike structures that have been inflicted on much of downtown Boulder along Canyon and Walnut, Louisville's unique downtown character and its draw will be lost.

Thank you for your careful consideration of this important issue.

Mike Koertje
887 Welsh Ct.
Louisville, CO

Meredyth Muth

From: jgkroofing <jgkroofing@gmail.com>
Sent: Sunday, March 18, 2018 10:05 AM
To: City Council
Subject: Reject 3rd story building!

I reject the 3rd story building proposal and I'm family of 20years does as well.

Reject reject reject!

Jason Kolenda
GRIFFITH ST

Meredyth Muth

From: tamar krantz <tamarkrantz@gmail.com>
Sent: Sunday, March 18, 2018 1:01 PM
To: City Council
Subject: development on main street

City Council:

I read a flyer from the citizens' action council about the development you are considering on main street.

This e-mail is to express my concern about the parking shortfall described in the flyer. The CAC asks "who should absorb the $1.75 million needed for parking?" I think the developer should pay to provide parking or reduce the parking impact of the project.

Can the city require a developer to provide ecopasses, carpool incentives, or electric car/bike charging? I would love to see the vision for our downtown move in the direction of becoming more pedestrian and bicycle friendly, not less. If this means scaling back the size of this project, I would be in favor of that.

Thanks,
Tamar

691 West street.

Thanks to the CAC for bringing this to my attention!

Meredyth Muth

From: Michael Kranzdorf <mike@amterre.com>
Sent: Monday, March 19, 2018 10:59 AM
To: City Council
Subject: March 20 Agenda

Hello,

I am writing in support of agenda items A, B and C on the March, 2018 agenda.

Terraces on Main is a great reuse of the outdated structures at 712 and 722 Main Street. The return of the ground floor to retail use and the additional parking are very positive for the downtown environment. The third floor seems far enough from Main Street to be unobtrusive and will provide excellent office space for years to come.

Clementine Commons appears to be a good use of the land on East Street. I do have a concern about the increased traffic on East Street, which is not very wide, and also at the intersection at Pine Street and East Street. Perhaps the city can find a way to keep that intersection moving more freely in the future.

The GAIA rezoning seems more like a technical fix than a controversial Special Review Use, but also shows that the city is supportive of local business.

Thank you,

Michael Kranzdorf
Amterre Property Group LLC
1100-1140 Pine Street

Meredyth Muth

From: Laura Lambrecht <lauralambrecht@yahoo.com>
Sent: Saturday, March 17, 2018 11:23 AM
To: City Council
Subject: Feedback on proposed 3-story building

Dear Louisville City Council,

I have lived in downtown Louisville with my family for 13 years. I have also owned a retail store on Main St called Bella Frida. I would like to share that in my opinion the 3rd story of the proposed building should NOT be approved. My reasoning is both the shortfall of parking it creates as well as the aesthetics of a 3-story building. When I had my business on Main St., parking was already an issue in downtown Louisville that many customers complained about. Adding a building that creates a shortfall of 70 spaces is ridiculous and clearly not in the best interest of the customers who wish to frequent the downtown area. I also feel that the aesthetics of a 3-story building does not fit in with the character of downtown. 908 Main sticks out like a sore thumb and I hope the city won't make the same mistake again by approving such a tall building. The design of the newly proposed building does help with the 3rd story setback but it ultimately is a 3rd story. I feel strongly that we need to keep downtown to a 2nd story limit or we are at great risk of losing the character of this charming town.

Thank you,
Laura Lambrecht

Meredyth Muth

From: John Leary <johntleary@comcast.net>
Sent: Saturday, March 17, 2018 2:25 PM
To: City Council
Subject: Terrace on Main PUD Comments
Attachments: MEMORANDUMTonMdocx.docx

Attached find my comments on the Terrace on Main PUD.

John Leary

MEMORANDUM

DATE: March 17, 2015

TO: Louisville City Council

FROM: John Leary

SUBJECT: Terrace on Main (T on M) PUD

Introduction

I start with the following "givens."

1. *The Design Handbook for Downtown Louisville, Colorado (Handbook)* identifies mass and scale as "among the greatest influences for compatible construction in the community."

2. The City Council has the authority, by the Louisville Municipal Code (LMC), to set height requirements for any building in the Core Area.

3. The *Downtown Louisville Framework Plan (Framework Plan),* which is part of the Comprehensive Plan, establishes Goals and Policies for Downtown parking.

4. The City Council has the authority, by the LMC, to raise or lower parking requirements for Downtown parking.

Terrace on Main (T on M) Mass, Scale and Design Issues

The Handbook Policy on mass and scale states - "The height, width and depth of a new building should be compatible with existing buildings in the area and **especially with those structures that are immediately adjacent to a project."** (Emphasis added) The T on M would dwarf the buildings adjacent to it. Their parapets are 16 and 17 feet tall against 42 and 43 for the T on M third floor. The impact of the mass and scale of this building is further exacerbated by its overshadowing of the two buildings north and south (the Huckleberry is made up of two buildings) of the adjacent buildings. They have 17 and 21 feet parapets.

This minimal height of adjacent buildings means the T on M second and third stories would be visible from numerous viewpoints and angles in the Downtown area.

This requirement is delineated in Standard G20 that states "New construction should appear similar in mass and scale to structures found traditionally in the area."

This policy and standard inform the following LMC PUD criterion.

Sec.17.28.120.1. "An appropriate relationship to the surrounding area."

As illustrated above, "appropriate" is largely defined by its compatibility with adjacent structures. **This criterion is not met**. (Staff's conclusion that this criterion is met is because the building is a three-story building and three-story buildings are allowed in the Downtown area ignores the basic premises for having a Handbook. If simply meeting zoning requirements were all it took to be "appropriate," the Handbook would not need to exist.

The argument that adding a three-story building is consistent with the desire to have a mixture of heights in the downtown area is also without merit. The Framework Plan and the Handbook are very clear that three-story buildings are to be considered the exception. Furthermore, we need to be careful not equate the concepts of building heights and the number of stories. The Handbook shows examples of one-story buildings having different heights, and this distinction between stories and height is also illustrated by the fact the facade of the 3 story Mercantile building is the same height as the second story of the proposed T on M.

The T on M also has a major design flaw that puts it in violation of the following standard/guideline.

G34 "The ratio of windows to wall surface should be similar to that seen traditionally. 1) Large surfaces of glass are inappropriate on residential structures and on the upper floors of commercial buildings."

The south 1/2 of the building has 2nd and 3rd story windows that are nowhere similar to "that seen traditionally." (Staff justifies the windows citing a subsequent requirement dealing with solid-to-void ratio that it meets. However, the requirements are not mutually exclusive. The windows can be non-traditional, have large surfaces of glass, and still meet the solid-to-void ratio. It's a simple matter of configuration. Simply put, the glass on the second and third story of the building dominates and is not at all traditional to the Downtown area.

Parking

After reviewing the Framework Plan I have concluded we have failed to effectively implement its vision for Downtown Louisville. Nowhere is this more obvious than in dealing with the parking issue and the T on M proposal serves to grossly aggravate this failure. In our efforts to facilitate the adaptive reuse of buildings in the Downtown we have established parking standards that have no relationship to parking demand. This means we have a passive approach towards parking requirements putting us in an "eternal" catch up game.

To illustrate the folly of this approach, lets look at the urban renewal authority's approach to addressing the parking problem. They have approved RFP to get bids on building a parking structure in the Downtown area. One of the goals for the structure is to facilitate 160,000 square feet of redevelopment. The RFP calls for evaluation of a 225 - 250 space structure and uses the Downtown parking standards as a measure of demand. (Using this standard the projected demand at 320 spaces). Again, the standards are not a measure of demand. The demand could easily be 2 to 3 times the standard, i.e., in the 600 - 900 space range. This is not planning, it is craziness.

The T on M proposal forces this issue. According to staff, the standards require the development to have 31 spaces. Currently on the sight there are 18 parking spaces, plus a loading dock area that parks two cars. The applicant is providing 32 spaces for a gain of 12 spaces. If applied to this area, the Commercial Development Designs Standards and Guidelines (CDDSG's), designed to project demand, would require the T on M to have around 105 spaces. (There may be some reason to adjust these numbers, but they are not going to significantly change).

This 70 plus shortfall is not in compliance with the policies and recommendations of the Framework Plan. Here are a few of the policies in the Framework Plan (page 23) that apply to the T on M project.

"Parking demand should be one of the determinates for establishing development policies."

"Employers should be responsible for providing employee parking."

"A plan for coordinated off-site parking should be subject to the planned unit development, special review use or other applicable public development review process."

As you know, by state statute, Comprehensive Plans are not regulatory documents. However, the LMC requires PUD's to be consistent with the Comprehensive Plan. Additionally, you have the authority to establish parking requirements higher or lower than what is required by standards.

There is also the issue of who pays. There is no significant public benefit in having large office buildings in Downtown Louisville and there is no reason for taxpayers subsidizes the parking needs of a large office building in Downtown Louisville. We have an office park in the Centennial Valley for this purpose.

Summary

The requirement for a development to have an "appropriate" relationship to an area is a threshold issue for approving a PUD. The T on M does not come close to meeting this criterion. Therefore, game over.

That being said the project design is also not consistent with style "traditionally" found in Downtown Louisville; and, the parking shortfall created by this project would place an undue burden on the citizens of Louisville.

Time to get my game face on for St Patrick's Day celebrating.

Meredyth Muth

From: John Leary <johntleary@comcast.net>
Sent: Monday, March 19, 2018 7:33 AM
To: City Council
Cc: Rob Zuccaro
Subject: Fwd: Terrace on Main PUD Comments

Members of the City Council,

The forwarded email either reflects a change in the Council's decades long practice for dealing with written comments for quasi judicial hearings, or it reflects the a decision by a single Council member to not abide by these procedures. In any case it is a major issue.

Simply put, the current procedure is for written communications received after the agenda and packet for a meeting have been published, to be read by Council and put into the public record of the meeting. The key is making these communications part of the record of decision. As recently as your last study session you indirectly reaffirmed this procedure by discussing the possibility setting a deadline for receiving written comments. (Having a deadline would only make sense if the packet is made public earlier than the Friday before your Council meeting).

Now the suggestion is, that for legal reasons, you cannot read these comments until after they have been put into the public record. This new approach would mean, especially when you receive large numbers of comments, you would either have to set time aside for the Council to read all of these comments or continue your hearing until another date to give members an opportunity to read and contemplate the comments. Another option would be to waive the 3 minute rule and allow the public to read their written comments into the public record.

I could go on and on about options to deal with this issue, but it would be senseless, as I think we all know Council members Keany's position is a simple misunderstanding of the role a public record has in your decision process.

Council member Keany's email to citizens has, as you can imagine, has confused and frustrated members of the public. The matter needs to be cleaned up immediately, it has both procedural and legal implications. Members of the Council, who have not considered all of the evidence before the Council, should be allowed to participate in deliberations or vote on the matter before you.

Thanks,

John Leary

Begin forwarded message:

From: Jay Keany <jayk@louisvilleco.gov>
Subject: Re: Terrace on Main PUD Comments
Date: March 18, 2018 at 6:46:35 AM MDT
To: John Leary <johntleary@comcast.net>
Cc: Rob Zuccaro <rzuccaro@louisvilleco.gov>, Meredyth Muth <meredythm@louisvilleco.gov>

Thank you for your email, which I have not read. This is a quasi-judicial hearing, and the council is only allowed to consider evidence presented in the hearing, and/or a part of the official meeting packet. I am cc'ing the planning department and city clerk, so your email may be considered as a part of the public hearing.

Jay Keany
Ward 1 Council Person
720-280-4805

On Mar 17, 2018 2:24 PM, John Leary <johntleary@comcast.net> wrote:
Attached find my comments on the Terrace on Main PUD.

John Leary

Meredyth Muth

From: Jay Keany
Sent: Monday, March 19, 2018 9:45 AM
To: John Leary
Cc: City Council; Rob Zuccaro; Sam Light; Meredyth Muth; Heather Balser
Subject: Re: Fwd: Terrace on Main PUD Comments

Mr. Leary

Sam Light and I have discussed and I understand it is okay to read e-mails as long as they get included in the record. I will change my standard e-mail to avoid the misunderstanding it may have caused. The primary intent of my standard e-mail is to just let the sender know that I can't discuss the matter outside the hearing and that the e-mail is being passed on to staff to include in the hearing record. More generally, Sam advises that staff will be posting a supplemental packet with communications received after the packet was released.

Thank you.
Jay Keany
Councilman - Ward 1
City of Louisville
720-280-4805

Sign up for the City's email lists and be informed. Use this link to see how:
http://www.louisvilleco.gov/residents/enotification

From: Jay Keany
Sent: Monday, March 19, 2018 7:38 AM
To: John Leary
Cc: City Council; Rob Zuccaro; Sam Light; Meredyth Muth; Heather Balser
Subject: Re: Fwd: Terrace on Main PUD Comments
Mr. Leary,

Thank you for your email. I appreciate your request for clarification. If I've misinterpreted the law, I would certainly like to know.

Jay Keany
Ward 1 Council Person
720-280-4805

On Mar 19, 2018 7:33 AM, John Leary wrote:
Members of the City Council,

The forwarded email either reflects a change in the Council's decades long practice for dealing with written comments for quasi judicial hearings, or it reflects the a decision by a single Council member to not abide by these procedures. In any case it is a major issue.

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John Leary

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From: Jay Keany <jayk@louisvilleco.gov>
Subject: Re: Terrace on Main PUD Comments
Date: March 18, 2018 at 6:46:35 AM MDT
To: John Leary <johntleary@comcast.net>
Cc: Rob Zuccaro <rzuccaro@louisvilleco.gov>, Meredyth Muth <meredythm@louisvilleco.gov>

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Jay Keany
Ward 1 Council Person
720-280-4805

On Mar 17, 2018 2:24 PM, John Leary <johntleary@comcast.net> wrote:

Attached find my comments on the Terrace on Main PUD.

John Leary

Meredyth Muth

From: WAYNE LEE <wwl51@comcast.net>
Sent: Sunday, March 18, 2018 4:11 PM
To: City Council
Cc: Laura Lambrecht
Subject: Proposed New Construction north of Huckleberry's on Main Street

City Council,

First, I have read the document regarding the proposed new construction north of Huckleberry's prepared by the Citizen's Action Council and I generally agree with the concerns and observations contained in the document. I am a retired architect but I have no professional self interest in the proposed project other than concerns as a resident of Louisville. I was a resident of Boulder from 1978 until 2014 when I moved with my wife to Louisville to get out of Boulder and to be close to our daughter and her family in Louisville.

My interest in Louisville began when I chose to write, photograph and publish a book about Louisville titled, *Louisville, At Home in a Small Town".* This decision was the result of reading an article in *Money Magazine* where they selected *Louisville, Best Place to Live in America*" in both 2009 and 2011. *Money Magazine* arrived at the selection with data and I wanted to do a book that reached the same conclusion with images/pictures only. The book was printed in 2013 and went on sale in Louisville in the Fall of 2013. My goal for the book was to validate the selection of Louisville for the title but to do it with images, a little history and interviews with 2nd, 3rd and 4th generation residents of Louisville. At the time I did the book, I lived in Boulder as did my partner with the preparation of the book.

My question is, if Louisville is no longer the best place to live in America, what has happened and what is our future if we continue to move in the direction we are currently moving?

Since 2011, there has been continued development in the McCaslin Street area, South Boulder Road and especially between 96th Street and the Burlington Northern Railroad tracks east of old downtown Louisville. I believe this development was and is necessary and appropriate.

Louisville is near being built-out unless development density and/or building heights are modified or re-zoned.

The question is should Louisville be managed for the benefit of current residents and business owners or for the benefit of potential future residents and business owners not yet residing in our community? I'm not suggesting we eliminate growth or progress in our residential, retail and office areas but let us be very thoughtful of changes and/or policy that compromise the vary aspects of our community that make us thankful we live and work here!

How important is it to current Louisville residents to preserve what we currently have versus what an aggressive future might bring? The answer to this question by the City of Boulder is one of the reasons we now live in Louisville. My family wishes to preserve what we currently have in Louisville before it is too late. I believe this would likely be true for most residents of Louisville even if that required some addition to our property taxes and sales tax. Certainly the improvements to our Recreation Centers support that position.

As to architecture design, I find the proposed building for Main Street referred to in the CAC document to be attractive and architecturally sound, I just don't think it is the right building for that location in our community. I think that location on Main is the wrong time and the wrong place. How can you look at the elevation drawings of the proposed 3 - story building and its neighbors and think this is in the communities best interest?

In addition, the CAC document discusses the limited number of parking places provided in the design (32 spaces) and the number of spaces required to support the total proposed building (100 spaces). Where are the needed 70 new parking spaces? Who will provide them and who will pay for them, you and I or the new building owner at $25,000 per new space (70 spaces x $25,000/space = $1,750,000)? The solution is certainly not the current solution which is commercial parking moving west into residential areas that have their own needs and with limited resources nor should it be the local tax payer. It should be the owner and tenants of the proposed building. They selected this location and they knew the situation when they selected this proposed site.

I'm also concerned about the recent trend to convert retail space to office space in existing and new buildings on Main Street. I really value the opportunity and history of local owned retail businesses and restaurants occupying Main Street. It is and I hope will remain a great place to eat and shop on Main Street and in businesses owned and operated primarily by Louisville or local area residents. I like Huckleberry's a lot better than McDonald's! **Main Street and Front Street are the historical social core of this great town and it needs to stay that way!**

I have a lot of respect for our City Council and the leaders of Louisville but I believe this solution at this location is not in our communities best interests.

W. Wayne Lee

Meredyth Muth

From: Holly Leroux <hleroux087@gmail.com>
Sent: Friday, March 16, 2018 5:04 PM
To: City Council
Subject: Public Input Regarding Terraces on Main

I am apposed to this monstrosity.
Holly Leroux
753 W Birch Ct Louisville co 80027

Sent from my iPhone

Meredyth Muth

From: goddessofkansas@aol.com
Sent: Saturday, March 17, 2018 4:49 PM
To: City Council
Subject: New 3 story building on Main Street

I just read through the flyer concerning the proposed 3 story building. When I first read about this I thought I understood it would blend into Main Street. It will only blend in when you demolish all the rest of downtown and rebuild for a brand new look. Much like the residential areas of Old Town Louisville. I don't like the "look" of the new building. Maybe without the 3rd floor and some true historic details. I'm sure the Historical Society and the Library have information. And then there's the parking issue. People dislike our wonderful Street Faire, due in large part to parking. These same people dislike noise of any kind as well. Please really think through what it is you're approving
Sincerely Karen Lian of Old Town
Sent from Mail for Windows 10

Meredyth Muth

From: Regina Macy <reginamacy@gmail.com>
Sent: Monday, March 19, 2018 5:18 PM
To: City Council
Subject: New 3 story Commercial Building

Dear Louisville City Council, This new proposed building does not fit in with our "small town feel". We need to protect Louisville from the traffic and parking problems of Boulder. I could be specific and site many reasons why this is not a good idea but I won't because it is so obvious looking at a picture of the proposed building. Thank you for your service.

Best, Regina Macy
1021 Willow Place
Louisville, CO 80027

Meredyth Muth

From: Michael B. Menaker <michael@hostworks.net>
Sent: Monday, March 19, 2018 11:51 AM
To: City Council
Subject: The Terraces on Main Street

Dear Mayor and Council:

Regarding the proposed "Terraces on Main Street" project, I appreciate your consideration of the following observations:

After 2 hours and 15 minutes of staff's presentation, the applicant's presentation, Planning Commissioner's questions and public comment, Commissioner Rice noted that unlike so many projects that come forward, in this case there were only two, quite minor variance requests. Indeed, these variances were so minor and trivial as to be *de minimis*.

That was both a correct and insightful comment; for it demonstrates that this project is *de facto* compliance with our long-standing land use regulations. These regulations are the result of long public process and are created to provide property owners with clarity as to what may – and may not be built. To reject this project for solely subjective, arbitrary and personal taste would be the height of arbitrary and capricious behavior.

Our first Economic Development Consultant, Becky Hogan, had a mantra:

We should strive always to be "consistent, predictable and fair." If we do not abide by our own regulations how can anyone have trust in our processes?

By far, most of the negative comments submitted have been totally subjective objections…of the "it doesn't fit" or "not in character" variety.

Many of these comments seem to be based on a highly alarmist flyer circulating that both overstates the size of the building by neglecting to note that 10,000 square feet of the project is parking, underground, or

both. And, contains a perspective drawing that while technically correct, shows a perspective only a bird could achieve.

As a means to create fear, uncertainty and doubt. It was successful. As an instrument of divisiveness and tribalism, a triumph. As an informative document it was about as accurate as describing Albert Einstein as a high school graduate – technically accurate, but woefully lacking.

Looking at the more representative renderings gives a much more realistic view of how the new building will appear *in situ*.

My experience probably matches your own: While downtown Louisville currently has three, three-story buildings, few if any residents can name all three without prompting. This shows that once a more contemporary three-story building is built and the construction completed and landscaping installed and matured, there presence is not so jarring as some would suggest.

As to the "it doesn't fit in" "It's not compatible" argument – Do we really mean to hold the future of downtown hostage – in perpetuity - to the architecture of the old Black Diamond (now Melting Pot) or the Double Happy building?

It is significant that the owner of the Huckleberry which is on the National Register has made no objection. And, the owner of the building home to the Singing Cook actually took the time to appear before Planning Commission in support of the project as did his tenant.

And, of course, it is non-debatable that this project creates new retail space on Main St., frees up several spaces now occupied by Boulder Creek Builders scattered across downtown to be either returned to retails uses or made available to smaller local business, adds to the vitality and viability of our downtown retailers and enables a local, home-grown, business success story to continue to remain downtown.

We are fortunate to have several truly historic buildings downtown including the buildings home to 740 Front, The Huckleberry, Casa Alegre and the State Mercantile Building. Each of these is on the National Register of Historic Places. The Grain Elevator on Front Street is on our local historic register.

And yet, Downtown Louisville, is not a museum. Nor should it be allowed to become one. We should not protect the past by depriving the future. To be successful, communities must change over time.

The Terraces on Main Street project complies with all of our published and measurable requirements, adds to our economic vitality, and is respectful of its historic neighbor.

It deserves your enthusiastic support.

Sincerely
--
Michael B. Menaker
1827 W. Choke Cherry Dr.
Louisville, CO 80027

Meredyth Muth

From: Christopher Leh
Sent: Monday, March 19, 2018 2:23 PM
To: Heather Balser; Rob Zuccaro; Meredyth Muth
Cc: Susan S. Loo; Michael B. Menaker; Jay Keany
Subject: Re: also sent to your council email address

Please make part of the record for tomorrow's hearing. Thanks.

Chris Leh
Councilman, Ward 1
City of Louisville
303.668.3916 (c)
leh@louisvilleco.gov

Stay informed about City events and decisions by signing up for email notifications: www.louisvilleco.gov/residents/enotification.

On Mar 19, 2018, at 11:59 AM, Michael B. Menaker <michael@hostworks.net> wrote:

> My thoughts on the Terraces on Main St. I waited until now to be respectful of the limitations on *ex parte* communications.
>
> M
>
> Dear Mayor and Council:
>
> Regarding the proposed "Terraces on Main Street" project, I appreciate your consideration of the following observations:
>
> After 2 hours and 15 minutes of staff's presentation, the applicant's presentation, Planning Commissioner's questions and public comment, Commissioner Rice noted that unlike so many projects that come forward, in this case there were only two, quite minor variance requests. Indeed, these variances were so minor and trivial as to be *de minimis*.
>
> That was both a correct and insightful comment; for it demonstrates that this project is *de facto* in compliance with our

long-standing land use regulations. These regulations are the result of long public process and are created to provide property owners with clarity as to what may – and may not be built. To reject this project for solely subjective, arbitrary and personal taste would be the height of arbitrary and capricious behavior.

Our first Economic Development Consultant, Becky Hogan, had a mantra:

We should strive always to be "consistent, predictable and fair." If we do not abide by our own regulations how can anyone have trust in our processes?

By far, most of the negative comments submitted have been totally subjective objections…of the "it doesn't fit" or "not in character" variety.

Many of these comments seem to be based on a highly alarmist flyer circulating that both overstates the size of the building by neglecting to note that 10,000 square feet of the project is parking, underground, or both. And, contains a perspective drawing that while technically correct, shows a perspective only a bird could achieve.

As a means to create fear, uncertainty and doubt. It was successful. As an instrument of divisiveness and tribalism, a triumph. As an informative document it was about as accurate as describing Albert Einstein as a high school graduate – technically accurate, but woefully lacking.

Looking at the more representative renderings gives a much more realistic view of how the new building will appear *in situ.*

My experience probably matches your own: While downtown Louisville currently has three, three-story buildings, few if any residents can name all three without prompting. This shows that

once a more contemporary three-story building is built and the construction completed and landscaping installed and matured, there presence is not so jarring as some would suggest.

As to the "it doesn't fit in" "It's not compatible" argument – Do we really mean to hold the future of downtown hostage – in perpetuity - to the architecture of the old Black Diamond (now Melting Pot) or the Double Happy building?

It is significant that the owner of the Huckleberry which is on the National Register has made no objection. And, the owner of the building home to the Singing Cook actually took the time to appear before Planning Commission in support of the project as did his tenant.

And, of course, it is non-debatable that this project creates new retail space on Main St., frees up several spaces now occupied by Boulder Creek Builders scattered across downtown to be either returned to retails uses or made available to smaller local business, adds to the vitality and viability of our downtown retailers and enables a local, home-grown, business success story to continue to remain downtown.

We are fortunate to have several truly historic buildings downtown including the buildings home to 740 Front, The Huckleberry, Casa Alegre and the State Mercantile Building. Each of these is on the National Register of Historic Places. The Grain Elevator on Front Street is on our local historic register.

And yet, Downtown Louisville, is not a museum. Nor should it be allowed to become one. We should not protect the past by depriving the future. To be successful, communities must change over time.

The Terraces on Main Street project complies with all of our published and measurable requirements, adds to our economic vitality, and is respectful of its historic neighbor.

It deserves your enthusiastic support.

Sincerely
--
Michael B. Menaker
1827 W. Choke Cherry Dr.
Louisville, CO 80027
--
Michael B. Menaker
1827 W. Choke Cherry Dr.
Louisville, CO 80027
303.665.9811
cell: 303.588.8781

Meredyth Muth

From: Sandra Penoucos <sspenoucos@comcast.net>
Sent: Monday, March 19, 2018 7:48 AM
To: City Council
Subject: downtown development - Main Street proposal

To the Louisville City Council;

I am writing regarding the Boulder Creek's Main Street proposal, in the hope that this project will **NOT** be approved.

The proposed building appears totally out of scale and out of character with our existing, picturesque Main Street. Its size appears massive, compared to other neighboring shops, and it does not relate to the traditional buildings in the area. I do not believe that it meets the criteria of the Design Handbook for Louisville in 'maintaining a visual sense of continuity', nor does it maintain or enhance the historic scale and character of downtown Louisville. The addition of a 3-story contemporary design would be just another mass-produced urban structure that would detract from historic Main Street. Even Boulder Creek's own David Sinkey said "it's not lost on me that this project represents change"…. so he's aware that it is NOT in keeping with the traditional character of the surrounding buildings! Have them go back to the drawing board and come up with another plan that is more appropriate in size and style.

PLEASE, let's keep the size and architecture in line with the existing businesses on Main Street!

Thank you,
Sandy Penoucos

Meredyth Muth

From: Janice Prokop <janprokop@comcast.net>
Sent: Saturday, March 17, 2018 4:50 PM
To: Planning; City Council
Subject: Terraces on Main

Hello,

I recently reviewed the development application and associated documents for the Terrace on Main project and want to share my opinion. I am a 26 year homeowner in Louisville. I feel enormously grateful and lucky to live so close to "Old Town." I enjoy and appreciate our town more each year.

I am not in favor of Terrace on Main. The name, while mildly inconsequential couldn't be farther away from the history of Louisville. While 3 story buildings are not outside development standards it would have an overwhelming and incongruous presence on the streetscape. I agree with the developers that the design is current for today, a modern architectural building. This is exactly why Terrace on Main doesn't look or feel compatible with our historical downtown. This history is central to the culture and pleasure of downtown Louisville. I would not have an argument with this building if it were developed in a different area of Louisville but in downtown it is a glaringly too tall and design wise out of place.

I am also concerned about the impact of parking downtown. Developers are only required to provide for 32 spaces yet 80 people work at Boulder Creek Neighborhoods. Add on the employees and customers associated with the first floor retail/restaurants. This is the deal breaker, please.

Thank you for the work you do for Louisville and its residents.

Sincerely,

Jan Prokop

637 West Street

Louisville,Co

Meredyth Muth

From: HILARY RAFTOVICH <hilaryraftovich@mac.com>
Sent: Saturday, March 17, 2018 3:30 PM
To: City Council
Subject: RESOLUTION NO. 17, SERIES 2018

Good Afternoon,

I have reviewed the plans for the proposed building on main street and wanted to submit my comments. Looking at the architectural drawings online I believe the building will be a great addition to main street. It is much more aesthetically pleasing than the current building and the unique use of staggered second and third stories maintains the basic height on the main street side while allowing for a multi use building.

I think is important to keep downtown vital and create spaces for new businesses in Louisville as many main street areas around the country are suffering as they try to compete with more “convenient” shopping centers and shopping malls. This proposed building will allow the current business to remain & expand (supplying workers to patronize downtown businesses) while switching the main street frontage to retail & restaurant space that will hopefully bring great new businesses to downtown.

Our family lives walking distance to downtown and try to patronize local businesses as much as possible and we usually bike or walk but when we do drive we never have trouble finding parking. I have heard concerns that this will cause parking problems but it seems to me that the businesses in the building are staggered between day & night and so won’t use much more of the downtown areas parking which seems quite plentiful.

Thank you for accepting my comments & thank you for your hard work representing our city.

Hilary Raftovich
1460 Wilson Place
Louisville, CO 80027

Meredyth Muth

From: Jeffrey A. Sampson <sampsonjeffreya@gmail.com>
Sent: Saturday, March 17, 2018 12:23 PM
To: City Council
Subject: Main St proposal

Dear Council,

I am a Louisville resident.

I think the proposed building that would replace the space between Huckleberry and Book Cellar is fine.
I think Louisville should retain some of its more historic buildings, but also embrace modern construction materials and I believe that the glass ratio should be increased, as glass is quite pleasing aesthetically. I frankly do not understand the logic of limiting glass on upper stories.

I do believe that the developer should pay for any parking spaces required. That seems obvious to me. If they are going to need the spaces and get the benefit of collecting leases, etc., they should make the investment to the town for spaces.

I consider some downtown buildings horribly ugly; Chase Bank, Wildwood Guitars, Double Happy. I am certainly glad they are occupied, but they are a massive blight on Main St. and could use a facelift to bring them up to date and more complimentary of our great downtown. I think Waterloo did a great job on their new space. I'd like to see more improvements like that.

I think the new walkway/gateway to Delo is lovely- thanks for that!

I will say that I am kind of amazed that folks in Louisville are allowed to basically have junkyards on their property. I walk in town a lot and see junk cars, piles of brush, etc., pretty much all over.
There is a house on Front St that has had broken lamp glass in the front yard, inches away from where kids walk- for over three years.

Anyway, that is my opinion. Thanks for listening and thanks for your efforts.

Regards,

Jeff Sampson
998 Elm

Meredyth Muth

From: Al Silvestri <nyliblues@comcast.net>
Sent: Friday, March 16, 2018 4:39 PM
To: City Council
Subject: 3 story building on Main st.

Dear city council,
Let me ask something, haven't you people ruined this town enough with all the high density apartments you've managed to add to this town?!!! I wonder what kind of kickbacks you get allowing all this construction to occur? I've lived here for over 20 twenty years and have been to council meetings and have heard the voices of people like me who have lived here for 20 or 30 years yet everywhere I turn where there used to be trees are now turning into apartments! Now you want to build an eye soar on main st.?!!!
Thank you for ruining our town and not giving a rats ass about it while you line you're f...ing pockets

Albert M. Silvestri
177 Griffith St.
Louisville, Co 80027
(H) 303-664-5593
(C) 720-839-3768

Meredyth Muth

From: ROD SINNER <rodsinner@comcast.net>
Sent: Saturday, March 17, 2018 4:26 PM
To: City Council
Subject: Terraces On Main

Council Members,

Several concerns regarding the proposed Terraces On Main project.

1) Adding nearly five times additional square footage on Main Street, is it really necessary ?

2) Three stories does not fit in with the buildings to the north and south. Two stories would be acceptable.

3) The design of the building with all of the glass does not fit in with the traditional buildings on Main Street.

4) Biggest concern is the parking, currently there is a big enough parking problem downtown. If I understand the parking standards used in the rest of Louisville, the proposed uses for the building would require over 100 parking spaces. The proposal has only 32 being provided, quite a shortfall from what is needed.

Sincerely,

Rod Sinner

444 Jefferson Ave.

(resident for 31 years)

Meredyth Muth

From: Lynn Tidd <lynntidd55@gmail.com>
Sent: Monday, March 19, 2018 7:30 PM
To: City Council
Subject: Terraces on Main

I am not able to attend the city council meeting tomorrow night, however, would like to express my opinion of this proposal.

In looking at the plans, I am adamantly opposed to this proposed project. It is not compatible with the mass and scale for the historic downtown, nor is it architecturally compatible with adjacent historic buildings. Three stories high would be ludicrous and make it seem like the downtown area of Boulder has become, a "mini financial district". This would detract from the personal charm that downtown Louisville currently has.

It would definitely detract from downtown's historic character, as well as place an additional burden on downtown parking, which is already at a premium.

My recommendation would be to deny this proposal.

Thank you for taking my opinion into consideration.

Lynn R. Tidd, *MSC, MFCT*
Registered Psychotherapist

Relationships, Families, Individuals, Child & Adolescent Therapy
720-238-1645
lynntidd55@gmail.com
www.counselingforregeneration.com

"Maybe this was meant to happen, this discovery of cracks where now a different, new light can shine through." Nima Lane

RECONNECT
REAFFIRM
REALIZE

Meredyth Muth

From: Tradiva@aol.com
Sent: Tuesday, March 20, 2018 7:04 AM
To: City Council
Subject: New 3 story commercial building next to huckleberry

Hi.
Just writing a comment on new potential construction between huckleberry and book cellar.
This new building will NOT fit the area.
It will NOT fit height, or size of the buildings adjacent or close to the building. If there was no 3rd story, and 2 nd story was set back, that would be more appropriate to scale.
Also, Parking will not be improved, since staff working in the building will be occupying many of the spaces.
As a long term resident I beseech you to NOT allow this structure to tarnish our beautiful Main Street.
Thanks

Sent from my iPad

Meredyth Muth

From: robert@tullyartworks.com
Sent: Monday, March 19, 2018 9:18 PM
To: City Council
Subject: 3-story proposal

Dear Council Members:

I am writing to voice absolute opposition to the proposed three-story building on Main Street.

The design's overall character does not fit the historic area because it is the contemporary urban look you would find in hundreds of other new developments in larger cities, including parts of Boulder. It would push downtown into a less special, unmemorable direction. The large amount of glass and rectangular repetition have no relationship to the area. This new urban design simply is out of character.

Secondly, the height has no relationship to the small buildings on either side of it. Terraces only help if you stand immediately in front of the building. If you are down the block, you see it is plainly out of scale. The three-story terrace at 908 Main does not fit here either and should not be a precedent. The downtown absorbed one of these mistakes but another will be too much for the historic character. It will be like all the apartment buildings that broke up and ruined Capitol Hill in Denver--a well known failure of city planners. Don't join them!

The third floor here serves the owner's purpose of an office view while permanently marring everyone else's sense of place. The development should be limited to two-stories with a design that takes architectural cues from its surroundings--the fact that it doesn't already is quite offensive.

Robert Tully
Artist, 25-year resident
733 McKinley Ave.
Louisville CO 80027

Meredyth Muth

From: Mark Zaremba <mark@gozaremba.com>
Sent: Monday, March 19, 2018 6:42 PM
To: City Council
Cc: Heather Balser
Subject: Terraces on Main Street

Council, thank you for considering the following.

After reviewing the drawings for this project I believe this is a really nice solution for the space. It is certainly an upgrade from the current structures and in my opinion, an opinion shared by at least two local architects, Historic Downtown architecture is defined by its eclecticism. The Terraces on Main Street is an appropriate, even inspired, addition to our community.

Not to mention that keeping businesses like Boulder Creek Downtown really helps keep businesses like Book Cellar and Singing Cook Downtown.

I won't be able to attend tomorrow night but wanted to voice my support for the project.

Sincerely,
Mark Zaremba

ZAREMBA
Graphic + Web Solutions
303.604.6378
gozaremba.com

City Council – Public Hearing
March 19, 2019

Terraces on Main
PUD, Plat & SRU

Resolution No. 9, Series 2019

A request for a Final PUD to allow for a 22,020 square foot redevelopment with 5,802 square foot parking garage on two lots totaling 14,114 square feet zoned CC; a Final Plat to vacate the lot line between Lots 8 and 9, Town of Louisville; and a SRU to allow for a parking garage and outdoor sales for retail goods and eating and drinking establishments

Public Notice Certification –

- Published in the Boulder Daily Camera – February 3, 2019
- Posted in City Hall, Public Library, Recreation Center, and the Courts and Police Building, and mailed to surrounding property owners – February 1, 2019

1

Terraces on Main

712 & 722 Main St.
Current Location of Boulder Creek Neighborhoods

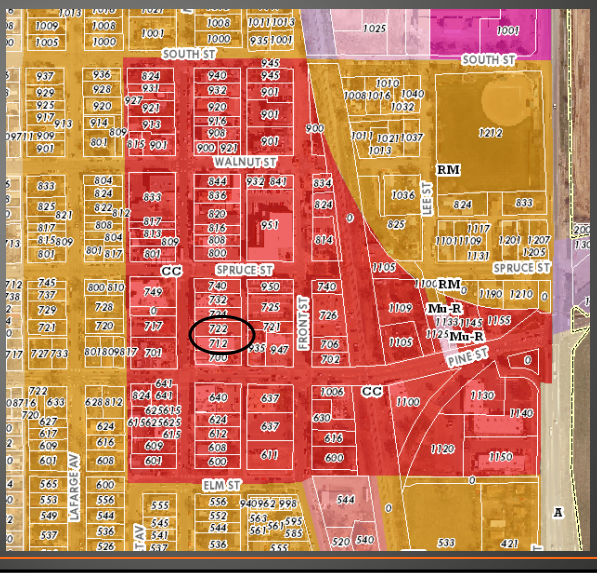
2

Terraces on Main

3

Terraces on Main

Zoned Community Commercial (CC)
2 Lots / 14,114 square feet



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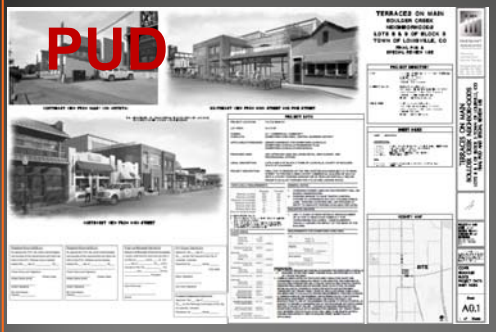
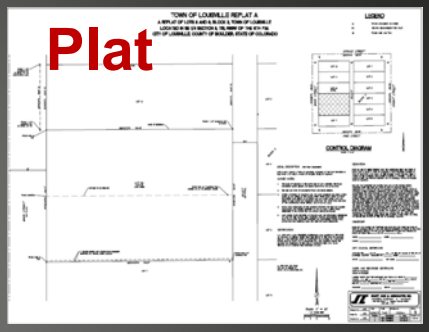
Terraces on Main





5

Terraces on Main

Proposal

- 22,020 sq. ft. commercial building
- 5,802 sq. ft. parking garage
- 1 and 2-story facades on Main Street
- Overall height of 45', limited 3rd story
- Designed for retail/commercial on ground floor and office on second floor
- SRU for parking garage and outdoor sales for retail goods and eating and drinking establishments

6

Terraces on Main

2018 Proposal	Current Proposal
26,150 sq. ft. total floor area	22,020 sq. ft. total floor area
6,669 sq. ft. third story	1,102 sq. ft. third story
11,738 sq. ft. parking garage	5,802 sq. ft. parking garage
FAR 1.87	FAR 1.58
31 parking spaces provided	18 parking spaces provided
0 parking spaces as fee in lieu	5 parking spaces as fee in lieu

7

Terraces on Main

2018 Proposal

Current Proposal

8

Terraces on Main

2018 Proposal

Current Proposal

9

Terraces on Main

2018 Proposal

Current Proposal

10

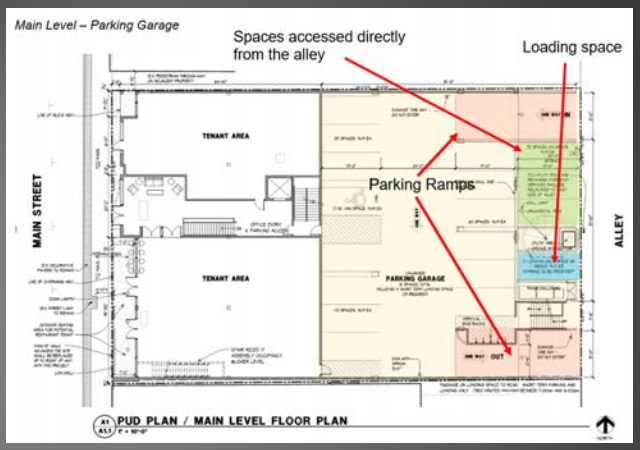
Terraces on Main

2018 Proposal

Current Proposal

11

Terraces on Main



Parking Requirements

- Requirement of 23 spaces
- 18 Parking Spaces Provided
- 5 spaces (estimated) as fee in lieu paid to Downtown Parking Fund

12

Terraces on Main

Purpose of Downtown Parking Program

- Provides adequate parking without excess supply
- Provide consolidated parking, enabling better site design
- Enhances the unique small-town character of downtown
- Enhances the mixed use, pedestrian oriented character of downtown

City Downtown Parking Investments

- Owns 311 public off-street parking spots – 209 of these acquired or developed since 2015
- Leases 49 off-street parking after 5 pm
- Maintains 448 on-street parking spaces in commercial core of Downtown and DELO

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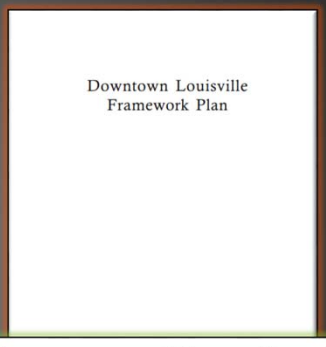
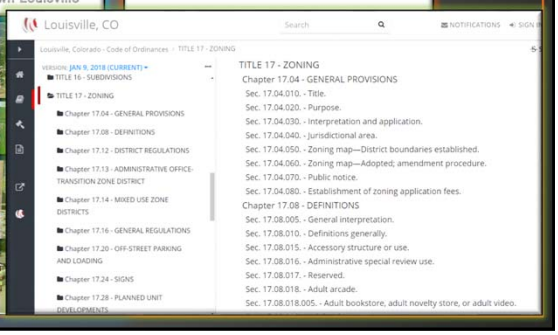
Terraces on Main





Terraces on Main

Downtown Design Handbook

- Located in Core Area of Downtown
- New Building Must Relate to Traditional Context of Development in Downtown
- Design Handbook – Standards and Guidelines
  - ✓ Urban Design
  - ✓ Site Design
  - ✓ Building Mass, Scale and Form
  - ✓ Architectural Elements and Details

15

Terraces on Main

- 1 and 2 stories at Main St.
- Rectangular form
- Flat roof
- Retail on the main level
- Visual interest along the street
- Change in colors and materials
- Significant window glazing
- Recessed entries

16

Terraces on Main

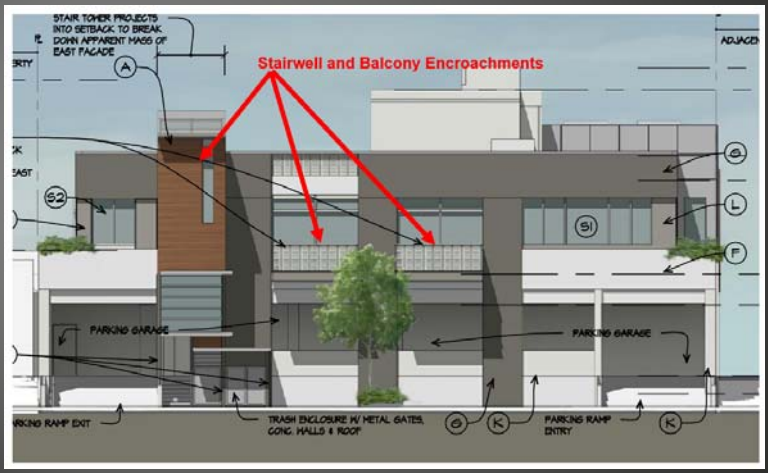
Zoning Data	City Standards	Proposed
Floor Area Ratio	2.0	1.56
Parking	23	18 provided, 5 fee in lieu
Building Height	45'	45'
No. of Stories	3	3
Setbacks		
- Front Yard	0'	0'
- Side Yard – North	0'	0'
- Side Yard - South	0'	0'
- Rear Yard	20'	9" (majority of building setback 20'-3" waiver request to allow encroachments for stairs and balconies).

17

Terraces on Main

Rear Setback Waiver Request

- LMC Sec. 17.28.110: "waiver is warranted by the design and amenities incorporated in the development plan…."



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Terraces on Main

Rear Setback Waiver Request

- LMC Sec. 17.28.110: “waiver is warranted by the design and amenities incorporated in the development plan….”

19

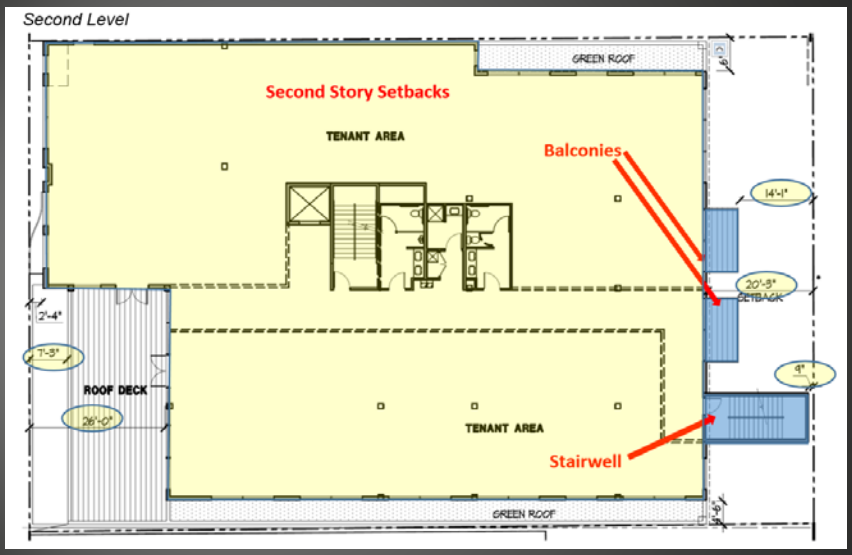
Terraces on Main

Building Height

- LMC, Design Handbook, and Framework Plan allow up to 3 stories and 45’
  - Maximum of 50% of building footprint.
  - Downtown should predominantly be 1-2 story, with some 3 story allowed.
  - 3rd story should be setback and subordinate.
  - Buildings should appear no more than 2 stories as viewed from across the street.

20

Terraces on Main



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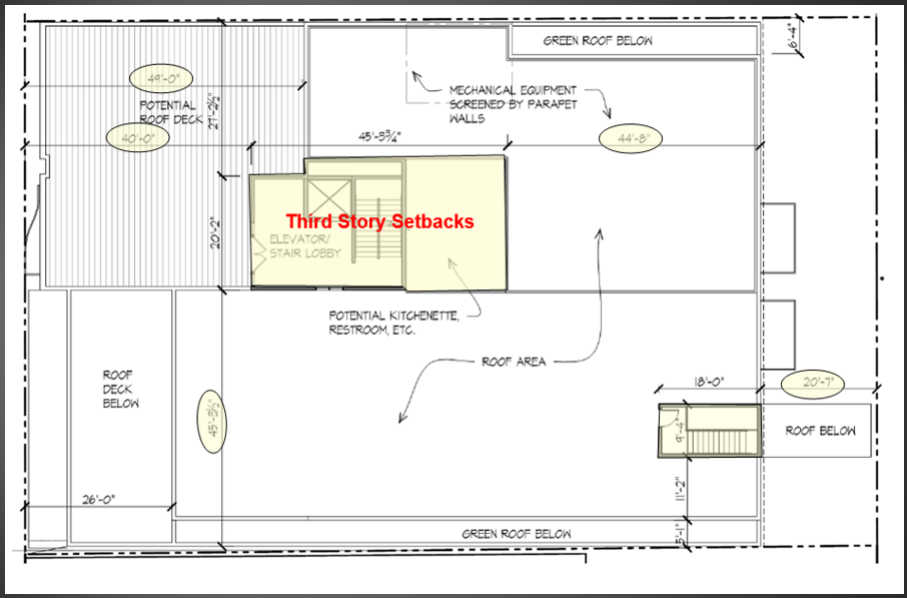
Terraces on Main



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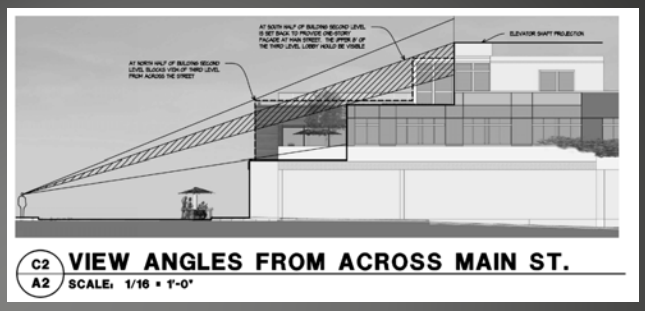
Terraces on Main



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Terraces on Main

PUD Criteria Compliance

LMC Sec. 17.28.120(A) and (B) – 28 Criteria

- Staff finds the project meets all applicable criteria as outlined in staff report appendix.
- Staff finds that the requested rear setback waiver is justified - loading, service and parking areas are adequately provided while enhancing the architectural design with balconies and stairwell enclosure elements.
- Staff finds the project is consistent with Downtown Design Handbook, Downtown Framework Plan and Comprehensive Plan.

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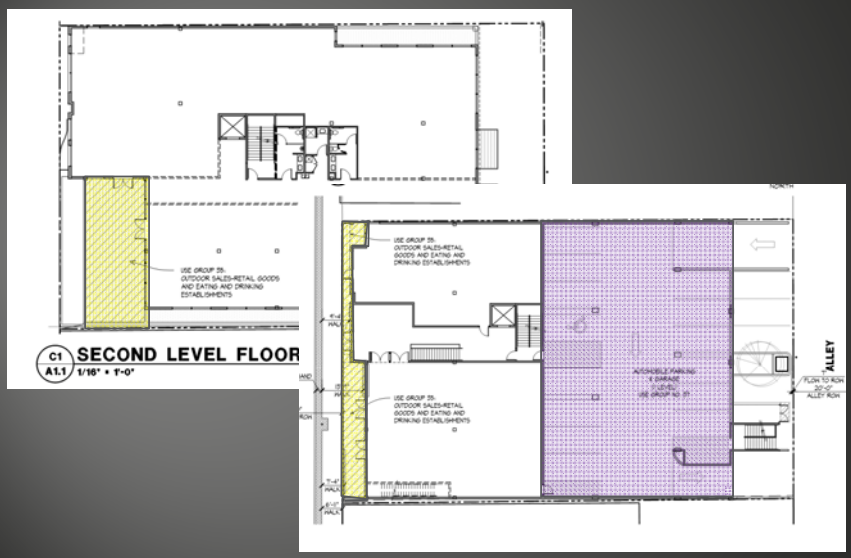
Terraces on Main

SRU Criteria Compliance



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Terraces on Main

SRU Criteria Compliance

LMC Sec. 17.40.100

1. **Comp Plan**: Outdoor seating contributes to a “healthy & vibrant” Downtown. Garage parking facilitates all parking needs being met on site and with alley loaded access.
2. **Economic Compatibility with Surrounding Character**: Project replaces ground floor office space with retail building design. Outdoor eating compatible with other restaurants that offer outdoor seating on site and in the Main St. patios.
3. **Internal Efficiency**: All parking needs met with onsite and fee in lieu. Increased walkway on Main St. Drainage, sewer and water facilities.
4. **External Effects**: Limitation on outside patio use (closes at 12 am & no amplified music). No nearby residences. No light spill.
5. **Pedestrian Circulation**: Increased sidewalk width adjacent to the building.

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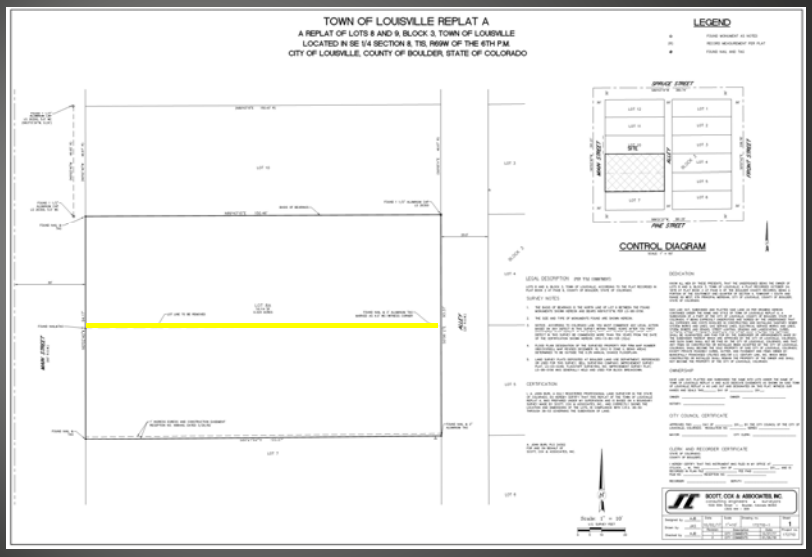
Terraces on Main

Subdivision Plat Criteria Compliance



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Terraces on Main

Subdivision Plat Criteria Compliance

LMC Sec. 16.12.075

- Plat conforms to City requirements and is consistent with Comprehensive Plan
- Lot meets design standards
- Water, sewer, drainage, access provided
- Utilities to the building will be buried
- Overhead utility line serving private property relocated

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Terraces on Main

Historic Preservation Commission Review – 12/17/ 2018

- Recommend Approval with No Conditions

Planning Commission Review – 01/10/2019

- Recommend Approval with No Conditions

29

Terraces on Main

Staff Recommends Approval of Resolution No. 9, Series 2019

A resolution approving the Terraces on Main PUD to allow for a 22,020 square foot redevelopment with 5,802 square foot parking garage on two lots totaling 14,114 square feet zoned CC; a Final Plat to vacate the lot line between Lots 8 and 9, Town of Louisville; and a SRU to allow for a parking garage and outdoor sales for retail goods and eating and drinking establishments

30

SUBJECT: **RESOLUTION NO. 10, SERIES 2019 – A RESOLUTION APPROVING THE PROPERTY TAX INCREMENT REBATE AGREEMENT WITH 712 MAIN LLC AND 722 MAIN LLC PURSUANT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE LOUISVILLE REVITALIZATION COMMISSION AND THE CITY OF LOUISVILLE**

DATE: **MARCH 19, 2019**

PRESENTED BY: **AARON M. DEJONG, ECONOMIC DEVELOPMENT**

SUMMARY:

Terraces on Main Street is an office and retail redevelopment project proposed by Boulder Creek Neighborhoods at 712-722 Main Street in downtown Louisville. The redevelopment consists of a new 22,020 sf office and retail building with 18 parking stalls. Boulder Creek Neighborhoods is requesting a 90% rebate of the expected increase in property taxes generated by the redevelopment.

The Louisville Revitalization Commission (LRC) approved the attached TIF Rebate Agreement with 712 Main LLC and 722 Main LLC at their March 11, 2019 meeting. The agreement must also be approved by the Louisville City Council in accordance with the Amended and Restated Cooperation Agreement last approved on November 17, 2015.

BACKGROUND:

Boulder Creek Neighborhoods has submitted Planned Unit Development (PUD) plans to the City to redevelop 712-722 Main Street into a 2-3 story, 22,020 office and retail building with 18 off-street parking stalls. The properties currently have two single-story buildings totaling 7,558 sf which have been converted to office space for Boulder Creek Neighborhoods. The first floor is designed to accommodate retail and service-retail uses.

Boulder Creek submitted plans to the City for a larger project in 2018 that included a larger third story and additional parking along the alley. City Council requested the project be resubmitted with changes. Boulder Creek in response has provided the resubmitted plans currently proceeding through the development process.

The assistance requested from the LRC, the City's Urban Renewal Authority, is for direct financial assistance to facilitate the redevelopment project as the developer states the project is not financially feasible since the rental rates that can be achieved in the Louisville market today do not support the development costs. The assistance requested is a 90% rebate of the increased property taxes resulting from the new value of development above the existing value of the property.

The LRC reviewed the application at their January 2019 meeting and directed staff to prepare a TIF Rebate Agreement with the Developer for the project. The LRC approved the Rebate Agreement 4-1 with one abstention at their March 11, 2019 meeting.

DISCUSSION:
The LRC with previous applications have reviewed projects based on it furthering the following three goals:

- Removing Blight Factors
- Effect on Property Values
- Advancement of the Urban Renewal Area

Since this application is the first to submit for direct financial assistance to private development (previous projects have requested assistance with building infrastructure), staff also analyzed the project's need for financial assistance to construct the project.

This analysis does not go into the detail of the planning related components of the project. Boulder Creek Neighborhoods has resubmitted PUD documents to the City's Planning Department and will be reviewed by the Planning Commission and City Council separately.

The following is staff's analysis of the project and how it does or does not meet the three goals plus the need for public assistance.

<u>Removing Blight Factors</u>
The 2006 Louisville Highway 42 Revitalization Area Conditions survey identified properties that contributed to the blight conditions that were present in the area. Those blight conditions are as follows:

a. Deteriorating Structures
b. Faulty Street Layout
c. Faulty Lots
d. Unsanitary/unsafe Conditions
e. Deteriorating Site or other improvements
f. Unusual Topography or Inadequate Public Improvements
h. Danger to Life or Property from Fire or Other Causes
k.5 High Service Requirements or Site Underutilization

The determination of blight for the Highway 42 Urban Renewal Plan is for the entire defined district. It is not a determination for each and every parcel within the UR Area. Therefore, all of the properties within the UR Area are determined to have blighting factors present.

The Conditions Survey in 2006, which was used to determine whether blighting factors exist in the UR Area, identified 712-722 Main Street contributing to two of the identified blight factors.

The first is Condition F. Unusual topography or inadequate public improvements. The reason is due to the downtown area being reliant upon overhead power and telecommunications infrastructure. It is considered an impediment to modern development and redevelopment in the current real estate market.

The second blight factor is Condition H. Danger to life or property from fire or other causes. The reason stated is most commercial structures lack sprinkler systems.

Boulder Creek in their application have noted the properties in their estimation meet additional blighting factors which include the following:

a. Deteriorating Structures
The buildings are becoming functionally obsolescent due to age and type of structure.

c. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
The proposed lots will allow for additional square footage which will enhance the vibrancy of downtown

e. Deterioration of site or other improvements
The buildings are becoming obsolete.

In summary, Staff finds the Project will address blighting factors present in the Highway 42 Urban Renewal Area in the following ways:

- Unusual topography or inadequate public improvements. The new development will have underground utility service, removing this identified contributor to the blight factor. A new sidewalk will be constructed with the project. The project will also provide additional parking spaces and parking fee-in-lieu revenue for additional parking.
- Danger to life or property from fire or other causes. The new development will have fire suppression systems required of all new development in Louisville.
- Faulty lot layout in relation to size, adequacy, accessibility, or usefulness. A mixed-use building designed for retail and office uses can better mitigate the deep lot and building profile these properties need to better utilize the land. The two parcels are being combined to mitigate the deep lot and facilitates a better designed office and retail building.

Effect of Project on Property Values

The project when completed will have significant positive impact on property value. The following are the assumptions for valuing the property after the Terraces on Main project is completed:

	Value per sf	Total Value
Existing development (2017 value)	$222.30	$1,680,190

Per sf value of new development (office, retail, and parking)	$250	$6,604,250

Attached is a 10-year TIF valuation analysis for the Terraces on Main project. Boulder Creek's TIF 90% rebate request for a 10 year period would equal $1,109,500 assuming the 90% rebate applies to the increases in property taxes levied on the development less its pro-rata share of the County's 7.15% shareback and City Staff payments.

The total annual TIF generated from this project at full buildout would be $119,500 in 2022. This is a significant increase in downtown commercial property values and is worthy of due consideration for assistance from the LRC.

Advancement of the Urban Renewal Area

The Highway 42 Urban Renewal Plan was approved December 2006. The stated purpose of the Highway 42 Urban Renewal Plan is as follows:

> *The purpose of the Highway 42 Revitalization Area Urban Renewal Plan is to reduce, eliminate and prevent the spread of blight within the Urban Renewal Area and to stimulate growth and reinvestment within the Area boundaries, on surrounding blocks and throughout downtown. In particular, this Urban Renewal Plan is intended to promote local objectives with respect to appropriate land uses, private investment and public improvements provided that the delineation of such objectives shall not be construed to require that any particular project necessarily promote all such objectives. Specifically, the Plan promotes an environment which allows for a range of uses and product types which can respond to market conditions over time; further the goals and objectives of the Louisville Comprehensive Plan, Highway 42 Framework Plan and any other relevant policy document; and, leverage the community's investment in public improvement projects in the Area.*
>
> *While the principal goal of the urban renewal effort is, as required by the Act, to afford maximum opportunity, consistent with the sound needs of the City of Louisville (the "City") as a whole to redevelop and rehabilitate the Area by private enterprise, it is not intended to replace the efforts of area business development or marketing organizations.*
>
> *The rehabilitation and redevelopment of properties within the Urban Renewal Area will be accomplished through the improvement of existing structures and infrastructure, attraction of new investment and reinvestment, and prevention of deterioration of properties in the Area. The effort will involve the Commission and City with participation and cooperation by the private sector.*

The Plan's purpose clearly states the desire to eliminate blight and to stimulate growth and reinvestment. This project would be a significant reinvestment in downtown of over

$5,500,000 adding new business opportunities. The office and retail mixed-use design meets the evolving market conditions in downtown by increasing amenities and office space.

The Development and Design Objectives within the Highway 42 Urban Renewal Plan area as follows:

> *The development objectives for the Urban Renewal Area include establishment of a variety of uses that will allow projects to respond to changing market conditions. Proposed land uses within the Urban Renewal Area include commercial, office, residential, commuter, public, and parking. Design objectives for the Urban Renewal Area also promote flexibility, adaptability to a range of uses and product types and consistency with prevailing market conditions. Other objectives include:*
>
> *a) Eliminate and prevent blight*
> *b) Improve relationship between this area and surrounding areas (neighborhoods, downtown, open space)*
> *c) Increase property values*
> *d) Provide uses supportive of and complementary to planned improvements (transit)*
> *e) Encourage a mix of uses and/or mixed-use projects*
> *f) Promote a variety of products to address multiple income segments*
> *g) Provide ease of vehicular and pedestrian circulation and improve connections*
> *h) Encourage continued presence of businesses consistent with the plan vision*
> *i) Provide a range of financing mechanisms for private property re-investment and investment*
> *j) Mitigate impacts from future transportation improvements*
> *k) Encourage public-private partnerships to implement the plan*
> *l) Adjust parking ratios to reflect future densities*
> *m) Encourage shared parking among projects in area*
> *n) Develop higher design standards including flexible lighting and signage standards*
> *o) Landscape streetscapes to unify uses and plan components*

The proposed project meets the development and design objectives for several reasons:

- It will address the UR Area's blighting factors, as described above.
- It will enhance the downtown area with additional office and retail space.
- The resulting property values will be significantly more than the current value of the property.
- The office/retail mixed-use design will add to downtown.

- The project will enhance pedestrian circulation through new sidewalks adjacent to the project.
- The project will house multiple businesses in downtown.
- Assisting the development is an example of public-private partnerships.
- The project expects to pay the parking improvement fee, which will encourage shared parking through the City's parking program.
- The design meets the downtown design guidelines.

Staff finds the Terraces on Main project meets the intent of the Highway 42 Urban Renewal Plan and advances its goals.

Need for Financial Assistance

As the Applicant is requesting direct financial assistance from the LRC by way of Tax Increment Financing, analysis needs to be conducted to determine whether the development needs the assistance to be successful. In urban renewal terms, this is the "but for" test. The development will not happen "but for" the assistance being provided. The applicant has submitted a 10-year cash flow projection, a sources and uses summary and a summary of development costs to review its need for assistance.

Within the submitted financial documents, several assumptions are being made to model the financial performance of the project. The main assumptions are:

- Triple Net lease rate of $29 per square foot (psf) for Retail, $27.50 psf for office, and $5 psf for basement storage space. Vacancy rate of 5%. Rental rates increase 2% annually.
- Acquisition for new ownership entity of $1,387,750 representing paying off existing debt. Remaining equity will be rolled into the new ownership entity.
- Total construction cost and related costs of $5,695,940. This assumes demolition, core and shell, architectural, and tenant finish costs per square foot of $250.
- Exit in year 10 by way of a property sale based on 95% occupancy in 2028 with a capitalization rate of 7.5%.
- Debt financing with 25 year term, 5% annual interest, payments made monthly.

All of these assumptions appear to be reasonable from a proforma exercise as they are within the range of the downtown Louisville market and pricing expectations.

Attached is a 10-year TIF valuation analysis for the Terraces on Main project. Boulder Creek's 90% TIF rebate request for a 10 year period would equal $1,109,500 assuming the 90% rebate applies to the increases in property taxes levied on the development less its pro-rata share of the County's 7.15% shareback and City Staff payments.

The key component of determining if the project needs the assistance is if the rate of return meets, exceeds, or is below a reasonable range for a project commensurate with its risk profile. In Colorado, commercial real estate development is highly speculative,

takes a significant amount of time, expertise, and planning to receive approval for development, and the rental market can swing wildly with the macro economic conditions. Commercial projects tend to move forward when a project proforma identifies a capital rate of return greater than 15% annual return over a long period of time. Projects with a proforma less than that either don't move forward, have characteristics which allow for returns to be less (i.e. an owner occupied project), or they need assistance to get the profit expectations higher to better reflect the associated risk.

Boulder Creek is modeling a 10 year rate of return on equity of .15% if no TIF assistance, and 7.28% if assistance is provided.

Achieving a proforma capital rate of return on equity of 7.28% with TIF assistance is a low expected return given the risk profile of a Louisville downtown redevelopment project. Without the TIF assistance, the expected rate of return of .15% is too low for a for-profit developer to choose to move forward with the project.

Staff finds the request for TIF assistance to meet the "but for" test in that the project would not move forward without the public assistance.

Similar assistance provided in neighboring Communities

As this request for direct financial assistance is the first Louisville has received, staff conducted research of neighboring communities to identify whether similar assistance packages have been offered with Urban Renewal funding. Several Colorado municipalities have provided direct assistance to private developments. Through conversations with colleagues running other authorities or doing research on websites, the following is a list of such projects spurred by TIF assistance directly:

- Park West Building in Erie – 16,700 square foot commercial building in downtown Erie. Provided a 90% property tax increment rebate up to a maximum of $1,500,000.
- Echo Brewery Expansion in Erie – Major expansion of the business's operation in downtown Erie. Provided a 90% property tax increment rebate up to a maximum of $1,500,000.
- 615 Briggs St. in Erie – Mixed-Use Commercial building with restaurant, retail, and office. 100% property tax increment rebate not to exceed $446,050.
- Cannon Mine Café in Lafayette – tenant improvement assistance through existing TIF revenues.
- The Post in Lafayette – tenant improvement assistance through existing TIF revenues.
- Downtown Superior - $2,000,000 allocation for encouraging enhancements to private and public architectural elements and facades.
- 2460 Welton development in Denver – redevelopment of a vacant lot into a residential and retail mixed use building. $1,350,000 in developer reimbursement through property tax TIF.

- Marriott in Colorado Springs - $15,000,000 TIF bond to construct a parking structure for a new Marriott property.
- Arvada Ridge Marketplace – $6,670,000 Sales and Property Tax Pledge to encourage the redevelopment into a Super Target anchored retail center.

These projects show our municipal colleagues are utilizing TIF revenues in many different ways to encourage private developments to occur.

Redevelopment Agreement

Staff and the Applicant prepared the attached TIF Rebate Agreement upon the direction given by the LRC at their January 2019 meeting. Below is a summary of the main terms of the agreement:

1. Developer will construct and receive a Certificate of Occupancy (CO) from the City for the Project.
2. Once the project is complete, the LRC will begin making annual TIF Rebate payments to Developer equal to 90% of the increased taxes paid on the property less other defined LRC financial obligations (the 2015 Cooperation Agreement, the Tri-Party Agreement, and LRC operating expenses).
3. Total maximum Rebate payments is $1,110,000. Annual payments will continue until the payment cap is met or the TIF revenue collection period for the Highway 42 Urban Renewal Area expires.
4. The agreement terminates on February 18, 2023 if the project has not been completed.
    a. This date represents the three year initial term of the PUD plus one year for construction.
5. Assignment of the TIF Rebate Agreement is permitted if the assignment is to;
    a. Any entity who is an affiliate of the Developer provided such assignment is of the Agreement in its entirety to a single entity;
    b. A successor in title to 100% of the Developer's ownership interest in the Project; and
    c. A lender to the Developer provided such assignment is limited to a collateral assignment or pledge of the amounts payable to the Developer

Policy Considerations:

This first request to provide direct financial assistance to a redevelopment project brings to mind potential policy considerations for City Council to discuss. As an attempt to consider such factors, staff poses the following questions.

Should Urban Renewal funding only be used to remove blight factors found within the Urban Renewal Area, or can it also be used to prevent the spread of blight?

The Highway 42 Urban Renewal Plan states its purpose is "to reduce, eliminate and prevent the spread of blight within the Urban Renewal Area and to stimulate growth and reinvestment within the Area boundaries, on surrounding blocks and throughout downtown." The reduction and elimination of blight purpose points to investing in public infrastructure to rid the area of noted deficiencies preventing redevelopment. The prevention of blight points to encouraging reinvestment of private properties to maintain and grow the economic condition of the area. Does the City Council see encouraging investment in private property as an effort to prevent the spread of blight within the Highway 42 Urban Renewal Area?

Does the City want to be competitive with our neighboring communities in attracting private reinvestment within our Highway 42 Urban Renewal Area?
A described above in the analysis section of this memo, several of our neighboring communities are being creative and aggressive to encourage reinvestment in private property to add greater commerce within urban renewal areas. They are finding the need to financially assist with new developments to place the project finances in a condition worth moving forward with construction. Does City Council similarly desire to assist in redevelopment projects within the Highway 42 UR area? Does the City desire to encourage financially the reduction and prevention of blight as well as development of quality commercial projects within the UR area?

Staff and the LRC determined this request to assist the Terraces on Main project with a TIF rebate meets the purpose, goals, and intent of the Highway 42 Urban Renewal Plan; the guiding document for the LRC to implement. As a result of the Cooperation Agreement between the LRC and the City there must be concurrence from the City Council on the use of TIF revenues for this purpose. Does the City Council concur with the LRC decision? This decision may send a signal to businesses within the UR area that City Council supports the proposed use of TIF revenues and as such may consider similar direct assistance requests from other redevelopment projects. Although each project and TIF request is weighed and recommended for approval/or not based on its individual merits.

In response to these questions and further discussion staff, will prepare a policy document similar to that prepared for Business Assistance Proposals (BAPs) to help guide future decisions. This will be discussed at the next LRC meeting and further reviewed at the joint LRC and City Council meeting scheduled for May 14, 2019. The developer/owner of this project has agreed to wait for further policy discussion/direction prior to seeking final consideration and thus staff requests a continuance of the TIF agreement until sometime in June.

FISCAL IMPACT:
The TIF Rebate Agreement is based upon the increased property tax revenue generated by the redevelopment. It is a commitment to rebate future revenues not currently being received by the LRC. This agreement does not commit existing TIF

revenue, so there is not current year fiscal impact. Future year LRC budgets will incorporate this rebate commitment once the redevelopment project is complete.

This agreement does not impact the City's budget as the committed property tax rebate payments are an obligation of the LRC, a separate organization from the City.

RECOMMENDATION:
Staff recommends continuing final consideration of the attached resolution approving the TIF Rebate Agreement with 712 Main LLC and 722 Main LLC to provide financial assistance to the planned redevelopment project until June 11, 2019. Final consideration is in accordance with the Amended and Restated Cooperation Agreement last approved on November 17, 2015.

ATTACHMENTS:
1. Resolution
2. Staff Presentation
3. Property Tax TIF Rebate Agreement with 712 Main LLC and 722 Main LLC
4. Application for Assistance from Boulder Creek Neighborhoods
5. Staff TIF Estimate
6. Previous Information Provided to the LRC on TIF 101

RESOLUTION NO. 10
SERIES 2019

A RESOLUTION APPROVING THE PROPERTY TAX INCREMENT REBATE AGREEMENT WITH 712 MAIN LLC AND 722 MAIN LLC PURSUANT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE LOUISVILLE REVITALIZATION COMMISSION AND THE CITY OF LOUISVILLE

WHEREAS, the Louisville Revitalization Commission (LRC) is charged with addressing issues contributing to blight within the Urban Renewal Area; and

WHEREAS, 712 Main LLC and 722 Main LLC has requested assistance from the LRC in the redevelopment of property at 712 and 722 Main Street, which is located within the Highway 42 Revitalization Area; and

WHEREAS, the LRC assistance to redevelop the property will reduce, eliminate and prevent the spread of blight within the Urban Renewal Area and stimulate growth and reinvestment within the Area boundaries; and

WHEREAS, a Property Tax Increment Rebate Agreement, attached hereto, has been developed to outline certain financial terms regarding financial assistance in financing new infrastructure ; and

WHEREAS, in accordance with the Amended and Restated Cooperation Agreement most recently dated November 17, 2015, prior to issuing bonds or any other capital financial obligations or financial obligations extending beyond the end of the current fiscal year of the LRC, the LRC shall notify the City Council in writing of its intention to do so, and shall promptly furnish to the City Council such information and documents relating to such bonds or other capital or long-term financial obligations as the City Council may request. The LRC shall not commit to or proceed with any such bonds or other capital or long-term financial obligations unless a majority of the City Council has adopted a resolution determining that the City's interests in connection with such bonds or other obligations are adequately protected.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO THAT:

Section 1. The City Council hereby approves the LRC proceeding with the Property Tax Increment Rebate Agreement with 712 Main LLC and 722 Main LLC.

a

Section 2. The financial assistance contemplated within the Property Tax Increment Rebate Agreement is not to be an obligation of the City of Louisville, and the City Council determines the City's interests in connection with the Property Tax Increment Rebate Agreement with 712 Main LLC and 722 Main LLC are adequately protected.

ADOPTED this _____ day of _____, 2019.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

Terraces on Main Project Assistance Application

Louisville Revitalization Commission

Terraces on Main

- Project Summary
  - 22,262 square foot office and retail building
  - First floor retail design
  - First and second floor office
  - Third story services for rooftop area
  - 18 parking stalls
  - $6,600,000 estimated construction costs

Terraces on Main

City of Louisville
COLORADO • SINCE 1878

Terraces on Main

City of Louisville
COLORADO • SINCE 1878

- First application seeking direct financial assistance for a redevelopment
  - Provided application,
  - 10 year projection
  - Sources and uses budget

Terraces on Main

City of Louisville
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- Staff Analysis
  - Previous used categories:
    - Removing Blight Factors
    - Effect on Property Values
    - Advancement of the Urban Renewal Area
  - Additional analysis
    - Need for Financial Assistance
- Policy Considerations to Discuss

Terraces on Main

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- Removing Blight Factors
  - F. Unusual topography or inadequate public improvements
    - Providing underground utility service; noted condition in UR Plan
  - H. Danger to life or property from fire or other causes
    - Fire suppression system in new development; noted condition in UR Plan

Terraces on Main

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- Removing Blight Factors
  - C. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness
    - Mixed-use building can mitigate the deep lot and building profile of the existing properties. Higher and better use of the property with redevelopment.
  - Applicant noted two other blight factors:
    - Deteriorating Structures and Deterioration of Site
      - Staff felt these factors were not met.

Terraces on Main

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- Effect on Property Values
  - How significant is the increase of property values?
    - 10 year TIF analysis shows $119,500 in new revenue after construction.
    - Approximately $5,000,000 in new taxable property value in the UR District

Terraces on Main

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- Advancement of Urban Renewal Area
  - Purpose of UR Plan:
    - "Reduce, eliminate and prevent the spread of blight … and to stimulate growth and reinvestment within the Area boundaries, on surrounding blocks and throughout downtown"
    - Terraces redevelopment would be a significant reinvestment for the downtown area
    - Adds additional office and retail space in the area

Terraces on Main

City of Louisville
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- Advancement of Urban Renewal Area
  - Several Plan Objectives met as well;
    - It will address three blighting factors, as described above.
    - Enhance the downtown area with additional office and retail space.
    - Property values will be significantly more than the current value
    - The office/retail mixed-use design will add to downtown.
    - Enhance pedestrian circulation through new sidewalks
    - Project will house multiple businesses in downtown.
    - Example of public-private partnerships.
    - Encourage shared parking through the City's parking program.
    - Meets the downtown design guidelines.

Terraces on Main

City of Louisville
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- Need for Financial Assistance
  - Will the project not happen 'but for' the assistance?
  - Main Assumptions:
    - NNN lease rate of
      - $29 per square foot (psf) for Retail,
      - $27.50 psf for office, and
      - $5 psf for basement storage space.
      - Vacancy rate of 5%. Rental rates increase 2% annually.
    - Acquisition for new ownership entity of $1,387,750 representing paying off existing debt.
    - Total construction cost and related costs of $5,695,940. This assumes demolition, core and shell, architectural, and tenant finish costs per square foot of $250.
    - Exit in year 10 by way of a property sale based on 95% occupancy in 2028 with a capitalization rate of 7.5%.
    - Debt financing with 25 year term, 5% annual interest, payments made monthly.

Terraces on Main

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- Need for Financial Assistance
  - Applicant stating they need 90% TIF rebate to further the project
    - Approximately $110,000 per year
  - Rate of Return
    - Without assistance = .15%
    - With assistance = 7.28%
    - Projects with similar risk profile have a range of 10-15% return

Terraces on Main

City of Louisville
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- TIF Rebate Agreement
  - Developer will construct and receive a Certificate of Occupancy (CO) from the City for the Project.
  - Once the project is complete, the LRC will begin making annual TIF Rebate payments to Developer equal to 90% of the increased taxes paid on the property less other defined LRC financial obligations (the 2015 Cooperation Agreement, the Tri-Party Agreement, and LRC operating expenses).

Terraces on Main

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- TIF Rebate Agreement
  - Total maximum Rebate payments is $1,110,000. Annual payments will continue until the payment cap is met or the TIF revenue collection period for the Highway 42 Urban Renewal Area expires.
  - The agreement terminates on February 18, 2023 if the project has not be completed.
    - This date represents the three year initial term of the PUD plus one year for construction.
  - Assignment of the TIF Rebate Agreement is permitted to similarly owned entities

Terraces on Main

City of Louisville
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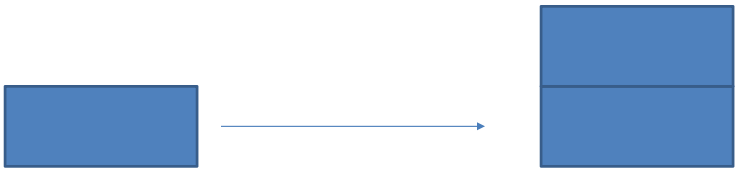

$45,000
Current Taxes

$165,000
Future Taxes

$45,000
Base

$120,000
Increment

$108,000
to Development (90%)

$12,000
to LRC (10%)
For County Payment
and Staff

City of Louisville
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Current LRC Budget

$

OR

Future LRC Budget

$ $

Future LRC Budget

$ $ + $

Assistance In Other Cities

City of Louisville
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- Park West Building in Erie – 16,700 square foot commercial building in downtown Erie. Provided a 90% property tax increment rebate up to a maximum of $1,500,000.
- Echo Brewery Expansion in Erie – Major expansion of the business's operation in downtown Erie. Provided a 90% property tax increment rebate up to a maximum of $1,500,000.
- 615 Briggs St. in Erie – Mixed-Use Commercial building with restaurant, retail, and office. 100% property tax increment rebate not to exceed $446,050.
- Cannon Mine Café in Lafayette – tenant improvement assistance through existing TIF revenues.
- The Post in Lafayette – tenant improvement assistance through existing TIF revenues.

Assistance In Other Cities

City of Louisville
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- Downtown Superior - $2,000,000 allocation for encouraging enhancements to private and public architectural elements and facades.
- 2460 Welton development in Denver – redevelopment of a vacant lot into a residential and retail mixed use building. $1,350,000 in developer reimbursement through property tax TIF.
- Marriott in Colorado Springs - $15,000,000 TIF bond to construct a parking structure for a new Marriott property.
- Arvada Ridge Marketplace – $6,670,000 Sales and Property Tax Pledge to encourage the redevelopment into a Super Target anchored retail center.

Policy Considerations

City of Louisville
COLORADO • SINCE 1878

- *Should Urban Renewal funding only be used to remove blight factors found within the Urban Renewal Area, or can it also be used to prevent the spread of blight?*
- *Does the City want to be competitive with our neighboring communities in attracting private reinvestment within our Highway 42 Urban Renewal Area?*

Terraces on Main

City of Louisville
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Staff recommends approving the TIF Rebate Agreement with 712 Main LLC and 722 Main LLC

- Applicant presentation
- Comments
- Discussion / Direction

PROPERTY TAX INCREMENT REBATE AGREEMENT

This Property Tax Increment Rebate Agreement (this "Rebate Agreement") is made as of _____, 2019, by and between the LOUISVILLE REVITALIZATION COMMISSION (the "LRC") and 712 MAIN LLC AND 722 MAIN ST LLC limited liability companies in the State of Colorado (the "Developer") (The LRC and Developer are collectively the "Parties").

RECITALS

A. The LRC is a public body corporate and politic authorized to transact business and exercise its powers as an urban renewal authority under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the "Act").

B. The Developer is the owner of certain real property legally described as follows: Lot 8 and 9, Block 3, Town of Louisville located in the SE ¼ Section 8, R69W of the 6th P.M. City of Louisville (the "Property").

C. The Developer proposes to redevelop the Property as a mixed-use development to include the construction of one mixed-use building consisting of 22,020 sf of office and retail uses and 5,802 sf parking area (the "Project"), to include associated public and private infrastructure improvements (the "Project Improvements"). A more detailed description of the Project Improvements is attached as Exhibit A.

D. The Project is located within the area (the "Plan Area") described in the Highway 42 Revitalization Area Urban Renewal Plan (the "Plan"). Completion of the Project and Project Improvements will remove barriers to development and remediate blight and adverse conditions within the Plan Area, and will be carried out in furtherance of the purposes of the Act and Plan.

E. The LRC finds that entering into this Rebate Agreement will promote the redevelopment of an area within the Plan Area and LRC boundaries and will remediate adverse conditions within the Plan Area in a manner consistent with the Plan, and will provide a mechanism for assisting in the financing of Project Improvements that benefit the City of Louisville (the "City") and its residents.

F. The Plan provides for financing the activities and undertakings of the LRC by means of property tax allocation or tax increment financing ("Property Tax TIF") in accordance with Section 31-25-107(9) of the Act.

G. The LRC previously entered into that certain Amended and Restated Cooperation Agreement dated November 17, 2015 (the "2015 Cooperation Agreement"), which provides that the LRC shall repay to the City Costs and Expenses incurred by the

City for the provision of Operating Funds and Support Services for the LRC, as further defined and set forth in the 2015 Cooperation Agreement.

H. The LRC also previously entered into that certain Tri-Party Agreement with the County of Boulder dated December 5, 2006 (the "Tri-Party Agreement") which provides that commencing on January 1, 2015, there shall be paid to the County certain County TIF Revenues, as further defined and set forth in the Tri-Party Agreement.

I. The LRC also previously executed that certain Term Sheet for the Core Area Infrastructure Project dated May 13, 2013 (the "Core Area Term Sheet"), which provides for the potential future issuance of LRC bonds payable from Property Tax TIF revenues from the Highway 42 Core Project Area as further defined and set forth in the Core Area Term Sheet.

J. The LRC intends that LRC financing assistance for the construction of the Project Improvements be limited to certain Property Tax TIF revenue received by the LRC from the Property (and no other properties in the Plan Area) and available to the LRC after payment of any amounts required to be paid pursuant to the 2015 Cooperation Agreement, the Tri-Party Agreement, and amounts the LRC may reasonably require for ongoing operating, administrative, consulting and other costs (the "LRC Operating Expenses"), and subordinate to bonds issued pursuant to the Core Area Term Sheet, all in accordance with the terms and conditions set forth herein.

K. The LRC is authorized to enter into this Rebate Agreement pursuant to the Act, including without limitation C.R.S. Section 31-25-105(1)(b), which authorizes an urban renewal authority to enter into agreements to carry out the purposes of the Act.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing and the following terms and conditions, the Parties agree as follows:

1. Construction of Project. In conjunction with the development of the Project, Developer will finance, design and construct the Project and Project Improvements with its own funds.

2. LRC Financial Assistance. Commencing with the first full fiscal year following issuance of a certificate of occupancy for the Project and ending on the first to occur of (i) payment to Developer of $1,110,000.00 of Pledged Revenue Payments or (ii) expiration of the Property Tax TIF provision of the Plan ("Pledged Revenue Term"), and in accordance with Section 31-25-107(9)(a)(II) of the Act, the LRC shall deposit within a special fund (the "Special Fund") all property tax revenues received by the LRC as a result of the property tax mill levies imposed upon the valuation of the Property, limited to

amounts generated from new valuation resulting from completion of the Project Improvements (by obtaining a Certificate of Occupancy for the new building) above the January 1, 2018 assessed valuation of the Property ($320,030 for Parcel 157508423009 plus $167,226 for Parcel 157508423005, for a total assessed valuation of $487,256), and except for such amounts as the LRC may reasonably require for payment of obligations under the 2015 Cooperation Agreement, the Tri-Party Agreement, and payment of LRC Operating Expenses (which shall be limited to the Property's pro-rata share of such expenses) (the "Pledged Revenues"). This Rebate Agreement is limited solely to Pledged Revenues from the Property and includes no revenues generated from any other properties in the Plan Area. An illustrative example of the method for calculations is attached as Exhibit B. The Special Fund may be a new or existing fund and the Pledged Revenues may be comingled with other funds, all as shall be determined by the City Finance Director.

a. The Pledged Revenue shall be used to reimburse Developer for costs associated with the Project Improvements as shown in Exhibit A, and paid according to the payment schedule set forth below (the "Pledged Revenue Payments"). The Pledged Revenue available for reimbursement of costs associated with Project Improvements shall be transferred from the Special Fund to Developer within sixty (60) days after receipt of such funds by the LRC.

b. Notwithstanding any provisions of this Rebate Agreement to the contrary, the Parties agree:

(i) The Pledged Revenue Payments shall be limited to no more than ninety percent (90%) of all Pledged Revenue generated from the Property.

(ii) The total of all Pledged Revenue Payments made according to this Rebate Agreement is limited to $1,110,000 or whatever lesser amount is generated from the Property during the Pledged Revenue Term prior to the time that the Property Tax TIF provision of the Plan expires.

(iii) If, in any year, no Property Tax TIF revenue is generated by the Property and received by the LRC, no rebate payments under this Rebate Agreement shall be due to the Developer for that year.

(iv) If, in any year, the LRC receives no Property Tax TIF revenues because there is for the Plan Area no increment value in excess of the base value for the Plan Area, no rebate payments under this Rebate Agreement shall be due to the Developer for that year.

(v) If, in any year, the LRC receives Property Tax TIF revenues but the amount received is less than the amount necessary to pay all obligations that are on parity with this Rebate Agreement, then the rebate payments made to the Developer under this Rebate Agreement for such year shall be on a pro-rata basis.

(vi) The LRC may prepay at any time without penalty any amounts payable under this Rebate Agreement, and may make payment with any source of funds available to the LRC.

(vii) The LRC may use for any lawful purpose amounts not required for payments under this Rebate Agreement.

c. The Parties shall each keep, or cause to be kept, proper and current books and accounts in which complete and accurate entries shall be made for costs associated with the Project and amounts paid out from the Special Fund.

3. Entire Agreement. This instrument shall constitute the entire agreement between the LRC and Developer and supersedes any prior agreements between the Parties and their agents or representatives, all of which are merged into and revoked by this Rebate Agreement with respect to its subject matter. Contact information is as follows:

If to Developer:
712 Main St LLC and 722 Main St LLC
Attn: David Sinkey
712 Main Street
Louisville, CO 80027
Phone: (303) 544-5857
dsinkey@livebouldercreek.com

If to LRC:
Louisville Revitalization Commission
Attn: Economic Development
749 Main Street
Louisville, CO 80027
303.335.4531
aarond@louisvilleco.gov

4. Termination. This Rebate Agreement shall terminate and become void and of no force or effect upon the LRC if, by February 18, 2023, Developer has not completed the Project Improvements (as evidenced by a successful final inspections for the Project Improvements); or should fail to comply with any City code after proper notice and reasonable opportunity to cure the same. This Rebate Agreement shall automatically

terminate upon expiration or termination of the Property Tax TIF provision of the Plan, and upon such expiration or termination, the Parties' obligations hereunder shall terminate, whether or not any Pledged Revenues have been paid to Developer.

5. Subordination. The LRC's obligations pursuant to this Rebate Agreement are subordinate to the LRC's obligations for the repayment of any current bonded indebtedness, to the extent such obligations are in effect as of the date of this Rebate Agreement, and to the LRC's obligations for the repayment of any bonds issued pursuant to the Core Area Term Sheet and, further, are contingent upon the existence of a surplus of Property Tax TIF revenues in excess of the Property Tax TIF revenues necessary to meet such existing or future bonded indebtedness. The LRC shall meet its obligations under this Rebate Agreement only after the LRC has satisfied all other obligations with respect to the use of Property Tax TIF revenues for such existing or future bond repayment purposes. For the purposes of this Rebate Agreement, the terms "bonded indebtedness," "bonds," and similar terms describing the possible forms of indebtedness include all forms of indebtedness incurred by the LRC, including, but not limited to, general obligation bonds, revenue bonds, revenue anticipation notes, tax increment notes, tax increment bonds, and all other forms of contractual indebtedness of whatsoever nature that is in any way secured or collateralized by Property Tax TIF revenues of the LRC as of the date of this Rebate Agreement, including, the 2015 Cooperation Agreement, the Tri-Party Agreement, and such terms also include any bonds issued pursuant to the Core Area Term Sheet and payment of the Property's pro-rata share of LRC Operating Expenses, to all of which this Rebate Agreement is expressly subordinate. The LRC further shall have the right to issue other bonds that are on parity with or are junior to this Rebate Agreement.

6. Governing Law: Venue. This Rebate Agreement shall be governed and construed in accordance with the laws of the State of Colorado. In the event of a dispute concerning any provision of this Rebate Agreement, the Parties agree that prior to commencing any litigation, they shall first engage in good faith the services of a mutually acceptable, qualified, and experience mediator, or panel of mediators for the purpose of resolving such dispute. In the event such dispute is not fully resolved by mediation or otherwise within 60 days a request for mediation by either Party, then either Party may commence legal proceedings regarding the dispute. The venue for any lawsuit concerning this Rebate Agreement shall be in the District Court for Boulder County, Colorado.

7. Legal Challenge; Escrow. The LRC shall have no obligation to make any payment hereunder during the pendency of any legal challenge to this Rebate Agreement. The Parties covenant that neither will initiate any legal challenge to the validity or enforceability of this Rebate Agreement, and the Parties will cooperate in defending the validity or enforceability of this Rebate Agreement against any challenge by any third Party. Any funds appropriated for payment under this Rebate Agreement shall be escrowed in a separate LRC account in the event there is a legal challenge to

this Rebate Agreement. In the event performance of any material term of this Rebate Agreement is rendered impossible as the result of any legal challenge, the LRC at its option may terminate this Rebate Agreement, in which case the Parties' obligations hereunder shall terminate; provided, however, that the LRC shall pay to Developer any Pledged Revenues accrued and appropriated for payment under this Rebate Agreement prior to such termination, to the extent permitted by law and any applicable court order.

8. Assignment. This Rebate Agreement is personal to Developer and Developer may not assign any of the obligations, benefits or provisions of the Rebate Agreement in whole or in any part without the expressed written authorization of the LRC, which consent shall not be unreasonably withheld; provided, that an assignment shall be permitted (i) to any entity who is an affiliate of the Developer provided such assignment is of the Agreement in its entirety to a single entity; (ii) to a successor in title to 100% of the Developer's ownership interest in the Project; and (iii) to a lender to the Developer provided such assignment is limited to a collateral assignment or pledge of the amounts payable to the Developer hereunder. Any purported assignment, transfer, pledge, or encumbrance made without such prior written authorization shall be void.

9. No Joint Venture. Nothing is this Rebate Agreement is intended or shall be construed to create a joint venture between the LRC and Developer and the LRC shall never be liable or responsible for any debt or obligation of Developer.

NEXT PAGE IS THE SIGNATURE PAGE

This Rebate Agreement is enacted this _____ day of _____, 20__.

712 MAIN ST LLC

A Colorado Limited Liability Company

By: _____
David Sinkey

ATTEST:

_____

_____
Print Name

722 MAIN ST LLC

A Colorado Limited Liability Company

By: _____
David Sinkey

ATTEST:
_____

_____
Print Name

LOUISVILLE REVITALIZATION COMMISSION

_____
Steve Fisher
Chair

ATTEST:

_____
Alex Gorsevski, Secretary

EXHIBIT A

Description of Project Improvements

New Structure

- Construction of a new 3-level office and retail building of 22,262 square feet and 5,802 square feet parking area for 18 parking stalls.

  Estimated Cost: $5,500,000

Parking Improvement Fee

Parking improvement fee for 5 stalls not provided on-site but needed to achieve the Project's parking requirements

Estimated Cost: $91,305

Public Walks

- New walkway along Main Street

  Estimated Cost: $30,000

Electrical

- New underground electrical service infrastructure

  Estimated Cost: $75,000

Total Project Improvements Cost: $5,696,305

Exhibit B

Calculations to determine TIF Rebate for a Budget Year

Amounts described are for illustrative purposes only and are not amounts for the property subject to this agreement.

Taxable Value of Parcel for Budget Year (Value as January 1 of the previous Year)	$200,000.00
Less: Taxable Value of Parcel for Base Year	$100,000.00
Equals: Taxable Increment	$100,000.00
Multiplied by Mill Levy (tax per $1000 of taxable valuation)	85.187
Equals: Property Tax Increment from Property ($100,000 * 85.187 / 1000)	$8,518.70
Less: Property's portion of Tri-Party Agreement (Assessed Value of Property / Total Assessed Value of Urban Renewal Area * Total Increment collected * Tri-Party Agreement payment percentage) $200,000 / $30,000,000 * $65,000 * 14.3%	$61.96
Less: Property's portion of 2015 Cooperation Agreement (Taxable Value of Property / Total Value of Urban Renewal Area * 2015 Cooperation Agreement payment for Budget Year) $200,000 / $30,000,000 * $31,000	$206.66
Less: Property's Portion of LRC Operating Expenses (Taxable Value of Property / Total Value of Urban Renewal Area * LRC Operating Expenses payment for Budget Year) $200,000 / $30,000,000 * $32,000	$213.33
Equals: Total Pledged Revenues	**$8,036.75**

Annual payment is 90% of Pledged Revenue calculated.

Louisville Revitalization Commission

Application for Assistance

Parties interested in assistance from the Louisville Revitalization Commission must provide the following information to be considered.

Project Name: 712-722 Main Street PUD (Terraces on Main Street)

Applicant Name: Boulder Creek Neighborhoods

Main Contact: Rick Woodruff

Address: 712 Main St, Louisville, Co. 80027

Phone: 303-591-5914 Email: rwoodruff@liveboulder creek.com

Project Location: Downtown Louisville

Name, Address & Phone of Property Owner of Project Location (if different than Applicant): N/A

Summary of Project: The redevelopment consists of a two story office/retail redevelopment and a basement. The building is 26,417 sf and includes an elevator, stairs and 18 parking spaces. The developer will need to pay for 5 additional parking spaces to meet the amount needed per code. The two current buildings, 712 and 722 Main St., will be demolished and the new building will be developed on the same two lots.

Estimated Total Cost of Project: $7,100,000

Summary of Request for Assistance: Applicant is requesting a TIF consisting of 90% of the property taxes above the current property taxes paid.

Additional Items to be submitted as Attachments:

1) Detailed description of the Project with supporting visuals (i.e. plans, designs).
2) Applicant's experience with similar projects, if applicable.
3) Detailed description of the request for assistance from the Urban Renewal Authority.
4) Description of the community benefits resulting from the Project, including the blight conditions the project will address (complete Attachment C with description).
5) Discussion of how the project improves the project property and neighboring properties.
6) Financials for the project. Applicant must provide a 10–year proforma for the project, a Sources and Uses Budget for the entire project, and assumptions for retail sales and assessed value of the Project for residential and commercial uses by year. (not required is requested assistance is only for public infrastructure)
7) Timeframe of implementation of the Project
8) Discussion of Project risks.

Applicant Signature: _____

Name: _____

Date: _____

*Submitted applications and attachments are public documents and the information provided will be provided to and used by public entities to evaluate and describe the project.

Louisville Revitalization Commission

Blight Conditions Description for Project

Project Name: 712-22 Main Street PUD (Terraces on Main St)

Please provide a short description of how the project addresses the following blight conditions identified in the Urban Renewal Area.

a) Slum, deteriorated, or deteriorating structures;	The current building's are becoming functionally obsolescant due to their age and type of structure
b) Predominance of defective or inadequate street layout;	N/A
c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;	The current lots will allow for additional square footage which will enhance the vibrancy of downtown
d) Unsanitary or unsafe conditions;	N/A
e) Deterioration of site or other improvements;	Building Obsolesence
f) Unusual topography or inadequate public improvements or utilities;	N/A
g) Defective or unusual conditions of title rendering the title nonmarketable;	N/A
h) The existence of conditions that endanger life or property by fire or other causes;	N/A
i) Buildings that are unsafe or unhealthy for persons to live or work	N/A
j) Environmental contamination of buildings or property;	N/A
k.5) The existence of health, safety, or welfare factors requiring high levels of services	N/A

LRC Application attachments

Question #1: Project Description

Project Overview:

The redevelopment of 712-722 Main Street is intended to provide additional office and retail space downtown. The existing one-story buildings, originally constructed in 1968/1960, totaling 7,558 sf, will be replaced by a new 22,020 sf building with a main floor parking garage that will provide 18 total spaces for the project. The intent of the design regarding parking is to provide the majority of required parking on-site, with the ability to convert the parking to commercial space if it is more desirable from the City's point of view, or the owners' perspective in the future. This could be due to future increases in the City's public parking capacity, changing demographics and attitudes towards private vehicles as primary transportation, or other factors. The building is also designed with a 5,560 sf basement which is not currently served by the on-site parking, and currently designated for storage and utility use.

If the basement is converted to be used as commercial space in the future, or if the space currently shown as parking on the main level is converted to commercial space, then the fee in lieu of on-site parking would be provided for the lost spaces, as well as the demand generated by the habitable space.

Architectural Design Concept:

Downtown buildings require particular attention to design and massing to relate to the existing architectural fabric of Downtown and to contribute to the history and vibrancy of Downtown. Louisville's Main Street is characterized by a diverse, eclectic mix of building styles and periods of Louisville's history, including our current time.

The building presents a one and two story facade at the street. Of particular importance to this project is the proximity to the historic building to the south, currently housing the Huckleberry Restaurant, formerly Louisville's bank at the turn of the last century. To respect this one-story historic structure, the southern half of the Main Street facade is designed at one-story, actually lower than the historic parapet. The second level steps up from the one story portion 26 feet back from the Main Street façade to accommodate this transition to the one story historic building.

The building facade at Main Street is envisioned as a composition of three parts: a pair of 2-story storefront facades, patterned after typical western false front buildings in scale and pattern; and a low, one-story retail storefront replacing the mid-century modern building in that location, with similar form and simple detail. The three storefronts divide the 95 feet of facade into modules that were historically used and that are prevalent today in Downtown. The rhythm of the buildings on the east side of the 700 block cycles from one story to two story, with alternating horizontal and vertical emphasis, with paired buildings such as the Singing

Cook/Book Cellar, and the Huckleberry buildings. These varying elements form the context for the new building at 712/722 Main. As the buildings being replaced are mid-century, it is appropriate to take cues from the simple, straight-lined architecture of that era.

The materials for the Main Street façade are wood, metal, and storefront glazing. A natural IPE hardwood siding, or similar wood is proposed for the major elements at pedestrian level, with a combination of black anodized and wood storefront detailing. Natural finish metals such as patina copper and dark mill finish steel provide accents. The northern portion of the second level features a synthetic wood siding due to the fire ratings at the property line. Storefront windows are generous to promote commerce and provide interest at the pedestrian level.

The southern half of the facade retains a significant setback from the property line, similar to the existing condition. This allows for outdoor seating, sheltered by an overhang, extending the season beyond that of the temporary patios. This relief from the street begins with a smaller area of setback at the northern part of the facade, then a minimum of 36" additional sidewalk width is maintained to a maximum of 7.5 feet at the southern end.

The small third story elevator/stair lobby is set back 40 feet from the front of the property to minimize it's impact when viewed from Main Street. This is the design standard specified in the Downtown Design Handbook and Framework Plan. The Framework Plan states "In general, no more than 50 percent of the building footprint should be a third story". The lobby and service area on the third level represent approximately 10% of the building footprint.

The building design provides a break between the second level and the small third level lobby, which is set in on all sides, and accentuated with a change in material/color to make the third level subordinate to the rest of the building. The projecting stair tower and balconies help to create interest, along with the varied materials along the alley façade. The second level steps back from the north and south property lines to create an additional break in the massing between the first and second levels, which is a location for a vegetated ‘green roof’ planter to soften the architecture at the alley. We have proposed that a mural be provided along the north wall, visible from the alley, which will add further interest to the alley façade and streetscape, and help to promote this alley as ‘Via Artista’ as it has been named.

The color palette has been carefully studied and selections made to enhance the overall design. The wood tones with metal accents along the storefront and second level at Main Street present a natural, warm materiality to enhance the pedestrian experience, and to create a sense of scale at the street level. The colors of the second and third levels progressively lighten towards the upper levels to diminish the scale and impact of the upper stories against the sky.

Waiver Request:

Where a 20' rear setback at the alley is required, and provided for the majority of the building mass, we are requesting to project a stair tower and balconies into the setback to break down the scale and mass of the building, instead of providing a monolithic rear wall at the alley facade.

Construction Process Downtown:

Construction for the project shall require careful coordination with the City and with adjacent businesses and property owners. The contractor selected to do the work shall be required to have experience with zero-lot-line construction in tight urban areas. Hartronft Associates has extensive experience with this type of construction in Boulder, Denver, Louisville and elsewhere. The owners and architect have met with adjacent building owners and discussed the potential impacts, and required coordination with these owners before, and during construction. The Applicants are committed to minimizing the impacts of this construction on their neighbors and Downtown.

Demolition of the existing buildings and foundations will be one of the most disruptive events due to the equipment used, noise generated, and proximity to existing construction. Existing adjacent buildings will be inspected before and after such disruptive operations. Dust mitigation will be required. Staging can be primarily on-site for building demolition process. Foundation excavation and caisson drilling operations will also generate some noise and dust, but less than caused by demolition. Similar measures will be in place. The foundation excavation shall require shoring which is typical for this type of construction. A typical method would involve drilled reinforced concrete piers carrying vertical steel supports that retain the adjacent soil with shoring which is typically incorporated into the foundation system. Care will be taken to avoid impacts to any adjacent foundations.

The alley will be the primary access point for construction traffic, and during times when such activity is heavy, the contractor will employ traffic control personnel with a plan acceptable to the City and reviewed with nearby affected properties. The Main Street sidewalk access will be maintained with pedestrian protection measures as appropriate. Any street, alley, or sidewalk closures for utility work, crane or other equipment staging, paving and sidewalk replacement, etc. shall be coordinated with the City and shall require approval by the City of Louisville. It is anticipated that the owners will obtain nearby off-site staging area for material storage, equipment staging, worker parking, etc. Workers will be instructed to refrain from utilizing downtown public parking.

Question #2: Applicants Experience with similar projects.

- Boulder Creek Neighborhoods (BCN) does is not a commercial builder, but has significant experience in constructing residential, townhomes and commercial properties.
- In addition the CFO for BCN, Rick Woodruff, has over 30 years of commercial development experience along the Northern Front Range of Colorado. This includes 3 years of experience as the Director of Real Estate for King Soopers and 26 years with WW Reynolds Companies which is located in Boulder Colorado.

Question #3: Detailed description of the request for assistance from the URA

- Applicant is requesting the URA/LRC approve a TIF for the property that allows for the developer to capture 90% of the property tax increase over the current taxes being paid. Without this assistance the project is not financially feasible since the rental rates that can be achieved in the Louisville Market today do not support the cost to build the project.

Question #4: Description of the community benefits resulting from the project. Blight assessment is added as an additional attachment

- By replacing the two current old and outdated properties the following benefits should be achieved by the community
    - Viable retail and service-retail space that the current buildings do not provide
    - New architecture that would create a focal point for mid-block downtown Louisville
    - Additional office space to help the surrounding merchants and restaurants during daytime hours

Question #5: How does the project improve the project property and neighboring properties.

- By providing substantially more space than the current property this should help the surrounding merchants viability
- The current buildings on the property are do not allow the property to be used for its highest and best use

Question #6: Financial Analysis

- 10 Year Cash Flow Attached
- Sources and Uses Attached
- Development Costs Attached

Question #7: Timeframe for implementation of the project

- Assuming the project is approved, building plans are approved and the requisite financing has been achieved by June 30, 2019 the following are the time frames anticipated
    - June/July 2019 startup and building demolition
    - August 2019 to July 2020 building construction
    - August 2020 building opening

Question #8: Project risks

- Interest Rate risks during the construction
- Being able to lease the building at the proposed rents
- Cyclical nature of the commercial real estate market
- Finding a permanent loan when the project is complete if the market is in a downturn
- Increasing costs of labor and materials
- Black Swans

Redevelopment of 712/22 Recap

Development Costs				
Core and Shell		$	165	/sf
TI				
1st and 2nd		$	60	/sf
Basement		$	15	/sf
712 Loan Balance		$	980,500	
722 Loan Balance		$	407,250	
Total Cost for 2 Story		$	7,083,690	
Total Cost for 3 Story		$	9,998,037	
Diff		$	(2,914,347)	

Pro-Forma				
Rents				
Retail	4,736	$	29.00	SF same as with 3 story
Basement	5,115	$	5.00	SF same as with 3 story
2nd Floor	10,686	$	27.50	SF same as with 3 story
Total	20,537	$	22.24	
Loan			$5,695,000	
Equity		$	1,703,015	
Cash Flow		$	2,610	
ROE			0.15%	
Cash Flow w/TIF and no Vac		$	124,054	
ROE			7.3%	

TIF Calculation		
Current Taxes Paid	$	42,665
Taxes with New Bldg	$	165,052
TIF at 90%	$	110,149

IRR Calculation	9.28%

2 Story Proforma with Traditional Financing
Basement included

Assumptions

Vacancy	5%		
NNN Cost	$ 11.00	/sf	Class A office
Utilities	$ -	/sf	Tenant responsible for its own utilities
Reserves	$ 1.00	/sf	
Development Costs	$ 7,398,015		

Current Rent for 712 & 722 $ 149,604

PGI	SF	Pure Net	Annual Rent
Retail	4,736	$ 29.00	$ 137,344
Basement	5,115	$ 5.00	$ 25,575
2nd Floor	10,686	$ 27.50	$ 293,872
3rd Floor	-	$ -	$ -
	20,537	$ 22.24	$ 456,791
Less Vacancy		5%	$ (22,840)
Effective Gross Income			$ 433,951

Ground Floor SF			
Rentable	4372	100%	4372
Common	1455	25%	364
			4,736
Common added to 2nd and 3rd			1,091
2nd Floor	9595	1,091	10,686
3rd Floor	0	-	-
	9,595	1091	10,686

Expenses

NNN's	$ (11,295)	NNN's on Vacancy
Utilities	$ -	
Reserves	(20,537)	
Total	$ (31,833)	

Net Operating Income $ 402,119

Value	Capped @		
		6.0%	$ 6,701,977
		6.5%	$ 6,186,440
		7.0%	$ 5,744,551

Proj Rents			
30%	$ 2,010,593		
50%	$ 3,093,220		
20%	$ 1,148,910		
	$ 6,252,723	304.46	/sf

Financing

LTV	75.0%		$ 4,689,542
LTC	80.0%		$ 5,918,412
Loan Amount			$ 5,695,000
Interest Rate		5.00%	
Term		10	
Amortization Period		25	
Annual Payments			$ (399,509)

LTV to create a 1.2 DSCR

$	7,398,015	Development Cost
$	1,703,015	Equity Need

DSCR 1.01

Equity Needed $ 1,703,015

Return

NOI	$ 402,119
Less:	
Debt Cost	$ (399,509)
TIF Credit	$ -
Cash Flow before CapX and Taxes	$ 2,610
Return on Equity	0.15%
Without Vacancy	$ 13,905 0.82%
Without Vacancy and with TIF	$ 124,054 7.28%

TIF Credit

Current Taxes		Actual	Assessed	Mill	Amount
	712	$ 1,103,550	$ 320,030	87.561	$ 28,022
	722	$ 576,640	$ 167,226	87.561	$ 14,642
Total		$ 1,680,190	$ 487,256		$ 42,665
Taxes on New Building					
The Terraces		$ 6,500,000	$ 1,885,000	87.561	$ 165,052
% TIF Rebated				90%	$ 110,149

Development Costs

Using $165/sf Co SF or Unit

		2 Story		
Cost of 724 Land	3588	$ -	/sf	$ -
712 and 722 Demo	7,637	$ 15.00	/sf	$ 114,555
Parking	11	$ 12,000	/space	$ 132,000
Core and Shell Constru	20,538	$ 165.00	/sf	$ 3,388,770
Tenant Finish				
Lower Leve	5,115	$ 15.00		$ 76,725
New	15,422	$ 60.00		$ 925,335
A&E	20,538	$ 10.00	sf	$ 205,380
Leg/Ent/Etc.	20,538	$ 2.50	/sf	$ 51,345
Commissions	15,422	$ 6.00	/sf	$ 92,534
Loan Fees and CPI				$ 203,916
Contingency	20,538	$ 10.00	/sf	$ 205,380
Development Fee				$ 300,000
				$ 5,695,940
712 Loan Balance				$ 980,500
722 Loan Balance				$ 407,250
				$ 1,387,750
		Other		$ -
				$ 1,387,750
Total Capital Need				$ 7,083,690

Terraces on Main Commerical expansion
TIF Estimate

2017 estimated value	1,680,190		
new value	6,604,250	as of Jan 1, 2021	Assumed $250 psf taxable value
County Payment %	7.15%		
Staff Payment %	3%		
Mill Levy	87.56		
Organic Value Appreciation	3%		
Comm Assessment Rate	29%		
% Available for Rebate	90%		

Valuation Year	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
Tax Year	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	
Base Valuation	1,680,190	1,730,596	1,782,514	1,835,989	1,891,069	1,947,801	2,006,235	2,066,422	2,128,414	2,192,267	2,258,035	2,325,776	2,395,549	2,467,416	
New Construction Valuation	1,680,190	1,730,596	1,782,514	1,835,989	6,604,250	6,802,378	7,006,449	7,216,642	7,433,142	7,656,136	7,885,820	8,122,394	8,366,066	8,617,048	
Estimated TIF Revenue	-	-	-	-	119,678.99	123,269.36	126,967.44	130,776.46	134,699.75	138,740.75	142,902.97	147,190.06	151,605.76	156,153.93	
LESS:															
County Payment	-	-	-	-	8,557.05	8,813.76	9,078.17	9,350.52	9,631.03	9,919.96	10,217.56	10,524.09	10,839.81	11,165.01	
Staff Payment	-	-	-	-	3,590.37	3,698.08	3,809.02	3,923.29	4,040.99	4,162.22	4,287.09	4,415.70	4,548.17	4,684.62	
Subtotal	-	-	-	-	107,531.57	110,757.52	114,080.24	117,502.65	121,027.73	124,658.56	128,398.32	132,250.27	136,217.77	140,304.31	
															TOTAL
Total Available with Rebate %	-	-	-	-	96,778.41	99,681.76	102,672.22	105,752.38	108,924.96	112,192.70	115,558.49	119,025.24	122,596.00	126,273.88	1,109,456.04

SUBJECT: **INTENDED TOPICS FOR TIF 101 DISCUSSION FOR APRIL 2019 LRC MEETING**

DATE: **MARCH 11, 2019**

PRESENTED BY: **AARON M. DEJONG, ECONOMIC DEVELOPMENT**

SUMMARY:
The Louisville Revitalization Commission (LRC) has requested a "TIF 101" topic for their April meeting. Staff wanted to provide a brief discussion of the intended topics to see if there are other topics Commissioners would like incorporated into the April discussion.

BACKGROUND:
The following is a brief description of the various topics we plan to discuss in April.

Urban Renewal Statute
Urban Renewal Authorities are governed under Colorado Urban Renewal Law (C.R.S. 31-25-101). The statute outlines the formation, powers, plan approval process, financing options, coordination with other governing bodies, and other topics related to Urban Renewal Authorities (which the LRC is the City's designated Urban Renewal Authority). The overarching purpose of the Urban Renewal law is to remediate and prevent the spread of slum and blighted areas within Colorado municipalities.

Determining Blight
A step in the Urban Renewal Area approval process is the determination whether blighting factors exist in the Area. A conditions survey is conducted to analyze the Area related to each of the 11 blighting factors outlined in the Urban Renewal Statute. Those blighting factors include:

(a) Slum, deteriorated, or deteriorating structures;

(b) Predominance of defective or inadequate street layout;

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(d) Unsanitary or unsafe conditions;

(e) Deterioration of site or other improvements;

(f) Unusual topography or inadequate public improvements or utilities;

(g) Defective or unusual conditions of title rendering the title nonmarketable;

(h) The existence of conditions that endanger life or property by fire or other causes;

(i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;

(j) Environmental contamination of buildings or property;

(k) (Deleted by amendment, L. 2004, p. 1745, § 3, effective June 4, 2004.)

(k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements; or

(l) If there is no objection by the property owner or owners and the tenant or tenants of such owner or owners, if any, to the inclusion of such property in an urban renewal area, "blighted area" also means an area that, in its present condition and use and, by reason of the presence of any one of the factors specified in paragraphs (a) to (k.5) of this subsection (2), substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations, or constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare. For purposes of this paragraph (l), the fact that an owner of an interest in such property does not object to the inclusion of such property in the urban renewal area does not mean that the owner has waived any rights of such owner in connection with laws governing condemnation.

Determining whether blight factors exist within such an Urban Renewal Area is a legislative determination made by the City Council of the municipality. Once such determination is made, the blighting factors are determined to exist for all properties within the Urban Renewal Area.

Urban Renewal Plans

Within Louisville, there are two Urban Renewal Areas under the jurisdiction of the LRC. They are the Highway 42 Urban Renewal Area and the 550 S. McCaslin Urban Renewal Area.

The Highway 42 Revitalization Area was established in 2006 by the City Council by Resolution 37-2006. Nine (9) blight factors were determined present for the Highway 42 area. They are:

a) Slum, deteriorated, or deteriorating structures;
b) Predominance of defective or inadequate street layout;
c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
d) Unsanitary or unsafe conditions;
e) Deterioration of site or other improvements;
f) Unusual topography or inadequate public improvements or utilities;
h) The existence of conditions that endanger life or property by fire or other causes;
i) Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
j) Environmental contamination of buildings or property;

k.5) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical and underutilization of vacancy of sites, buildings, or other improvements.

The 550 S. McCaslin Urban Renewal Area was established in 2015 by the City Council by Resolution 58-2015. Four (4) blight factors were determined present for the 55 S. McCaslin area. They are:

a) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
b) Deterioration of site or other improvements;
c) Defective or unusual conditions of title rendering the title nonmarketable;
d) The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of sites, buildings, or other improvements.

Urban Renewal Plans are documents that lay out the qualifying conditions, objectives, implementation, and financing tools for the LRC to implement.

City/LRC Cooperation Agreement

When the City approved the initial Urban Renewal Plan for the Highway 42 Area the City also approved a Cooperation Agreement between the City and the LRC, which Agreement was amended and restated in 2015. Highlights of the Amended and Restated Cooperation Agreement include:

- The City provides administrative and legal support services to the LRC in connection with its operations.
- The LRC's budget must be submitted to the City Council for review and approval prior to LRC adoption each year.
- Any LRC expenditure not included in its annual budget must be reviewed and approved by the City Council.
- Prior to issuing bonds (or any other capital financial obligation or financial obligation extending beyond the end of the current fiscal year) must be approved by resolution adopted by a majority of the City Council finding the City's interests in connection with such bonds or other obligations are adequately protected.
- As provided in the Urban Renewal Plan, the City Council must approve allocation of any municipal sales tax increment.
- Also as provided in the Urban Renewal Plan, the City Council must approve by resolution any redevelopment agreement or other contract with developers or property owners.

Tri-Party Agreement with the City, LRC, and Boulder County

When the Highway 42 Urban Renewal Plan was approved, a Tri-Party Agreement among the City, LRC, and Boulder County was executed to commit a portion of the TIF revenues back to the County during the life of the TIF collection period (25 years). The original agreement committed to the LRC paying to the County 14.3% of annual TIF revenues starting January 1, 2015, not to exceed $6,150,000 in total payments to the

County. There is a renegotiation clause in the agreement that states if the County does not enter into a similar agreement with another Boulder County municipality within the first 7 years of the Plan, the County reimbursement percentage changes to 7.15% of TIF revenues and maximum payment is $3,075,000.

Property Tax Increment Financing

Tax Increment Financing (TIF) is a unique mechanism that enables an urban renewal authority or board to use the net new tax revenues generated by projects within a designated urban renewal area to help finance future improvements. TIF is new source of tax revenue, not an additional tax, which would not be available but for the increased property value that is largely attributable to the new investment. When a redevelopment project is being planned, the urban renewal authority or board analyzes how much additional property and/or sales taxes may be generated once it is completed. That "tax increment" then can be used by the urban renewal entity either to finance the issuance of bonds or to reimburse developers for a portion of their project costs. In either case, the new tax revenue that is created must be used for improvements that have a public benefit and that support the redevelopment effort by eliminating blight, such as site clearance, streets, utilities, parks, the removal of hazardous materials or conditions, or site acquisition. (Source: Denver Urban Renewal Authority)

Property tax increment financing has been implemented for the Highway 42 Area, but not for the 550 S. McCaslin area.

Sales Tax Increment Financing

Urban Renewal Law also allows for Authorities to collect the increase of sales taxes generated within an Area above the base amount established when the area was established. Similar to property tax increment, sales tax increment funds can go towards projects that meet the requirement of the Urban Renewal Plan.

Sales tax increment financing is not available in either urban renewal area in Louisville.

Condemnation

Another power Authorities may use is the ability to condemn private property if the Authority (and in Louisville, also the City Council) finds it is necessary for the "public good" and usually as a last resort. Most municipalities are extremely reluctant to use their condemnation powers for many reasons, not the least of which is the lengthy acquisition and negotiation process.

LRC Financial Assistance

In 2013, the LRC established an application for assistance for property owners to request the LRC's help in completing a project. The application envisions two ways in which the LRC can assist a development:

- Infrastructure Projects

Assistance is generally provided to projects for public infrastructure improvements needed to facilitate the revitalization of property within the Urban Renewal Area. Typical public infrastructure investments may include but are not limited to unifying streetscape elements, improving access and circulation, improving streets and parks, providing for railroad corridor improvements and grade separation, providing for parking, completing utilities. The infrastructure can be either public infrastructure or infrastructure that is privately owned, but needed to enhance the public benefit of the project.

The LRC has completed three major infrastructure investments to date. They include the South Street Pedestrian Gateway, the Delo area public infrastructure, and the Alfalfa's/Centre Court apartments sidewalk and on-site detention project. The LRC utilizes an Urban Renewal Assistance Application for property owners to request assistance for their project.

- Direct Financial Assistance

LRC assistance can also come in the form of direct financial assistance to achieve financial feasibility for the project. If a project requests direct financial assistance, additional information is required of the applicant to determine whether the project needs it. Project seeking direct financial assistance uses the same application as for public infrastructure, except for the added requirement to provide financial information showing the project will not occur but for the assistance.

Several Colorado municipalities have provided direct assistance to private developments. Through conversations with colleagues running other authorities or doing research on websites, the following is a list of such projects spurred by TIF assistance directly:

- Colorado National Bank in Denver – Restoration and redevelopment of the historic building into a luxury hotel. $10,000,000 TIF reimbursement assistance to the project.
- 2460 Welton development in Denver – redevelopment of a vacant lot into a residential and retail mixed use building. $1,350,000 in developer reimbursement through property tax TIF.
- Marriott in Colorado Springs - $15,000,000 TIF bond to construct a parking structure for a new Marriott property.
- Cannon Mine Café and The Post in Lafayette – tenant improvement assistance through existing TIF revenues
- Hilton Garden Inn in Arvada - $3,200,000 in land contribution and lodging tax revenues
- Arvada Ridge Marketplace – $6,670,000 Sales and Property Tax Pledge to encourage the redevelopment

The decision to approve a TIF agreement for a project is not a part of the Planned Unit Development (PUD) process. The PUD process relates to whether the project meets

the regulatory requirements (e.g. zoning, design, layout) within the City's codes and ordinances. The discussion of approving financial assistance through Urban Renewal is legislative and independent of the PUD process. An assistance agreement can be considered at any time during the PUD approval process, if the project needs a PUD approval. To date, all approved assistance agreements were considered either concurrent or after a project's development/PUD process.

ATTACHMENTS:
Related documents are linked throughout the memo. Please click on the link in the text to be directed to the particular document.

SUBJECT: **RESOLUTION NO. 11, SERIES 2019 – A RESOLUTION SETTING CERTAIN WATER, WASTEWATER, STORMWATER AND OTHER FEES, RATES, AND CHARGES FOR THE CITY OF LOUISVILLE, COLORADO**

DATE: **MARCH 19, 2019**

PRESENTED BY: **KURT KOWAR, PUBLIC WORKS DEPARTMENT**

SUMMARY:

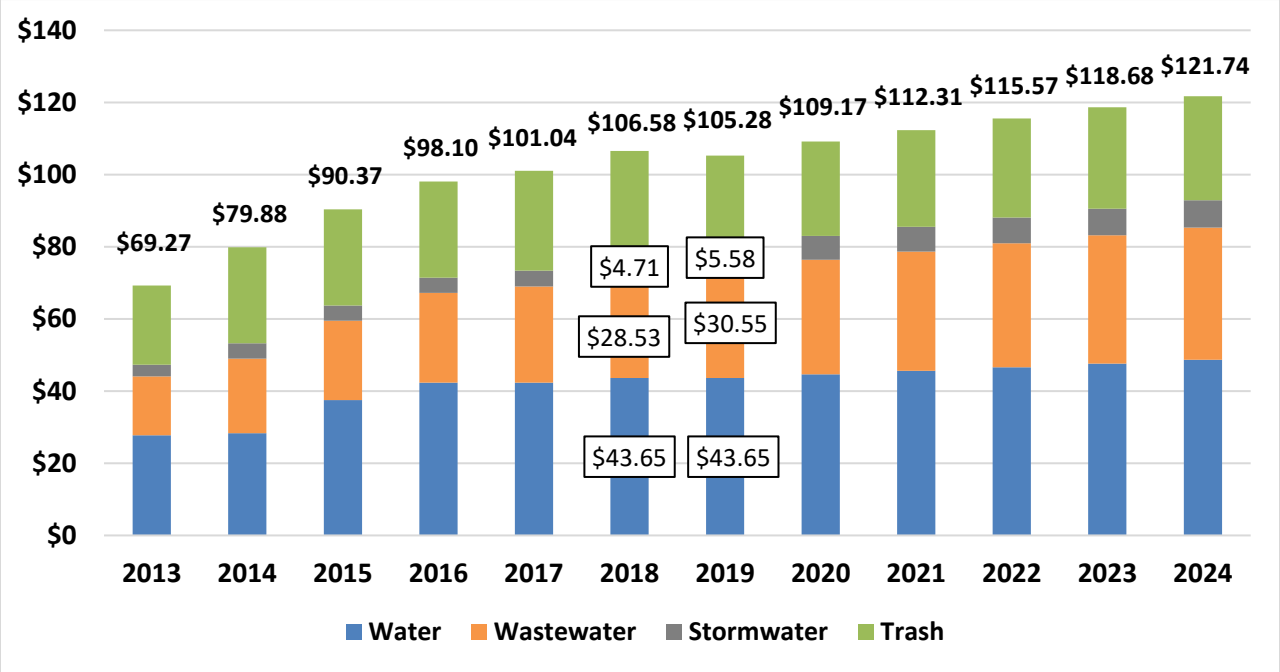
Staff recommends increasing utility rates for the 2019 calendar year in the amount of 7% for wastewater and 18.5% for stormwater. For the second time in the past three years, an increase to water is not recommended as part of this evaluation period.

In 2018, City staff completed a rate assessment for the water, wastewater, and stormwater funds. This annual process ensures the rates and fees continue to generate sufficient revenue to sustain utility operations and facilitate future planning and budgeting. This process of analysis, findings, and recommendations was discussed at the Utility Committee on May 11, June 22, September 28 and November 9 and incorporated in the 2019/2020 budget process.

Similar to the prior rate analysis, adjustments were presented with two options, a "Just-in-Time" scenario where required increases are initiated in the year they are needed regardless of amount, and a "Smoothing" scenario where required increases are averaged out to minimize large jumps in increases which distributes increases over time. The City has historically utilized rate smoothing. The Utility Committee has recommended that the Smoothing scenario continue to be utilized. The table below shows the 5 year increases based upon financial modeling with the strike through text representing the 2017/2018 study for comparison.

Table 1
Summary of "Smoothing" Financial Plan Scenario
Indicated Rate Revenue Increase

Utility	2019	2020	2021	2022	2023	2024
Water	**0%** ~~3%~~	**1.2%** ~~3%~~	**1.6%** ~~3%~~	**1.7%** ~~3%~~	**1.8%** ~~2%~~	**1.8%**
Wastewater	**7%** ~~7%~~	**4%** ~~7%~~	**4%** ~~7%~~	**4%** ~~7%~~	**3.5%** ~~7%~~	**3.1%**
Stormwater	**18.5%** ~~7%~~	**18.5%** ~~4%~~	**4%** ~~4%~~	**4%** ~~3%~~	**3%** ~~4%~~	**3%**



FISCAL IMPACT

The recommended increases will continue the process of matching Utility revenue with projected expenses for operations and capital improvement needs. The average water, wastewater, stormwater, and trash utility bill will see an anticipated decrease from $106.58 per month to $105.28 per month. The decrease is a reflection of the lower trash portion as a result of the new solid waste service currently being implemented.

PROGRAM/SUB-PROGRAM IMPACT:

The program goal for Utilities is to ensure safe, reliable, great tasting water; properly treated wastewater; effective stormwater control; successfully managed solid waste; and competitive prices for all services. These annual utility rate evaluations and adjustments are essential in the administration of reasonable and justifiable prices and the responsible management of the utility system.

RECOMMENDATION:

Staff recommends approval of Resolution No. 11, Series 2019.

ATTACHMENT(S):

1. Resolution
2. Rate Tables
3. Presentation

RESOLUTION NO. 11
SERIES 2019

A RESOLUTION SETTING CERTAIN WATER, WASTEWATER, STORMWATER AND OTHER FEES, RATES, AND CHARGES FOR THE CITY OF LOUISVILLE, COLORADO

WHEREAS, pursuant to the Louisville Municipal Code, the City Council is authorized to establish certain fees, rates, and charges by resolution; and

WHEREAS, the City Council wishes to establish by this resolution the amounts of certain fees, rates, and charges commencing with the effective date of this resolution.

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

1. Pursuant to authorization in the Louisville Municipal Code, the Louisville City Council hereby establishes certain water, wastewater, stormwater and other fees, rates, and charges in accordance with the schedules and tables attached and made a part hereof.

2. The fees, rates, and charges set by this resolution shall be effective on the date of the resolution, except for the water and wastewater user charges, which will be effective on May 1, 2019, and may thereafter be amended from time to time by resolution of the City Council.

3. The fees, rates, and charges set by this resolution shall supersede and replace any fees, rates, or charges previously set or adopted by the City Council for the same purpose. However, the same shall not be deemed to release, extinguish, alter, modify, or change in whole or in part any liability which shall have been previously incurred, and the superseded or replaced provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order.

4. If any portion of this resolution is held to be invalid for any reason, such decisions shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED this 19th day of March, 2019.

_____
Robert P. Muckle, Mayor

ATTEST:

_____
Meredyth Muth, City Clerk

City of Louisville

WATER RATES

Effective May 1, 2019, water rates for all accounts inside city limits are as follows (outside city limits = double these rates):

MAY 1, 2019 RESIDENTIAL WATER RATES - 3/4" METER

GALLONS	RATE
Zero - 5,000	$18.99 (minimum monthly charge)
5,001 - 20,000	$18.99 for the first 5,000 gallons, plus $5.47 for each additional 1,000 gallons (or fraction thereof)
20,001 - 30,000	$101.04 for the first 20,000 gallons, plus $13.35 for each additional 1,000 gallons (or fraction thereof)
30,001 - 40,000	$234.54 for the first 30,000 gallons, plus $14.71 for each additional 1,000 gallons (or fraction thereof)
40,001 - 50,000	$381.64 for the first 40,000 gallons, plus $15.72 for each additional 1,000 gallons (or fraction thereof)
50,001 and over	$538.84 for the first 50,000 gallons, plus $16.77 for each additional 1,000 gallons (or fraction thereof)

MAY 1, 2019 RESIDENTIAL WATER RATES - 1" METER

GALLONS	RATE
Zero - 5,000	$18.99 (minimum monthly charge)
5,001 - 20,000	$18.99 for the first 5,000 gallons, plus $5.47 for each additional 1,000 gallons (or fraction thereof)
20,001 - 30,000	$101.03 for the first 20,000 gallons, plus $13.62 for each additional 1,000 gallons (or fraction thereof)
30,001 - 40,000	$237.23 for the first 30,000 gallons, plus $14.71 for each additional 1,000 gallons (or fraction thereof)
40,001 - 50,000	$384.33 for the first 40,000 gallons, plus $15.72 for each additional 1,000 gallons (or fraction thereof)
50,001 and over	$541.53 for the first 50,000 gallons, plus $16.77 for each additional 1,000 gallons (or fraction thereof)

MAY 1, 2019 COMMERCIAL, IRRIGATION, AND MULTIFAMILY WATER RATES - 3/4" METER

GALLONS	RATE
Zero - 20,000	$10.45 (minimum monthly charge), plus $3.02 for each 1,000 gallons (or fraction thereof)
20,001 - 30,000	$70.85 for the first 20,000 gallons, plus $7.50 for each additional 1,000 gallons (or fraction thereof)
30,001 - 40,000	$145.85 for the first 30,000 gallons, plus $8.10 for each additional 1,000 gallons (or fraction thereof)
40,001 - 50,000	$226.85 for the first 40,000 gallons, plus $8.66 for each additional 1,000 gallons (or fraction thereof)
50,001 and over	$313.45 for the first 50,000 gallons, plus $9.23 for each additional 1,000 gallons (or fraction thereof)

MAY 1, 2019 COMMERCIAL, IRRIGATION, AND MULTIFAMILY WATER RATES - 1" METER

GALLONS	RATE
Zero - 40,000	$20.90 (minimum monthly charge), plus $3.02 for each 1,000 gallons (or fraction thereof)
40,001 - 60,000	$141.70 for the first 40,000 gallons, plus $7.50 for each additional 1,000 gallons (or fraction thereof)
60,001 - 80,000	$291.70 for the first 60,000 gallons, plus $8.10 for each additional 1,000 gallons (or fraction thereof)
80,001 - 100,000	$453.70 for the first 80,000 gallons, plus $8.66 for each additional 1,000 gallons (or fraction thereof)
100,001 and over	$626.90 for the first 100,000 gallons, plus $9.23 for each additional 1,000 gallons (or fraction thereof)

MAY 1, 2019 COMMERCIAL, IRRIGATION, AND MULTIFAMILY WATER RATES - 1-1/2" METER

GALLONS	RATE
Zero - 80,000	$31.35 (minimum monthly charge), plus $3.02 for each 1,000 gallons (or fraction thereof)
80,001 - 120,000	$272.95 for the first 80,000 gallons, plus $7.50 for each additional 1,000 gallons (or fraction thereof)
120,001 - 160,000	$572.95 for the first 120,000 gallons, plus $8.10 for each additional 1,000 gallons (or fraction thereof)
160,001 - 200,000	$896.95 for the first 160,000 gallons, plus $8.66 for each additional 1,000 gallons (or fraction thereof)
200,001 and over	$1,243.35 for the first 200,000 gallons, plus $9.23 for each additional 1,000 gallons (or fraction thereof)

MAY 1, 2019 COMMERCIAL, IRRIGATION, AND MULTIFAMILY WATER RATES - 2" METER

GALLONS	RATE
Zero - 160,000	$41.75 (minimum monthly charge), plus $3.02 for each 1,000 gallons (or fraction thereof)
160,001 - 240,000	$524.95 for the first 160,000 gallons, plus $7.50 for each additional 1,000 gallons (or fraction thereof)
240,001 - 320,000	$1,124.95 for the first 240,000 gallons, plus $8.10 for each additional 1,000 gallons (or fraction thereof)
320,001 - 400,000	$1,772.95 for the first 320,000 gallons, plus $8.66 for each additional 1,000 gallons (or fraction thereof)
400,001 and over	$2,465.75 for the first 400,000 gallons, plus $9.23 for each additional 1,000 gallons (or fraction thereof)

MAY 1, 2019 COMMERCIAL, IRRIGATION, AND MULTIFAMILY WATER RATES - 3" METER

GALLONS	RATE
Zero - 320,000	$83.63 (minimum monthly charge), plus $3.02 for each 1,000 gallons (or fraction thereof)
320,001 - 480,000	$1,050.03 for the first 320,000 gallons, plus $7.50 for each additional 1,000 gallons (or fraction thereof)
480,001 - 640,000	$2,250.03 for the first 480,000 gallons, plus $8.10 for each additional 1,000 gallons (or fraction thereof)
640,001 - 800,000	$3,546.03 for the first 640,000 gallons, plus $8.66 for each additional 1,000 gallons (or fraction thereof)
800,001 and over	$4,931.63 for the first 800,000 gallons, plus $9.23 for each additional 1,000 gallons (or fraction thereof)

MAY 1, 2019 COMMERCIAL, IRRIGATION, AND MULTIFAMILY WATER RATES - 4" METER

GALLONS	RATE
Zero - 640,000	$167.24 (minimum monthly charge), plus $3.02 for each 1,000 gallons (or fraction thereof)
640,001 - 960,000	$2,100.04 for the first 640,000 gallons, plus $7.50 for each additional 1,000 gallons (or fraction thereof)
960,001 - 1,280,000	$4,500.04 for the first 960,000 gallons, plus $8.10 for each additional 1,000 gallons (or fraction thereof)
1,280,001 - 1,600,000	$7,092.04 for the first 1,280,000 gallons, plus $8.66 for each additional 1,000 gallons (or fraction thereof)
1,600,001 and over	$9,863.24 for the first 1,600,000 gallons, plus $9.23 for each additional 1,000 gallons (or fraction thereof)

MAY 1, 2019 COMMERCIAL, IRRIGATION, AND MULTIFAMILY WATER RATES - 6" METER

GALLONS	RATE
Zero - 1,280,000	$334.50 (minimum monthly charge), plus $3.02 for each 1,000 gallons (or fraction thereof)
1,280,001 - 1,920,000	$4,200.10 for the first 1,280,000 gallons, plus $7.50 for each additional 1,000 gallons (or fraction thereof)
1,920,001 - 2,560,000	$9,000.10 for the first 1,920,000 gallons, plus $8.10 for each additional 1,000 gallons (or fraction thereof)
2,560,001 - 3,200,000	$14,184.10 for the first 2,560,000 gallons, plus $8.66 for each additional 1,000 gallons (or fraction thereof)
3,200,001 and over	$19,726.50 for the first 3,200,000 gallons, plus $9.23 for each additional 1,000 gallons (or fraction thereof)

City of Louisville

SEWER RATES

Effective May 1, 2019, sewer rates for all accounts inside city limits are as follows (outside city limits = double these rates):

MAY 1, 2019 SINGLE FAMILY RESIDENTIAL SEWER RATES

RATE	DESCRIPTION
$4.82	Monthly Volume Charge, $ per 1,000 gallons of Average Winter Consumption (AWC). AWC = (December+January+February)/3
$2.77	Monthly Billing Charge, $ per Bill
$6.57	Monthly Readiness to Serve Charge, $ per Bill

MAY 1, 2019 MULTI FAMILY RESIDENTIAL SEWER RATES

RATE	DESCRIPTION
$4.82	Monthly Volume Charge, $ per 1,000 gallons of Average Winter Consumption (AWC). AWC = (December+January+February)/3
$2.77	Monthly Billing Charge, $ per Bill
$6.57	Monthly Readiness to Serve Charge, $ per Dwelling Unit

MAY 1, 2019 COMMERCIAL SEWER RATES

RATE	DESCRIPTION
$4.82	Monthly Volume Charge, $ per 1,000 gallons
$2.77	Monthly Billing Charge, $ per Bill
	Monthly Readiness to Serve Charge, $ per Bill
$6.57	3/4" Meter
$11.48	1" Meter
$25.16	1-1/2" Meter
$44.55	2" Meter
$99.50	3" Meter
$176.33	4" Meter
$258.13	6" Meter

City of Louisville

STORMWATER RATES

Effective May 1, 2019, stormwater rates for all accounts inside city limits are as follows (outside city limits = double these rates):

MAY 1, 2019 STORMWATER UTILITY RATES

RATE	DESCRIPTION
$5.58	Monthly Billing Charge, $ per Bill

City Council
2019 Utility Financial Plan Update

March 19, 2019

Overview

Financial Plan

- Performance Metrics

- Alternatives
  - Just-In-Time
  - <u>Smoothing</u> – Recommended by Staff and Utility Committee

Financial Planning Performance Metrics

Debt Service Coverage (DSC):

Ratio of net revenues

(operating revenue less operating expense)

to annual debt service payment

- **Target DCS above required minimum Values**
  - Conservative approach to ensure legal DSC minimums are met even if revenue forecasts are not achieved
  - Maintain or achieve higher credit ratings

Debt Service Coverage

Required DSC Ratio

Colorado Water Resources and Power Development Authority	1.10
2013 Water and Wastewater Enterprise Revenue Bonds	1.15

Dual Target DSC Ratio

Fund	w/o Tap Fees	with Tap Fees(1)
Water	1.2	1.4
Wastewater	1.2	1.3
Storm	1.3	1.3(2)

(1) To reduce variability, tap fee revenue is from the prior year i.e. 2018 tap fee revenue was collected in 2017

(2) A tap fee for the stormwater utility has not been established, therefore the dual target is not used

Financial Planning Performance Metrics

(the same for all 3 Utilities)

Cash Reserves:

120 days cash or 33% of Total O&M

Working Capital Reserves Policy (section 2.4):

25% of current operating expenses

Rate Minimum:

Set to cover any increases in operating and maintenance costs

660

Debt Issuance

Utility	Debt Service Payment ($million)							
	2019	2020	2021	2022	2023	2024	2025	2026
Water	$0.9M	$0.9M	$0.9M	$0.9M	$0.9M	$0.9M	$0	$0
Wastewater	$1.3M	$1.3M	$1.3M	$1.3M	$1.3M	$1.3M	$2.0M	$2.0M
Stormwater	$0.3M	$0.3M	$0.3M	$0.3M	$0.3M	$0.3M	$0.4M	$0.4M
Total	$2.5M	$2.5M	$2.5M	$2.5M	$2.5M	$2.5M	$2.4M	$2.4M

Alternatives

Financial Model Inputs:

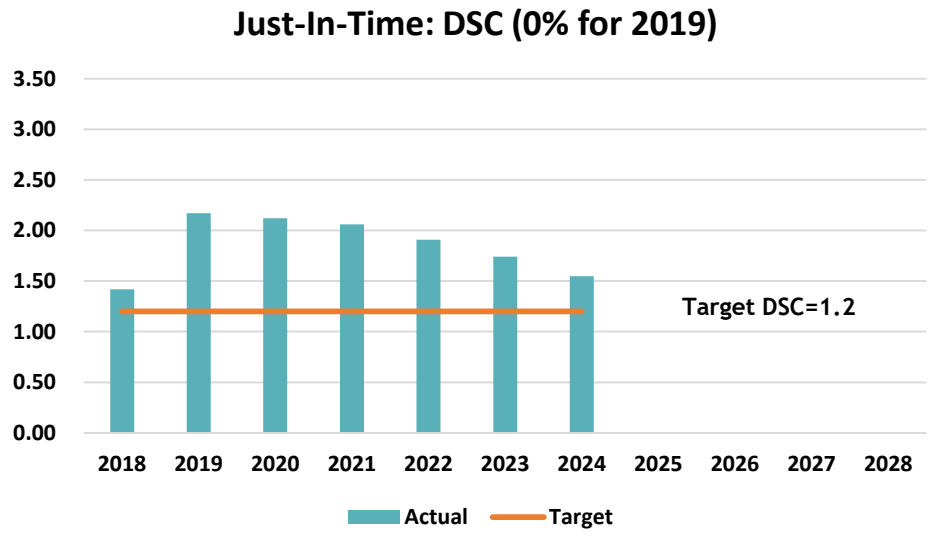
- Projected 2018 Year End Revenues and Expenditures from Financial System
- Tap Fees from 2018-2024 Revenue Projection (updated May/June ’18 by Finance, Planning and Public Works)
- Capital Improvement Projects (updated October ‘18 by Public Works, subject to year-end reporting)

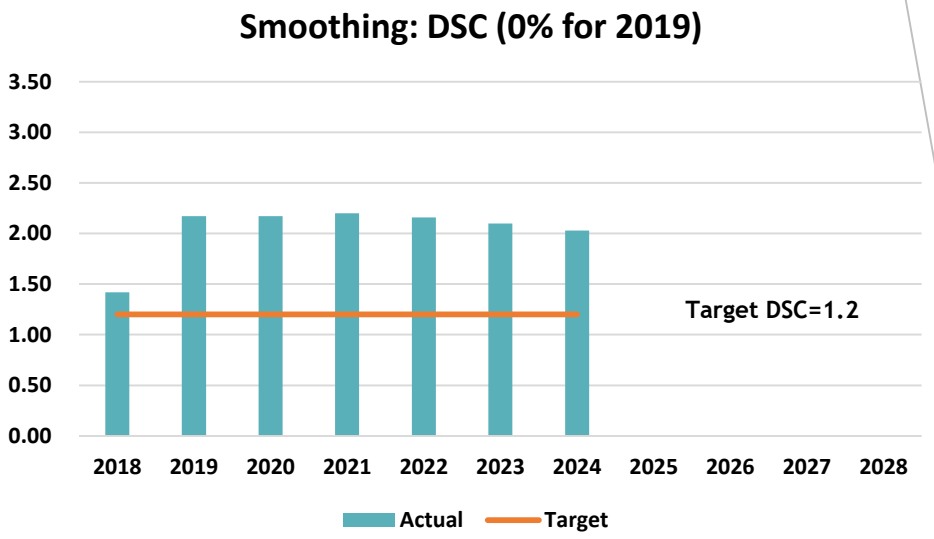
WATER

WATER
Financial Planning Alternatives

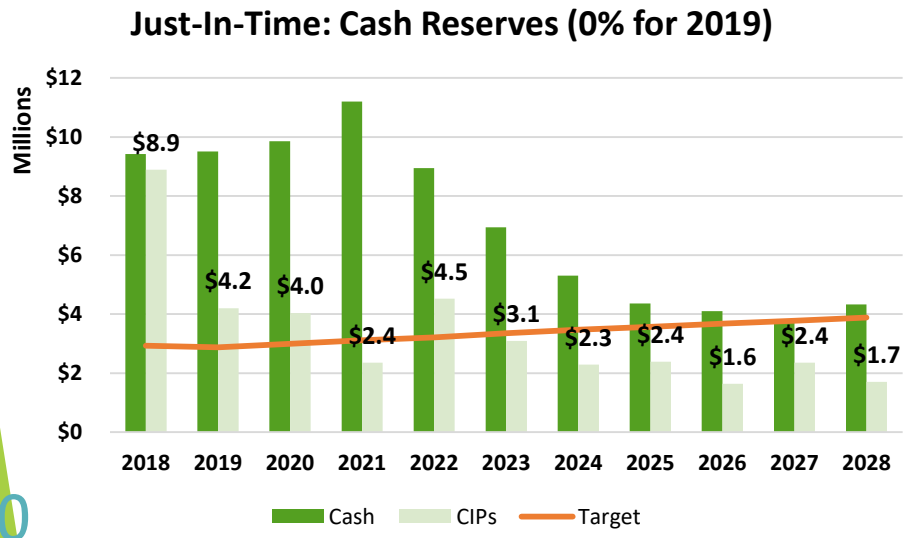
2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
2018 Plan									
3%	3%	3%	3%	3%	3%	0%	0%	0%	-
“Just-In-Time” Revenue Increases									
0%	0%	0%	0%	0%	0%	0%	0%	20.9%	0%
“Smoothing” Revenue Increases									
0%	1.2%	1.6%	1.7%	1.8%	1.8%	1.8%	1.9%	1.9%	1.9%

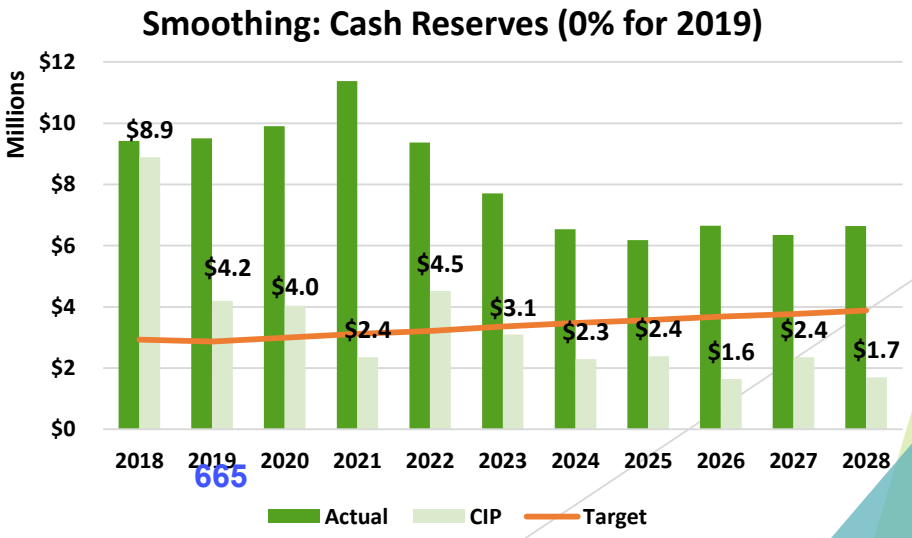
WATER: Financial Plan Alternatives





Recommended



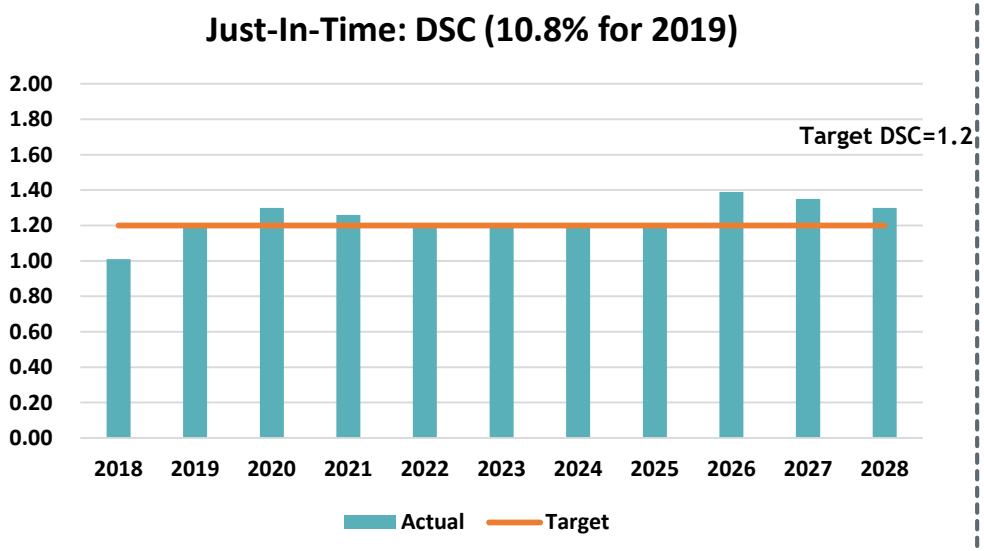


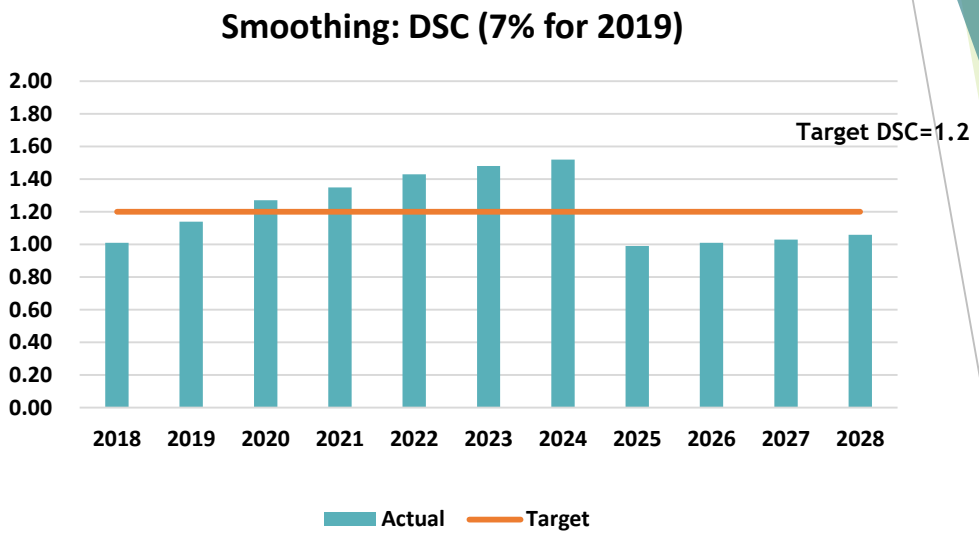
WASTEWATER

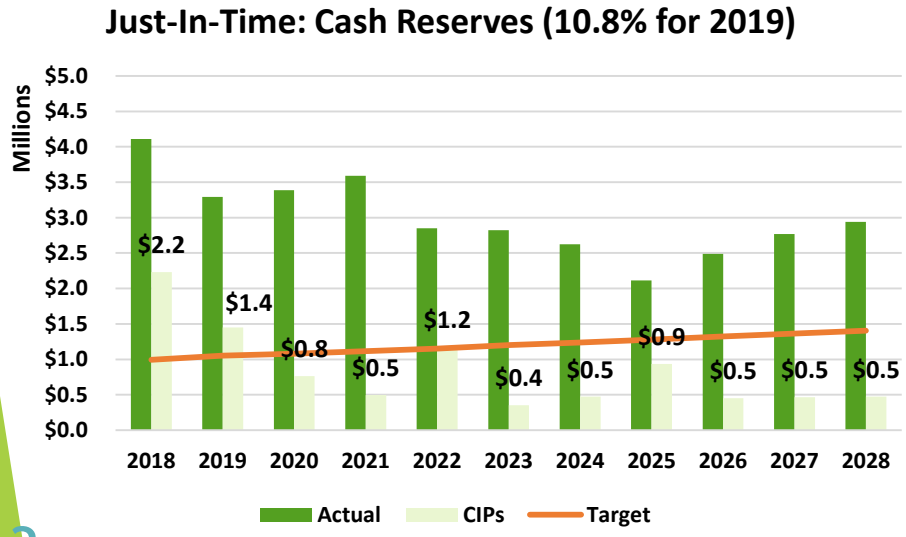
WASTEWATER
Financial Planning Alternatives

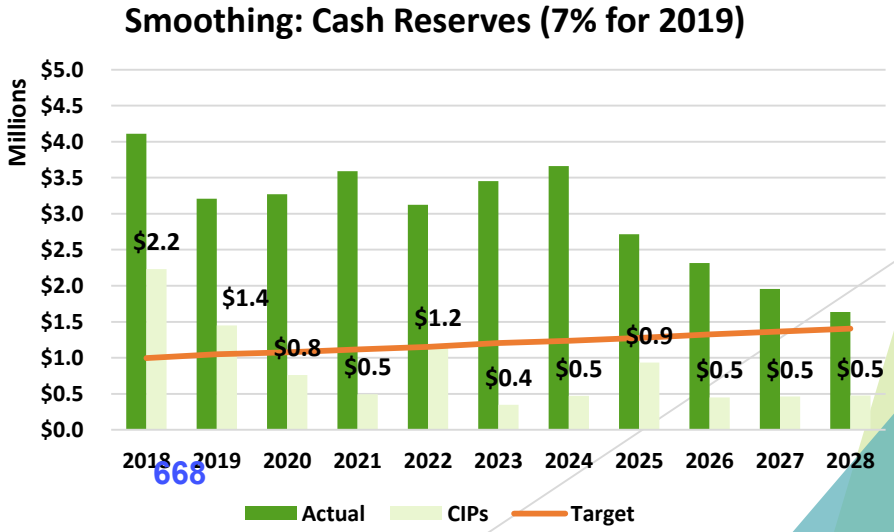
2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
2018 Plan									
7%	7%	7%	7%	7%	7%	6%	0%	0%	-
“Just-In-Time” Revenue Increases									
10.8%	0%	0%	0%	3%	2.1%	35.6%	0%	0%	0%
“Smoothing” Revenue Increases									
7%	4%	4%	4%	3.5%	3.1%	3.1%	3.1%	3.2%	3.2%

WASTEWATER: Financial Plan Alternatives









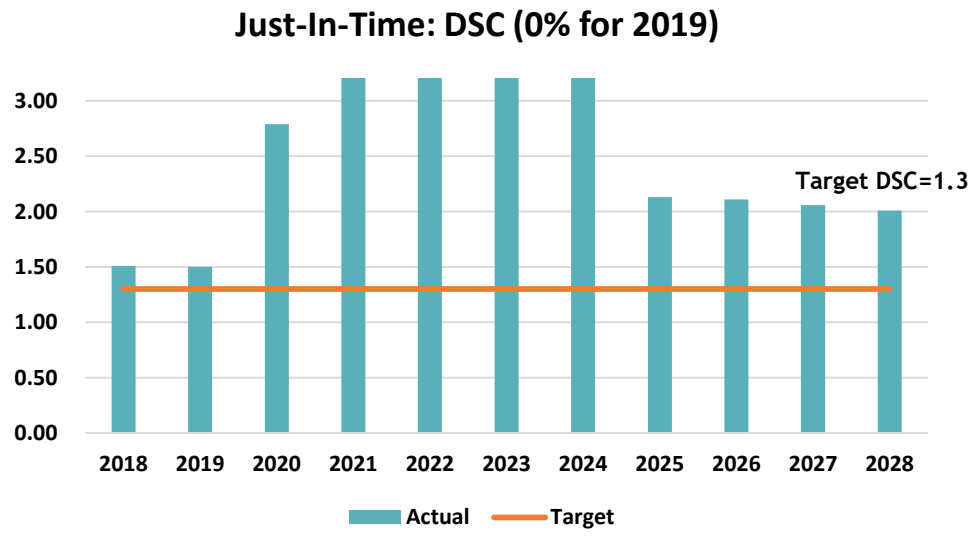
Recommended

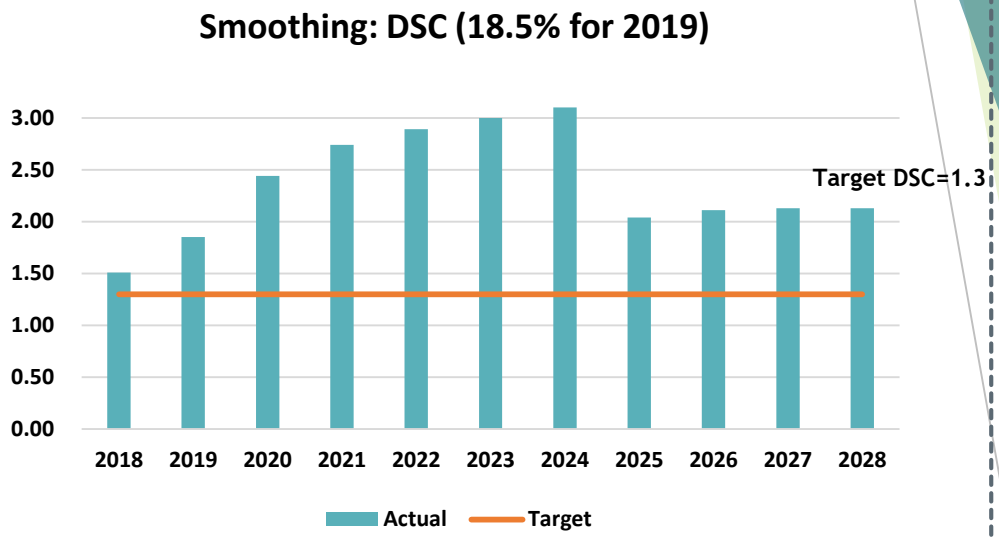
STORMWATER

STORMWATER
Financial Planning Alternatives

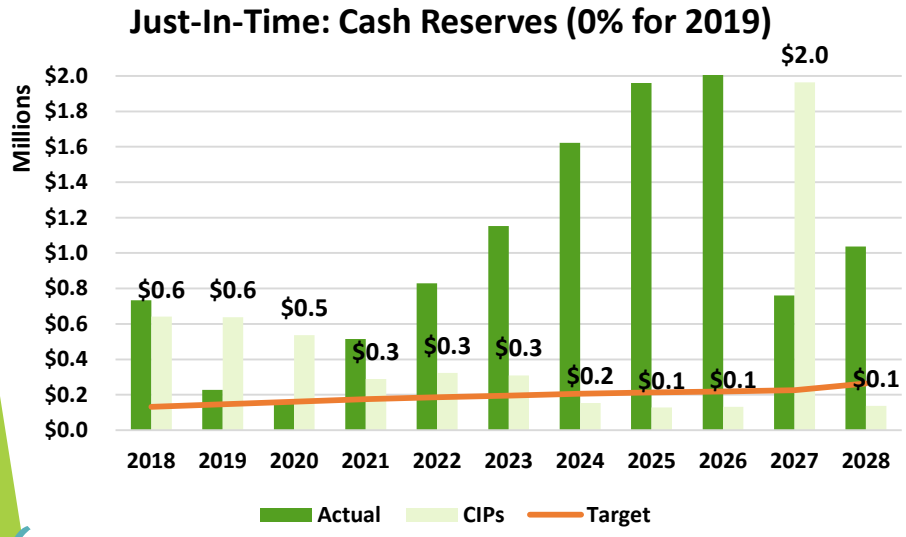
2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
2018 Plan									
7%	4%	4%	4%	4%	0%	0%	0%	0%	-
“Just-In-Time” Revenue Increases									
0%	68.4%	0%	0%	0%	0%	0%	0%	0%	0%
“Smoothing” Revenue Increases									
18.5%	18.5%	4%	4%	3%	3%	3%	3%	1.7%	1.7%

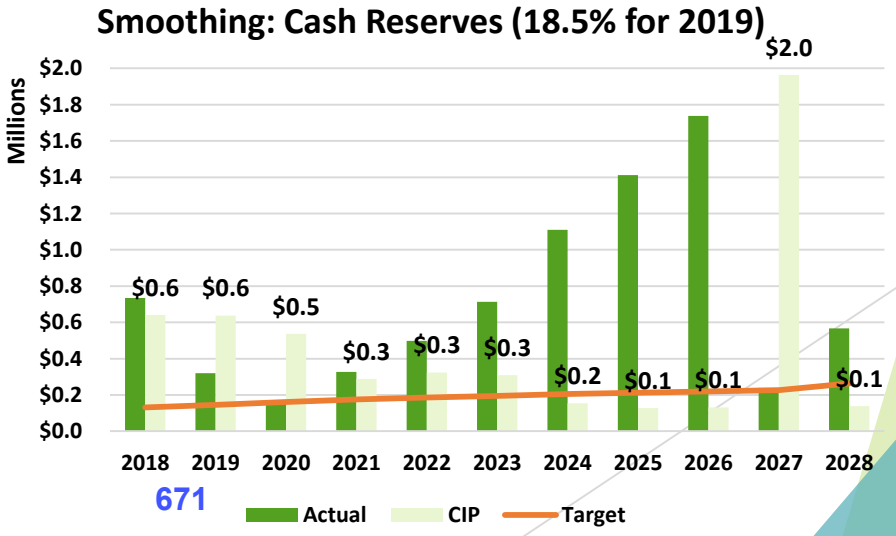
STORMWATER: Financial Plan Alternatives





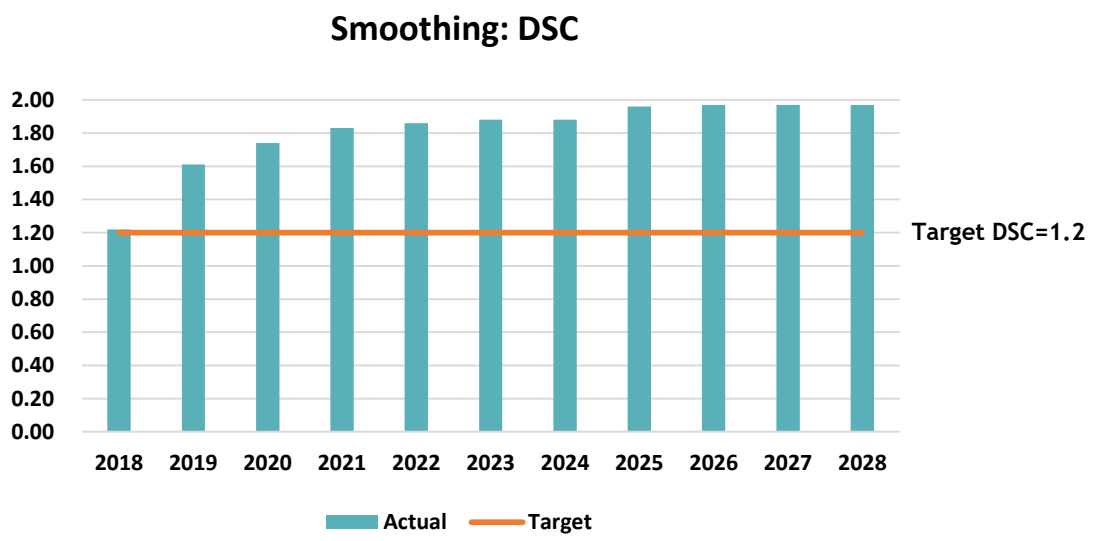
Recommended

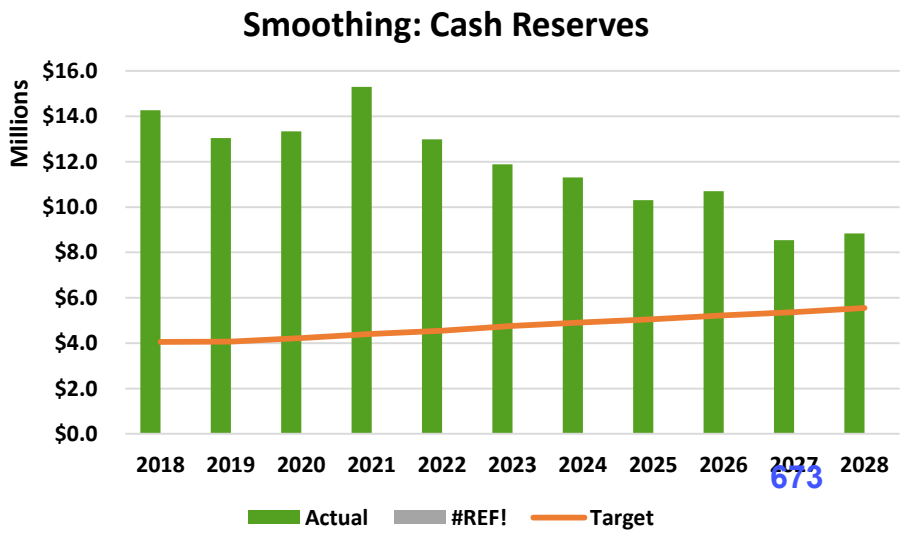




COMBINED

Combined: Financial Plan Alternatives





Recommended Rate Increase:

	2019	2020	2021	2022	2023	2024
Alternative 2 – "Smoothing" Revenue Increases (All funds self-sufficient)						
Water-O&M	0.1%	1.2%	1.6%	1.7%	1.8%	1.8%
Water-CIP	0%	0%	0%	0%	0%	0%
Water	0% ~~3%~~	1.2% ~~3%~~	1.6% ~~3%~~	1.7% ~~3%~~	1.8% ~~2%~~	1.8%
Waste-O&M	3.1%	1.3%	1.4%	1.4%	1.4%	1.4%
Waste-CIP	3.9%	2.7%	2.6%	2.6%	2.1%	1.7%
Wastewater	7% ~~7%~~	4% ~~7%~~	4% ~~7%~~	4% ~~7%~~	3.5% ~~7%~~	3.1%
Water-O&M	2.6%	0.6%	0.8%	0.8%	0.8%	0.8%
Water-CIP	15.9%	17.9%	3.2%	3.2%	2.2%	2.2%
Stormwater	18.5% ~~7%~~	18.5% ~~4%~~	4% ~~4%~~	4% ~~3%~~	3% ~~4%~~	3%
Total	5.5% ~~5.5%~~	4.5% ~~5.3%~~	3.2% ~~5.3%~~	3.3% ~~5.4%~~	2.9% ~~5.4%~~	2.6%

Prior Study 2019 – 2023 Projected Revenue Increases in strikethrough text

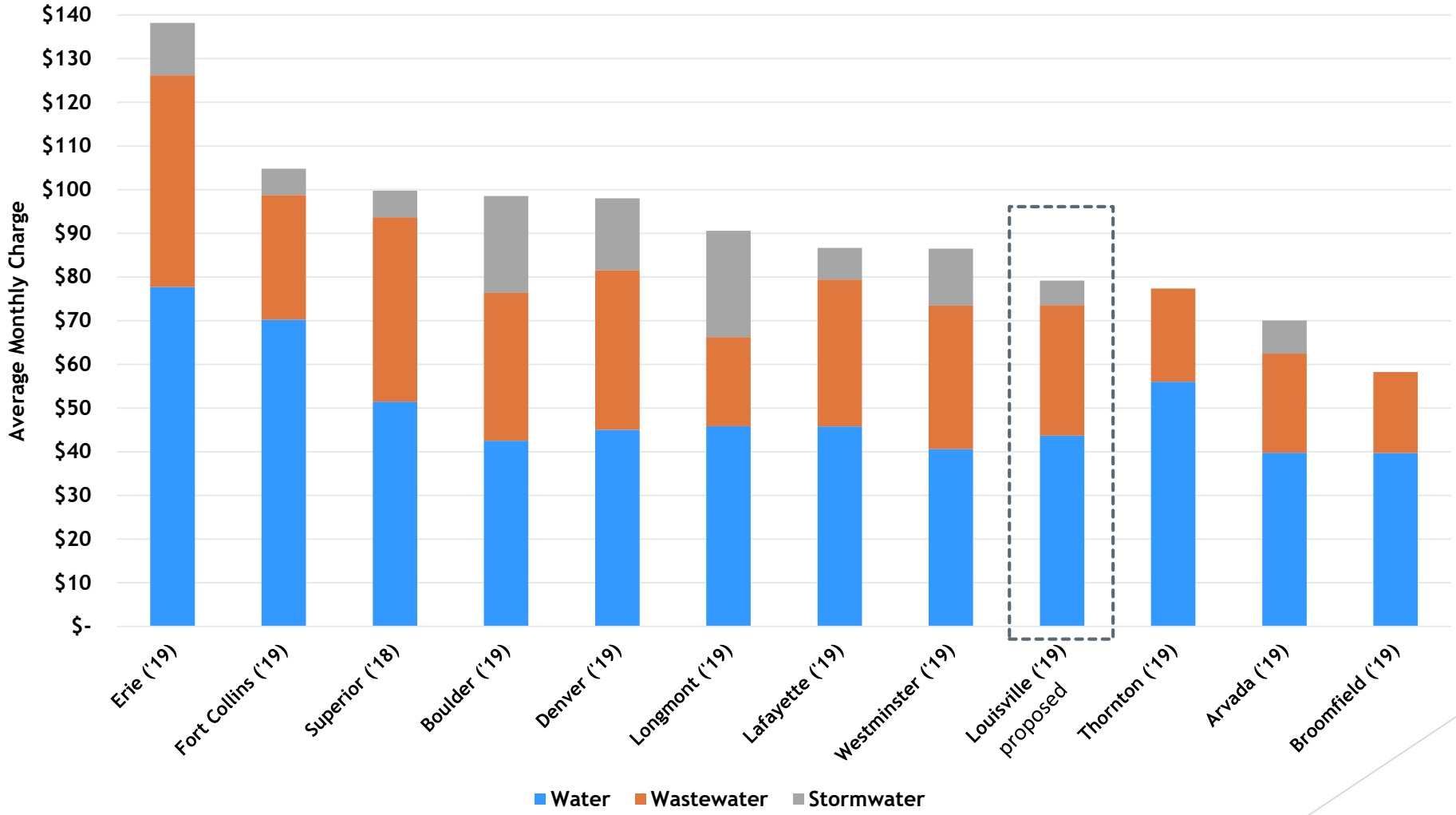
Average Monthly Residential Bill:

	Current 2018	Proposed 2019	Difference	Percent Increase
Water	$43.65	$43.65	$0.00	0%
Wastewater	$28.53	$30.55	$2.02	7%
Stormwater	$4.71	$5.58	$0.87	18.5%
Total	$76.89	$79.78	$2.89	3.8%

Based on average usage of approx. 9,220 gallons. Actual bills will be dependent on usage and will vary based on seasonal fluctuation.

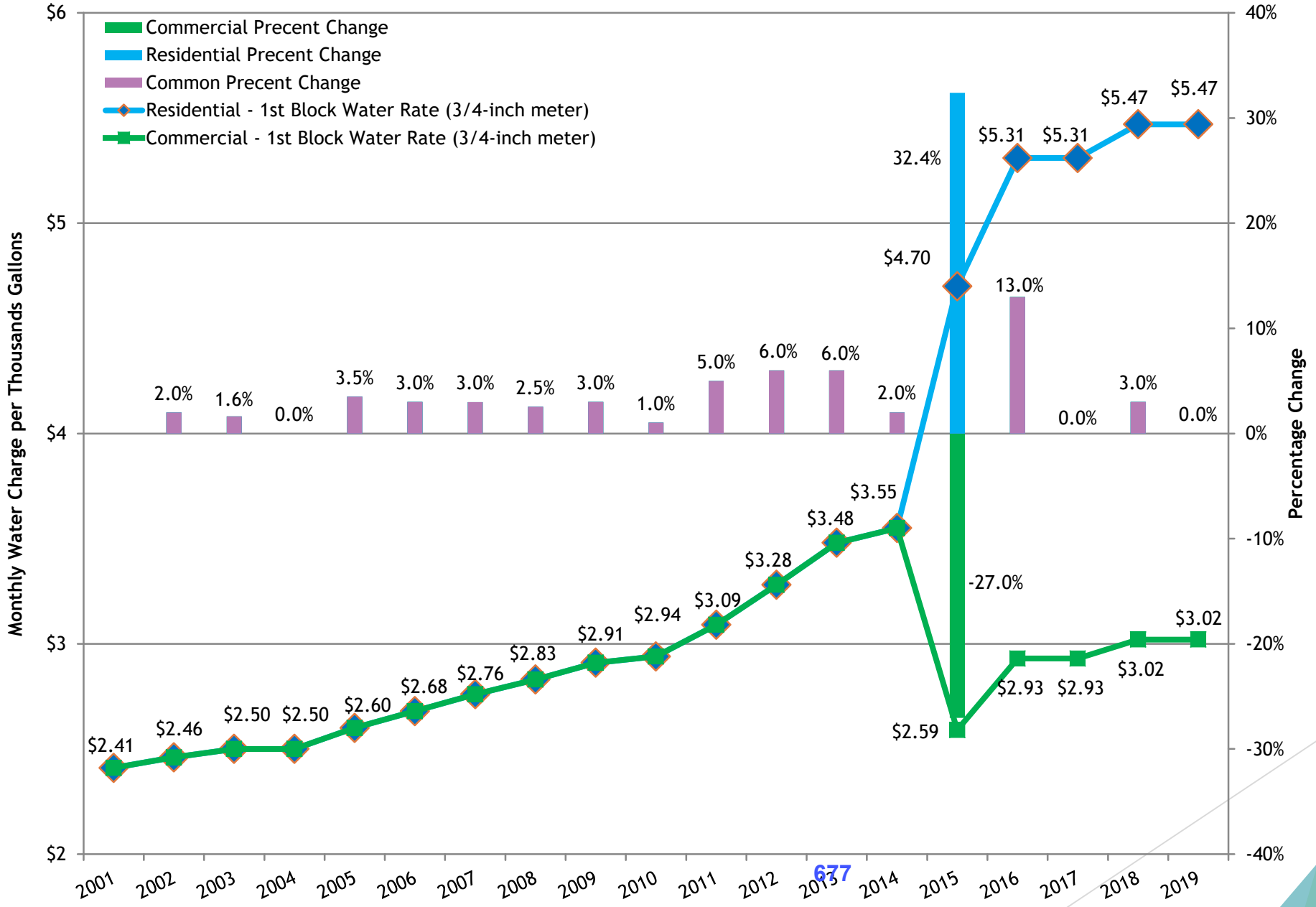
675

Average Monthly Water, Wastewater & Storm Rates (Louisville Single Family Residential)

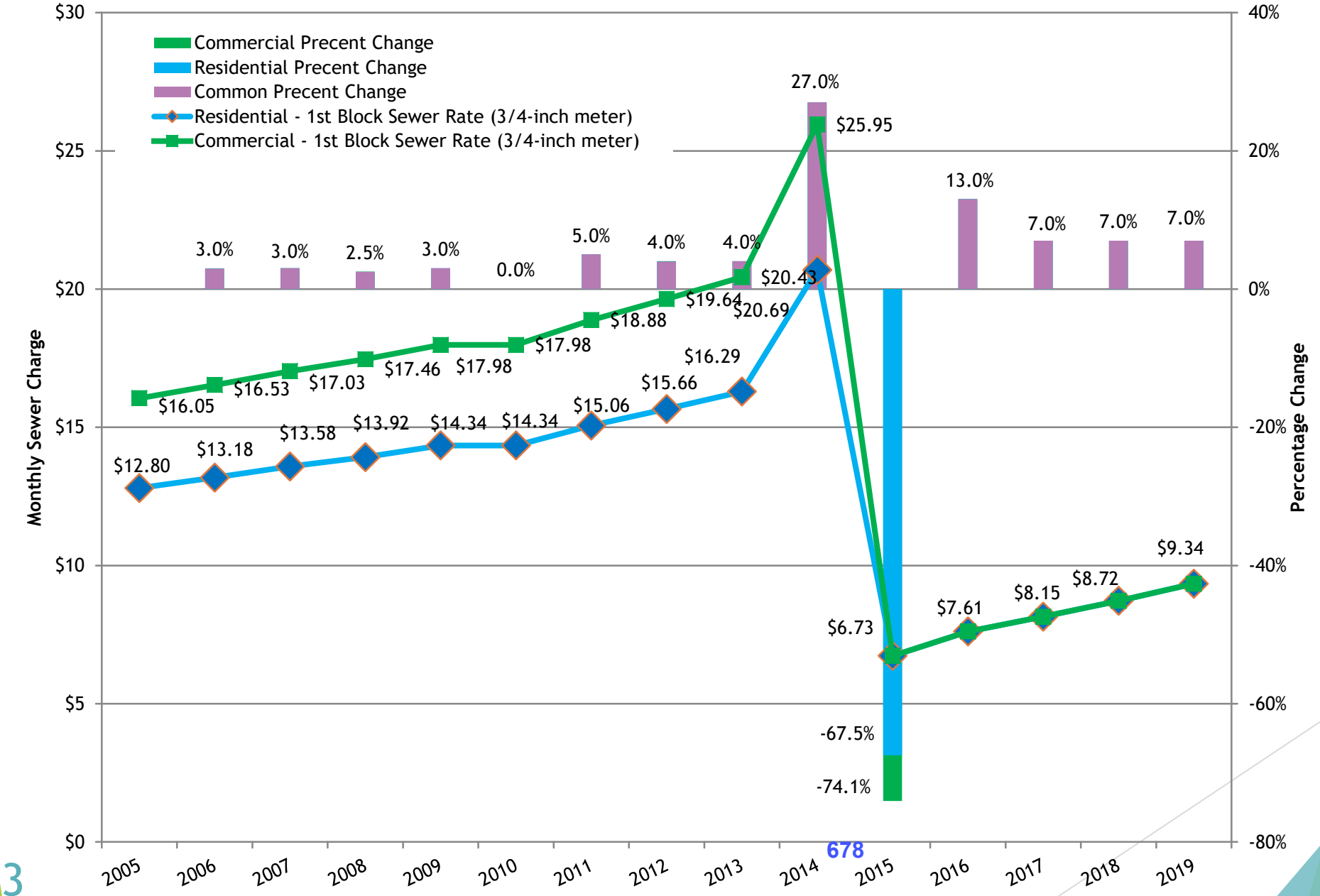


676

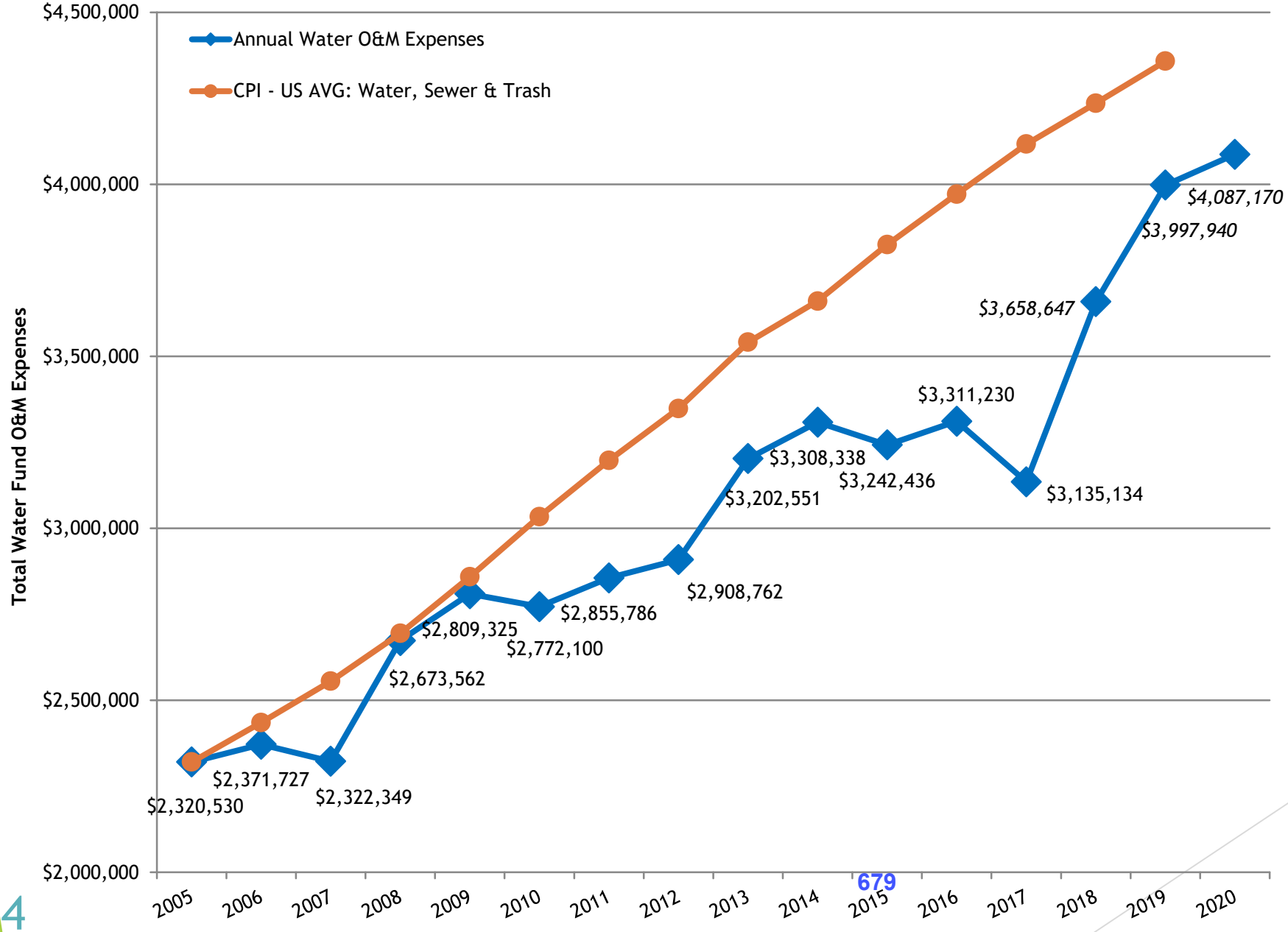
Historical Water Rates



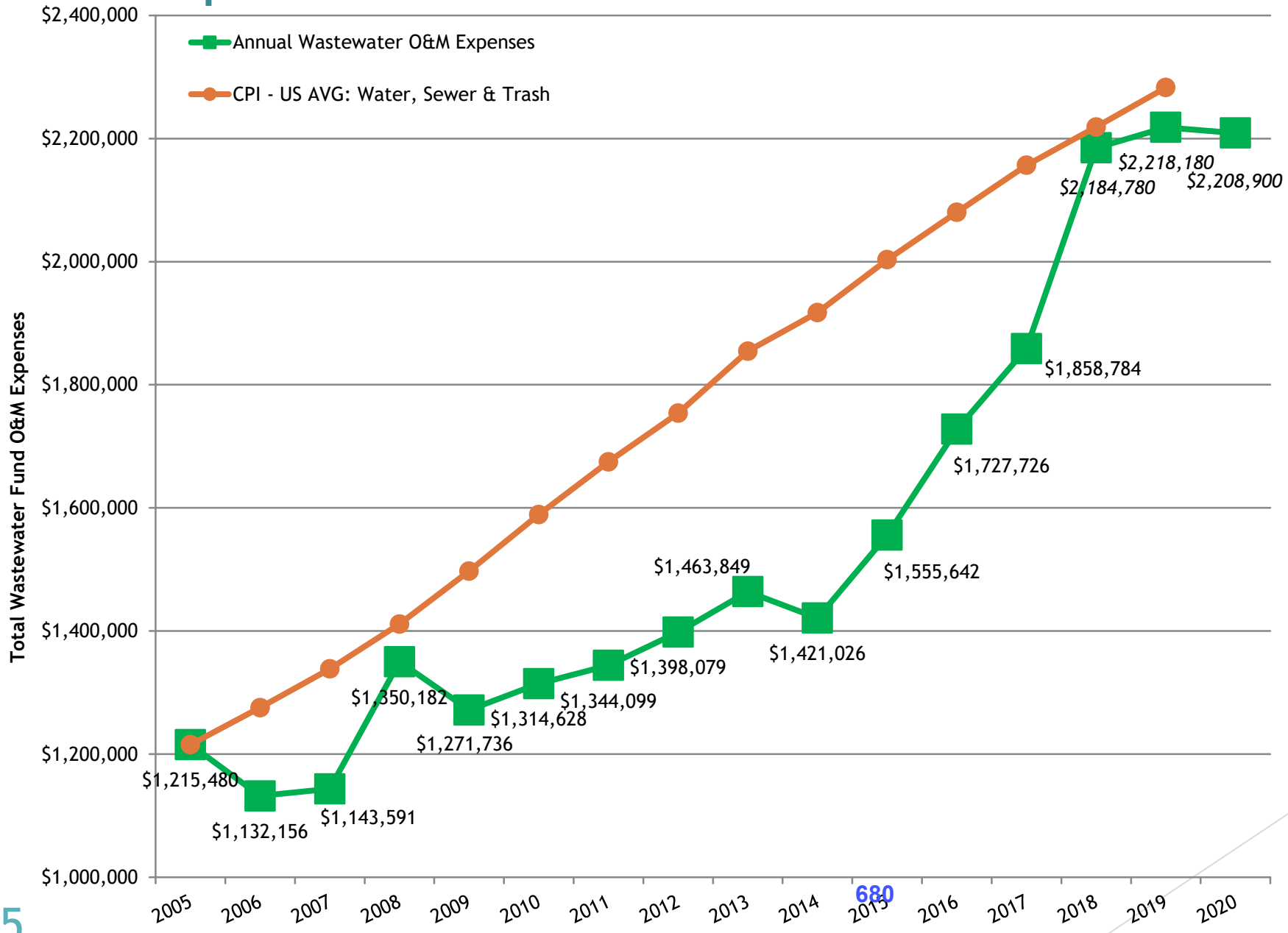
Historical Sewer Rates



Water Expenses vs CPI-Index



Sewer Expenses vs CPI-Index



SUBJECT: **2019 STREET RESURFACING AND RECONSTRUCTION**

i. AWARD BID FOR THE 2019 STREET RESURFACING PROJECT TO APC CONSTRUCTION

ii. AWARD BID FOR THE 2019 STREET RECONSTRUCTION PROJECT TO PLM ASPHALT AND CONCRETE

DATE: **MARCH 19, 2019**

PRESENTED BY: **KURT KOWAR, PUBLIC WORKS DEPARTMENT**

SUMMARY:

Staff recommends approval of the 2019 Street Resurfacing Project and 2019 Street Reconstruction Project, **Package A**. This package awards APC Construction for resurfacing work and PLM Asphalt and Concrete for reconstruction work. **Package A** consists of work approved in the 2019 Capital Improvement Plan (CIP). A map is attached to this packet for review of the proposed work.

Bid alternates were added to both bids to provide City Council additional resurfacing options if it is desired to perform additional street improvement investment. City Council may provide direction to perform additional work as identified in Packages B, C, and D.

- **Package A (Staff recommended to stay within approved CIP Budget)** Includes *Resurfacing* work on W. Mulberry St., Mountain View Ct., Mesa Ct., S. Tanager Ct., S. Warbler Ct., Dillon Rd., Aspen Way, Roosevelt Ave. and *Reconstruction* work on Regal Ct., Regal Pl., Caledonia St., Front St., Spruce St., Johnson Ave., WWTP.

- **Package B (Needs Council Direction and $426,821 Budget Amendment)** Includes Package A work and adds Resurfacing Bid Alt #1, 104th Street.

- **Package C (Needs Council Direction and $363,160 Budget Amendment)** Includes Package A work and adds Resurfacing Bid Alt #2, The Meadows.

- **Package D (Needs Council Direction and $820,353 Budget Amendment)** Includes Package A work and adds Resurfacing Bid Alt #1, 104th Street and Bid Alt #2, The Meadows.

Staff advertised the **2019 Street Resurfacing Project** and **2019 Street Reconstruction Project** in February. Bids received are as follows:

1. **2019 Street Resurfacing (SR) Project Base Bid Results:**

APC Construction	$2,230,421.82

Sole Bidder - APC Construction Company LLC (Street Resurfacing)

Base Bid (Package A) - $2,230,421.82
- W. Mulberry St. - S. Polk Ave. to Century Dr. (PCI Avg. 42)
- Mountain View Ct. - W. Mulberry St. to Cul De Sac (PCI 25)
- Mesa Ct. - W. Mulberry St. to Cul De Sac (PCI 29)
- S. Tanager Ct. - W. Mulberry St. to Cul De Sac (PCI 49)
- S. Warbler Ct. - W. Mulberry St. to Cul De Sac (PCI 46)
- Dillon Road - McCaslin Blvd. to Dyer Road (PCI Avg. 37)
- Dillon Road - McCaslin Blvd. to Dahlia St. (PCI Avg. 53)
- Dillon Road - Club Cir. to 88th St. (PCI Avg. 56)
- Aspen Way and Roosevelt Ave. - Bella Vista Dr. to Bella Vista Dr. (PCI Avg. 25)

Bid Alternate #1 (Package B or D) – 104th Street ($411,084.34)
- S. 104th St. - SH 42 to Dillon Road (Avg. PCI 53)

Bid Alternate #2 (Package C or D) – The Meadows ($354,119.73)
- Orchard Way – W. Cherry St. to Orchard Ct. (PCI 62)
- Orchard Way – Orchard Ct. to Orchard Dr. (PCI Avg. 37)
- Orchard Dr. – Orchard Way to W. Cherry St. (PCI Avg. 38)
- Orchard Ct. (PCI 39)
- Apple Ct. (PCI 44)
- Peach Ct. (PCI 33)
- Pear Ct. (PCI 32)

2. **2019 Street Reconstruction Project Base Bid Results:**

PLM Asphalt and Concrete	$633,883.45
Asphalt Specialties	$716,146.50
APC Construction	$904,761.20
Aggregate Industries	$805,314.35
Brannan Sand and Gravel	$1,012,043.50

Low Bidder – PLM Asphalt and Concrete (Street Reconstruction)

Base Bid (Package A) - $633,883.45

- Regal Ct. (Regal St. to Cul-De-Sac) (PCI Avg. 33)
- Regal Pl. (Regal St. to Regal Ct.) (PCI 28)
- Caledonia St. (Grant Ave. to Jefferson Ave.) (PCI 33)
- Caledonia St. (Jefferson Ave. to Lafarge Ave.) (PCI 28)
- Caledonia St. (Lafarge Ave. to Main St.) (PCI 31)
- Caledonia St. (Main St. to Front St.) (PCI 23)
- Front St. (Caledonia St. to Short St.) (PCI 20)
- Spruce St. (McKinley Ave. to Limits of Construction) (PCI 28)
- Spruce St. (McKinley Ave. to Garfield Ave.) (PCI 18)
- Spruce St. (Garfield Ave. to Lincoln Ave.) (PCI 30)

- Johnson Ave. (Pine St. to Limits of Construction) (PCI 25)
- Wastewater Treatment Plant Asphalt Addition (South Side)

Bid Alternate #1 (Not Recommended) – WWTP ($64,297.00)

- Wastewater Treatment Plant Asphalt Addition (North Side)

Detailed accounting and impacts are provided for each Package under consideration:

RECOMMENDATION: PACKAGE A (Base Bids)

If City Council would like to work within the approved 2019 CIP Budget, Staff recommends approval of the base bids only. Package A includes work as proposed in the 2019 CIP Budget.

FISCAL IMPACT:

Staff Recommended:

2019 Budget	Account	Amount
Pavement Booster	301312-660012	$3,236,301.17
WWTP Asphalt Addition	502499-660263	$24,806.10
Total 2019 Funding		**$3,261,107.27**

2019 Projected Expenses	Amount
PLM Asphalt and Concrete, LLC	($633,883.45)
APC Construction Co., LLC	($2,230,421.82)
PLM Contingency (10%)	($63,388.35)
APC Contingency (10%)	($223,042.18)
Inspection/Testing/Locates	($30,000.00)
Crack Seal	($50,000.00)
Total 2019 Expenses	**($3,230,735.80)**
Total Under Budget	**$30,371.47**

Staff recommends City Council award the 2019 Street Reconstruction Project to PLM Asphalt and Concrete, LLC per their base bid of $633,883.45, authorize staff to execute change orders up to $63,388.35 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

Staff recommends City Council award the 2019 Street Resurfacing Project to APC Construction Co., LLC per their base bid of $2,240,421.82, authorize staff to execute change orders up to $223,042.18 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

FURTHER FUNDING OPTIONS

PACKAGE B (Base Bids with Bid Alt #1, S. 104th St.)

Package B includes Package A work and additional resurfacing on S. 104th St. from Dillon to Hwy 42.

FISCAL IMPACT:

Staff Recommended:

2019 Budget	Account	Amount
Pavement Booster	301312-660012	$3,236,301.17
WWTP Asphalt Addition	502499-660263	$24,806.10
Total 2019 Funding		**$3,261,107.27**

2019 Projected Expenses	Amount
PLM Asphalt and Concrete, LLC	($633,883.45)
APC Construction Co., LLC	($2,641,506.16)
PLM Contingency	($63,388.35)
APC Contingency	($264,150.61)
Inspection/Testing/Locates	($35,000.00)
Crack Seal	($50,000.00)
Total 2019 Expenses	**($3,687,928.57)**
Total Over Budget	**($426,821.30)**

Staff evaluated CIP funds for the project and determined that project expenses exceed the available funds in the Pavement Booster Budget (301312-660012). Staff has discussed the line item shortfall with the Director of Finance and the shortfall can be resolved through a budget amendment. If City Council chooses Package B, the budget amendment will appropriate an additional $426,821.30 (Pavement Booster) within the Capital Projects Fund.

If City Council chooses Package B, Staff recommends City Council award the 2019 Street Reconstruction Project to PLM Asphalt and Concrete, LLC per their base bid of $633,883.45, authorize staff to execute change orders up to $63,388.35 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

If City Council chooses Package B, Staff recommends City Council award the 2019 Street Resurfacing Project to APC Construction Co., LLC per their bid of $2,641,506.16, authorize staff to execute change orders up to $264,150.61 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

PACKAGE C (Base Bids with Bid Alt #2, The Meadows)

Package C includes Package A work and additional resurfacing at The Meadows Subdivision.

FISCAL IMPACT:

Staff Recommended:

2019 Budget	Account	Amount
Pavement Booster	301312-660012	$3,236,301.17
WWTP Asphalt Addition	502499-660263	$24,806.10
Total 2019 Funding		**$3,261,107.27**

2019 Projected Expenses	Amount
PLM Asphalt and Concrete, LLC	($633,883.45)
APC Construction Co., LLC	($2,584,541.55)
PLM Contingency	($63,388.35)
APC Contingency	($258,454.16)
Inspection/Testing/Locates	($34,000.00)
Crack Seal	($50,000.00)
Total 2019 Expenses	**($3,624,267.41)**
Total Over Budget	**($363,160.24)**

Staff evaluated CIP funds for the project and determined that project expenses exceed the available funds in the Pavement Booster Budget (301312-660012). Staff has discussed the line item shortfall with the Director of Finance and the shortfall can be resolved through a budget amendment. If City Council chooses Package C, the budget amendment will appropriate an additional $363,160.24 (Pavement Booster) within the Capital Projects Fund.

If City Council chooses Package C, Staff recommends City Council award the 2019 Street Reconstruction Project to PLM Asphalt and Concrete, LLC per their base bid of $633,883.45, authorize staff to execute change orders up to $63,388.35 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

If City Council chooses Package C, Staff recommends City Council award the 2019 Street Resurfacing Project to APC Construction Co., LLC per their bid of $2,584,541.55, authorize staff to execute change orders up to $258,454.16 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

PACKAGE D (Base Bids with Bid Alt #1, S. 104th St. and Bid Alt #2, The Meadows)

Package D includes Package A work, additional resurfacing at The Meadows Subdivision, and additional resurfacing on S. 104th St. from Dillon to Hwy 42.

FISCAL IMPACT:

Staff Recommended:

2019 Budget	Account	Amount
Pavement Booster	301312-660012	$3,236,301.17
WWTP Asphalt Addition	502499-660263	$24,806.10
Total 2019 Funding		**$3,261,107.27**

2019 Projected Expenses	Amount
PLM Asphalt and Concrete, LLC	($633,883.45)
APC Construction Co., LLC	($2,995,625.88)
PLM Contingency	($63,388.35)
APC Contingency	($299,562.59)
Inspection/Testing/Locates	($39,000.00)
Crack Seal	($50,000.00)
Total 2019 Expenses	**($4,081,460.27)**
Total Over Budget	**($820,353.00)**

Staff evaluated CIP funds for the project and determined that project expenses exceed the available funds in the Pavement Booster Budget (301312-660012). Staff has discussed the line item shortfall with the Director of Finance and the shortfall can be resolved through a budget amendment. If City Council chooses Package D, the budget amendment will appropriate an additional $820,353.00 (Pavement Booster) within the Capital Projects Fund.

If City Council chooses Package D, Staff recommends City Council award the 2019 Street Reconstruction Project to PLM Asphalt and Concrete, LLC per their base bid of $633,883.45, authorize staff to execute change orders up to $63,388.35 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

If City Council chooses Package D, Staff recommends City Council award the 2019 Street Resurfacing Project to APC Construction Co., LLC per their total bid of $2,995,625.88, authorize staff to execute change orders up to $299,562.59 as a 10% project contingency, and authorize the Mayor, City Manager, Public Works Director and City Clerk to sign and execute contract documents on behalf of the City.

ATTACHMENT(S):

1. PLM Asphalt and Concrete Agreement
2. APC Construction Co. Agreement
3. 2019 Street Reconstruction Cover Sheet
4. 2019 Street Resurfacing Cover Sheet
5. 2019 Asphalt Reconstruction and Resurfacing Map with Bid Alternates

AGREEMENT

THIS AGREEMENT is made and entered into this _____ of March in the year 2019 by and between:

CITY OF LOUISVILLE, COLORADO
(hereinafter called OWNER)

and

PLM ASPHALT AND CONCRETE INC.
(hereinafter called CONTRACTOR)

OWNES and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows.

ARTICLE 1. WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

PROJECT: 2019 STREET RECONSTRUCTION PROJECT
PROJECT NUMBER: 301312-660012

ARTICLE 2. CONTRACT TIMES

2.1 The CONTRACTOR shall substantially complete all work by September 20, 2019 and within **50 Contract Days** after the date when the Contract Time commences to run. The Work shall be completed and ready for final payment in accordance with paragraph 14.13 of the General Conditions within **70 Contract Days** after the date when the Contract Times commence to run. The Contract Times shall commence to run on the day indicated in the Notice to Proceed.

2.2 LIQUIDATED DAMAGES. The OWNER and the CONTRACTOR agree and recognize that time is of the essence in this contract and that the OWNER will suffer financial loss if the Work is not substantially complete by the date specified in paragraph 2.1 above, plus any extensions thereof allowed in accordance with the Article 12 of the General Conditions. OWNER and CONTRACTOR also agree that such damages are uncertain in amount and difficult to measure accurately. Accordingly, the OWNER and CONTRACTOR agree that as liquidated damages, and not as a penalty, for delay in performance the CONTRACTOR shall pay the OWNER **ONE THOUSAND DOLLARS ($1,000)** for each and every **Contract Day** and portion thereof that expires after the time specified above for substantial completion of the Work until the same is finally complete and ready for final payment. The liquidated damages herein specified shall only apply to the CONTRACTOR's delay in performance, and shall not include litigation or attorneys' fees incurred by the OWNER, or other incidental or consequential damages suffered by the OWNER due to the CONTRACTOR's performance. If the OWNER charges liquidated damages to the CONTRACTOR, this shall not preclude the OWNER from commencing an action against the CONTRACTOR for other actual harm resulting from the CONTRACTOR's performance, which is not due to the CONTRACTOR's delay in performance.

ARTICLE 3. CONTRACT PRICE

3.1 The OWNER shall pay in current funds, and the CONTRACTOR agrees to accept in full payment for performance of the Work, subject to additions and deductions from extra and/or omitted work and determinations of actual quantities as provided in the Contract Documents, the Contract Price of Six hundred thirty three thousand eight hundred eighty three dollars and 45 cents ($633,883.45) as set forth in the Bid Form of the CONTRACTOR dated March 7, 2019.

As provided in paragraph 11.9 of the General Conditions estimated quantities are not guaranteed, and determinations of actual quantities and classification are to be made by ENGINEER as provided in paragraph 9.10 of the General Conditions. Unit prices have been computed as provided in paragraph 11.9 of the General Conditions.

ARTICLE 4. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by OWNER as provided in the General Conditions.

4.1 PROGRESS PAYMENTS. OWNER shall make progress payments on the basis of CONTRACTOR's Applications for Payment as recommended by ENGINEER, on or about the third Wednesday of each month during construction as provided below. All progress payments will be on the basis of the progress of the Unit Price Work based on the number of units completed as provided in the General Conditions.

4.1.1.1 Prior to final completion and acceptance, progress payments will be made in the amount equal to 95 percent of the calculated value of completed Work, and/or 95 percent of materials and equipment not incorporated in the Work (but delivered, suitably stored and accompanied by documentation satisfactory to OWNER as provided in 14.2 of the General Conditions), but in each case, less the aggregate of payments previously made and such less amounts as ENGINEER shall determine, or OWNER may withhold, in accordance with paragraph 14.7 of the General Conditions.

If OWNER finds that satisfactory progress is being made in any phase of the Work, it may, in its discretion and upon written request by the CONTRACTOR, authorize final payment from the withheld percentage to the CONTRACTOR or subcontractors who have completed their work in a manner finally acceptable to the OWNER. Before any such payment may be made, the OWNER must, in an exercise of its discretion, determine that satisfactory and substantial reasons exist for the payment and there must be provided to the OWNER written approval from any surety furnishing bonds for the Work.

Nothing contained in this provision shall preclude the OWNER and CONTRACTOR from making other arrangements consistent with C.R.S. 24-91-105 prior to contract award.

4.2 FINAL PAYMENT. Upon final completion and acceptance of the Work in accordance with paragraph 14.13 of the General Conditions, OWNER shall pay the remainder of the Contract Price as provided in said paragraph 14.13 of the General Conditions.

ARTICLE 5. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

5.1 CONTRACTOR has examined and carefully studied the Contract Documents, (including the Addenda listed in paragraph 6.10) and the other related data identified in the Bidding Documents including "technical".

5.2 CONTRACTOR has inspected the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Work.

5.3 CONTRACTOR is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress and furnishing of the Work.

5.4 CONTRACTOR has carefully studied all reports of exploration and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions relating to surface or subsurface structures at or contiguous to the site (Except Underground facilities) which have been identified in the General Conditions as provided in paragraph 4.2.1 of the General Conditions. CONTRACTOR accepts the determination set forth in paragraph 4.2 of the General Conditions. CONTRACTOR acknowledges that such reports and drawings are not Contract Documents and may not be complete for CONTRACTOR's purposes. CONTRACTOR acknowledges that OWNER and ENGINEER do not assume responsibility for the accuracy or completeness of information and data shown or indicated in the Contract Documents with respect to such reports, drawings or to Underground Facilities at or contiguous to the site. CONTRACTOR has conducted, obtained and carefully studied (or assume responsibility for having done so) all necessary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface and Underground Facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or furnishing of the Work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by CONTRACTOR and safety precautions and programs incident thereto. CONTRACTOR does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the performance and furnishing of the Work at the Contract Price, within the Contract Times and in accordance with the other terms and conditions of the Contract Documents.

5.5 CONTRACTOR has reviewed and checked all information and data shown or indicated on the Contract Documents with respect to existing Underground Facilities at or contiguous to the site and assumes responsibility for the accurate location of said Underground Facilities. No additional examinations, investigations, explorations, tests, reports, studies or similar information or data in respect of said Underground Facilities are or will be required by CONTRACTOR in order to perform and furnish the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of paragraph 4.3 of the General Conditions.

5.6 CONTRACTOR is aware of the general nature of work to be performed by OWNER and others at the site that relates to the Work as indicated in the Contract Documents.

5.7 CONTRACTOR has correlated the information known to CONTRACTOR, information and observations obtained from visits to the site, reports and drawings identified in the Contract Documents and all additional examinations, investigations, explorations, tests studies and data with the Contract Documents.

5.8 CONTRACTOR has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that CONTRACTOR has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR, and the Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing the Work.

ARTICLE 6. CONTRACT DOCUMENTS

The Contract Documents, which constitute the entire agreement between OWNER and CONTRACTOR concerning the Work, are all written documents, which define the Work and the obligations of the Contractor in performing the Work and the OWNER in providing compensation for the Work. The Contract Documents include the following:

6.1 Invitation to Bid.

6.2 Instruction to Bidders.

6.3 Bid Form.

6.4 This Agreement.

6.5 General Conditions.

6.6 Supplementary Conditions.

6.7 General Requirements.

6.8 Technical Specifications.

6.9 Drawings with each sheet bearing the title: **2019 STREET RECONSTRUCTION PROJECT**

6.10 Change Orders, Addenda and other documents which may be required or specified including:

- 6.10.1 Addenda No. _0_ to _3_ exclusive
- 6.10.2 Documentation submitted by CONTRACTOR prior to Notice of Award.
- 6.10.3 Schedule of Subcontractors
- 6.10.4 Anti-Collusion Affidavit
- 6.10.5 Certification of EEO Compliance
- 6.10.6 Notice of Award
- 6.10.7 Performance Bond
- 6.10.8 Labor and Material Payment Bond
- 6.10.9 Certificates of Insurance
- 6.10.10 Notice to Proceed
- 6.10.11 Contractor's Proposal Request
- 6.10.12 Contractor's Overtime Request
- 6.10.13 Field Order
- 6.10.14 Work Change Directive
- 6.10.15 Change Order
- 6.10.16 Application for Payment
- 6.10.17 Certificate of Substantial Completion
- 6.10.18 Claim Release
- 6.10.19 Final Inspection Report
- 6.10.20 Certificate of Final Completion

6.10.21 Guarantee Period Inspection Report

6.11 The following which may be delivered or issued after the Effective Date of the Agreement and are attached hereto: All Written Amendments and other documents amending, modifying, or supplementing the Contract Documents pursuant to paragraphs 3.5 and 3.6 of the General Conditions.

6.12 In the event of conflict between the above documents, the prevailing document shall be as follows:

1. Permits from other agencies as may be required.

2. Special Provisions and Detail Drawings.

3. Technical Specifications and Drawings. Drawings and Technical Specifications are intended to be complementary. Anything shown or called for in one and omitted in another is binding as if called for or shown by both.

4. Supplementary Conditions.

5. General Conditions.

6. City of Louisville Design and Construction Standards.

7. Reference Specifications.

In case of conflict between prevailing references above, the one having the more stringent requirements shall govern.

There are no Contract Documents other than those listed above in this Article 6. The Contract Documents may only be amended, modified or supplemented as provided in paragraphs 3.5 and 3.6 of the General Conditions.

ARTICLE 7. MISCELLANEOUS

7.1 Terms used in this Agreement, which are defined in Article 1 of the General Conditions, shall have the meanings indicated in the General Conditions.

7.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment no assignment will release or discharge that assignor from any duty or responsibility under the Contract Documents.

7.3 OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

ARTICLE 8. OTHER PROVISIONS

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR. All portions of the Contract Documents have been signed, initialed or identified by OWNER and CONTRACTOR.

This Agreement will be effective on _____, 2019.

OWNER: CITY OF LOUISVILLE, COLORADO

By: _____
Robert P. Muckle, Mayor

(CORPORATE SEAL)

Attest: _____
Meredtyh Muth, City Clerk

Address for giving notices:

749 Main Street
Louisville, Colorado
80027

Attention: City Engineer

CONTRACTOR: _____

By: _____

(CORPORATE SEAL)

Attest: _____

Address for giving notices:

_____

_____

_____

AGREEMENT

THIS AGREEMENT is made and entered into this __ day of March in the year 2019 by and between:

CITY OF LOUISVILLE, COLORADO
(hereinafter called OWNER)

and

APC CONSTRUCTION
(hereinafter called CONTRACTOR)

OWNES and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows.

ARTICLE 1. WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

PROJECT: 2019 STREET RESURFACING PROJECT
PROJECT NUMBER: 301312-660026

ARTICLE 2. CONTRACT TIMES

2.1 The CONTRACTOR shall substantially complete all work by July 1, 2019 and within **30 Contract Days** after the date when the Contract Time commences to run. The Work shall be completed and ready for final payment in accordance with paragraph 14.13 of the General Conditions within **50 Contract Days** after the date when the Contract Times commence to run. The Contract Times shall commence to run on the day indicated in the Notice to Proceed.

2.2 LIQUIDATED DAMAGES. The OWNER and the CONTRACTOR agree and recognize that time is of the essence in this contract and that the OWNER will suffer financial loss if the Work is not substantially complete by the date specified in paragraph 2.1 above, plus any extensions thereof allowed in accordance with the Article 12 of the General Conditions. OWNER and CONTRACTOR also agree that such damages are uncertain in amount and difficult to measure accurately. Accordingly, the OWNER and CONTRACTOR agree that as liquidated damages, and not as a penalty, for delay in performance the CONTRACTOR shall pay the OWNER **ONE THOUSAND DOLLARS ($1,000)** for each and every **Contract Day** and portion thereof that expires after the time specified above for substantial completion of the Work until the same is finally complete and ready for final payment. The liquidated damages herein specified shall only apply to the CONTRACTOR's delay in performance, and shall not include litigation or attorneys' fees incurred by the OWNER, or other incidental or consequential damages suffered by the OWNER due to the CONTRACTOR's performance. If the OWNER charges liquidated damages to the CONTRACTOR, this shall not preclude the OWNER from commencing an action against the CONTRACTOR for other actual harm resulting from the CONTRACTOR's performance, which is not due to the CONTRACTOR's delay in performance.

ARTICLE 3. CONTRACT PRICE

3.1 The OWNER shall pay in current funds, and the CONTRACTOR agrees to accept in full payment for performance of the Work, subject to additions and deductions from extra and/or omitted work and determinations of actual quantities as provided in the Contract Documents, the Contract Price of two million two hundred and thirty thousand four hundred twenty one dollars and eighty two cents ($2,230,421.82) as set forth in the Bid Form of the CONTRACTOR dated March 7, 2019.

As provided in paragraph 11.9 of the General Conditions estimated quantities are not guaranteed, and determinations of actual quantities and classification are to be made by ENGINEER as provided in paragraph 9.10 of the General Conditions. Unit prices have been computed as provided in paragraph 11.9 of the General Conditions.

ARTICLE 4. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by OWNER as provided in the General Conditions.

4.1 PROGRESS PAYMENTS. OWNER shall make progress payments on the basis of CONTRACTOR's Applications for Payment as recommended by ENGINEER, on or about the third Wednesday of each month during construction as provided below. All progress payments will be on the basis of the progress of the Unit Price Work based on the number of units completed as provided in the General Conditions.

4.1.1.1 Prior to final completion and acceptance, progress payments will be made in the amount equal to 95 percent of the calculated value of completed Work, and/or 95 percent of materials and equipment not incorporated in the Work (but delivered, suitably stored and accompanied by documentation satisfactory to OWNER as provided in 14.2 of the General Conditions), but in each case, less the aggregate of payments previously made and such less amounts as ENGINEER shall determine, or OWNER may withhold, in accordance with paragraph 14.7 of the General Conditions.

If OWNER finds that satisfactory progress is being made in any phase of the Work, it may, in its discretion and upon written request by the CONTRACTOR, authorize final payment from the withheld percentage to the CONTRACTOR or subcontractors who have completed their work in a manner finally acceptable to the OWNER. Before any such payment may be made, the OWNER must, in an exercise of its discretion, determine that satisfactory and substantial reasons exist for the payment and there must be provided to the OWNER written approval from any surety furnishing bonds for the Work.

Nothing contained in this provision shall preclude the OWNER and CONTRACTOR from making other arrangements consistent with C.R.S. 24-91-105 prior to contract award.

4.2 FINAL PAYMENT. Upon final completion and acceptance of the Work in accordance with paragraph 14.13 of the General Conditions, OWNER shall pay the remainder of the Contract Price as provided in said paragraph 14.13 of the General Conditions.

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6.10.20 Certificate of Final Completion
6.10.21 Guarantee Period Inspection Report

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ARTICLE 8. OTHER PROVISIONS

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This Agreement will be effective on _____, 2019.

OWNER: CITY OF LOUISVILLE, COLORADO

By: _____
Robert P. Muckle, Mayor

(CORPORATE SEAL)

Attest: _____
Meredyth Muth, City Clerk

Address for giving notices:

749 Main Street
Louisville, Colorado
80027

Attention: City Engineer

CONTRACTOR: _____

By: _____

(CORPORATE SEAL)

Attest: _____

Address for giving notices:

_____

_____

_____

2019 STREET RECONSTRUCTION PROJECT

City *of* Louisville

DEPARTMENT OF PUBLIC WORKS / ENGINEERING
749 MAIN STREET
LOUISVILLE, CO 80027
P 303.335.4608 / F 303.335.4550
www.louisvilleco.gov

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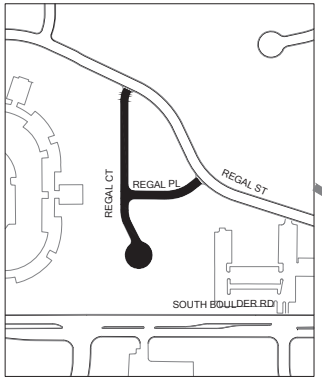
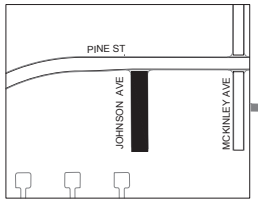
6	WATERWATER TREATMENT PLANT (SOUTH SIDE)
7	ALTNERATE NO. 1 WASTEWATER TREATMENT PLANT (NORTH SIDE)
8	DETAILS



REGAL PL AND REGAL CT
SHEET 3



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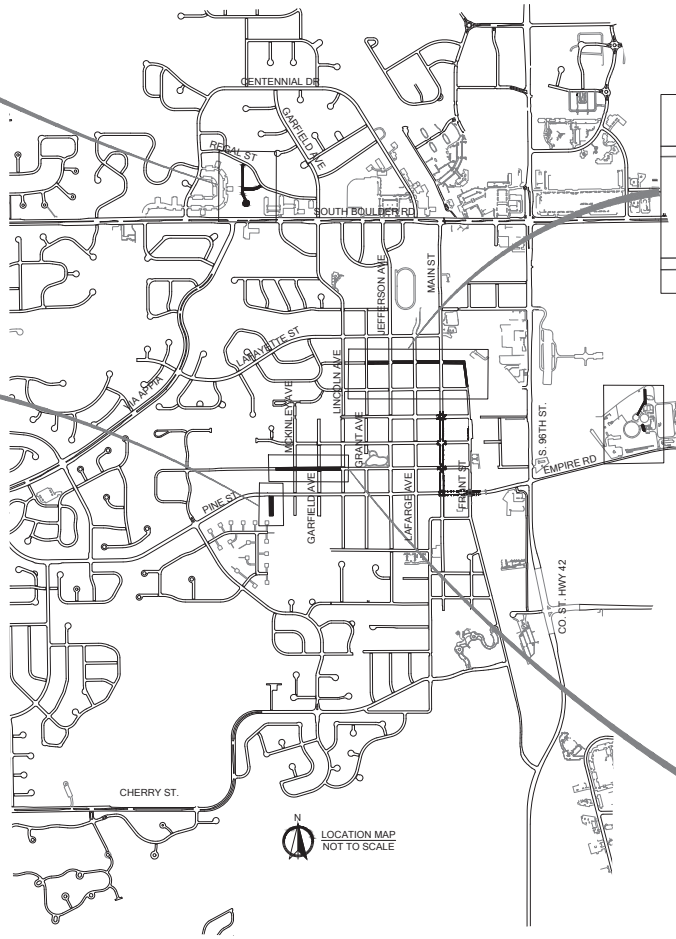

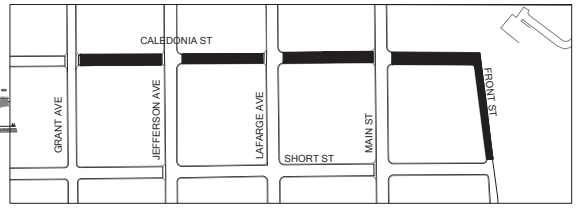

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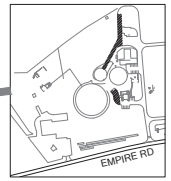
SHEET 5



WATERWATER TREATMENT PLANT (SOUTH SIDE)
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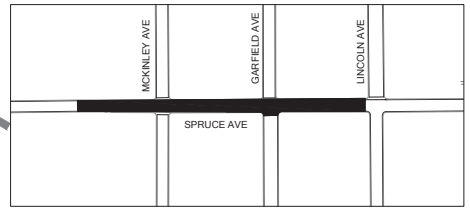
ALTNERATE NO. 1 WASTEWATER TREATMENT PLANT (NORTH SIDE)
SHEET 7



SPRUCE ST (ALLEY TO LINCOLN AVE)
SHEET 4

LEGEND

- WALK
- CURB & GUTTER
- WATER MAIN & VALVE
- SANITARY SEWER & MANHOLE
- INLET
- ASPHALT PATCH

CALL THE UTILITY NOTIFICATION
CENTER OF COLORADO
1-800-922-1987
OR 811
CALL 2-BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE, OR
EXCAVATE FOR THE MARKING OF
UNDERGROUND MEMBER UTILITIES

City *of* Louisville
COLORADO - SINCE 1878

DESIGN BY: AF
DRAWN BY: AF
CHECKED BY: MW
APPROVED BY: MW
ISSUE DATE: 2/14/2019
REVISIONS:

2019 STREET RECONSTRUCTION PROJECT
COVER SHEET

SHEET
1
OF
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2019 STREET RESURFACING PROJECT

LEGEND

- WALK
- CURB & GUTTER
- WATER MAIN & VALVE
- SANITARY SEWER & MANHOLE
- LIMITS OF CONSTRUCTION
- INLET
- ASPHALT PATCH

City *of* Louisville

DEPARTMENT OF PUBLIC WORKS / ENGINEERING
749 MAIN STREET
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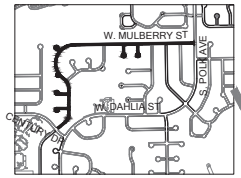
9	ALTERNATE NO. 1 - S. 104TH ST. (DILLON RD. TO SH 42)
10	ALTERNATE NO. 2 - THE MEADOWS



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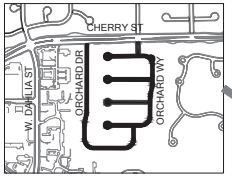

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DILLON RD. (DYER RD. TO W. DAHLIA ST.)
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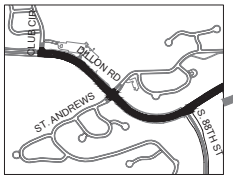

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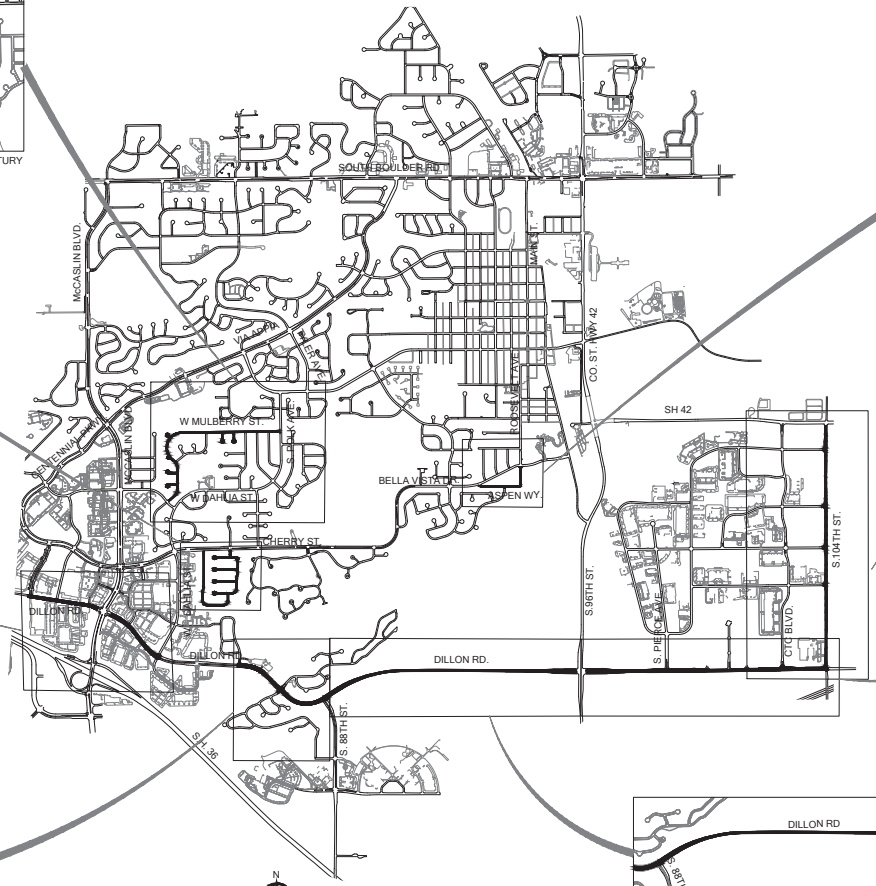

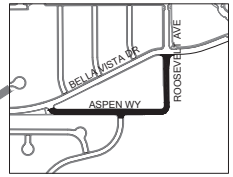

ASPEN WY. AND S. ROOSEVELT AVE.
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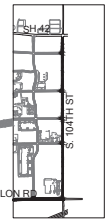
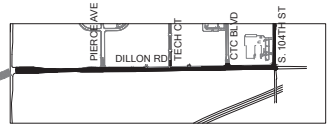


ALTERNATE NO. 1 - S. 104TH ST. (DILLON RD. TO SH 42)
SHEET 9



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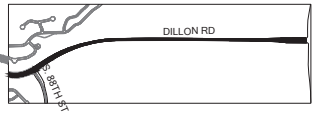

DILLON RD. (S. 88TH ST. TO S. 96TH AVE.)
SHEET 6

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City *of* Louisville
COLORADO - SINCE 1878

DESIGN BY: PWED
DRAWN BY: AF
CHECKED BY: MWCAD
APPROVED BY: JW
ISSUE DATE: 2/11/2019
REVISIONS:

2019 STREET RESURFACING PROJECT
COVER SHEET

SHEET 1 OF 10

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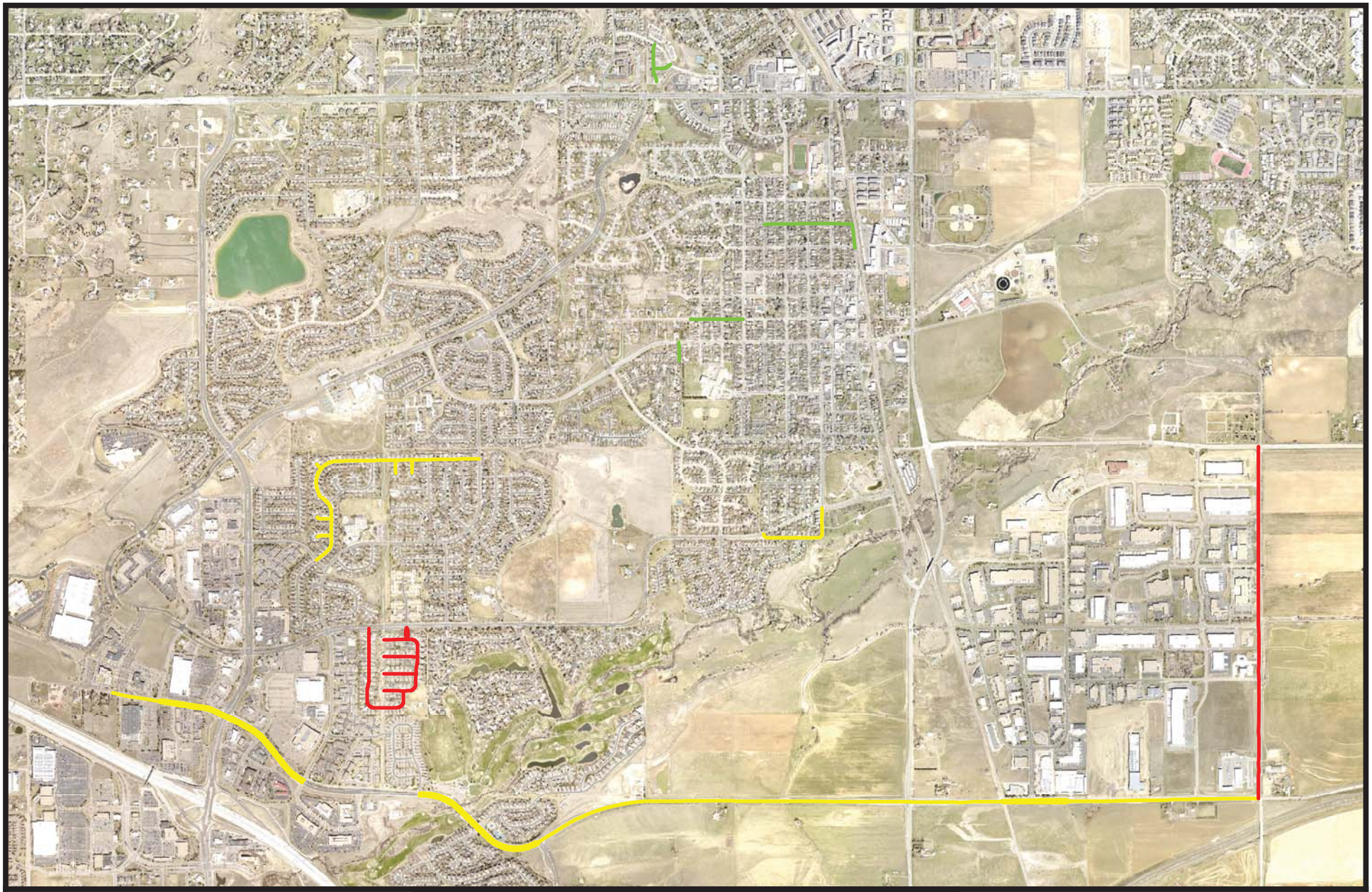

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The City of Louisville, Colorado

2019 Street Work

Street Reconstruction

Street Resurfacing

Alternate Street Resurfacing

SUBJECT: **DISCUSSION/DIRECTION/ACTION – COLORADO COMMUNITIES FOR CLIMATE ACTION REQUESTED POLICY AGENDA CHANGE**

DATE: **MARCH 19, 2019**

PRESENTED BY: **MEGAN DAVIS, DEPUTY CITY MANAGER**
ASHLEY STOLZMANN, CITY COUNCIL CC4CA REPRESENTATIVE

SUMMARY:

The City of Louisville became a member of Colorado Communities for Climate Action (CC4CA) in 2018. As a member, the City has the opportunity to weigh-in on the development of the CC4CA Policy Agenda, which is updated on an annual basis to establish the priorities for the organization and its members around climate-related policy. The Policy Agenda is updated on an annual basis at its membership retreat, and the organization does not typically make revisions to the adopted Policy Agenda during the year. However, unanticipated policy discussions at the state or federal level may necessitate revisiting the document. Louisville became a member and adopted the CC4CA 2018-2019 Policy Agenda at the July 3, 2018 City Council meeting and is attached for reference.

One such issue has emerged as the 2019 State General Assembly has turned its focus to solid waste, around policies not anticipated at the time the Policy Agenda was developed. Given that, CC4CA is asking its members to approve a change in the existing policy around solid waste.

Currently, there is a provision in state law that preempts local governments from establishing requirements related to single use plastics, such as container types for food, plastic bags, and other consumer products. While a number of communities have adopted such restrictions, the meaning and scope of this preemption clause hasn't been litigated yet in a way that provides a clear determination of their validity.

The Colorado Municipal League (CML), of which the City is also a member, is leading an effort to pass a bill this session addressing the preemption language. If passed the bill would eliminate the preemption language and clearly allow a local government to set standards for disposable plastic waste (e.g. a retail food establishment's use of ready-to-eat food containers, such as those made from Styrofoam).

While a bill has not been introduced yet, the following information was shared by CML in their most recent legislative update:

Several municipalities are contemplating complete prohibitions on plastic bags or related items. In the course of researching the issue, CML staff discovered a potential pitfall in state statutes that has been on the books since the 1990s. C.R.S. 25-17-104 states: "No unit of local government shall require or prohibit the use or sale of specific types of plastic materials or products or restrict or mandate containers, packaging, or labeling for any consumer products." Definitions are found in C.R.S. 25-17-102. Because this may be construed as a preemption against any municipal actions to prohibit plastic materials, the CML Executive Board approved League-initiated legislation striking or amending the language in order to explicitly permit local prohibitions.

Several CC4CA member jurisdictions have identified this is a high priority issue and feel that the solid waste nexus to greenhouse gas emissions demands more attention from the organization. In addition, at recent policy committee meetings some CC4CA members have expressed that supporting this legislation would be consistent with the spirit and intent of the Policy Agenda, although the language itself doesn't speak directly to it.

The current language on the CC4CA Policy Agenda reads:

20. Supports adoption and implementation of a plan by the Colorado Department of Public Health and Environment to achieve the statewide waste diversion goals established by the Solid and Hazardous Waste Commission.

Recycling and composting reduce emissions of both methane and carbon dioxide. Colorado has a low solid waste diversion rate of 19 percent, compared with the national average of 34 percent. In August 2017, the Colorado Solid and Hazardous Waste Commission adopted new statewide and regional municipal solid waste diversion goals, including separate goals for 11 Front Range counties and for the remainder of the state for the years 2021, 2026, and 2036. Statewide, the goal is to increase the diversion rate to 45 percent by 2036. CC4CA supports CDPHE's efforts to increase solid waste diversion rates.

The proposed language to be **added** to the CC4CA Policy Agenda reads:

1. Create new task forces, staffed positions, programs and initiatives, and/or other entities to support and improve solid waste diversion efforts in the state and to improve funding and technical assistance for such efforts.

2. Create new task forces, staffed positions, and/or statewide initiatives to support the expansion of recycling businesses in Colorado.

3. Allow local governments to regulate disposable plastic waste (which they are currently preempted from doing by the State of Colorado).

4. Require or incentivize state agencies to improve their recycling, composting, and other solid waste reduction efforts.

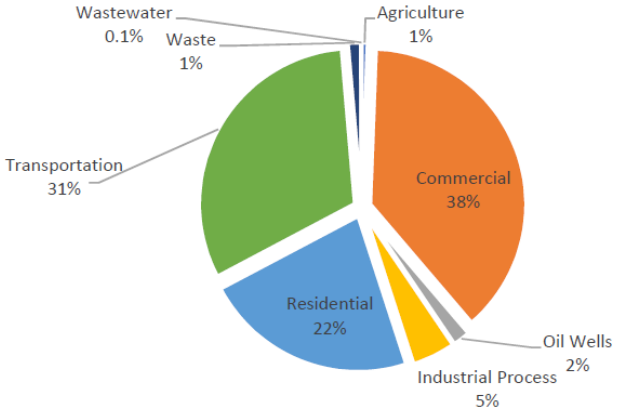
Because one of CC4CA's fundamental commitments is that the coalition won't take positions unless they have been supported unanimously through the Policy Agenda process, CC4CA is asking every member for their support in clarifying the Policy Agenda with this proposed language. Thus far, most community members (18 out of 24 members) have weighed in with support for this language, with none opposed. However, many of the communities would ultimately like to see a statewide approach to managing single-use plastics.

This language was drafted in response to legislative efforts that have emerged during this session. CC4CA staff believes that this position will be revisited next summer to reflect a less specific and more comprehensive statement that would address a broader set of state and local solid waste strategies moving forward.

The City of Louisville's Legislative Agenda positions regarding Home Rule/Local Control and Energy/Environment state:

> "The City supports local control and maintaining home rule authority. In general, the City believes local problems are best addressed at the local level, and the current authority and powers of municipal governments such as land use, zoning, personnel matters, sales tax, etc. should not be diminished."
>
> "The City supports legislation to address climate change by improving energy efficiency, increasing use of renewable energy, and reducing greenhouse gas emissions and dependence on fossil fuels while maintaining local control and authority for implementation."

CC4CA is a coalition of counties, cities, and towns advocating for effective state and federal climate policy. Solid waste does have an impact on climate change, but it is not addressed as prominently in the CC4CA Policy Agenda as other issues due to the magnitude of its impact as compared to other activities and emission sources. As is the case with most of the state, emissions in Boulder County from commercial and residential building energy use account for 60% of emissions county-wide and emissions from transportation account for 31% of emissions county-wide. According to the Boulder County 2016 Greenhouse Gas Emissions Inventory and Modeling Report, waste accounts for approximately 1% of the total impact on greenhouse gas emissions.



Given the need for feedback on an immediate policy change in order to address legislation during this session, as well as the need for general input on future CC4CA solid waste discussions, Council may wish to consider the some of the following questions:

- Does the City Council support the proposed Policy Agenda changes at this time?
- Are there other factors that the City would like to see included in the organization's policy around solid waste?
- Would the City rather the organization focus more on other climate related issues?
- Does the City prefer a statewide or local approach to managing single-use plastics (understanding that one approach may not preclude the other)?
- Are there other underlying issues Council would like to express related to this issue?

FISCAL IMPACT:
There is no fiscal impact to this item.

PROGRAM/SUB-PROGRAM IMPACT:
The City's membership in CC4CA helps support the Sustainability sub-program, to use environmental, economic, and human resources to meet present and future needs without compromising the ecosystems on which we depend. Actively pursue energy efficient upgrades to realize cost savings and reduce environmental impacts.

RECOMMENDATION:
Staff recommends that the City Council consider and provide direction on the proposed language changes, and provide any input on future CC4CA discussions regarding solid waste. Councilor Stolzmann as the CC4CA Louisville representative can also share her insights and suggestions for consideration at the March 19, 2019 City Council meeting.

ATTACHMENT(S):
1. CC4CA 2018-2019 Policy Agenda

CC4CA Policy Agenda 2018-2019

Colorado Communities for Climate Action is a coalition of local governments advocating for policies that protect Colorado's climate for current and future generations. CC4CA's policy priorities for 2018-2019 reflect unanimous agreement among the coalition members on steps that should be taken at the state and federal level, often in partnership with local governments, to enable Colorado and its communities to lead in protecting the climate. These steps would complement the strong local climate actions CC4CA members already have underway.

General Policy Principles

These general principles guide the specific policies for which Colorado Communities for Climate Action advocates:

CC4CA supports collaboration between state and federal government agencies and Colorado's local governments to advance local climate protection.

CC4CA supports state and federal programs to reduce carbon pollution, including adequate and ongoing funding of those programs.

CC4CA supports analyses, financial incentives, and enabling policies for the development and deployment of clean energy technologies.

CC4CA supports locally driven, locally designed programs to support communities impacted by the clean energy transformation.

Policy Positions

Colorado Communities for Climate Action supports the following policy positions:

Local Climate Programs

1. Supports state-level actions to remove barriers and promote opportunities that allow counties and municipalities to maximize the deployment of local clean energy options.

The deployment of local energy generation and technology will continue to be a critical component of Colorado communities' climate efforts. In many cases, regulatory or legislative limitations exist that will need to be removed for communities to fully explore new local program options and technologies that can effectively reduce fossil fuel use, increase energy resilience, and support community values related to climate protection. For example, the integration of local renewable energy, storage technologies, and microgrids all support a local jurisdiction's ability to address the supply side of energy-related emissions.

2. Supports requiring local governments with adopted building codes to include the most current or appropriate International Energy Conservation Code, or provisions substantially similar to it, in their building codes and to develop a process for updating the energy code on a regular basis.

More than 40 percent of the energy consumed in the United States is tied to the use of buildings. Building codes, consequently, are among the most powerful tools available for reducing carbon pollution (and, not incidentally, saving money in both residential and commercial buildings). For instance, the Southwest Energy Efficiency Project estimates the incremental cost for constructing a new home to meet the 2015 IECC versus the 2006 IECC is about $2,400; with annual energy savings of $390, this efficiency upgrade results in a six-year simple payback.

While some jurisdictions across Colorado are keeping up with changes to the International Energy Conservation Code, many communities have not done so. CC4CA supports the adoption of the most current IECC or amendments to older codes that have comparable energy efficiency and consumption impacts.

3. Supports state government actions to enable local governments to obtain the energy use and other data they need to effectively address climate change.

Local governments need convenient and consistent access to data that is essential for developing and administering local programs that address clean and efficient energy and reductions in heat-trapping emissions. For example, access to uniform data from electric and gas utilities is critical for implementing building energy use disclosure and benchmarking programs designed to make sure building owners, tenants, and others can be fully informed about energy performance. Local governments also struggle to get consistent data regarding waste collection and disposal, oil and gas operations, and other sources of heat-trapping emissions. CC4CA supports state government actions and policies that lead to uniform systems for collection and distribution of data from investor-owned and public utilities that is easily accessible to local governments, while still protective of data privacy for residents and businesses.

State Climate-Specific Programs

4. Supports statutory codification of aggressive and enforceable goals to reduce net statewide heat-trapping emissions, including the goal of reducing emissions by more than 26 percent by 2025, compared to 2005 levels, as established by Governor John Hickenlooper through executive order, and including a further goal of reducing emissions by at least 80 percent by 2050, compared to 2005 levels.

In July 2017, Governor Hickenlooper issued Executive Order D 2017-015. Among other provisions, it set an official state goal of reducing statewide carbon pollution

by more than 26 percent by 2025, compared to 2005 levels. CC4CA applauded the governor for his action, which provides an essential framework for shaping climate protection actions in Colorado. Meeting this goal would mean that Colorado achieved its share of the national commitment the United States made under the Paris Agreement.

CC4CA also supports an additional goal of reducing emissions by at least 80 percent by 2050, building on the goal established in 2008 by then-governor Bill Ritter, Jr. in Executive Order D 004 08. Meeting this goal would mean that Colorado achieved its share of the global emission reductions scientists say must be achieved or exceeded to protect the climate from dangerous human interference.

CC4CA supports the codification of the state's emission reduction goals in statute, as other states have done, so that they remain the cornerstone of state climate protection actions over time, including following transitions from one governor to another.

5. Supports legislative, regulatory, and administrative actions by the Colorado state government to achieve the state's emission reduction goals and to implement the Colorado Climate Plan, and requests an opportunity for meaningful, sustained engagement by CC4CA in developing those specific steps.

In order to meet the emission reduction goals established by Governor Hickenlooper and to implement the governor's 2015 Colorado Climate Plan, the state will need to take additional action. The Colorado Climate Plan is a high-level overview document of state actions for adapting to future climate change impacts and reducing carbon pollution. CC4CA believes it essential that the state government provide an opportunity for meaningful, sustained collaboration with local governments in developing specific climate actions tied to this climate plan, and proposes that representatives of CC4CA be included in that process. Following the July 2017 release of Governor Hickenlooper's executive order, CC4CA initiated a letter to the governor through which 75 local elected officials expressed support for the executive order and its goals and stated their readiness and willingness to help his administration shape and implement concrete, measurable actions that will be needed to meet these goals.

6. Supports the development of a new forecast of future heat-trapping emissions reflecting Colorado laws and Colorado-specific information by the Colorado Department of Public Health and Environment, with input from local government and other stakeholders.

The "Colorado Greenhouse Gas Inventory: 2014 Update Including Projections to 2020 & 2030," prepared by the Colorado Department of Public Health and Environment, includes a forecast of statewide emissions that utilizes federal Environmental Protection Agency nationwide assumptions about future emissions

policies. As a result, the inventory does not reflect currently adopted Colorado laws and policies, such as our Renewable Energy Standard. Without this information, it is impossible to ascertain what progress Colorado is making (or not) in its effort to reduce carbon pollution. CC4CA in July 2017 sent a letter to CDPHE recommending the development of a new Colorado inventory of greenhouse gas emissions that incorporates existing Colorado law and policy in order to more accurately track the state's progress in achieving its emissions reduction goals, and will continue working for that action.

7. Supports a comprehensive market-based policy to reduce Colorado's heat-trapping emissions.

Climate change is considered a market failure by economists because it imposes huge costs on society—so-called external costs—that are not normally reflected in the prices of the goods and services causing the cost. To overcome this market failure, CC4CA supports an effort to internalize the costs by putting a price on heat-trapping emissions and allowing that price to help drive emission reductions. Such a market-based approach could be undertaken at national, regional, or state levels, and could take different forms. One approach would be a tax on greenhouse gas emissions. Another would be a cap-and-trade program that allows trading of limited emission rights that are sold and then could be traded to achieve economically efficient emission reductions. Examples include the Regional Greenhouse Gas Initiative covering ten northeastern U.S. states and California's statewide cap-and-trade program.

Electricity Generation

8. Supports concrete state government actions to reduce emissions from the electricity sector in Colorado by at least 25 percent by 2025 and at least 35 percent by 2030, compared to 2012 levels, consistent with the goals established by Governor John Hickenlooper through executive order.

Executive Order D 2017-015 established new state goals for reducing emissions from the electricity sector that are consistent with what Colorado was considering to comply with the U.S. Environmental Protection Agency's Clean Power Plan under the Obama administration. CC4CA believes that greater emission reductions are possible than called for in the executive order and that further reductions are needed into mid-century, especially given the more ambitious targets that Xcel Energy has identified as achievable in its Colorado Energy Plan currently under consideration by the Public Utilities Commission. CC4CA supports concrete actions by the Colorado Public Utilities Commission and the Colorado Department of Public Health and Environment to ensure that we achieve and exceed these goals.

9. Supports the accelerated retirement of existing fossil fuel based generation facilities and their replacement with cost-effective and reliable clean energy supplies, through means that protect both utilities and consumers.

CC4CA supports actions in Colorado to enable the early retirement of fossil fuel-based power plants and their replacement with clean energy sources, while protecting the economic interests of both the utilities owning the power plants and electricity customers.

CC4CA has previously supported legislation to allow refinancing of older, less efficient power plants, by way of ratepayer-backed bonding, that could make it possible to retire those plants in favor of newer, cleaner sources while protecting the economic interests of both utilities and consumers. In August 2017, Xcel Energy and more than a dozen other entities (including the City of Boulder, a CC4CA member) announced an agreement to seek approval from the Public Utilities Commission of a proposal to retire two old, coal-fired generators at the Comanche power plant in Pueblo, to be replaced with newer energy sources with lower (or no) heat-trapping emissions. The coalition said the proposal is predicated on the cost of the new energy sources meeting or beating the current cost of power from the power plants to be retired.

Across the nation, the generation of electricity is rapidly shifting from coal-fired power plants to less polluting plants, driven primarily by economic forces but sometimes also by governmental policies and actions, from climate action plans to new authority for refinancing existing plants. The shift to cleaner electricity generation is driving down greenhouse gas emissions from that sector and holding down overall national emissions.

10. Supports expanded ability of electric cooperatives to independently purchase local renewable electricity.

Tri-State Generation and Transmission Association has tried to prevent its customer electric cooperatives from purchasing electricity generated from local renewable sources by other suppliers, both directly through attempts to impose contractual limitations and indirectly through attempts to impose fees. In decisions involving Tri-State and Delta Montrose Electric Association, the Federal Energy Regulatory Commission has found these attempts to be in violation of the Public Utilities Regulatory Policy Act, which actually requires a coop to purchase such electricity, and has blocked Tri-State from preventing those purchases. CC4CA supports the ability of electric cooperatives to purchase non-polluting electricity free from these or any similar limitations.

11. Supports state legislation to incrementally increase the Renewable Energy Standard.

Colorado's current Renewable Energy Standard requires electricity providers to obtain these minimum percentages of their power from renewable energy sources:

- Investor-owned utilities: 30 percent by 2020, of which 3 percent must come from distributed energy resources.

- Large rural electric cooperatives: 20 percent by 2020.
- Municipal utilities and small rural electric cooperatives: 10 percent by 2020.

This standard has been one of the most effective state policies in facilitating the transition from carbon-intensive fossil fuel electricity sources to renewable sources, and CC4CA supports giving consideration to incrementally increasing the standard for all three types of utilities.

12. Supports state legislation to require the Public Utilities Commission to consider all environmental and health costs of the fuels used by investor-owned utilities to generate electricity.

Electric utilities should be required to include the costs of carbon pollution when developing their long-term integrated resource plans, as would have been required under a bill considered in the 2016 session of the Colorado General Assembly. The "social cost of carbon" is the economic cost of the impacts of carbon pollution, which can be used to compare the overall costs and benefits of alternative energy sources. Legislation requiring utilities to generate at least one scenario identifying the impacts of carbon pollution would enable utilities, regulators, ratepayers, and others to better understand the true costs of different choices for electricity generation.

13. Supports grid modernization policies and funding that support distributed generation, energy storage, high levels of renewable energy generation (distributed and utility-scale), and appropriate technologies.

A wide array of grid modernization policies and actions are available to utilities that can reduce energy consumption, better align availability of electricity to demand, expand renewable energy generation, and collectively reduce carbon pollution from the power generation sector (while also improving reliability and reducing cost). CC4CA supports policies and funding that result in these types of grid modernization efforts in Colorado.

Net metering is one example of a policy structure that can result in reduced greenhouse gas emissions, greater reliability for individual energy users and across the grid, improved grid resilience, and reduced cost for both utilities and electricity consumers. Colorado's current net metering policies allow electric customers who invest in distributed energy technologies to net their solar energy production against their consumption. Available in at least 40 states, this simple billing arrangement is one of the most important policies for encouraging rooftop solar and other on-site clean energy options. Net metering also helps foster the voluntary reduction of heat-trapping emissions, contributes to the reliability of the electricity supply and distribution systems, supports the residential and small-commercial renewable energy industry, and helps to more quickly replace coal-fired power plants with cleaner sources of energy. In recent years utilities have sought approval

from regulatory bodies in many states to either abandon or reduce net metering rates.

CC4CA supports grid modernization policies like these and opposes efforts to weaken or eliminate them where they already exist.

Energy Efficiency

14. Supports legislative, regulatory, and administrative actions for electric utilities to achieve energy efficiency savings of 2 percent per year beyond 2020, building on the 2020 goal established by Governor Hickenlooper through executive order. Municipal and cooperative utilities should also adopt and achieve similar efficiency targets.

In the 2017 session of the Colorado General Assembly, CC4CA supported HB 17-1227, which was enacted to extend an existing law requiring regulated utilities to achieve electricity savings of five percent of retail sales from 2018–2028. Colorado utilities have already demonstrated that they can readily exceed this modest goal. The Southwest Energy Efficiency Project reports that from 2008–16 Xcel Energy and Black Hills Energy achieved ten percent savings, well over one percent per year, with an overall benefit-to-cost ratio of more than two-to-one. Colorado households and businesses saved nearly $1.4 billion net over that time period. Governor Hickenlooper's Executive Order D 2017-015 set a new goal to achieve two percent per year energy efficiency by 2020, which is readily achievable and should be extended beyond that date.

15. Supports ongoing and sustainable funding for the Weatherization Assistance Program.

Low-income and vulnerable households spend a disproportionately large percentage of their income on energy utility bills. The federal Weatherization Assistance Program was created in 1976 to address this problem. Administered here by the Colorado Energy Office, WAP provides funding to locally administered home weatherization programs to provide free weatherization services to Colorado's low-income residents in order to improve the energy efficiency of their homes. Colorado supplements its annual federal WAP allocation with state severance tax dollars, both of which can be volatile sources of revenue. A stable revenue stream for Colorado's eight WAP programs would support the dual goals of assisting families in reducing their energy bills while promoting safe, comfortable, and energy-efficient housing.

16. Supports state enabling legislation to provide counties and statutory cities and towns with the same authority held by home rule cities to implement local energy conservation policies and programs.

Unlike their home rule municipal peers, Colorado counties and statutory cities and towns in many cases lack authority to adopt and implement energy conservation policies and programs. For example, only Colorado home rule cities have statutory authorization to enact energy conservation ordinances despite how effective they are for improving the energy efficiency and performance of existing residential and commercial buildings. Enabling legislation is needed to provide Colorado's counties and statutory cities and towns with the authority necessary to enact policies and programs that can support and promote energy conservation within their jurisdictions.

Transportation

17. Supports Colorado's adoption of motor vehicle emission standards, including requirements for low-emission and zero-emission vehicles, and collaborative efforts for effective implementation, that are equal to or exceed those already adopted by California.

The federal Clean Air Act provides authority for California to adopt its own stringent emissions standards for new motor vehicles and for other states to adopt the California standards. Twelve states plus Washington, D.C. have adopted California's basic emission standards. These states represent about 35 percent of the nation's population and the same share of new motor vehicle sales. Nine of these states have also adopted the additional California standards requiring manufacturers to achieve specified sales of zero tailpipe-emission vehicles (i.e., battery-only electric vehicles).

California's vehicle standards have enjoyed unusual bipartisan support, including among Colorado's congressional delegation, both as an example of cooperative federalism among federal and state governments and as important for protecting the climate. A June 2017 letter to the Administrator of the U.S. Environmental Protection Agency supporting continuation of the EPA waivers under the Clean Air Act for the California standards was signed by Rep. Mike Coffman, Republican of Colorado, and Rep. Jared Polis, Democrat of Colorado, along with other Members of Congress from both parties.

In recent years, the basic California standards have been synchronized with federal emission and fuel efficiency standards. However, the Trump administration is now planning to weaken the federal standards, which would dramatically undermine Colorado's efforts to meet our statewide carbon pollution goals. Reducing emissions from the transportation sector, which has become the sector responsible for the largest share of greenhouse gases, has to be a centerpiece of climate action in the state.

At the urging of a wide range of interests across the state, including CC4CA, Governor Hickenlooper's June 2018 executive order (B 2018 006) directs the Colorado Department of Public Health and Environment to develop an advanced clean car standards rule and formally propose adoption of this rule by the Colorado Air Quality Control Commission. CC4CA supports Colorado adopting the California vehicle standards, including the so-called ZEV (zero-emissions vehicle) standards, and CC4CA supports the kinds of flexible approaches to implementing the ZEV standard here in Colorado that we have seen adopted in other ZEV states.

18. Supports implementation of the Colorado Electric Vehicle Plan, including new state government actions to accelerate the purchase and use of zero emission vehicles.

Nationally, transportation has become the sector responsible for the most carbon pollution. Colorado's recent population growth has led to a commensurate increase in vehicle miles traveled, which has overtaken the emissions reductions made possible through the increasing fuel efficiency of the statewide vehicle fleet. Electrification of light- and heavy-duty vehicles, as well as other emerging zero-emissions technologies, holds perhaps the greatest promise for emissions reductions in this sector. CC4CA supports legislative, regulatory, and administrative action to increase the adoption of electric vehicles by investing in electric vehicle charging stations, educating customers about EVs, and providing customer incentives. CC4CA also supports the current plan to commit a portion of Colorado's share of the Volkswagen emissions control violations settlement to the construction of electric vehicle charging infrastructure across Colorado, and adoption of the California motor vehicle emission standards (see #17 above), including their provisions on sales of zero-emission vehicles.

Fossil Fuel Extraction Activities

19. Supports legislative, administrative, and regulatory actions to expand the monitoring of and reduce the full life cycle emissions from fossil fuel extractive industry activities.

The mining and extraction of fossil fuels can result in significant levels of carbon pollution. One primary culprit is methane. Methane has a shorter-lived but much more potent heat-trapping effect than carbon dioxide; thus, reducing methane emissions is a highly effective way to buy time to implement more comprehensive actions to reduce industry-wide carbon dioxide emissions. As one example, in 2014 Colorado adopted rules to limit methane emissions from oil and gas operations by requiring oil and gas companies to find and fix methane leaks in its extraction and delivery infrastructure. The rules also require industry to capture methane and volatile organic compounds, both of which contribute to ground-level ozone pollution.

CC4CA supports legislative, administrative, and regulatory actions like these to reduce greenhouse gas emissions throughout the entire extraction and transportation processes involving raw fossil fuels. CC4CA also supports expanded monitoring of the full life cycle emissions from these activities.

Solid Waste Reduction

20. Supports adoption and implementation of a plan by the Colorado Department of Public Health and Environment to achieve the statewide waste diversion goals established by the Solid and Hazardous Waste Commission.

Recycling and composting reduce emissions of both methane and carbon dioxide. Colorado has a low solid waste diversion rate of 19 percent, compared with the national average of 34 percent. In August 2017, the Colorado Solid and Hazardous Waste Commission adopted new statewide and regional municipal solid waste diversion goals, including separate goals for 11 Front Range counties and for the remainder of the state for the years 2021, 2026, and 2036. Statewide, the goal is to increase the diversion rate to 45 percent by 2036. CC4CA supports CDPHE's efforts to increase solid waste diversion rates.

General

21. Supports the protections and authorities currently provided under environmental laws like the Clean Air Act and the Clean Water Act.

Protecting Colorado's air, water, and land is vital to its environment, economy, and people. The protections and authorities afforded by landmark federal laws such as the Clean Air Act and Clean Water Act are foundational to the fight against climate change. For example, the 2007 ruling by the U.S. Supreme Court that heat trapping emissions are air pollutants and thus subject to regulation under the Clean Air Act, and the subsequent 2009 U.S. Environmental Protection Agency endangerment finding that indeed, heat trapping emissions present a danger to public health, obligate our federal government to utilize the protections provided by the Clean Air Act to take action to limit emissions. Local governments rely on these protections and can be critical allies in this effort, as scores of communities across Colorado already are implementing a broad array of initiatives to advance climate protection at the local level, and often doing so in collaboration with the state and federal governments. But we know more must be done. CC4CA communities support the protections and authorities provided under the body of existing environmental law, including the Clean Air Act and Clean Water Act, and will strongly oppose legislative, regulatory, and other efforts to roll back or diminish them.