



City Council
June 11, 2019

Addendum #1
Items Received at the Meeting

From: [Patricia Ross](#)
To: [City Council](#)
Subject: Concerning the Retail Marijuana Cultivation Facility Excise Tax ballot issue
Date: Tuesday, June 11, 2019 3:08:02 PM

Dear Mayor and Louisville City Council Members

Tuesday, June 11, the Louisville City Council will be voting to move forward a ballot measure to allow marijuana cultivation in our industrial areas and the excise tax for those grows.

Will the excise tax collected cover the costs of regulating these grows?

- According to the Council packet, the City of Louisville projects excise tax revenue to be \$100,000 to \$200,000. That is only 1% of Louisville's 2018 sales tax revenue and .03% of our total revenue—a *paltry* amount.
- The projected \$100,000 to \$200,000 in pot revenue may not even cover the "direct and indirect costs incurred or expended by the city" for the training, enforcement, and administration of all applicable marijuana laws and regulations.
- Is the pot grown at these sites going to stay in Louisville? If not, where is it going to go? Are the dollars from Big Marijuana who will own these grows stay in town? Probably not.

PUBLIC SAFETY AND INCREASED CRIME:

- The Colorado State Patrol reported this year that marijuana related traffic fatalities were up 86% and 64% of intoxicated drivers tested positive for marijuana or marijuana and other substances.
- Colo Dept of Public Safety and the National Institute of Health documented that in neighborhoods near marijuana businesses (including cultivation sites), property crimes increased 84.9%.
- Will we invite black market crime? Colorado has seen an increase in investigative seizures (9%) since legalization and highway seizures (39%). Does our community want to be part of that problem?

Will that \$100 - 200K cover increase law enforcement for petty crime and DUIs?

THE SMELL

The odor emitted by cultivation operations is intense, far-ranging, and expensive to contain. Boulder, Lafayette, and Denver have proven to be unsuccessful at proactively regulating the smell. Will that \$200,000 cover the cost of making sure the smell is regulated? Do we want to subject our loyal existing businesses to this issue?

ENVIRONMENTAL IMPACT: each marijuana plant takes up to 6 gallons of water PER DAY. That could significantly impact Louisville's water supply.

CTC represents over 90% of the industrial area in Louisville; the owners' association has clearly stated they will not allow this use. Why then does City Council want to force it on them?

That leaves eligible the former Louisville Glass location adjacent to our newly acquired Mayhoffer Farm open space, near the historic Miners Field and its neighborhood. Is this

what we want to greet residents *and* visitors with at the gateway to our town?

What problem is our City Council trying to solve? Please urge our City Council to VOTE NO on the RETAIL MARIJUANA CULTIVATION FACILITY EXCISE TAX

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Dr. Patricia Ross

From: [Cyndi Thomas](#)
To: [Rob Zuccaro](#); [City Council](#)
Subject: Marijuana & CTC
Date: Tuesday, June 11, 2019 12:18:54 PM
Attachments: [image001.png](#)
[image002.png](#)

Hello All,

In advance of your discussion tonight, I wanted to make you aware that the CTC OA Board of Directors took the marijuana question out to vote to the owners within the CTC earlier this year.

We only received 48.9% of the ballots, so not quite enough for a quorum and as such the amendment does not pass. For reference, of the votes we did receive, roughly two-thirds were AGAINST the change, and roughly one-third were IN FAVOR. Therefore, marijuana will continue to NOT be allowed with the CTC OA boundaries per the covenants.

Thank you,
Cyndi

Cyndi Thomas, Partner
Etkin Johnson Real Estate Partners
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[Click Here](#) to read our latest newsletter

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From: [Lori Domenico](#)
To: [City Council](#)
Subject: marijuana growing in Louisville
Date: Monday, June 10, 2019 1:03:37 PM

I just received an email stating the agenda for June 11th's Council Meeting regarding the growth of commercial marijuana.

I am a native Louisville resident. My grandfather was a coal miner and I am sure when he and others were risking their lives making Louisville the city that they were proud to live in, they were not doing it so that when Louisville became popular they would one day be known as the best little place to get high. I am extremely upset that this is even a consideration for Louisville.

Do you want more crime?

Do you want more young people to use marijuana and destroy the brain cells that are needed to be successful in this world?

Why is it that government jobs want a drug test for employment and then not only legalize marijuana but then actually want to cultivate it so that families and young children and people coming into Louisville will smell it.

And lets just talk about the use of water - our precious resource that costs us more every year.

Do we really want to waste it on drug cultivation?

Why don't we work on getting more good, honorable businesses in Louisville that will make us proud to have in our community.

I really feel that this will not help Louisville in anyway as far as revenue, it will not only cost us more money in the long run, but will probably destroy our property values as well.

I oppose marijuana grows in Louisville

VOTE NO!

NO MARIJUANA GROWS IN LOUISVILLE

--

Lori Domenico
St. Louis Parish Secretary
902 Grant Ave., Louisville, CO 80027
303-666-6401 x411

As I put my hope in God, he is my help and my shield. Psalm 33:20

From: [Betty Scarpella](#)
To: [City Council](#)
Cc: [Patricia Ross](#)
Subject: Marijuana grows in Louisville
Date: Monday, June 10, 2019 12:24:14 PM

I would like to voice my opposition to growing marijuana in Louisville. While I know that Council is always looking for innovative ways to make money for the town, I feel this will be very detrimental to the City as a whole and will not pay for itself. The amount of water that will be needed, the opposition from current residents of the CTC, the smell, the fact that according to the US Government it is not legal, which will make it impossible for businesses like Lockheed Martin (who is one of the tenants of the CTC) to reside there. Do any of you actually believe that the crops won't be robbed by Teenagers out messing around? Will any of the monies from these grows stay in Louisville? And if you go ahead with this project, will you be willing to provide actual figures as to how much money was made verses how much it cost to city to protect it, and much water was used to grow the plants and how you intend to make up for the lost water?

Betty Scarpella
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Phone: 303-666-9440
Work: 720-663-3334
betty.scarpella@ricoh-usa.com

It's not the load that breaks you down. It's the way you carry it – Lena Horne

From: [Debbie](#)
To: [City Council](#)
Subject: NO MARIJUANA GROWS IN LOUISVILLE
Date: Monday, June 10, 2019 12:14:59 PM

I oppose marijuana grows in Louisville

VOTE NO!

NO MARIJUANA GROWS IN LOUISVILLE

Deb

Deborah Ruppert | Premier Travel

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deb.premiertravel@gmail.com

DRAFT Version 6/6/2019

LOUISVILLE REVITALIZATION COMMISSION Property Tax Increment Financing Rebate Assistance Policy

Implementation Date: _____

Introduction:

The Louisville Revitalization Commission (“LRC”) is the Urban Renewal Authority for the City of Louisville, Colorado (“City”). The LRC’s mission includes implementing the Highway 42 Revitalization Area Urban Renewal Plan (the “Plan”) which was adopted by the City of Louisville in December 2006.

The purpose of the Plan is to reduce, eliminate and prevent the spread of blight within the Urban Renewal Area (“URA”) and to stimulate growth and reinvestment within the Area boundaries, on surrounding blocks and throughout the Louisville downtown business district.

Policy on Use of Property Tax Increment Rebates:

It is the principal goal of the urban renewal effort to afford maximum opportunity, consistent with the sound needs of the City as a whole, to redevelop and rehabilitate the Area by private enterprise. 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 preventing deterioration of properties in the Area. It is the City’s general intent to use urban renewal funds to support public infrastructure improvements that are needed to facilitate private investment and reinvestment in the plan area.

In unique situations, and on a case-by-case basis, in the sole and absolute discretion of the LRC and the City, certain forms of financial and other economic assistance may be awarded to a private property owner to undertake projects to redevelop or rehabilitate properties contained in the Area. Projects that are awarded support must demonstrate that they would provide exceptional and unique public benefits to qualify and would not be reasonably expected to be feasible without City financial or other economic support.

*NOTE: Historic preservation language removed and moved as the #7 criteria for evaluation

Property Tax Increment Rebates for Private Development:

It is the policy of the LRC and the City that consideration may be given to requests for financial assistance by the use of property tax increment rebates to private property

owners within the LRC authority to collect incremental property taxes from taxable new construction in the Area and to provide assistance to projects meeting the goals and objectives in the Highway 42 Urban Renewal Plan and which are also deemed to be in the best interests of the City.

To be considered for assistance, proposed projects must support the overall goals of the City and the Plan which specifically include promoting an environment which allows for a range of uses and product types which can respond to market conditions over time along with furthering the goals and objectives of the Louisville Comprehensive Plan; Highway 42 Framework Plan, Historic Preservation Plan and other relevant policies, while leveraging the community's investment in public improvement projects in the Area.

In addition to eliminating and preventing blight, proposed projects must address at least 3 or more of the objectives outlined in the Plan. Those objectives include:

- A. Improve relationship between the URA and surrounding areas
- B. Provide uses supportive of and complementary to planned improvements
- C. Encourage a mix of uses and/or mixed-use projects
- D. Promote a variety of products to address multiple income segments
- E. Provide ease of vehicular and pedestrian circulation and improve connections
- F. Encourage continued presence of businesses consistent with the plan vision
- G. Mitigate impacts from future transportation improvements
- H. Encourage public-private partnerships to implement the plan
- I. Encourage shared parking among projects in the area
- J. Landscape streetscapes to unify uses and plan components.

As specifically related to the use of property tax increment financing, a proposed project must clearly demonstrate that the project will provide the clear and present potential to generate substantial increases to the property tax values directly attributable to the project which could support the sharing of the incremental property tax increments between the property owners and the LRC.

Criteria for Evaluation

After a property owner submits an application for property tax increment rebate assistance, the project will be evaluated based on how the project provides positive impacts to the community and how the project addresses the following criteria:

1. The elimination or prevention of blight in the URA
2. The ability to stimulate growth and reinvestment in the URA
3. The economic benefits to the community from the project
4. The effect of the project on surrounding property
5. The increase in property value created from the project
6. For property within downtown Louisville the project is consistent with historic preservation goals and objectives

In addition to the criteria listed above, the LRC will give special consideration to projects that will also provide potential sales and other forms of tax revenue increases to the City and/or other significant community benefits, which might include but would not be limited to; providing outdoor and indoor public spaces, public art, affordable housing, transportation infrastructure improvements, parking beyond the needs of the project and historic building restoration or improvements.

Potential Property Tax Increment Rebate Consideration

The LRC and the City may consider awarding a 50% property tax increment rebate for a period up to five (5) years from the direct collection of the incremental property taxes attributable to the project. However, for projects that provide extraordinary community benefits or will generate substantial sales and other taxes for the City, the LRC and the City Council may consider awarding up to a 90% property tax increment rebate for a period of up to ten (10) years. No assistance will be granted to a project beyond the 2033 LRC budget year.

Project Transfer Criteria

Transfers of a property tax increment rebate agreement may be made under at least one of the following circumstances:

- The new entity is wholly or significantly owned by the previous owners of the project
- The project is being transferred to at least one of the business/tenant (or an entity owned and controlled by the business/tenant) occupying the building To a non-related entity only after the project receives a Certificate of Occupancy after construction is complete, and only with the written consent of the City and LRC.

A property tax increment rebate agreement will contain an expiration date, upon which the agreement will expire if the project is not timely completed.

Applicants for tax increment property tax rebates or other financial assistance must first obtain the City's required land-use approvals for the project prior to receiving approval by the LRC and by the City for the financial assistance.

Applicants must submit all pertinent project financial information related to the project and the developer organization, including estimated development costs and a financing and operating plan. All financial information shall be referred by the City to a qualified professional for third-party review at LRC expense

All information submitted to the LRC or to the City is subject to public disclosure consistent with the requirements of the Colorado Open Records Act, the City of Louisville Charter, and related City, policies and ordinances.

The application for property tax increment rebate assistance may be found on the City's website at the following address:

<http://www.louisvilleco.gov/home/showdocument?id=22682>

Contact Information

For additional information on Louisville's Urban Renewal assistance options, please contact xx.

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~~B.A.~~ _____ Improve relationship between the URA and surrounding areas

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1. The elimination or prevention of blight in the URA

~~1.2.~~ _____ The ability to stimulate growth and reinvestment in the URA

- ~~2. The elimination or prevention of blight in the URA~~
- ~~3. The need for public assistance to complete the project~~
- 4.3. The economic benefits to the community from the project
- ~~5.4. The effect of the project on surrounding property~~
5. The increase in property value created from the project
6. The project does not cause negative impacts to the City's historic resources or stated historic preservation goals and objectives.

For property within downtown Louisville the project is consistent with historic preservation goals and objectives

In addition to the criteria listed above, the LRC will give special consideration to projects that will also provide potential sales and other forms of tax revenue increases to the City and/or other significant community benefits, which might include but would not be limited to: providing outdoor and indoor public spaces, public art, affordable housing, transportation infrastructure improvements, parking beyond the needs of the project and historic building restoration or improvements.

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