Planning Commission
August 8, 2019
City Hall, Council Chambers
749 Main Street
6:30 PM

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

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

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
   ▪ July 11, 2019 Minutes
5. Public Comment on Items Not on the Agenda
6. New Business – Public Hearing Items
   a. Lot 3, Block 5, Colorado Technological Center Filing 1 PUD and SRU:
      A request for approval of a Planned Unit Development to allow construction of a 23,000 sf structure and associated site improvements and approval of a Special Review Use to allow use group 59: Health or Athletic Club at 1776 Boxelder St. (Resolution 13, Series 2019)
      CONTINUED FROM JULY 11, 2019
         ▪ Applicant: Barker Rinker Seacat Architecture
         ▪ Case Manager: Lisa Ritchie, Senior Planner
7. Planning Commission Comments
8. Staff Comments
   ▪ Scheduling for 2019 Development Review Audit
9. Items Tentatively Scheduled for the regular meeting September 12, 2019:
   ▪ Speedy Sparkle PUD Sign Amendment – Continued from July 11, 2019
   ▪ Transportation Master Plan
   ▪ Business Center at CTC Replat I GDP Amendment, Plat and PUD
10. Items Tentatively Scheduled for the special meeting September 26, 2019:
   - McCaslin Small Area Plan Comprehensive Plan Amendment, Parcel O

11. Adjourn
Planning Commission
Meeting Minutes
July 11th, 2019
City Hall, Council Chambers
749 Main Street
6:30 PM

Call to Order – Vice Chair Rice called the meeting to order at 6:30 PM.

Roll Call was taken and the following members were present:

Commission Members Present: Tom Rice, Vice Chair
Keaton Howe
Jeff Moline
Dietrich Hoefner

Commission Members Absent: Steve Brauneis, Chair
Debra Williams

Staff Members Present: Rob Zuccaro, Dir of Planning & Building Safety
Lisa Ritchie, Senior Planner
Felicity Selvoski, Planner/Historic Preservation
Amelia Brackett, Planning Clerk

APPROVAL OF AGENDA
Moline moved and Howe seconded a motion to approve the July 11th, 2019 agenda. Motion passed unanimously by voice vote.

APPROVAL OF MINUTES
There was no quorum. Vote moved to next meeting.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA
None.

NEW BUSINESS – PUBLIC HEARING ITEMS

Lot 3, Block 5, Colorado Technological Center Filing 1 PUD and SRU: A request for approval of a Planned Unit Development to allow construction of a 23,000 sf structure and associated site improvements and approval of a Special Review Use to allow use group 59: Health or Athletic Club at 1776 Boxelder Street. (Resolution 13, Series 2019)

REQUEST TO CONTINUE TO AUGUST 8, 2019
- Applicant: Barker Rinker Seacat Architecture
- Case Manager: Lisa Ritchie, Senior Planner

Zuccaro informed the Commission that the applicant requested a continuance to work on some design issues.
Moline moved and Howe seconded to continue the item to the August meeting.

**Speedy Sparkle PUD Amendment:** A request for approval of a Planned Unit Development Amendment to allow changes to the signage at 1414 Hecla Way. (Resolution 14, Series 2019)

- Applicant: Speedy Sparkle Car Wash – Louisville, LLC
- Case Manager: Felicity Selvoski, Planner/Historic Preservation

Rice asked for conflicts of interest. Hoefner stated that he was a customer at the Speedy Sparkle but did not think that disqualified him.

All notices met as required.

Selvoski presented the request to amend the sign code for three properties at Speedy Sparkle. The original PUD was approved in 2000 as the Black Diamond Car Wash with two monument signs. In 2010, the King Soopers Fueling Center PUD included a shared monument sign, as well. The PUD amendment included requests to modify and install a monument sign along Hecla Way, bring the installed menu signs into compliance, and build their own monument sign. This application did not include confirmation from the other two properties that they are okay with these changes.

The sign architecture is proposed for steel I-beams, a metal base cabinet, and an LED panel. The Hecla Way sign included the same steel I-beam architectural border. Staff used the CCDSG to evaluate the proposed signs. The materials are supposed to be compatible with the associated structure in terms of materials, color, and design, and staff does not feel that the signs meet this criteria. The Speedy Sparkle building does include steel I-beams, but staff did not find this to be a strong enough connection. This application would also result in three monument signs on the Speedy Sparkle property. Currently, the sign code allows for one and the original PUD allowed for two. The monument signs along South Boulder Road greatly exceed the 60 square feet. The proposed LED panel was not something permitted under the sign code. Finally, the proposed sign designs did not provide information to determine which sides were translucent and which were opaque and current sign code only allows the letters to be translucent; the sign background coloration did not match coloration elsewhere on the site; and the signs were not uniform in color, all of which is both are required in the current sign code.

Staff also addressed the draft sign code, though they did not use it to judge the application. One of the goals of the draft was to reduce sign clutter, which this application did not achieve. Electronic message centers are allowed in the draft code if there are exceptional circumstance and if they elevate the design. Staff did not feel they had enough information to determine this. This application also has signs taller than the maximum freestanding 5 feet height maximum on the existing PUD.

Staff recommends approval of the resolution, which would deny this application. The proposed PUD amendment did not meet the intent and requirements of our current design guidelines and any changes would need to be approved by the adjacent property owners that would be affected.
Rice asked if the current monument sign was at the maximum size or if it could be made bigger.

Zuccaro replied that the sign was likely built to what was allowed but he would confirm. He noted that at the time of the original PUD it made sense to combine the three signs from the three properties even though it required a waiver from the sign program.

Rice asked about the menu signs.

Selvoski replied that they were put in without going through the PUD process or a building permit and that they were not addressed under the current sign code.

Moline asked what it would take to modify the existing sign.

Selvoski stated that it was already at the maximum size.

Zuccaro added that any change would require a PUD amendment because the sign did not currently adhere to the code.

Rice invited the applicant to make his presentation.

Robert Kearney, 549 North Fourth Street in Loveland, asked for a show of hands to who had been to the car wash and proceeded to hand out flyers. Vice Chair Rice informed Mr. Kearney that the Commission could not receive anything from the applicant at a public hearing. Kearney stated that the original PUD included all the property with the three owners. Under that PUD, the car wash was entitled to half of the joint sign on South Boulder Road. Speedy Sparkle occupied about half of the total property. The King Soopers PUD used to have a different sign requirement, but their PUD never had a signature from the car wash owner and the South Boulder Road sign is an off-premises sign to King Soopers. He did not want to diminish that sign, but they were asking for half of the signage space for Speedy Sparkle. He described that the other signs at King Soopers were larger than those at Speedy Sparkle. He stated that 54% of customers in a four-year study couldn’t find signs due to being too small and customers complain that the lettering on signs was too small and that 81% of consumers appreciated LED signs. He listed other percentages to show that signage is important to businesses big and small. He and his business wanted to be treated fairly as King Soopers has been.

Chip Weincek from CWA Architecture described the history of the application, which had been started in September 2018. He believed that the proposal responded to the request to address the contextual built environment. They had had multiple meetings and revisions to their submittals and had not had much feedback from staff. Weincek proceeded to describe the application. The site plan showed that speedy sparkle was the largest property on the site. The shared signage, which was never recorded with the Speedy Sparkle property, was too small for the property. He described that the other signs at King Soopers were larger than those at Speedy Sparkle. He stated that 54% of customers in a four-year study couldn’t find signs due to being too small and customers complain that the lettering on signs was too small and that 81% of consumers appreciated LED signs. He listed other percentages to show that signage is important to businesses big and small. He and his business wanted to be treated fairly as King Soopers has been.
had been very helpful for business. At first, they had requested a 12-foot sign and staff
said that was too tall so they tried to lower it but thought that the 5-foot limit was too
small. He showed the need for a sign on Hecla Way where customers enter the
property. They were proposing to have Speedy Sparkle have its own monument sign,
Jiffy Lube have 20 square feet, and King Soopers remain the same. He thought there
was a good synergy of the owners in the area and they wanted to maintain that. They
were also proposing to convert the flip-over numbers to LED, which is what King
Soopers is doing for the fueling station. It was Weincek’s understanding that staff
supported turning the gas station numbers to LED. He stated that the code allows
individual property owners to have up to 60 square feet of signage under the new sign
code. He responded to staff’s concerns about the architecture by pointing out that the
architecture matched what was originally approved along Hecla and that the main
architectural features of the Speedy Sparkle building was steel. He stated that the
CDDSG allowed for multiple signs at multiple entries for identifying businesses. He
noted that this was a critical part of the application, because the guidelines referred to
signs and entries in the plural. 12 feet in a retail zone for monument signs were also
allowed. Weincek showed a selection of other signs that had been approved under the
current guidelines.

Weincek asked if it was possible to continue the application based on the Commission’s
deliberation.

Rice suggested that they proceed as normal and the applicant can request a
continuance at the end if they chose.

Moline asked the applicant to walk through the incorporation of steel in the proposed
signs.

Weincek showed the elements on the PowerPoint.

Moline asked about the requirement to have one sign per structure.

Weincek replied that they believed that came from Section 7.5.

Kearney added that Speedy Sparkle had an access point on Hecla Way and a curb cut
between the car wash and the King Soopers fuel station.

Howe asked for clarification between the commercial and residential guidelines.

Zuccaro replied that the CDDSG applied to this property and this applicant was about
being allowed to vary from the CDDSG.

Hoefner asked about the conversations that went on among Speedy Sparkle, King
Soopers, and Jiffy Lube.

Kearney replied that the PUD addressed that shared sign, which was on the property
line between Jiffy Lube and Speedy Sparkle. He noted that the various PUDs were in
conflict. He and King Soopers were working together to try to fix this issues and as part
of that cooperation, King Soopers wanted to have the LED signs included in the amendment.

Hoefner asked how many monument signs they thought they were entitled to.

Chip replied that they thought they should be allowed one each for Speedy Sparkle, Jiffy Lube, and King Soopers. He added that they should also be allowed signs for each entry.

Hoefner asked if electronic message centers (EMCs) were allowed under the code.

Weincek replied that he understood that they were not allowed. He stated that the City needed to update its code on LED signs, because these were the future of commercial signs.

Hoefner asked what would happen if the Planning Commission granted the continuance, would the applicants be able to come to an agreement with smaller signs and no EMCs.

Weincek replied that he wanted to hear what the Commission had to say about the larger signs and the EMCs.

Kearney added that the original proposal tried to meet Director Zuccaro’s goal of having fewer signs, but the signage was greater than 60 square feet. The applicants were happy with that at the time, but later they found out that the application was no longer acceptable. He believed that there was more than one way to make signage visibility happen.

Rice asked if the 2011 PUD amendment predated the applicants’ ownership of the property.

Kearney stated that he had not been the owner at the time and that he could not speak to the original agreement among the property owners.

Zuccaro added that the boundary of the original PUD included all three of the properties and appeared to be validly approved by the City and recorded.

Rice replied that he wanted to make sure it was understood that there was still one PUD over the three properties.

Zuccaro replied that, as far as signage was concerned, yes.

Weincek stated that there was nothing about ownership of the current monument sign.

Rice replied that he did not think the Planning Commission could speak to property disputes. He invited members of the public to speak.

Laura Chenerock 1459 Hecla Way in Louisville, stated that she lived in the townhouse adjacent to the car wash and was a customer there. She stated that she represented
the people living in her building and other people in the area, some of whom had written to the Commission. She asked the Commission to consider the residential perspective, noting that the examples used in the presentations of other monument signs had not been near residential areas. She was concerned about the Hecla Way sign and thought it was out of balance with the residential area, especially given its size and lighting. She noted that the car wash stayed open after dark and their lights shined directly into her living room. She added that the sign might also be disruptive to wildlife given the light pollution. She appreciated the car wash’s efforts in trying to blend in already, including planting trees.

Howe made a motion to include an email from the public in the record. Motion passed.

Zuccaro noted that the underlying code provided options to abandon the current sign program and go back to individual signs for each of the businesses. However, the applicants wanted to vary from the code. Staff therefore looked to the current policies on signage. Zuccaro noted one specific policy in the CDDSG, Section 7.2: “The size of the signs should be modest and provide businesses sufficient visibility and identification without becoming a dominant part of the landscape.” When staff reviewed this outside of the context of what was allowed in the code, staff had to consider what worked within the context while also serving the business. Appropriate LED signs needed to be an improvement on what would be there without LED, as well, though staff was not the arbiter on what was appropriate for LED signs. Zuccaro also addressed Section 7.5 in the CDDSG about the plural of the monument signs, noting that they were allowed one monument sign per building. He explained that staff had view the Hecla Way sign in a residential context and signs in that context needed to be an improvement on the code. He concluded by stating that the Commission could approve, approve with conditions, or deny. He noted that it would be helpful for the Commission to have a discussion about their findings.

Hoefner asked for staff’s perspective on the applicant’s feeling that they had not provided sufficient feedback.

Zuccaro replied that staff intended to provide feedback so that applications could be ready to go before the Commission, but the applicant had to provide sufficient plans to comment on. In some cases, the applicant and staff did not agree on certain elements of the proposal, so staff was looking to the Commission to make those decisions. Zuccaro added that staff did not make designs, but they did try to provide feedback on proposals.

Hoefner asked about the allowance for one monument sign per building.

Zuccaro responded that with the existing PUD the car wash had received a waiver to have two different signs in 2010. There were other waivers for other property owners, as well. The property owners would have to abandon the PUD in order to have a monument sign on one of their road frontages. He did not think that would work sign gas stations and car washes would likely need sign frontage on South Boulder Road.

Hoefner asked about the initial iteration of the design where there were fewer, larger signs.
Zuccaro replied that the original proposal had a sign area of 120 square feet. Staff told the applicant that something over 60 square feet might work, but 120 square feet was too much.

Kearney stated that he appreciated staff’s time and that the King Soopers PUD was not recorded on the car wash’s property. He described the main issue as a fundamental matter of equity and following the code. King Soopers had many large signs, which the car wash did not want for themselves. They wanted to have decent signage exposure. He appreciated any direction from the Commission to work with staff to get decent signage for his one-acre property. Having increased signage would make a big difference for the business.

Rice asked for commissioner comments.

Howe appreciated Speedy Sparkle’s requests and agreed with the right to have decent signage exposure. He saw the three different signs as three different matters. He thought that they were entitled to have a sign on South Boulder Road based on Section 7.2B. However, the sign that was proposed – though they were entitled to it – did not meet the guidelines as proposed due to its size and lighting. As for the menu signs, he thought that there was no issue with them since they were not referenced. As for the Hecla Way sign, Howe quoted Section 7.5, again finding that the applicant was entitled to a sign there but it had to be responsive to the “family of signs” as described in 7.5.

Hoefner stated that he was sympathetic to the fact that the existing sign was very small. He thought that the Commission needed to find a way to approve something bigger on South Boulder Road, but he did not think that the proposed sign was it. He did not think the Commission would approve an EMC and did not support it himself. He also thought the proposed sign on Hecla was too big given the residential context. He did not see any issues with the menu boards. As for the proposed materials for South Boulder, he thought that the I-beams blended in with the building. He did not think that the PUD issue was in the Commission’s wheelhouse and the applicant needed to resolve that with King Soopers.

Moline stated that he wanted Speedy Sparkle to succeed and he hoped that they could find a way to make it work. He thought that staff and the Commission had spent a considerable amount of time reviewing the new sign code and had heard a lot of feedback from the community, and the proposal was in a space where the Commission was being influenced by community desires and the code that was being developed. He thought it was helpful to look toward the future code in the case of a PUD amendment.

Rice stated that in his view it was not the Commission’s role to micromanage signs and some of the criticisms of this proposal were micromanaging. He saw that the applicant needed adequate signage. However, given the grouping of the signs, he thought they should be treated together and he was concerned that the signs were being treated piecemeal instead of with all the property owners. He thought it was doable to work with all the property owners at once. He believed that Louisville should be a business-friendly community with adequate signage. He stated that he thought that if there were going to be menu signs, they should be approved by the City and so they should be
addressed in the code. He noted that the Commission and the Council had not approved the new sign code and it could not be acted upon based on this application and he was therefore not prepared to approve any EMCs. He thought that a continuance was a good way to handle this so staff and the applicant could take another look at it. He was also sympathetic to the fact that it had already been a long process, so it should be a priority for staff and the applicant. He asked for a motion.

Zuccaro recommended continuing it to a date certain and suggested asking the applicant about a reasonable timeframe. The applicant agreed to a 60-day timeline.

Howe noted that there may be additional parties that might become involved in the process.

Rice added that they might need to bring a totally new application and that would require a new public hearing.

Zuccaro replied that the Commission could take no action if there should be a new application.

Chip thanked everyone for their feedback and thought that the new information would be helpful. He agreed that September 12th would be doable and that he did not want to make a new application.

Zuccaro noted that the new sign code may come into effect and that might make the process more complicated.

Rice stated that the Commission should continue it to September 12th and if any issues come up staff and the applicant could deal with that at that time.

Hoefner made a motion to continue this application consistent with the discussion tonight to September 12, 2019. Moline seconded. Voice vote. Motion carried unanimously.

5-minute recess.

824 South Street/957 Street PUD Extension and SRU Amendment: A request for a one-year extension to the 824 South Street/957 Main Street Planned Unit Development and an Amendment to the Special Review Use for outdoor sales of retail goods and eating and drinking establishments. (Resolution 15, Series 2019)

- Applicant: Hartronft Associates, P.C.
- Case Manager: Rob Zuccaro, Director of Planning and Building Safety

Public notice met as required.

Zuccaro presented two requests for 824 South. The applicant acquired the property in 2018 and was working with staff to make changes under administrative review, but the change in the 2016 SRU and the extension had to go through a public hearing. The applicant believed that the one-year extension would provide adequate time. To evaluate the extension, staff considered what had changed from 2016 had found that
there had been no major changes in the area. In outdoor activity areas, there are limitations on amplified music and open hours, so the applicant added notes to the current SRU to have outdoor operations ending at 12 a.m. and no outdoor amplified music. Staff found that the SRU met all relevant criteria. He added that staff was recommending a condition to update the handicap-loading space as needed if it interfered with movement. Zuccaro noted that the SRU amendment would not be effective until the administrative PUD was approved, but staff had nothing to report about that process.

Howe asked if the extension to the west would affect the lighting in the adjacent residential areas.

Zuccaro replied that there was a lighting plan included but they were full cut-off fixtures. Staff was currently reviewing a photometric plan.

Erik Hartronft of Hartronft Associates at 950 Spruce Street in Louisville. He noted that the new owner would be an owner-operator and he thought that it would be a good addition to the area. He agreed to staff’s two conditions.

Barbie Iglesias, 556 Lincoln Avenue in Louisville, stated that she was planning on having a place for healthy food to-go with hours from 7 a.m. to 7 p.m., so there would not really be much seated dining. She did not know who would rent the building yet.

Howe asked if the pedestrian traffic would impact the side street.

Hartronft hoped that there would be lots of pedestrian traffic coming from Old Town to their property.

Rice asked about the project timeline.

Hartronft stated that they were going to the building department in a few days and getting it done.

Rice asked for closing statements. None. He asked for commissioner comments.

Moline stated that the proposal was an improvement over the previous application.

Hoefner was happy to approve a one-year extension with plans to get going.

Howe thought it was a great project.

Rice stated that there had been a number of discussions during the first proposal and this was an improvement even over that original proposal.

Moline moved to approve Resolution 15, Series 2019 with the two conditions. Voice vote. All in favor.
COMMISSIONER COMMENTS

Moline noted that the Commission had received an email following last month’s hearing stating that he had suggested that the Sam’s Club proposal revenue would fund city improvements. Moline apologized if that was the impression that he gave and he stated that he understood the cost of improvements and in no way intended to present that the approval of the GDP for the Sam’s Club was going to magically pay for all those improvements.

Hoefner asked if there would be a special meeting in September about the Conoco property.

Zuccaro replied that staff was trying to move quickly on that project and they were planning on a special meeting on Thursday, September the 26th.

Rice confirmed that the Council was not intending to fill Commissioner Hsu’s seat until January and noted that this put more pressure on attendance.

STAFF COMMENTS

Zuccaro introduced Harry Brennan, the new planner.

ITEMS TENTATIVELY SCHEDULED FOR AUGUST 8\textsuperscript{TH}, 2019

- Lot 3, Block 5, CTC Filing 1 PUD and SRU – Continuance
- Transportation Master Plan

Adjourn: Howe moved and Hoefner seconded a motion to adjourn. Adjourned at 8:45 PM.
ITEM: PUD-1058-2018 and SRU-0159-2018; Lot 3, Block 5, CTC Filing 1 PUD and SRU

PLANNER: Lisa Ritchie, Senior Planner

APPLICANT: Barker Rinker Seacat Architecture

EXISTING ZONING: Industrial (I)

LOCATION: 1776 Boxelder St

TOTAL SITE AREA: 77,507 Square Feet

REQUEST: Approval of Resolution 13, Series 2019 recommending approval of request for a Planned Unit Development to allow construction of a 23,000 sf structure and associated site improvements and approval of a Special Review Use to allow use group 59: Health or Athletic Club. CONTINUED FROM JULY 11, 2019
SUMMARY:
The owner, Rhatigan Trust, represented by applicant, Barker Rinker Seacat Architecture, requests approval of a Planned Unit Development (PUD) to allow construction of an 23,000 SF building, landscaping, parking and other site improvements on vacant land. The application also includes a request for a Special Review Use to allow the site to operate as a volleyball training facility, under Use Group 59: Health or Athletic Clubs, Spas, Dance Studios, Fitness Studios.

The site is located in the Colorado Technology Center (CTC) at 1776 Boxelder Street. The property is zoned Industrial (I) and is subject to the Industrial Development Design Standards and Guidelines (IDDSG).

BACKGROUND:
The City approved the original plat for the property in 1979 as part of the Colorado Technological Center First Filing subdivision. A PUD was approved for development in 2001, however that project was never built. The current property owner purchased the property in 2017 with the intent of building this project. They are seeking approval of a PUD and SRU to approve construction of a 23,000 SF building at 1776 Boxelder Street to operate a volleyball training facility.

PROPOSAL:
The application requests approval of a PUD and SRU to allow construction of a 23,000 SF structure. The lot fronts the north side of Boxelder Street and is surrounded on all sides by developed property. The proposal sites the structure along the eastern side of the property, with parking located on the front, west side and rear of the lot. The structure consists of a mix of CMU block, metal insulated panels, and fiber cement siding.

The front portion of the building is roughly 22 feet high and includes a covered entry area and roll-up door opening to a covered patio area and contains offices, locker rooms, restrooms and circulation areas. The main portion of the structure is 35 feet tall and is sited behind the lower front portion and contains the gymnasium area. The elevations on the front and sides near the entry include windows at the ground level and articulation through the patio cover and change in materials. The larger rear portion of the structure includes translucent windows near the roof line. Mechanical units are located behind the structure within a screened area.

The drainage plan proposes underground detention in the rear of the lot behind the structure within the parking area. The proposal includes manicured turf areas near the front of the property, and more naturalized landscaping toward the rear. The landscape plan includes the elements required by the IDDSG.

The site includes 72 standard parking spaces and 4 ADA accessible spaces that are intended to provide adequate parking for operation as a training facility, but would not accommodate a larger event, such as a volleyball tournament. The gymnasium includes 4 volleyball courts, or two basketball courts in place of the volleyball courts.
The site has parking stalls for each court to have a full team (twelve), along with two coaches, and 16 additional spaces for staff and visitors, in addition to the four ADA accessible spaces. At this time, the applicant does not intend to hold events at the property, however the following note is included on the PUD that requires a Shared Parking Agreement prior to holding events or other operations on the property:

The property shall not be operated or occupied in a manner that exceeds the parking provided on the property. Prior to holding any event or management practice that requires parking in excess of what is provided on-site, a shared parking agreement and parking plan demonstrating that all parking for the event can be accommodated with only off-street parking shall be submitted to the City for review and approval a minimum of 30 days prior to any such event. Failure to comply with this requirement shall constitute a violation of Louisville Municipal Code Chapter 17.20, and the property owner shall be subject to all applicable penalties and remedies available to the City for such violations.

Figure 1: Site Plan
ANALYSIS:

Planned Unit Development
The PUD is subject to the IDDSG and Section 17.28.120 of the Louisville Municipal Code.

IDDSG: 1. Site Planning
The application complies with the standards in this section, including all minimum setbacks and building and site orientation standards. The proposal includes one new pedestrian connection to Boxelder Street, employee and visitor gathering areas, and appropriate screening of utilities. The lot meets the minimum landscape requirements and the standards for site grading in the IDDSG.

IDDSG: 2. Vehicular Circulation and Parking
The site is adjacent Boxelder Street on the south and private property on the north, east, and west. Access is accommodated through one drive aisle to the west of the proposed
building. The drive aisles can accommodate access for fire and service needs on the property.

As noted in the summary above, parking is adequate to operate the property as a training facility. The note requires City approval of shared parking agreement prior to operating the property in any manner that exceeds the parking provided on-site.

**IDDSG: 3. Pedestrian and Bicycle Circulation**
The applicant proposes pedestrian connections and bicycle parking consistent with the standards of the IDDSG. The application includes 4 exterior bicycle parking spaces near the main entrance. The plans include pedestrian access via a new sidewalk to the adjacent street and throughout the site. The parking lot design locates parking spaces adjacent to sidewalks in some areas, however the sidewalks in these areas are at least 7-feet wide so that there is adequate width for car overhang.

**IDDSG: 4. Architectural Design**
The PUD provides for appropriate building relationships and compatibility by including landscaping and orientation that enhances the public areas of the site. The architecture of the building includes adequate articulation and material variation, and properly locates entry and service areas. While the application includes the use of metal siding, it is of high quality and is considered an accent.

**IDDSG: 5. Landscape Design**
The application complies with standards in the IDDSG for perimeter landscaping adjacent to abutting property, parking lot landscaping, and building and loading and service area landscaping.

**IDDSG: 6. Fences and Walls**
The application does not include fences or walls.

**IDDSG: 7. Sign Design**
The application does not address signs, and the property owner intends to submit sign permits in compliance with the draft Sign Code pending adoption later this summer.

**IDDSG: 8. Exterior Site Lighting**
Staff finds the application complies with the IDDSG for the lighting design. The application includes wall mounted and pole mounted full cut-off LED light fixtures that will reduce light glare and safely light the property.

**Compliance with 17.28.120**
Section 17.28.120 of the Louisville Municipal Code lists 28 criteria for PUDs that must be satisfied or found not applicable in order to approve a PUD. Analysis and staff’s recommended finding of each criterion is provided in the attached appendix.
Special Review Use

Use Group 59: Health or Athletic Clubs, Spas, Dance Studios, Fitness Studios requires approval of a SRU in the Industrial zone district. Section 17.40.100 (A) of the LMC lists the five criteria to be considered:

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 proposed use is consistent with the spirit and intent of the comprehensive plan. 1776 Boxelder Street is in the CTC Special District in the 2013 Comprehensive Plan. The land use mix under Special Districts in the Framework section of the plan calls for a mix of uses. This proposal will provide a unique use in the area that will complement the existing uses and be compatible with the Comprehensive Plan. **Staff finds the proposal meets this criterion.**

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

The proposed architecture in the PUD is compatible with the character of the surrounding established areas, and complies with the IDDSG. The use will be complementary to the primarily daytime uses of the surrounding properties, and will provide a new business type in the area, diversifying the economic base of the CTC development. **Staff finds the proposal meets this criterion.**

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;**

Staff finds that the use is adequate for the efficiency of the proposal. Staff reviewed the amendment for additional impacts to utilities and access and finds that proposal does not negatively impact surrounding facilities. **Staff finds the proposal meets this criterion.**

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 development plans provide adequate controls on the external effects through site layout, appropriately designed lighting and landscaping. The site plan provides...
appropriate vehicular / pedestrian circulation. **Staff finds the proposal meets this criterion.**

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.*

This development provides adequate and proper location of walks and landscaped spaces to provide for safe circulation. There is adequate capacity in the surrounding road networks to accommodate the use. Staff acknowledges the site cannot accommodate events or tournaments and without the required shared parking agreement, this could have off-site impacts. **Staff finds the proposal meets this criterion.**

**STAFF RECOMMENDATION:**
Staff recommends that the Planning Commission approve Resolution 13, 2019, recommending approval of a PUD and SRU for Lot 3, Block 5, CTC Filing 1 at 1776 Boxelder Street.

**ATTACHMENTS:**
1. Resolution No. 13, Series 2019
2. Application Materials
3. PUD / SRU
### APPENDIX: PUD Criteria Analysis – Lot 3, Block 5, CTC Filing 1 PUD

<table>
<thead>
<tr>
<th>Criteria 17.28.120 (A)</th>
<th>Finding</th>
<th>Narrative</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. An appropriate relationship to the surrounding area.</td>
<td>Compliant</td>
<td>The use is appropriate for the area and permitted in the Industrial zone district. The site and building design are consistent with other surrounding properties.</td>
</tr>
<tr>
<td>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.</td>
<td>Compliant</td>
<td>The application provides for adequate and safe internal circulation. The City’s engineering division and Fire District have reviewed the parking circulation and driveway location and have not objections to the proposal.</td>
</tr>
<tr>
<td>3. Consideration and provision for low and moderate-income housing</td>
<td>Not applicable</td>
<td>The property is zoned Industrial. Residential uses are not allowed.</td>
</tr>
<tr>
<td>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</td>
<td>Compliant</td>
<td>The PUD complies with landscape requirements in the IDDSG.</td>
</tr>
<tr>
<td>5. Variety in terms of housing types, densities, facilities and open space</td>
<td>Not applicable</td>
<td>The property is zoned Industrial. Residential uses are not allowed.</td>
</tr>
<tr>
<td>6. Privacy in terms of the needs of individuals, families and neighbors</td>
<td>Compliant</td>
<td>The PUD complies with site planning provisions in the IDDSG, assuring appropriate privacy of neighboring properties.</td>
</tr>
<tr>
<td>7. Pedestrian and bicycle traffic in terms of safety, separation, convenience, access points of destination and attractiveness</td>
<td>Compliant</td>
<td>The PUD complies with pedestrian and bicycle requirements in the IDDSG, ensuring adequate pedestrian and bicycle access. There is a direct sidewalk connection provided between the building and adjacent public street.</td>
</tr>
<tr>
<td>8. Building types in terms of appropriateness to density, site relationship and bulk</td>
<td>Compliant</td>
<td>The building is 35’ tall and thus complies with and building height requirements in the IDDSG, ensuring an appropriate bulk for buildings and relationship to other development in the CTC.</td>
</tr>
<tr>
<td>9. Building design in terms of orientation, spacing, materials,</td>
<td>Compliant</td>
<td>The PUD complies with the architectural design and site</td>
</tr>
<tr>
<td>Criteria 17.28.120 (B)</td>
<td>Finding</td>
<td>Narrative</td>
</tr>
<tr>
<td>------------------------</td>
<td>---------</td>
<td>-----------</td>
</tr>
<tr>
<td>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.</td>
<td>Compliant</td>
<td>The PUD complies with the adopted elements of the comprehensive plan, and the adopted development design standards and guidelines.</td>
</tr>
<tr>
<td>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.</td>
<td>Compliant</td>
<td>The property is not located in a floodplain, nor are there any existing bodies of water in the area.</td>
</tr>
<tr>
<td>3. No occupied structure shall be located on ground showing severe subsidence potential without adequate design and study approved specifically by the city.</td>
<td>Compliant</td>
<td>There is no known subsidence on the property.</td>
</tr>
</tbody>
</table>
4. The proposal should utilize and preserve existing vegetation, landforms, 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.

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 access to open space and other methods of design.

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.

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.

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.

| 4. The proposal should utilize and preserve existing vegetation, landforms, 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. | Compliant | The PUD is appropriate for the context of the existing conditions of the property. The site is relatively flat and is within a developed industrial park and not adjacent to any preservation areas. |
| 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 access to open space and other methods of design. | Compliant | The PUD complies with site planning requirements in the IDDSG, ensuring proper building placement, vistas and access to open space. |
| 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 | The PUD complies with requirements in the IDDSG. |
| 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 | The PUD complies with requirements in the IDDSG, ensuring properly designed landscaping adjacent to public streets. |
| 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 | Compliant | The PUD complies with bicycle and pedestrian requirements in the IDDSG, ensuring adequate pedestrian and bicycle access. |
facilities within the development. Pedestrian links to trail systems of the city shall be provided.

<table>
<thead>
<tr>
<th>9. The project and development should attempt to incorporate features which reduce the demand for water usage.</th>
<th>Compliant</th>
<th>The PUD proposes appropriate use of water. The non-public areas of the lot include native seed mix for the landscape areas.</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
<td>Compliant</td>
<td>The PUD complies with landscape requirements in the IDDSG, providing for shading of parking and pedestrian areas.</td>
</tr>
<tr>
<td>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 landscaping shall be incorporated into entrances to developments.</td>
<td>Compliant</td>
<td>The PUD complies with the requirements of the IDDSG and includes adequate landscaping and buffering from adjacent streets.</td>
</tr>
<tr>
<td>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.</td>
<td>Compliant</td>
<td>The PUD provides unshaded roof structures so that solar energy may be utilized in the future.</td>
</tr>
<tr>
<td>13. The overall PUD shall provide a variety of housing types.</td>
<td>Not applicable</td>
<td>Housing is not proposed.</td>
</tr>
<tr>
<td>14. Neighborhoods within a PUD shall provide a range of housing size.</td>
<td>Not applicable</td>
<td>Housing is not proposed.</td>
</tr>
<tr>
<td>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.</td>
<td>Compliant</td>
<td>The PUD proposes architecture that is compatible in design with the contours of the site, with surrounding designs and neighborhoods.</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 13
SERIES 2019

A RESOLUTION RECOMMENDING APPROVAL OF A REQUEST FOR A FOR A
PLANNED UNIT DEVELOPMENT TO ALLOW CONSTRUCTION OF A 23,000
SQUARE FOOT STRUCTURE AND ASSOCIATED SITE IMPROVEMENTS AND
APPROVAL OF A SPECIAL REVIEW USE TO ALLOW USE GROUP 59: HEALTH
OR ATHLETIC CLUB ON LOT 3, BLOCK 5, COLORADO TECHNOLOGICAL
CENTER FILING 1 AT 1776 BOXELDER STREET

WHEREAS, there has been submitted to the Louisville Planning Commission an
application for a Planned Unit Development to allow construction of a 23,000 square foot
structure and associated site improvements and a Special Review Use to allow Use Group 59:
Health or Athletic Club; and,

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

WHEREAS, the Planning Commission has considered the application at a duly noticed
public hearing on July 11, 2019 and continued to August 8, 2019, where evidence and testimony
were entered into the record, including the findings in the Louisville Planning Commission Staff

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville,
Colorado does hereby recommend approval of a request for a Planned Unit Development to
allow construction of a 23,000 square foot structure and associated site improvements and a
Special Review Use to allow Use Group 59: Health or Athletic Club.

PASSED AND ADOPTED this 8th day of August, 2019.

By: ______________________________
   Steve Brauneis, Chairperson
   Planning Commission

Attest: _____________________________
   Debra Williams, Secretary
   Planning Commission
LAND USE APPLICATION

APPLICANT INFORMATION
Firm: ____________________________
Contact: KYLE, KEVIN & SHARON RHATIGAN
Address: 2629 TOWNSGATE RD #100
WESTLAKE VILLAGE, CA 91361
Mailing Address: 2629 TOWNSGATE RD #100
WESTLAKE VILLAGE, CA 91361
Telephone: 720-625-1598
Fax: ____________________________
Email: LBCVolleyball@gmail.com

OWNER INFORMATION
Firm: ____________________________
Contact: KEVIN & SHARON RHATIGAN
Address: 2629 TOWNSGATE RD #100
WESTLAKE VILLAGE, CA 91361
Mailing Address: 2629 TOWNSGATE RD #100
WESTLAKE VILLAGE, CA 91361
Telephone: 805-443-3427
Fax: 805-446-2119
Email: KR@WESTLAKEMTG.COM

REPRESENTATIVE INFORMATION
Firm: BRS ARCHITECTURE
Contact: FRANK BUONO
Address: 3457 RINGSBY CT, SUITE 200
DENVER, CO 80205
Mailing Address: 3457 RINGSBY CT, SUITE 200
DENVER, CO 80205
Telephone: 303-455-1366
Fax: ____________________________
Email: FRANKBUONO@BRSARCH.COM

PROPERTY INFORMATION
Common Address: 1776 BOXELDER ST
Legal Description: Lot 3 Blk 5 Subdivision COLORADO TECHNOLOGICAL CENTER 1
Area: 77,507 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: A one-story indoor sports facility with a mezzanine. Total gross floor area = 35,492 sf.

Current zoning: __________ Proposed zoning: __________

SIGNATURES & DATE
Applicant: ____________________________
Print: ____________________________
Owner: ____________________________
Print: ____________________________
Representative: ____________________________
Print: ____________________________

CITY STAFF USE ONLY
☐ Fee paid: ____________________________
☐ Check number: ____________________________
☐ Date Received: ____________________________

25
LOT 3, BLOCK 5
COLORADO TECHNOLOGICAL CENTER
PLANNED UNIT DEVELOPMENT AND SPECIAL REVIEW USE
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST
OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

SITE DEVELOPMENT PLAN NOTES:

1. DRAWING SHEET 2 OF 8 DEVELOPMENT DETAILS INCLUDING LANDSCAPE PLANTINGS, SITE ELEVATIONS, AND DEPARTMENTAL APPROVALS.
2. LAYOUT PLANS SHEET 1 OF 8 DEVELOPMENT DETAILS INCLUDING LANDSCAPE PLANTINGS, SITE ELEVATIONS, AND DEPARTMENTAL APPROVALS.
3. LAYOUT PLANS SHEET 2 OF 8 DEVELOPMENT DETAILS INCLUDING LANDSCAPE PLANTINGS, SITE ELEVATIONS, AND DEPARTMENTAL APPROVALS.

ARCHITECTURAL SITE PLAN

RHYTHM VOLLEYBALL
1776 Boxelder Street, Louisville, CO
LOT 3, BLOCK 5
COLORADO TECHNOLOGICAL CENTER
PLANNED UNIT DEVELOPMENT AND SPECIAL REVIEW USE
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST
OF THE 8TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

EXTERIOR ELEVATION NOTES:
1. Materials for exterior items are subject to Contractor's decision.
2. Dimensions and building heights are subject to design and availability.
3. The drawings are for planning purposes only and do not represent final construction.
4. Final construction details and specifications will be provided in the construction documents.

WEST BUILDING ELEVATION - PUD
NORTH BUILDING ELEVATION - PUD
SOUTH BUILDING ELEVATION - PUD
EAST BUILDING ELEVATION - PUD
LOT 3, BLOCK 5
COLORADO TECHNOLOGICAL CENTER
PLANNED UNIT DEVELOPMENT AND SPECIAL REVIEW USE
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 69 WEST
OF THE 6TH P.M., CITY OF LOUISVILLE, COUNTY OF BOULDER, STATE OF COLORADO

GENERAL LIGHTING NOTES

PARKING LOT LIGHT POLE BASE DETAIL

PHOTOMETRIC SITE PLAN

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