

City Council Economic Vitality Committee

Meeting Agenda

Friday, March 10, 2023

City Hall

749 Main Street

1:30 PM

Members of the public are welcome to attend and give comments remotely; however, the in-person meeting may continue even if technology issues prevent remote participation.

- You can call in to [+1 346 248 7799](tel:+13462487799) or [833 548 0282](tel:8335480282) (toll free) Webinar ID [#838 1396 0621](tel:83813960621)
- You can log in via your computer. Please visit the City's website here to link to the meeting: www.louisvilleco.gov/council.

The Board will accommodate public comments during the meeting. Anyone may also email comments to the Board prior to the meeting at ABrown@LouisvilleCO.gov.

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Meeting Minutes: February 17, 2023
5. Public Comments on Items Not on the Agenda
6. Staff Updates
7. Discussion- Gas Station Cap Ordinance
8. Discussion/Direction- Economic Vitality Committee Purpose Statement
9. Recent Articles
10. Discussion Items for Next Meeting

Persons planning to attend the meeting who need sign language interpretation, translation services, assisted listening systems, Braille, taped material, or special transportation, should contact the City Clerk's Office at 303.335-4536 or MeredythM@LouisvilleCO.gov. A forty-eight-hour notice is requested.

Si requiere una copia en español de esta publicación o necesita un intérprete durante la reunión, por favor llame a la Ciudad al 303.335.4536 o 303.335.4574.

City of Louisville

City Council 749 Main Street Louisville CO 80027
303.335.4536 (phone) www.LouisvilleCO.gov

11. Adjourn

City Council
Economic Vitality Committee
Meeting Minutes
Friday, February 17, 2023
Regular Meeting

1. **Call to Order:** Chair Leh called the meeting to order at 1:31 PM.
2. **Roll Call:** The following members of the City Council were present: Chair Leh, Councilmember Fahey, and Councilmember Most. Also present were Economic Vitality Specialist Austin Brown, Community Development Director Rob Zuccaro, Sustainability Coordinator Kayla Betzold, and City Manager Jeff Durbin. Six members of the public were present.
3. **Approval of Agenda:** Councilmember Fahey made a motion to approve the agenda as presented. The motion was seconded by Chair Leh. Motion passed.
4. **Approval of Meeting Minutes:** Councilmember Fahey made a motion to approve the meeting minutes of January 27, 2023. The motion was seconded by Chair Leh. Motion passed.
5. **Public Comments on Items Not on the Agenda:** None.
6. **Discussion/Direction- Economic Vitality Committee Purpose Statement:** City Manager Jeff Durbin introduced the discussion. Specialist Brown summarized the January 27 planning session and presented the EVC with two proposed draft statements. These statements are included as *Attachment #1*.

Chair Leh asked whether the EVC had a preference for the paragraph structure or the bulleted structure. Councilmember Fahey responded that she preferred the paragraph, while Councilmember Most indicated that she did not have a strong preference.

Public Comment from Mark Oberholzer: Mr. Oberholzer commented that he preferred the bulleted structure.

Chair Leh responded that he appreciates both structures but is more concerned with the content of the statement. He then asked for feedback on the content of the first proposed statement.

Councilmember Most commented that she preferred the first sentence from the existing statement but that she likes the rest of the first proposed statement. She elaborated that the existing first sentence better represents the function of the committee.

Councilmember Fahey agreed that the existing first statement could still work and recommended adding the supporting statements from either of the two proposed statements to the existing first statement.

Chair Leh responded that while portions of the existing statement could work, he feels that the statement is somewhat self-centered and omits a portion of the business community. Chair Leh suggested an alternative statement that he felt better represents the relationship between the EVC and the entire business community.

Councilmember Most replied that she would like to include the “thriving business climate” language because it speaks to the entire community. Chair Leh agreed that the purpose statement should be inclusive rather than exclusive.

Director Zuccaro noted that the Economic Prosperity program goal has already been defined and includes “thriving business climate”, this purpose statement should be specific to the Committee’s role. City Manager Durbin added that the purpose of Economic Vitality may not necessarily be the same as the purpose of the EVC.

Chair Leh offered a few revisions to the proposed statements and asked for feedback. City Manager Durbin stated that “advocating for business concerns” may be in conflict with other Council priorities. He also wondered whether switching “Advocates for” and “Facilitates” in statement #2 may capture some of the EVC’s suggested changes.

Public Comment from Mike Kranzdorf: Mr. Kranzdorf wondered whether changing “Supports” to “Advises” in draft statement #2 may be more effective. The Committee generally agreed with this change.

Public Comment from Sherry Sommer: Ms. Sommer agreed that “thriving business climate” is an important inclusion.

City Manager Jeff Durbin recommended that this item return to the EVC for future discussion. Chair Leh agreed but noted that he hoped to have more discussion during today’s meeting. Councilmember Most asked if there were any important items missing from the draft statements.

Chair Leh responded that he believes there are several items missing and specifically noted “results-oriented”. Councilmember Most wondered whether

“Advocates” should be changed to “Promotes” in statement #2. City Manager Jeff Durbin suggested that “results-oriented” could be added to the third bullet of statement #2.

Chair Leh wondered whether “investment” should be added to the statement. Director Zuccaro asked what “investment” means in this sense, and suggested that everything in the Work Plan should be reflected by the Purpose Statement. Councilmember Fahey commented that the purpose statement should be the “why” while the work plan should be the “how”. Chair Leh summarized that, based on feedback, the first part of the existing purpose statement should be combined with the bullets from statement #2.

Public comment from Tamar Krantz: Ms. Krantz suggested adding equity and sustainability to the purpose statement.

Public comment from Sherry Sommer: Ms. Sommer agreed that “investment” on its own might be too broad, but hoped that the overall community investment could be reflected in the purpose statement.

Chair Leh asked for staff to add both equity and environmental sustainability to the purpose statement for review at next month’s meeting. He reiterated the importance of agreeing on the purpose statement, and that a well thought-out purpose statement will help guide the work plan discussion.

General revisions to the draft statements are captured in Attachment #2.

7. **Discussion/Direction- Economic Vitality Committee Work Plan:** Chair Leh requested that Agenda Item #8 be moved up in the interest of time. The EVC Work Plan will return to the EVC for discussion at a future meeting.
8. **Discussion- Bag Tax Funded Waste Reduction Programs Proposal:** Sustainability Coordinator Kayla Betzold gave a presentation on the five proposed waste reduction programs that will be funded by bag tax revenue. City Manager Jeff Durbin concluded the presentation with a budget update and request for a new Sustainability staff position.

Councilmember Fahey thanked Kayla for her presentation and noted that restaurants have been struggling to find a POS system that correctly adds the bag tax without additional taxes. She wondered whether the costs of switching POS systems could be covered under this proposal. Staff confirmed that Program #5 could cover this cost. She also stressed the importance of communicating these options to the business community and confirmed that she is in support of adding a new Sustainability staff person.

Councilmember Most agreed that she supports the budget update and increased staffing request.

Chair Leh commented that he is also in support of the proposal and appreciated the various programs offered to different types of businesses. He asked for clarification on the Boulder County Climate Tax. Coordinator Betzold responded that this tax amount could go up or down and that the final amount allocated back to Louisville in future years is not known until Fall. The City can apply for this funding to be used for a new position for four years beginning in 2024.

Public Comment from Mark Cathcart: Mr. Cathcart asked whether the City expects an end to the use of disposable bags in Louisville. Coordinator Betzold responded that while plastics bags will be banned by the state starting in 2024, paper bags will likely still be used and therefore taxed.

Mr. Cathcart also noted that restaurants can produce quite a bit of waste that is not recyclable and that reusable containers would need to be delivered and/or picked up by delivery vehicles that are likely gas-powered.

Councilmember Fahey asked whether multi-family units would be able to take advantage of these programs to provide recycling for residents. City Manager Durbin and Coordinator Betzold responded that a future phase 2 could potentially be expanded to include residential services, and that this component will be included in discussion with Council.

Public Comment from Eric Lund: Mr. Lund shared his excitement for the program and noted that he thinks it will be very helpful for the business community.

Public Comment from Mike Kranzdorf: Mr. Kranzdorf noted that businesses who have been recycling for a number of years would not receive any sort of financial incentive for doing so. He also commented that both property owners and commercial tenants would need to work together to begin participating in the commercial recycling program. He wondered whether the property owner would be the one reimbursed in this scenario. Coordinator Betzold confirmed that Boulder County would directly reimburse the hauler. Mr. Kranzdorf closed his comments by stating that he would be interested in this program benefitting residents as well.

Chair Leh asked for confirmation that Ridwell does recycle the items that they pick up. Coordinator Betzold confirmed that there is documentation showing that Ridwell recycles its items and that she would include additional information in the report to Council.

Coordinator Betzold summarized previous feedback from the Louisville Sustainability Advisory Board, noting that they had requested an analysis on the impact and effectiveness of the program. This analysis could be used to make recommendations to the plan for 2024.

Public Comment from Tamar Krantz: Ms. Krantz wondered if promote fallacy that everything that is purchased can be recycled. She also asked whether Program #2 had been discussed with EcoCycle and Recycle Colorado. She wondered if promoting Ridwell could unintentionally impact EcoCycle by sending recyclable items to two different locations. Ms. Krantz closed her comments by asking whether someone from City Council would be able to represent Louisville at the state level to advocate for the upcoming bill that would designate state funding to research composting.

9. **Staff Updates:** Specialist Brown announced that the City completed the first round of interviews for the open Economic Vitality Manager position. Specialist Brown asked for preliminary feedback on the Business Forum, which is tentatively scheduled for April. Coordinator Betzold noted that there is a Green Business Breakfast scheduled for April 18.

Specialist Brown also shared that the second reading of the Ordinance Amendment to extend the Business Assistance Program is scheduled for the February 21 City Council meeting. Specialist Brown added that Barbie Iglesias was appointed as the new Louisville Revitalization Commissioner. Specialist Brown closed his comments with property updates on 655 E South Boulder Road and 833 Main Street, which were both recently listed for sale.

Specialist Brown closed his updates by presenting the City Council Advanced Agenda for review.

10. **Recent Articles:** No comments.

11. **Next Meeting:** The next regular meeting will be March 17, 2023 @ 1:30 PM. Specialist Brown confirmed that the meeting will include the Business Assistance Program, the Business Forum, the EVC Purpose Statement and the EVC Work Plan.

Public Comment from Mike Kranzdorf: Mr. Kranzdorf asked whether the City planned to do any additional public outreach regarding the Gas Station Ordinance that is scheduled to be heard by City Council.

Chair Leh asked for confirmation of the dates and noted that he will raise this question during Council

12. **Adjourn:** The meeting adjourned at 3:26 PM.

Existing: *The Louisville Economic Vitality Committee (EVC) provides leadership, policy recommendations, and support for the City's programs to promote a thriving business climate that provides job opportunities, facilitates investment, and produces reliable revenue to support City services.*

Themes from Jan Meeting:

Advocate for local business
Collaboration
Communication
Community
Council support
Entrepreneurship
Expansion
Innovation
Non-political forum
Opportunity
Recruitment
Results-oriented
Retention
Revenue generation
Workforce

Draft Purpose Statement #1

The Louisville EVC advocates for the local business community and provides a forum for communication between the business community and City Council. The EVC promotes results-oriented collaboration and communication; encourages participation and innovation through thoughtful discussion; and provides opportunities for business retention, expansion, attraction, entrepreneurship, workforce development, and revenue generation that all contribute to a thriving business climate.

Draft Purpose Statement #2:

The Louisville EVC:

- *Advocates for open communication and collaboration with the local business community;*
- *Supports City Council by providing feedback on issues affecting new and existing businesses of all sizes; and*
- *Facilitates the retention and expansion of existing businesses, attraction of new businesses, opportunities for innovation, and revenue generation that all help to maintain a thriving business climate.*

The Louisville Economic Vitality Committee (EVC):

- Provides leadership, policy recommendations, and support for the City's programs
- Facilitates open and results oriented communication and collaboration with the local business community;
- Advises City Council by providing feedback on issues affecting new and existing businesses of all sizes; and
- Advocates for/Promotes the retention and expansion of existing businesses, attraction of new businesses, opportunities for innovation, and revenue generation that all help to maintain a thriving business climate.

Existing: *The Louisville Economic Vitality Committee (EVC) provides leadership, policy recommendations, and support for the City's programs to promote a thriving business climate that provides job opportunities, facilitates investment, and produces reliable revenue to support City services.*

Themes from Jan Meeting:

Advocate for local business

Collaboration

Communication

Community

Council support

Entrepreneurship

Expansion

Innovation

Non-political forum

Opportunity

Recruitment

Results-oriented

Retention

Revenue generation

Workforce

Equity

Environmental Sustainability

Draft Purpose Statement #1

The Louisville EVC advocates for the local business community and provides a forum for communication between the business community and City Council. The EVC promotes results-oriented collaboration and communication; encourages (and facilitates) participation and innovation through thoughtful discussion; and provides opportunities for business retention, expansion, attraction, entrepreneurship, workforce development, and revenue generation that all contribute to a thriving business climate.

Draft Purpose Statement #2:

The Louisville EVC:

- ~~Advocates for~~Facilitates open and results oriented communication and collaboration with the local business community;
- ~~Supports~~Advises City Council by providing feedback on issues affecting new and existing businesses of all sizes; and
- ~~Facilitates~~Advocates for/Promotes the retention and expansion of existing businesses, attraction of new businesses, opportunities for innovation, and revenue generation that all help to maintain a thriving business climate.

SUBJECT: STAFF UPDATES

DATE: MARCH 10, 2023

PRESENTED BY: AUSTIN BROWN, ECONOMIC VITALITY SPECIALIST

SUMMARY:

In the following, staff provides updates on recent activity related to core economic vitality functions.

Staffing Update

The City of Louisville held a “Meet and Greet” with the two finalist for the vacant Economic Vitality Manager position on March 1. The evening included a brief introduction from the two finalists and then approximately 45 minutes of networking. Light snacks and beverages were served. About fifteen members of the business community attended the event and provided feedback on the two candidates.

Business Forum

The spring 2023 Business Forum is anticipated for April 2023. Staff is in the early stages of planning this event for late April. The City’s Events staff will once again help facilitate the event. As of the writing of this memo, staff is planning a breakfast event with a local economist as the featured speaker. The availability of the speaker may dictate the date and location of the event.

Business Openings & Closings

The Empire Lounge (816 Main Street) closed for good on Sunday February 26. The Empire had been operating as a restaurant in downtown Louisville for the past 15 years. The owner has indicated that the 5,000 square foot building is available for lease or possibly purchase.

Gastronauts (1150 Pine Street) permanently closed in February. Gastronauts had been serving food within Gravity Brewing for seven years. Gravity Brewing remains open for business and is searching for a new tenant to take over the Gastronauts kitchen.

RECOMMENDATION:

No action required; for information only.

ATTACHMENTS:

None.

SUBJECT: DISCUSSION - ORDINANCE 1851, SERIES 2023 – AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE CAPPING THE MAXIMUM NUMBER OF GASOLINE AND AUTOMOBILE SERVICE STATIONS

DATE: MARCH 10, 2023

PRESENTED BY: ROB ZUCCARO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUMMARY:

Proposed Ordinance 1851, Series 2023 (see Attachment No. 1) would create the following limitations and requirements for new and existing gasoline and automobile service stations:

- Limit the number of existing or approved gasoline and automobile service stations to six (current number of existing and approved stations), with an exception to allow an increase to a limit of seven stations if the seventh station is part of a new, large single-user retail center.
- Require 1,000-foot spacing of new gasoline and automobile service stations from existing stations, with an exception if the new station is part of a new, large single-user retail center.
- Automatically expire Planned Unit Developments (PUD) and Special Review Use (SRU) approvals for gasoline and automobile service stations that do not pull building permits within three years following approval.
- Automatically expire any PUD and SRU approval of an existing gasoline or automobile service station that discontinues use for one year.
- Require installation of electric vehicle (EV) fast charging stations for any expanded, modified or new gasoline or automobile service station equaling 20% of the number of gasoline pumps at the stations, with no fewer than two such charging stations.

As part of passage of first reading of the ordinance on February 21, 2023, City Council requested that the Economic Vitality Committee review the proposal prior to second reading and the public hearing for consideration of the ordinance, scheduled for the March 21, 2023 Council meeting.

BACKGROUND:

On November 1, 2022, the City Council adopted Ordinance 1843, Series 2022 as an emergency ordinance, setting a moratorium on the submittal of land use applications for new gasoline or automobile service stations (see Attachment No. 2). City Council initiated the moratorium following the submittal of a citizen-initiated petition that would ban new gasoline and automobile service stations in all zone districts and not allow building permits for new facilities within 2.5 miles of any existing facility (see Attachment No. 3). The moratorium is in effect until September 30, 2023. The City Clerk approved

the form of the petition on October 24, 2022 and the moratorium expiration date of September 30, 2023 was set to provide time to allow the petitioners to gather signatures and an election to take place if the petitioners obtain adequate signatures. The City Council has since added to their 2023 work plan consideration of a city-initiated ordinance regulating new gasoline and automobile service stations. While the petitioners could continue with their initiative, a City-adopted ordinance could address many of the petitioners concerns.

The Louisville Municipal Code uses both “Gasoline Service Stations” and “Automobile Service Stations” as terms to denote businesses that sell gasoline and motor fuels.

Sec. 17.08.200 - Gasoline service station means a building or premises on or in which the principal use is the retail sale of gasoline, oil or other fuel for motor vehicles; and which may include, as an incidental use only, facilities used for the polishing, greasing, washing or otherwise cleaning or light servicing of motor vehicles; but may not include liquefied-petroleum-gas-distribution facilities, facilities for major repairs of motor vehicles, or rental operations.

Sec. 17.72.130 - An automobile service station shall be a retail place of business engaged in the sale of motor fuels and in supplying goods and services generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorists' needs. Major automotive repairs, painting, body and fender work are prohibited.

The Municipal Code limits “Gasoline Service Stations” to certain commercially and industrially zoned districts (B-O, C-N, C-C, C-B, and I districts) and only allows facilities in those districts through Special Review Use approval. The Planned Community Zone District (PCZD) lists “Automobile Service Stations” as permitted uses in areas designated as Commercial and Office unless restricted through a General Development Plan. Facilities located in the PCZD district are subject to specific development and performance standards outlined in [LMC Sec. 17.12.130](#). “Automobile Service Stations” are distinct from automobile repair and service businesses that do not sell motor fuels (e.g. general auto repair, oil change services, and tire sales and repair).

Currently, there are five gasoline and automobile service stations operating within the city and one that recently received approval at 525 S. McCaslin Boulevard. The ordinance will allow construction and operation of the new station on McCaslin Boulevard, provided they apply for their building permit prior to expiration of the Planned Unit Development (PUD).

ANALYSIS:

Banning or limiting new gasoline service stations is a growing trend for local municipalities due to health and environmental concerns with the continued use of gasoline powered vehicles and equipment. Early adopters of bans include Petaluma, Santa Rosa, and Sonoma County in California. Last year, the City of Broomfield passed an ordinance banning new gasoline stations within 1,000 feet of an existing gasoline station. Gasoline station bans may also be seen as promoting the use of Electric Vehicles (EVs), thus, reducing vehicle emissions and encouraging low-carbon and cleaner energy options for transportation. In 2019, the City of Louisville established the following clean energy and carbon emission reduction goals (City Council Resolution No. 25, Series 2019):

1. Meet all of Louisville's municipal electric needs with 100% carbon -free sources by 2025.
2. Reduce core municipal Green House Gas (GHG) emissions annually below the 2016 baseline through 2025.
3. Generate 75% of Louisville' s residential and commercial/industrial electric needs from carbon-free sources by 2030.
4. Reduce core community GHG emissions annually below the 2016 baseline through 2030.

The proposal for a cap but not a full ban on new gasoline and automobile service stations is in recognition that there will continue to be some demand for gasoline and automobile service stations as more EVs enter the market and gasoline vehicles are transitioned out of the market over time. The ordinance also includes an exception for a new large single-use retailer that may require a new gasoline or automobile service station as part of their business model for a new development. This exception would allow flexibility in recognition of a potentially valuable economic development opportunity for the City.

PUBLIC COMMENT:

Public comments are included as Attachment No. 4.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission reviewed the original proposal on February 9, 2023 and recommends approval of the ordinance with conditions, which have been included in attached proposed ordinance. The staff memo for second reading will include the Commission resolution, meeting minutes and video link to the hearing.

ATTACHMENTS:

1. Proposed Ordinance No. 1851, Series 2023
2. Ordinance No. 1843, Series 2022
3. Gas Station Initiative Petition
4. Public Comments

**ORDINANCE NO. XXXX
SERIES 2023**

**AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE
CAPPING THE MAXIMUM NUMBER OF GASOLINE AND AUTOMOBILE SERVICE
STATIONS LOCATED WITHIN THE CITY OF LOUISVILLE**

WHEREAS, the City of Louisville is committed to protecting the health, safety, and welfare of its citizens, and safeguarding the environment and wildlife resources; and

WHEREAS, the City Council believes it has not only the authority but the responsibility to plan for and regulate the use of land within the City in order to best protect and promote the health, safety, and welfare of present and future inhabitants and residents of the City, and to guide future growth, development, and distribution of land uses within the City; and

WHEREAS, the City regulates the use of land by those ordinances codified in Title 17 of the Louisville Municipal Code; and

WHEREAS, on November 1, 2022, the City Council approved Emergency Ordinance 1843, Series 2022 providing for a temporary moratorium on the submission, acceptance, processing, or approval of any land use application, or issuance of any special use permit, related to the use of property within the City as a gasoline service station or an automobile service stations; and

WHEREAS, as of October 1, 2022, the Colorado Energy Office reports there are 66,599 electric vehicles (EVs) registered in Colorado, 11.71 per 1,000 people, and 9,198 EVs in Boulder County, 27.1 EV's per 1,000 people; and

WHEREAS, according to the Colorado Energy Office, EV ownership is currently increasing both statewide and in Boulder County, and in the past six months 8.62% of new vehicle registrations in Boulder County were for EVs; and

WHEREAS, the City Council recognizes this trend in EV sales will likely impact the continued viability of gasoline service stations within the City, and thus impact the appropriate mix of land uses within the City; and

WHEREAS, the City Council finds and determines it is of critical importance to the City and its residents that the City Council examine the important policy considerations presented by gasoline service stations and automobile service stations in the overall mix of land uses within the City, and that any decisions made be applied to applications that may be filed in the future to develop or construct gasoline service stations or automobile service stations; and

WHEREAS, the City of Louisville remains committed to its adopted goals to reduce energy consumption, increase clean energy sources, and support the transition to a low-carbon

community as outlined in the Sustainability Action Plan and Resolution 25, Series 2019, “A Resolution Setting Clean Energy and Carbon Reduction Goals”.

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

Section 1. Louisville Municipal Code Chapter 17.16 – General Regulations is hereby amended with the addition of a new Section 17.16.340 to read as follows:

Section 17.16.340. – Limitation on New Gasoline and Automobile Service Stations

- A. The number of gasoline or automobile service stations within the city shall be limited to six (6). Such limitation shall include the combined number of existing gasoline and automobile service stations and those not constructed but approved through a planned unit development land use application that has not expired pursuant to Subsections B or C. This limitation may be increased up to seven (7) gasoline and automobile service stations if approved through a new land use application for a single-user retail center of eighty thousand (80,000) or more square feet that includes a gasoline or automobile service station as an accessory part of the retail center on the same or adjoining parcel.
- B. An approved planned unit development, and when applicable, an approved special review use, for a gasoline or automobile service station shall expire and become void if a building permit is not issued within thirty six (36) months after city council approval of the plan.
- C. If an existing gasoline or service station is discontinued from use for a period of twelve (12) months then further use of the property as a gasoline or automobile service station shall require authorization through a planned unit development, and when applicable, a special review use approval, meeting current city standards for such use.
- D. If at the time of a land use application for a gasoline service station there are fewer than six (6) gasoline service stations operating or approved in the city, the city shall review new applications in the order in which complete land use applications are received.
- E. Any new gasoline or automobile service station shall be spaced from any existing or approved gasoline or automobile service station by a minimum of one thousand (1,000) ft. as measured from the nearest point of each property boundary. This requirement may be waived if the proposed gasoline or automobile service station is approved through a new land use application for a single-use retail center of eighty thousand (80,000) or more square feet that includes a gasoline or automobile service station as an integral part of the retail center on the same or adjoining parcel.
- F. Any new gasoline or automobile service station, or an expansion or modification to a gasoline or automobile station, shall require the installation of level three direct current (DC) or better electric vehicle charging stations. The minimum number of level three DC

charging stations shall be equal to 20% of the number of gasoline pumps installed rounded to the nearest whole number, and no fewer than two charging stations. These charging stations may be credited against, but not fully replace, the minimum total number of EV Installed, Ready, and Capable stations required under Section 17.20.170 of this code.

- G. The City of Louisville Planning Division (Planning) shall maintain the list of operating or approved gasoline or automobile service stations and their locations within the city.

Section 2. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 3. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this __ day of _____, 2023.

Dennis Maloney, Mayor

ATTEST:

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

Kelly PC, City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this __ day of _____, 2023.

Dennis Maloney, Mayor

ATTEST:

Meredyth Muth, City Clerk

**ORDINANCE NO. 1843
SERIES 2022**

**AN EMERGENCY ORDINANCE PROVIDING FOR A TEMPORARY MORATORIUM
ON THE SUBMISSION, ACCEPTANCE, PROCESSING, OR APPROVAL OF ANY
LAND USE APPLICATION, OR ISSUANCE OF ANY SPECIAL USE PERMIT,
RELATED TO THE USE OF PROPERTY WITHIN THE CITY AS A GASOLINE
SERVICE STATION OR AN AUTOMOBILE SERVICE STATION**

WHEREAS, the City of Louisville is committed to protecting the health, safety, and welfare of its citizens, and safeguarding the environment and wildlife resources; and

WHEREAS, the City Council believes it has not only the authority but the responsibility to plan for and regulate the use of land within the City in order to best protect and promote the health, safety, and welfare of present and future inhabitants and residents of the City, and to guide future growth, development, and distribution of land uses within the City; and

WHEREAS, the City regulates the use of land by those ordinances codified in Title 17 of the Louisville Municipal Code; and

WHEREAS, the City regulates the construction of buildings and other structures within the City by those codes adopted in Title 15 of the Louisville Municipal Code; and

WHEREAS, on October 24, 2022, the City Clerk approved the form of an initiative petition for an Initiative Ordinance that, if approved by the City Council or the City's electors, would prohibit gasoline service stations and automobile service stations in all zone districts within the City and prohibit issuance of a building permit for construction of a gasoline service station within 2.5 miles of an existing gasoline service station; and

WHEREAS, as of October 1, 2022, the Colorado Energy Office reports there are 66,599 electric vehicles (EVs) registered in Colorado, 11.71 per 1,000 people, and 9,198 EVs in Boulder County, 27.1 EV's per 1,000 people; and

WHEREAS, according to the Colorado Energy Office, EV ownership is currently increasing both statewide and in Boulder County, and in the past six months 8.62% of new vehicle registrations in Boulder County were for EVs; and

WHEREAS, the City Council recognizes this trend in EV sales will likely impact the continued viability of gasoline service stations within the City, and thus impact the appropriate mix of land uses within the City; and

WHEREAS, the City Council finds and determines it is of critical importance to the City and its residents that the City Council examine the important policy considerations presented by gasoline service stations and automobile service stations in the overall mix of land uses within the

City, and that any decisions made be applied to applications that may be filed in the future to develop or construct gasoline service stations or automobile service stations; and

WHEREAS, the City of Louisville remains committed to its adopted goals to reduce energy consumption, increase clean energy sources, and support the transition to a low-carbon community as outlined in the Sustainability Action Plan and Resolution 25, Series 2019, “A Resolution Setting Clean Energy and Carbon Reduction Goals”; and

WHEREAS, the City Council further finds and determines it is equally important for the Initiative Ordinance, should the petition be signed by the required number of registered electors and ultimately approved by the City Council or the City’s voters, to be applied to applications that may be filed in the future to develop or construct gasoline service stations or automobile service stations; and

WHEREAS, the City Clerk has estimated that, should the petition proposing the Initiative Ordinance be signed by the required number of registered electors and the same is submitted to the City’s registered electors at a special election, such process could take until the end of September of 2023; and

WHEREAS, the imposition of a temporary moratorium as set forth herein is reasonable, necessary, and no longer in duration than is needed to allow the City Council and staff to investigate whether new regulations concerning gasoline service stations or automobile service stations should be enacted to protect and preserve the public health, safety, and welfare, or in the alternative, for the City’s registered electors to have the opportunity to vote on the Initiated Ordinance contained in the initiative petition; and

WHEREAS, property owners within the City will not be unfairly prejudiced by the imposition of the temporary moratorium imposed by this ordinance, as gasoline service stations and automobile service stations are not uses by right within any zone district within the City; and

WHEREAS, the U.S. Supreme Court and the Colorado Supreme Court recognize that, in the field of land use regulation, temporary moratoria of reasonable duration are often employed to preserve the status quo in a particular area while developing a long-term plan for development and while evaluating the sufficiency of current regulations; indeed, in countering the incentive of property owners to develop their property quickly to avoid the consequences of an impending land use plan for the jurisdiction, moratoria are a crucial tool for local governments and, therefore, pursuant to express and implied authority granted by the Colorado Revised Statutes and multiple Colorado and federal appellate decisions upholding temporary moratoria on land use applications while amendments are considered, the City Council has the legal authority to adopt the temporary moratorium set forth herein; and

WHEREAS, the City Council finds and declares it has the power and authority to adopt this ordinance pursuant to Amendment 64, C.R.S. § 29-20-101, *et seq.* (the Local Government Land Use Control Enabling Act), C.R.S. § 31-23-301, *et seq.* (concerning municipal zoning

powers), C.R.S. § 31-15-103 (concerning municipal police powers), C.R.S. § 31-15-401 (concerning municipal police powers), C.R.S. § 31-15-501 (concerning municipal authority to regulate businesses), Article XX of the Colorado Constitution (concerning municipal home rule), and the City of Louisville Home Rule Charter; and

WHEREAS, an emergency exists because the City Council finds and determines that, in light of the foregoing recitals and findings, circumstances warrant the immediate enactment of this ordinance and imposition of the moratorium set forth herein to protect the public health, safety, and welfare, and to avoid development that may contravene the City's efforts to protect the health, safety, and welfare or the registered electors' efforts to utilize the initiative process to enact legislation, and it is of critical importance to the City and its residents that any regulations adopted by the City Council or approved by the City's registered electors concerning gasoline service stations or automobile service stations be applied to all future applications for such uses within the City.

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

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Upon the effective date of this ordinance, and until **September 30, 2023**, no application for land use approval, including but not limited to any zoning, subdivision, or site plan application, filed by or on behalf of any landowner the purpose of which includes development, construction, expansion, reconstruction, or relocation of a gasoline service station or automobile service station shall be received, reviewed, approved or otherwise acted upon, unless otherwise provided in this ordinance. For purposes of this moratorium, an automobile service station shall be considered synonymous with gasoline service station as defined in Section 17.08.200 of the Louisville Municipal Code.

Section 3. The restrictions contained in this ordinance shall not be construed to affect any applications for a use by special review, or other land use approval for a gasoline service station or automobile service station for which complete applications were filed prior to the effective date of this ordinance.

Section 4. Any person who submitted a complete application for a use by special review, or other land use approval for a gasoline service station or automobile service station prior to the effective date of this ordinance, and who believes that application of the temporary moratorium to such application would be legally invalid, may file with the City Council a request for an exemption from the moratorium. The request shall be in writing and fully set forth the reasons why the exemption should be granted. The City Council may grant the exemption if it finds that application of the moratorium would be legally invalid under the facts presented.

Section 5. The temporary moratorium imposed upon receipt of applications as set forth in this ordinance is temporary in nature and may be repealed by subsequent legislative enactment. The temporary moratorium established by this ordinance shall terminate on **September 30, 2023**, unless sooner repealed.

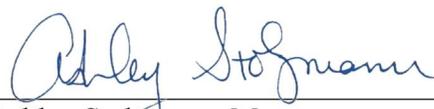
Section 6. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 7. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 8. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 9. The City Council herewith finds, determines and declares that this ordinance is genuinely and urgently necessary for the immediate preservation of the public health, safety and welfare in order to avoid development that may contravene the City's efforts to protect the health, safety, and welfare or the registered electors' efforts to utilize the initiative process to enact legislation, and it is thus of critical importance to the City and its residents that any regulations adopted by the City Council or approved by the City's registered electors concerning gasoline service stations or automobile service stations be applied to all future applications for such uses within the City. Therefore, City Council herewith further finds, determines and declares that it is necessary for this ordinance to take effect immediately upon adoption, provided the same has been adopted and signed by the Mayor and approved by two-thirds of the entire City Council.

INTRODUCED, READ, PASSED AND ADOPTED AS AN EMERGENCY ORDINANCE BY TWO-THIRDS OF THE ENTIRE CITY COUNCIL, AND ORDERED PUBLISHED this 1st day of November, 2022.



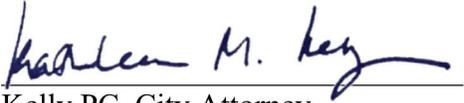
Ashley Stolzmann, Mayor

ATTEST:



Meredyth Muth, City Clerk

APPROVED AS TO FORM:



Kelly PC, City Attorney

**WARNING:
IT IS AGAINST THE LAW:**

For anyone to sign any initiative petition with any name other than his or her own or to knowingly sign his or her name more than once for the same measure or to knowingly sign a petition when not a registered elector who is eligible to vote on the measure.

DO NOT SIGN THIS PETITION UNLESS YOU ARE A REGISTERED ELECTOR AND ELIGIBLE TO VOTE ON THIS MEASURE. TO BE A REGISTERED ELECTOR, YOU MUST BE A CITIZEN OF COLORADO AND A RESIDENT OF LOUISVILLE AND REGISTERED TO VOTE.

Do not sign this petition unless you have read or have had read to you the proposed initiative measure or the summary in its entirety and understand its meaning.

INITIATIVE PETITION REPRESENTATIVES	
Tiffany Boyd 550 Grant Avenue Louisville, Colorado 80027	Joshua Cooperman 216 Griffith Street Louisville, Colorado 80027

INITIATIVE SUMMARY

Summary of Ordinance No. XXX, Series 202X, which is the subject of this initiative petition:

This proposed citizen initiated ordinance amends Title 17 of the Louisville Municipal Code to make gasoline service stations and automobile service stations a prohibited use in all zone districts in the City. It also amends Title 15 of the Louisville Municipal Code to prohibit the construction of a new gasoline station or the expansion, reconstruction, or relocation of an existing gasoline service station within 2½ miles of an existing gasoline service station.

INITIATIVE ORDINANCE

This petition requests that the ordinance presented be submitted to a vote of the people if not passed by the City Council (City Charter Article 7). The ordinance reads as follows.

Ordinance No. XXX, Series 202X

ORDINANCE PROHIBITING NEW GASOLINE SERVICE STATIONS IN THE CITY OF LOUISVILLE

WHEREAS, the combustion of fossil fuels such as gasoline is the primary driver of anthropogenic climate change; and

WHEREAS, approximately one fifth of Louisville’s greenhouse gas emissions stem from the combustion of fossil fuels for transportation; and

WHEREAS, according to the scientific consensus on climate change, a rapid reduction in greenhouse gas emissions is necessary to mitigate the effects of climate change; and

WHEREAS, the effects of climate change are already severely impacting communities worldwide, including Louisville; and

WHEREAS, the City’s Resolution Number 25 Series 2019 and the City’s Sustainability Action Plan call for “reduc[ing] core community greenhouse gas emissions annually below the 2016 baseline through 2030”; and

WHEREAS, the City’s Sustainability Action Plan sets the goal of “increas[ing] the use of carbon-free energy and transition[ing] away from fossil fuels”; and

WHEREAS, the federal government, the Colorado state government, and the City of Louisville have made commitments to support and set goals to achieve a rapid transition from fossil fuel vehicles to electric vehicles; and

WHEREAS, the City’s Sustainability Action Plan sets the goals of “provid[ing] and maintain[ing] sustainable and safe transportation choices for all Louisville residents to enhance community connectivity while reducing environmental impact”; and

WHEREAS, the City’s Sustainability Action Plan sets the external objective of “support[ing] the public adoption of electric vehicles”; and

WHEREAS, the transition from fossil fuel vehicles to electric vehicles will result in the vast majority of gasoline service stations becoming obsolete in the near future; and

WHEREAS, remediating obsolete gasoline service stations presents a significant cost to local governments and communities; and

WHEREAS, Louisville’s Comprehensive Plan lists as a core community value “A Healthy, Vibrant, and Sustainable Economy” in which “the City is committed to a strong and supportive business climate which fosters a healthy and vibrant local and regional economy for today and for the future”; and

WHEREAS, Louisville’s Comprehensive Plan lists as a core community value “Sustainable Practices for the Economy, Community, and the Environment” in which the community “challenges [its] government, residents, property owners, and [its] business owners to be innovative with sustainable practices so the needs of today are met without compromising the needs of future generations”; and

WHEREAS, the combustion products of gasoline and the fugitive emissions from gasoline service stations contribute significantly to the formation of ground-level ozone air pollution; and

WHEREAS, ground-level ozone air pollution poses significant respiratory health risks especially for children and the elderly; and

WHEREAS, much of Colorado’s Front Range, from Fort Collins to Castle Rock including Louisville, is a federally designated region of severe nonattainment for ground-level ozone air pollution; and

WHEREAS, climate change and air pollution from the combustion products of gasoline are significant drivers of the current unprecedented loss of biodiversity; and

WHEREAS, Louisville’s Comprehensive Plan lists as a core community value “Ecological Diversity” promoted “through . . . [the City’s] development . . . regulations”; and

WHEREAS, the City’s Sustainability Action Plan sets the goals of “mitigat[ing] the impact of the built environment and human behavior on our natural systems and improv[ing] the health and resiliency of Louisville’s ecosystems”; and

WHEREAS, the City’s Sustainability Action Plan sets the internal objective of “identify[ing] opportunities to enhance policies related to ecological health” by “further integrat[ing] ecosystem health and biodiversity factors in City plans and policies”; and

WHEREAS, the City’s Sustainability Action Plan sets the external objective of “minimiz[ing] the volume of pollutants entering Louisville’s terrestrial and aquatic ecosystems”; and

WHEREAS, the City of Louisville’s stated mission is “to protect, preserve, and enhance the quality of life in our community”.

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

Section 1. Section 15.04.200 of the Louisville Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 15.04.200 Gasoline Service Stations

Construction of a new gasoline service station will not be permitted within 2½ miles of an existing gasoline service station. Expansion, reconstruction, or relocation of an existing gasoline service station will not be permitted within 2½ miles of an existing gasoline service station.

Section 2. Section 17.12.030 of the Louisville Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 17.12.030. - Use groups

In each zoning district, any use group category not expressly permitted shall be deemed excluded. If there is a question pertaining to interpretation of any specific use as to whether it does or does not come within the following express use groups, any applicant may apply to the board of zoning adjustment for the determination of whether a specific use is expressly permitted. In the following table, uses expressly permitted are designated “yes,” uses prohibited are designated “no,” and uses permitted by special review are designated “R.” For uses designated “A,” “A, R,” and “No, A, R” see explanatory notes in subsection 17.42.020(C) Use group categories expressly permitted within the AO-T zone district and uses permitted by special review within the AO-T zone district are designated in sections 17.13.020 and 17.13.030 of this title.

Section 3. Section 17.72.090 of the Louisville Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 17.72.090. - Commercial and office.

A. *Generally.* This section is intended to promote the development of well-planned shopping centers and facilities that provide a variety of shopping, professional, business, cultural and entertainment facilities designed to create an attractive and pleasant shopping atmosphere.

B. *Uses permitted.* The following commercial and noncommercial uses may be permitted within any planning area designated “commercial” on the adopted planned community development general plan:

1. Any retail trade or service business;
2. Professional, business and administrative offices;
3. Motels and hotels;
4. Cultural facilities, such as museums, theaters, art galleries and churches;
5. Pedestrian plazas and pedestrian ways, including such amenities as outdoor art exhibit facilities, statuary, fountains and landscaping features;
6. Outdoor specialty uses, including sidewalk cafes and outdoor marketplaces to provide unique congregating places for sales and shopper interests;
7. Recreational facilities, both indoors and outdoors, such as ice skating and roller skating rinks which may be designed as integral parts of a center;
8. Restaurants, both indoor and drive-in types, food-to-go facilities, sidewalk cafes;
9. Hospitals and medical clinics;
10. Transportation terminals, parking lots and parking buildings;
11. Animal hospitals and clinics;
- ~~12. Automobile service stations, subject to prescribed performance and development standards;~~
- ~~12. 13.~~ 13. Nursing and rest homes;
- ~~13. 14.~~ 14. Small and large child care centers;
- ~~14. 15.~~ 15. Financial offices, including banks and savings and loans;
- ~~15. 16.~~ 16. Accessory structures and uses necessary and customarily incidental to the uses listed in this section;
- ~~16. 17.~~ 17. Governmental and public facilities;
- ~~17. 18.~~ 18. Research/office and corporate uses, and facilities for the manufacturing, fabrication, processing, or assembly of scientific or technical products, or other products, if such uses are compatible with surrounding areas. In addition, such facilities shall be completely enclosed and any noise, smoke, dust, odor, or other environmental contamination produced by such facilities, confined to the lot upon which such facilities are located and controlled in accordance with all applicable city, state, or federal regulations;
- ~~18. 19.~~ 19. Other uses as established by the city council as found to be specifically compatible for commercial and office planning areas.
- ~~19. 20.~~ 20. Limited wholesale sales as defined in section 17.08.262 of this title are allowed as a special review use.
- ~~20. 21.~~ 21. Retail marijuana stores, retail marijuana testing facilities, medical marijuana centers and medical marijuana testing facilities, except the foregoing uses are not allowed in any mixed use lot that includes a residential use.
- ~~21. 22.~~ 22. Reserved.
- ~~22. 23.~~ 23. Health or athletic clubs, spas, dance studios, and fitness studios.

C. *Special review uses.* The following commercial and noncommercial uses may be permitted by special review pursuant to chapter 17.40 within any planning area designated commercial on the adopted planned community development general plan:

1. Mobile food court.
2. Banquet or reception hall.

Section 4. Section 17.72.100 of the Louisville Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 17.72.100. - Industrial uses permitted.

The following industrial and nonindustrial uses may be permitted within any planning area designated “industrial” on the adopted planned community development general plan:

A. All those uses permitted in the I industrial zone of the city;

~~B. Automobile service stations, subject to prescribed performance and development standards;~~

~~B. C.~~ Other uses as established by the city council for industrial planning areas;

~~C. D.~~ Governmental and public facilities.

~~D. E.~~ Retail marijuana products manufacturing facilities, retail marijuana testing facilities, retail marijuana cultivation facilities, medical marijuana-infused products manufacturing facilities, and medical marijuana testing facilities, except the foregoing uses are not allowed in any mixed use lot that includes a residential use.

Section 5. Section 17.72.130 of the Louisville Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 17.72.130. - Automobile service station standards.

Automobile service stations are not permitted in a planned community zone district.

~~The following performance and development standards shall apply to all permitted automobile service station uses within a planned community zone district:~~

~~A. *Uses permitted.* An automobile service station shall be a retail place of business engaged in the sale of motor fuels and in supplying goods and services generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorists’ needs. Major automotive repairs, painting, body and fender work are prohibited.~~

~~B. *Building line regulations.* Building setback lines for all structures shall be 20 feet from the ultimate street right-of-way line, except canopy roofs over pump islands and lighting fixtures may be cantilevered to within five feet of the ultimate street right-of-way line.~~

~~C. *Exterior displays and trash and storage.* No displays or storage of merchandise, automobiles, parts or refuse shall be located closer than 20 feet from the ultimate street right of way line, and all trash and refuse shall be stored in a building or within an area enclosed by a wall at least six feet high.~~

~~D. *Lighting.* All lighting shall be designed and located so as to confine direct rays to the premises.~~

~~E. *Outside activity.* All activities, other than the sale of motor fuels and the normal services incidental thereto, are prohibited outside of the main building.~~

~~F. *Screening.* A masonry wall shall be installed and maintained along property lines where the premises abut a residential area. Such wall shall have a total height of not less than six feet, except within 20 feet of any ultimate street right of way line, where the height shall be not less than three feet nor more than 3½ feet.~~

~~G. *Landscaping.*~~

~~1. Boundary landscaping is required for a minimum depth of five feet along all property lines abutting streets, except for the area required for street openings.~~

~~2. Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least six inches higher than the adjacent vehicular area.~~

~~3. Permanent watering facilities shall be provided for all landscaped areas.~~

~~4. Required landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants when necessary, and the regular watering of all plantings.~~

Section 6. If any portion of this ordinance is held to be invalid for any reason, such decisions shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 7. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Rob Zuccaro

Subject: FW: Banning New Gas Stations

Importance: High

From: Emma Weber <ewweber01@bvsd.org>

Sent: Thursday, February 9, 2023 3:29 PM

To: Planning <planning@Louisvilleco.gov>

Subject: Banning New Gas Stations

Dear legislators,

I'm writing to advocate for strengthening the ordinance of the citizen's initiative to ban new gasoline stations in Louisville. The ordinance should be strengthened as follows in order to best mitigate Louisville's contribution to climate-change-causing emissions.

1. Eliminate the exception for a seventh gasoline station.
2. Reduce the cap to five if the Murphy Express is not built.
3. Reduce the cap by one each time an existing gasoline station closes.
4. Prohibit gasoline stations in the Phillips 66 Rural Special District.

Thank you for considering these vital changes.

Thank you,
Emma Weber

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Rob Zuccaro

Subject: FW: Comments on ordinance limiting gas stations in Louisville

Importance: High

From: Joshua Cooperman <jhcooperman@gmail.com>

Sent: Thursday, February 9, 2023 10:05 AM

To: Planning Commission <PlanningCommission@louisvilleco.gov>

Subject: Comments on ordinance limiting gas stations in Louisville

Dear members of the Louisville Planning Commission,

This evening you will consider an ordinance that limits the number of gasoline stations in Louisville. I have argued on a variety of occasions in a variety of settings for limiting the number of gasoline stations in Louisville. My primary arguments have always hinged on the urgent need to mitigate climate change, principally by phasing out fossil fuels.

While I fully support limiting the number of gasoline stations in Louisville, I maintain that the current ordinance does not provide for sufficiently strong limitations on the number of gasoline stations. Accordingly, I request that the Planning Commission recommend that the ordinance be strengthened as follows.

1. Eliminate the exception for a seventh gasoline station as part of a marketplace development.
2. Reduce the cap to five in the event that the recently approved Murphy Express is not built.
3. Reduce the cap by one each time an existing gasoline station closes.
4. Prohibit gasoline stations in the Phillips 66 Rural Special District.

I look forward to commenting further this evening and listening to your deliberations. Thank you for reading and considering my thoughts.

Best,
Josh

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Rob Zuccaro

Subject: FW: Gas Stations in Louisville

Importance: High

From: Annie Parnell <parnell.sisterhood@gmail.com>

Sent: Thursday, February 9, 2023 9:00 AM

To: Planning <planning@Louisvilleco.gov>

Subject: Gas Stations in Louisville

To the members of the Planning Commission of Louisville, CO:

My name is Channah Horst and I and my family have lived here in Louisville since August of 2000. We live at 136 Hoover Avenue.

I strongly support and encourage you to not allow the further construction of fossil fuel refueling stations (gas) in our community. All of us, not just the citizens of our community, need to move quickly away from fossil fuel consumption.

If you are a climate denier then my plea falls on deaf ears. If you acknowledge the peril our planet is in then it is your responsibility to do what you can to help us make changes in the way we live. In other words--do not make it easier for me and my fellow residents to keep using gasoline.

I am asking you to:

1. Eliminate the exception for a seventh gasoline station.
2. Reduce the cap to five if the Murphy Express is not built.
3. Reduce the cap by one each time an existing gasoline station closes.
4. Prohibit gasoline stations in the Phillips 66 Rural Special District.

Thank you for taking the time to read my email.

Regards,

C. Horst

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SUBJECT: DISCUSSION/DIRECTION- EVC PURPOSE STATEMENT

DATE: MARCH 17, 2023

PRESENTED BY: AUSTIN BROWN, ECONOMIC VITALITY SPECIALIST

SUMMARY:

The Economic Vitality Committee (EVC) held a planning session to discuss its purpose statement on January 27, 2023. Staff compiled the feedback received during this session and created a draft purpose statement which was reviewed by the EVC during its February 17 meeting.

DISCUSSION:

Following the creation of the Economic Vitality Committee (EVC) in 2020, the EVC decided to develop a Purpose and Objectives to guide its work. The original EVC purpose statement is included below:

***Purpose:** The Louisville Economic Vitality Committee (EVC) provides leadership, policy recommendations, and support for the City's programs to promote a thriving business climate that provides job opportunities, facilitates investment, and produces reliable revenue to support City services.*

During the January 27 session, the group identified the following ideas for consideration in the new purpose statement:

- Advocate for local business
- Collaboration
- Communication
- Community
- Council support
- Entrepreneurship
- Expansion
- Innovation
- Non-political forum
- Opportunity
- Recruitment
- Results-oriented
- Retention
- Revenue generation
- Workforce

Based on these ideas, staff has prepared two draft purpose statements for review. The two statements are included below and also in *Attachment #1*:

Statement #1: The Louisville EVC advocates for the local business community and provides a forum for communication between the business community and City Council. The EVC promotes results-oriented collaboration and communication; encourages participation and innovation through thoughtful discussion; and provides opportunities for business retention, expansion, attraction, entrepreneurship, workforce development, and revenue generation that all contribute to a thriving business climate.

SUBJECT: EVC PURPOSE STATEMENT

DATE: FEBRUARY 17, 2023

PAGE 2 OF 2

Statement #2: The Louisville EVC:

- *Advocates for open communication and collaboration with the local business community;*
- *Supports City Council by providing feedback on issues affecting new and existing businesses of all sizes; and*
- *Facilitates the retention and expansion of existing businesses, attraction of new businesses, opportunities for innovation, and revenue generation that all help to maintain a thriving business climate.*

During its February 17 meeting, the EVC provided feedback on the two proposed purpose statements and asked for this item to return for additional discussion. Comments made during the February 17 meeting are indicated in *Attachment #2*.

RECOMMENDATION:

Staff requests EVC feedback on its new purpose statement.

ATTACHMENTS:

- Attachment #1: Draft EVC Purpose Statements
- Attachment #2: Notes from February 17 Discussion

Existing: *The Louisville Economic Vitality Committee (EVC) provides leadership, policy recommendations, and support for the City's programs to promote a thriving business climate that provides job opportunities, facilitates investment, and produces reliable revenue to support City services.*

Themes from Jan Meeting:

Advocate for local business
Collaboration
Communication
Community
Council support
Entrepreneurship
Expansion
Innovation
Non-political forum
Opportunity
Recruitment
Results-oriented
Retention
Revenue generation
Workforce

Draft Purpose Statement #1

The Louisville EVC advocates for the local business community and provides a forum for communication between the business community and City Council. The EVC promotes results-oriented collaboration and communication; encourages participation and innovation through thoughtful discussion; and provides opportunities for business retention, expansion, attraction, entrepreneurship, workforce development, and revenue generation that all contribute to a thriving business climate.

Draft Purpose Statement #2:

The Louisville EVC:

- *Advocates for open communication and collaboration with the local business community;*
- *Supports City Council by providing feedback on issues affecting new and existing businesses of all sizes; and*
- *Facilitates the retention and expansion of existing businesses, attraction of new businesses, opportunities for innovation, and revenue generation that all help to maintain a thriving business climate.*

The Louisville Economic Vitality Committee (EVC):

- Provides leadership, policy recommendations, and support for the City's programs
- Facilitates open and results oriented communication and collaboration with the local business community;
- Advises City Council by providing feedback on issues affecting new and existing businesses of all sizes; and
- Advocates for/Promotes the retention and expansion of existing businesses, attraction of new businesses, opportunities for innovation, and revenue generation that all help to maintain a thriving business climate.

Existing: *The Louisville Economic Vitality Committee (EVC) provides leadership, policy recommendations, and support for the City's programs to promote a thriving business climate that provides job opportunities, facilitates investment, and produces reliable revenue to support City services.*

Themes from Jan Meeting:

Advocate for local business

Collaboration

Communication

Community

Council support

Entrepreneurship

Expansion

Innovation

Non-political forum

Opportunity

Recruitment

Results-oriented

Retention

Revenue generation

Workforce

Equity

Environmental Sustainability

Draft Purpose Statement #1

The Louisville EVC advocates for the local business community and provides a forum for communication between the business community and City Council. The EVC promotes results-oriented collaboration and communication; encourages (and facilitates) participation and innovation through thoughtful discussion; and provides opportunities for business retention, expansion, attraction, entrepreneurship, workforce development, and revenue generation that all contribute to a thriving business climate.

Draft Purpose Statement #2:

The Louisville EVC:

- ~~Advocates for~~Facilitates open and results oriented communication and collaboration with the local business community;
- ~~Supports~~Advises City Council by providing feedback on issues affecting new and existing businesses of all sizes; and
- ~~Facilitates~~Advocates for/Promotes the retention and expansion of existing businesses, attraction of new businesses, opportunities for innovation, and revenue generation that all help to maintain a thriving business climate.

NEWS > HEALTH

Centura Health's Catholic, Adventist hospitals to split as one of Colorado's largest health networks breaks up

CommonSpirit Health and AdventHealth to go separate ways, though Centura offers no timeline on end of partnership



Matthew Jonas, Times-Call

Longmont United Hospital was purchased by Centura Health in 2015.

By **MEG WINGERTER** | mwingert@denverpost.com | The Denver Post



PUBLISHED: February 14, 2023 at 6:00 p.m. | UPDATED: February 14, 2023 at 6:38 p.m.

After more than a quarter century together, CommonSpirit Health and AdventHealth announced Tuesday that they're going their separate ways.

The two religiously affiliated health systems formed a partnership in 1996, creating Centura Health — one of Colorado's largest hospital networks — to manage their joint operations, which include 19 hospitals in Colorado and western Kansas.

Centura announced in a news release that the partnership had reached its “natural maturity” and would end, though it didn't lay out a specific timeline for the transition.

It also didn't say whether people employed by Centura itself would be able to transition into other jobs with either system.

“Both organizations are committed to a thoughtful and expeditious transition, and Centura Health will continue in its management role of the hospitals, physician clinics and other care sites throughout the transition,” the news release said. “There will be no disruption to patient care.”

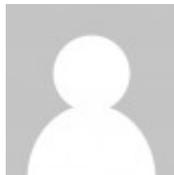
The announcement goes somewhat against the prevailing winds in health care. Hospital systems have tended to get bigger, merging with other systems or buying independent facilities, to increase their market share and leverage in negotiations with insurance companies. (The same thing has happened on the insurers' side, periodically setting up well-publicized battles over rates.)

AdventHealth, a Seventh-day Adventist nonprofit health system based in Florida, owns Avista Adventist Hospital, in Louisville; Castle Rock Adventist Hospital; Littleton Adventist Hospital; Parker Adventist Hospital; and Porter Adventist Hospital, in Denver.

Chicago-based CommonSpirit Health, the nation's largest Catholic health system, owns Longmont United Hospital; OrthoColorado Hospital, in Lakewood; Mercy Hospital, in Durango; Penrose Hospital, in Colorado Springs; St. Anthony Hospital, in Lakewood; St. Anthony North Hospital, in Westminster; St. Anthony Summit Hospital, in Frisco; St. Elizabeth Hospital, in Fort Morgan; St. Mary-Corwin Hospital, in Pueblo; St. Francis Hospital, in Colorado Springs; and St. Thomas More Hospital, in Cañon City.

CommonSpirit also will open an orthopedic hospital in Colorado Springs this summer.

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Meg Wingerter | Education reporter

Meg Wingerter came to Denver from The Oklahoman in Oklahoma City, where she covered health. She previously worked at Kansas News Service, The Topeka (Kansas) Capital-Journal and The Muskegon (Michigan) Chronicle. She grew up in Pennsylvania and attended Michigan State University.

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[!\[\]\(0a0b609dcde5224e7480a4f51bb76cda_img.jpg\) Follow Meg Wingerter @MegWingerter](#)

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From the Denver Business Journal:

<https://www.bizjournals.com/denver/news/2023/02/15/centura-health-partnership-dissolved.html>

SUBSCRIBER CONTENT:

Future of Centura Health unclear following split of CommonSpirit Health, AdventHealth

Feb 15, 2023, 7:01am MST



Centura Health

Centura just recently completed a \$28 million surgery center at St. Anthony Hospital in Lakewood.

Editor's Note: Centura Health announced an acquisition just hours after its founding partners said they would split, leaving the fate of one of Colorado's largest hospital systems up in the air. Read more on that update [here](#).

The future of Centennial-based Centura Health was thrust into the unknown on Tuesday with the announcement that the two organizations that created it are parting ways.

CommonSpirit Health and AdventHealth announced in a statement that the organizations will separate and directly manage the care sites that comprise Centura Health, saying that the partnership has reached its "natural maturity."

The statement did not offer a timeline for the separation, saying only that it will be "thoughtful and expeditious" and that they will have more details in the future.

After the transition, the organizations said that AdventHealth will take over operations of its five hospitals, all located in the Denver metro area, and CommonSpirit will take over operations of 15 hospitals – 12 of which are located in Colorado.

What the split means for Centura – which was born from the merger between CommonSpirit and AdventHealth in 1996 and operates 20 hospitals between the two entities in Colorado and Western Kansas – remains unclear.

Representatives with Centura said they were not offering further comments at this time and did not answer questions about what the separation could mean for the presence of the system in Colorado or the future of its employees.

Representatives with CommonSpirit similarly said they could not share any more information. AdventHealth did not return a request for comment.

The health systems said that Centura will continue in its management role of the hospitals, physician clinics and other care sites throughout the transition and that there will be no disruption to patient care.

"CommonSpirit Health and AdventHealth have collaboratively agreed that they can best serve their communities and health care ministries without a partnership," the statement said.

The split comes less than two months after Centura broke ground on a \$151 million expansion at St. Anthony North Hospital in Westminster, a project sponsored by CommonSpirit.

CommonSpirit and AdventHealth are faith-based, not-for-profit systems. CommonSpirit came to fruition in 2019 following a \$29 billion merger between Colorado-based Catholic Health Initiatives, which co-owned Centura Health, and California-based Dignity Health.

The two systems offered the following breakdown of which system will take over which hospitals in Colorado:

AdventHealth:

1. Avista Adventist Hospital, Louisville
2. Castle Rock Adventist Hospital, Castle Rock
3. Littleton Adventist Hospital, Littleton, Colo.
4. Parker Adventist Hospital, Parker
5. Porter Adventist Hospital, Denver

CommonSpirit Health:

1. Longmont United Hospital, Longmont
2. OrthoColorado Hospital, Lakewood
3. Mercy Hospital, Durango
4. Penrose Hospital, Colorado Springs
5. St. Anthony Hospital, Lakewood
6. St. Anthony North Hospital, Westminster
7. St. Anthony Summit Hospital, Frisco
8. St. Elizabeth Hospital – Fort Morgan
9. St. Mary-Corwin Hospital, Pueblo
10. St. Francis Hospital, Colorado Springs
11. St. Francis Hospital – Interquest, Colorado Springs
12. St. Thomas More Hospital, Cañon City



Analisa Romano
Reporter - *Denver Business Journal*

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BUSINESS

Avista Adventist: Centura split not expected to impact plans for new Louisville hospital

By **LUCAS HIGH BIZWEST PRAIRIE MOUNTAIN MEDIA** | BizWest / Daily Camera

PUBLISHED: February 16, 2023 at 3:06 p.m. | UPDATED: February 16, 2023 at 4:10 p.m.

The [breakup of the Centura Health network of hospitals](#) is not expected to alter [Avista Adventist Hospital's plans to build a new health care center](#) in Louisville's yet-to-be-approved [Redtail Ridge development](#).

“There’s no material impact on Avista’s plans at Redtail Ridge with this week’s announcement,” Avista CEO Isaac Sendros told BizWest on Thursday. “Adventist Health is the parent company and owns the assets of Avista, and its commitment is to continue with the future location of the Avista Adventist Hospital on the Redtail Ridge property.”

This week, CommonSpirit Health and AdventHealth, two religiously affiliated health care systems that combined in 1996 to form Centura Health, announced that they are dissolving their Centura partnership, a network that included 19 hospitals in Colorado and western Kansas.

Chicago-based CommonSpirit Health, the nation’s largest Catholic health system, owns Longmont United Hospital, while Advent Health, based in Altamonte Springs, Florida, owns Avista Adventist Hospital in Louisville.



About a year ago, BizWest first reported on Avista's intent to relocate from its roughly 30-year-old campus at 100 Health Park Drive in Louisville to a new operation expected to be built at Redtail Ridge, a proposed 2.6 million-square-foot development with a focus on biotechnology facilities on the roughly 400-acre, long-vacant, former Phillips 66 (NYSE: PSX) site off U.S. Highway 36.

The project, which has been in the planning stages for more than three years, has proved controversial with Louisville officials and residents. Denver-based developer Brue Baukol Capital Partners LLC and partner Sterling Bay LLC have yet to receive the necessary approvals to break ground.

Brue Baukol, which paid \$34.93 million for the site, initially sought to turn the parcel into a 5.22 million-square-foot live-work development anchored by a new corporate campus for medical-device maker Medtronic Inc. and a roughly 1,500-home senior-living community operated by Erickson Living LLC. Additional planned components included offices, retail space and apartments.

Medtronic skipped town for a nearby site in Lafayette, and locals spoke out against the housing portion of the project, arguing that thousands of new residents would strain city resources and exacerbate traffic congestion.

Brue Baukol went back to the drawing board and brought forth a scaled-back plan, which was eventually approved last year by the Louisville City Council, which applied a dozen conditions to its approval to further limit the scope of the project.

After Redtail Ridge's plans were approved last year, Avista Adventist Hospital confirmed that it is under contract to purchase land in the Redtail Ridge development for a new hospital.

Almost immediately upon the city's approval of Redtail Ridge, opponents of the project cried foul and set about gathering the signatures required to send the matter to a special election, which opponents of Redtail Ridge won.

In the months since, updated plans have bounced around governing bodies, which have yet to give Redtail's developers the go-ahead to break ground.

Sendros didn't comment Thursday on the city's processes, beyond saying: "Our plans are dependent on approvals for Sterling Bay for the overall development." Avista's "commitment continues to be staying within this community — that's our

Avista officials have generally supported Redtail Ridge, an area the company views as more accessible and better suited for expansion than the hospital's current home.

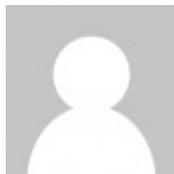
"The desire and need to increase our access for the communities that we serve continues to be a priority for Advent Health and Avista," Sendros said.

Avista has long complained about poor access to the current location; the site is accessed only by Health Park Drive, which dead-ends at the hospital. Over the years, the hospital has been unsuccessful in securing a new interchange off of U.S. Highway 36. Poor access adds to the time required to reach the facility, making it difficult to attract new patients.

Emergency-room visits lag those of neighboring hospitals, for example. A Colorado Hospital Utilization Report prepared by the Colorado Hospital Association shows that Avista — a Level III trauma center — recorded just 8,600 emergency-room visits in 2020, less than a third the number recorded at SCL Health's Good Samaritan Medical Center in Lafayette, at 28,257, and Boulder Community Health, at 30,022. Boulder Community and Good Samaritan are Level II trauma centers.

This article was first published by BizWest, an independent news organization, and is published under a license agreement. © 2023 BizWest Media LLC. You can view the original here: [Avista Adventist: Centura split not expected to impact plans for new Louisville hospital](#)

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From the Denver Business Journal:

<https://www.bizjournals.com/denver/news/2023/02/16/colorado-aviation-aerospace-battery-incentives.html>

SUBSCRIBER CONTENT:

Colorado approves more than \$10M in incentives to draw 3 companies

Feb 16, 2023, 2:55pm MST



iStock

Three new companies were offered incentives by the state on Thursday and six other accepted offers were announced.

Colorado leaders offered three companies a total of more than \$10 million in incentives to bring new jobs and projects to the state on Thursday.

The largest package was offered to a company that produces anodes for batteries used in electric vehicles and is considering locating to Adams County. It was offered more than \$5.4 million in tax incentives from the state.

Colorado's Economic Development Commission on Thursday agreed to offer a job growth tax incentive to the company over eight years if it locates in Adams County and creates 332 new jobs in management, engineering, technical and operations fields.

The unnamed company creates higher density and longer range batteries that would improve the performance of electric vehicles, aircraft and drones, according to the state's Office of Economic Development and International Trade. It does so through a unique manufacturing process that uses 3D structures in a roll-to-roll system.

Jobs that support such manufacturing would pay an average annual wage of more than \$68,000, the office said.

"Project Maverick," as the company is called, is eyeing a site in an existing space in Adams County that would support the initial phase of its project and allow for expansion and full build-out at a later date. The company is also considering Texas and Arizona for the facility.

Project Maverick was one of three companies that had incentives approved by commission members, who were also notified on Thursday that six companies that were previously offered tax incentives have agreed to locate in Colorado.

Other incentives

An aviation company labeled "Project Spectra" will consider building a training center in Denver with the hope of securing land for development by the beginning of June this year.

That tax incentive was approved at up to \$3.7 million over eight years for the creation of 240 new jobs with an annual average wage of \$186,500, well above the average in Denver County. The company already has 11,000 employees in Colorado and 80,000 across the nation, and would add jobs like flight instructors, simulator technicians, and engineers to the training facility.

The company is also considering locating its facility in Goodyear, Arizona, noting that access to cities on the East Coast and the cost of doing business are key drivers in where it will decide to locate.

United Airlines has a new beginner flight training academy in Goodyear, Arizona, and has a global airline pilot certification and training center in Denver's Central Park neighborhood. More than 8,800 United employees were based out of Denver as of Jan. 31, a spokesperson told Denver Business Journal.

The final job growth tax incentive approved was for up to \$1.3 million that could go to "Project Beacon" over eight years if the aerospace engineering and analysis firm decides to locate in El Paso County and create 71 new jobs.

The firm, which has a headquarters in Huntsville, Alabama, offers engineering, analysis, and technical management support to federal entities such as the U.S. Department of Defense and U.S. Space Force in an office and lab space.

The company is also considering locating Cape Canaveral, Florida.

Accepted incentives

Commission members were told that six unnamed companies have chosen to locate in Colorado following the proposal of job growth tax incentives.

"Project Cell," a gene-editing company, was offered \$4.49 million to expand in Boulder County.

"Project Disco," a cybersecurity startup, was offered up to \$2.43 million to hire up to 500 workers in Boulder County.

"Project Orchid," a subsidiary of a Fortune 500 company, was offered up to \$1.2 million in tax credits to expand to Boulder or Louisville to support discovery research across therapeutic modalities.

"Project Soap," a digital product and venture studio company, was offered up to \$455,000 to locate in Colorado, most likely in the Denver metro area.

"Project Strike," a metro-Denver company that provides key materials for the medical device industry, was offered \$383,100 to expand to a new facility in the Denver area rather than Cody, Wyoming.

"Project Owl," an engineering firm that specializes in aviation, was offered \$130,000 in incentives to locate most likely to Mesa County. The firm already has two Colorado locations.



Analisa Romano
Reporter - *Denver Business Journal*

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From the Denver Business Journal:

<https://www.bizjournals.com/denver/news/2023/02/17/united-launch-alliance-boeing-nasa-starliner-space.html>

SUBSCRIBER CONTENT:

ULA's first launch of NASA astronauts aboard Boeing's Starliner capsule looms

Feb 17, 2023, 3:03pm MST



Jeff Spotts

A United Launch Alliance rocket carrying the Boeing-built Starliner space capsule lifts off the launchpad at Cape Canaveral Space Force Base, Florida, on May 19, 2022, carrying the spacecraft on its second orbital flight test.

The first United Launch Alliance mission carrying astronauts into space could blast off in a few weeks and may occur before the Vulcan rocket debut that was expected to be the Centennial-based company's first mission in 2023.

NASA and Boeing provided an update Friday about the timing of the first launch of the Boeing CST-100 Starliner capsule carrying U.S. astronauts to the International Space Station, saying that high-profile mission using one of ULA's Atlas V rockets is being planned for mid- to late-April.

The long-awaited Boeing capsule, which would be the second spacecraft certified to carry NASA astronauts into orbit, flew without crew last year.

The flight was successful, but not flawless.

It has been unclear how soon this year the agency would try to launch Starliner carrying a crew of two astronauts to the ISS.

Boeing and NASA have been working on Starliner hardware and software in advance of the next flight, they said. The Starliner is on track for launch in the second half of April, and, barring any surprises, NASA should know by early March whether to have ULA start preparations to fuel its Atlas V rocket on the Cape Canaveral launch pad.

The timing is being coordinated to work amid the arrival and departure traffic of SpaceX Dragon capsules and Russian Progress capsules carrying astronauts and cargo to the ISS.

ULA trying to launch a Vulcan Centaur rocket for the first time is being taken into account along with the ISS traffic management, said Steve Stich, manager of NASA's commercial crew program.

"We're balancing that with what they need," he said of ULA's Vulcan debut.

Should preparations delay the Starliner mission to toward the middle of May, that could complicate ULA's Vulcan launch and prompt a decision about which ULA mission should blast off first, Stich said.

ULA's debut Vulcan launch is carrying a NASA-funded moon probe, made by Pittsburgh-based Astrobotic, that's expected to land on the lunar surface.

The mission will debut ULA's Vulcan rocket and be the inaugural space flight for Astrobotic.

ULA has shipped the first Vulcan rocket to Cape Canaveral to be assembled on the launchpad, fueled for a test engine firing and then readied to launch.

The liftoff has been tentatively forecast to be before the end of March, though that timeline was dependent on Astrobotic's Peregrine lander successfully completing final testing.

Astrobotic announced on Jan. 25 that the lander had passed testing in a thermal and vacuum chamber, which simulates the extreme temperatures and oxygen-free environment of space, and was ready to be shipped to Cape Canaveral for launch preparations.

The timing of Vulcan's launch is important to ULA.

The Vulcan rocket is designed to start flying all of ULA's space launch missions in coming years, replacing the company's now-retired Delta IV rockets and, in coming years, the Atlas V rockets.

The Vulcan rocket needs to successfully fly two civilian missions before it can start carrying national security-related payloads into orbit for U.S. military and intelligence agencies.

That national security work is a key part of ULA's business.

The U.S. Space Force has contracted ULA for 60% of national security-related launches that are awarded through the fall of 2024, with Elon Musk's SpaceX tapped for the other 40%. The missions awarded under that contract are expected to lift off in 2027.

ULA is a joint venture owned by Boeing Co. and Lockheed Martin Corp. It won the Space Force work using Vulcan rocket capabilities and committed ULA to prices based on Vulcan's cheaper costs compared to Atlas V.

Vulcan's debut is months behind schedule for various reasons, including delays in Blue Origin's BE-4 booster-stage engine deliveries, putting pressure on ULA to field Vulcan and meet its upcoming military launch schedule.

After the Astrobotic Peregrine land mission, ULA plans to use a Vulcan to launch the first flight of a Dream Chaser spaceplane, built by Louisville-based Sierra Space, on a NASA cargo resupply mission without crew on board.

If that Dream Chaser launch is delayed, ULA has prepared a dummy payload and would consider launching that to keep Vulcan's certification for military launches on schedule, according to CEO Tory Bruno.

Having Vulcan launching regularly would help ULA win future business.

Space Force on Thursday revealed that it expects to open new contract bidding in the coming months for its next round of space-launch awards, which would start in 2025.

It plans to accept bids by new space launch companies for simple missions in addition to selecting two companies separately for more complicated missions and distant orbits,

said the announcement by Space Force's Space Systems Command. That means ULA could have broader competition for military launch business than it has previously faced.

Boeing also said Friday that it has been talking with multiple companies about what launch vehicles the Starliner capsule will use after its run of eight launches atop Atlas V rockets is done. It plans to select launch providers next year, said Mark Nappi, Boeing's vice president and program manager for its Starliner capsule work.



Greg Avery
Senior Reporter - *Denver Business Journal*

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LOCAL NEWS

Louisville City Council approves assistance for relocating businesses

By **ANDREA GRAJEDA** | Prairie Mountain Media

February 22, 2023 at 6:00 p.m.

Louisville City Council unanimously approved Business Assistance Program incentives so that businesses do not have to relocate outside of city limits.

Council voted 6-0 Tuesday night to pass the amendment. Councilmember Caleb Dickinson was not in attendance.

Community Development Director Rob Zucarro proposed the amendment to BAP funding during Tuesday's council meeting. He said that the BAP funding should also apply to Louisville businesses that need to relocate due to unforeseen circumstances.

He said that BAP needed Louisville businesses to grow in order to qualify for assistance and that aid was not accessible for those that need to relocate. Zucarro added that businesses may receive aid to relocate to nearby communities, but that the amendment creates an incentive for them to stay in Louisville by providing BAP rebate assistance.

Eric Lund, Louisville chamber of commerce executive director, said that keeping businesses in Louisville is critical.



“We really want to keep our businesses here and not have them move to other

Economic Vitality Specialist Austin Brown said that there isn't a cap currently on the assistance a business receives.

Councilmember Chris Leh said that BAP does not give businesses money, but instead they receive a rebate on certain taxes in the event that they generate money. Leh said there is no benefit for the business unless it preforms well.

Councilmember Maxine Most said that the term "unforeseen circumstance," pertaining to businesses relocating, needed more clarification. However, Zucarro stated that the language is included for businesses which may have to relocate for situations that are not from the loss of a lease, such as fire, flood or mold damage.

Mayor Dennis Maloney said that the amendment is well needed. He said that attracting new businesses to Louisville is more expensive than keeping current ones.

Zucarro said that the amendment was initiated after Creative Framing sent a BAP application after needing to relocate following the sale of the property and Creative Framing's owner was not given a chance to renew the lease.

Tags: [East County](#)



Andrea Grajeda

LOCAL NEWS

Louisville launches roadmap to reach decarbonization goal

By **ANDREA GRAJEDA** | Prairie Mountain Media
February 23, 2023 at 8:00 p.m.

Louisville announced Wednesday that the city has partnered with McKinstry, a national construction and energy services firm, to develop a municipal decarbonization roadmap plan to reach goal of complete decarbonization by 2030.

According to a press release from Emily Hogan, assistant city manager, Louisville has been focused on improving the city's climate resiliency and lessening its carbon footprint. The press release states that decarbonization "refers to the reduction or elimination of carbon emissions produced by these building systems that are traditionally powered using fossil fuel-based resources."

"This roadmap to decarbonization will help us create a more sustainable future and further our mission of protecting, preserving and enhancing the quality of life here in Louisville," City Manager Jeff Durbin said in the news release.

Louisville and McKinstry will evaluate the feasibility and affordability of decarbonization by 2030 through electrification and expansion of other renewable energy options.

The municipal decarbonization plan will then serve as an outline for a community decarbonization plan for residents and local businesses. According to the press release, Louisville has partnered with Xcel Energy to execute the community plan and potentially provide rebates and other incentives



Tags: [East County](#)



Andrea Grajeda

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From the Denver Business Journal:

<https://www.bizjournals.com/denver/news/2023/02/24/louisville-staple-closing-after-nearly-2-decades.html>

SUBSCRIBER CONTENT:

Louisville restaurant closing after nearly 2 decades

Feb 24, 2023, 2:57pm MST



Image: Empire Lounge & Restaurant

Provided by Empire Lounge & Restaurant

A diner enjoys French onion soup at Empire Lounge & Restaurant in Louisville

The Empire Lounge & Restaurant is permanently closing its doors.

The restaurant has operated on downtown Louisville's Main Street, serving comfort food for nearly two decades.

"After nearly two decades of serving hometown hospitality to the city of Louisville, it is with a heavy heart that we announce the closing of The Empire Lounge & Restaurant," the restaurant posted on Facebook.

"Our last day of service will be Saturday, Feb. 25, so please come celebrate the end of an era with some great food!"

Read the full story at [9news.com](https://www.9news.com).



9News

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LOCAL NEWS

Classic Downtown Louisville restaurant closes

The Empire Lounge will turn out the lights one final time



Emma Hempen mixes drinks at the bar on Friday. The Empire Lounge is closing after nearly 15 years in Downtown Louisville. It was hit hard after the COVID-19 lockdown and the Marshall Fire. (Cliff Grassmick/Staff Photographer)

By **ANDREA GRAJEDA** | Prairie Mountain Media
February 24, 2023 at 8:00 p.m.



The Empire announced on social media that the restaurant will close and its last day would be Saturday.

Jim Cohen and his daughter, Lexi Scott, opened The Empire in 2008, and Jeff Osaka became a partial owner in 2019 with Ken Wolf. Osaka stepped away from the business partnership in late 2022, and a local chef was going to partner with Wolf. However, Osaka said that “the cards were already dealt against them” as keeping the restaurant running was tough.



The Empire Lounge, which opened its doors in Downtown Louisville in 2008, is closing on Saturday. (Cliff Grassmick/Staff Photographer)

“I was only in charge for a few years, but The Empire has a soft spot in my heart. You know, I love Louisville,” Osaka said.

The Empire served “elevated American classics,” according to front of house manager Emma Hemen, who has been working at the restaurant for more than a year. Hemen said that The Empire is like eating at a nice American diner in New York during the 1980s. The restaurant had American classics, from a steak and frites meal to a traditional Coloradan Coors Light beer.

Osaka described the restaurant as “Americana” and the go-to place for many Louisville residents. Osaka said that he has been receiving many messages from Louisville residents saying that they will miss The Empire. He said that The Empire hosted many graduation parties, bridal showers and other celebrations and the restaurant will live on in those happy memories. He added that he has even received messages from people who no longer live in the area, thanking the restaurant for their happy moments and saying goodbye.

Hempen said that since the closure announcement, many residents have been coming in to get their last moment in the restaurant. She also said that the approximately 25 staff members are keeping their heads up despite the closure.

“We’re in a place where we are sad, but really proud of the work that we did,” Hempen said.

Hempen said that she watched the restaurant go “from a very dark place to a brighter place,” through surviving pandemic lockdowns and a temporary closure due to the Marshall Fire.

Osaka said that maintaining the restaurant became difficult after the two events.

Hempen said that despite the restaurant’s best efforts, business became unpredictable during the COVID-19 pandemic. Osaka said that the restaurant had to close for a few months because of the pandemic but slowly reopened following city-mandated, social-distancing restrictions. He said that business was good once restrictions were being lifted slowly and 2021 was a good year.

However, The Empire had to close for almost two weeks due to the Marshall Fire. Osaka said that any business that had to use water had to close as the city had to make sure the water was not contaminated after the fire.

Osaka said that the restaurant still had a lot of food in the restaurant during that closure and did not want it to go to waste, so the restaurant had a soup kitchen. The Empire gave out soups, stews and bread for fire survivors and the community. He said that while the closure hurt the restaurant, The Empire staff were happy to help the community.

Osaka said that the restaurant being dealt those blows took its toll. He also said that The Empire is one of the largest restaurant’s in Louisville at 5,000 square feet with a huge basement as well. He said that the big space meant a lot of moving

Hempen said that recently there was a silent disco dance party at The Empire that she really enjoyed. She said that the party gave staff headphones to join in on the silent disco. She said that the staff was able to get together and dance their hearts out one last time.

“Anytime, that we as the staff, were able to spend time with each other was super, super special,” Hempen said.

Osaka said that Saturday evening, he will thank all the staff for their hard work and turn off the lights one last time at The Empire Lounge and Restaurant.

Tags: [East County](#)



Andrea Grajeda

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From the Denver Business Journal:

<https://www.bizjournals.com/denver/news/2023/03/02/lockheed-martin-h3x-technologies-electric-colorado.html>

SUBSCRIBER CONTENT:

Louisville electric motor manufacturer snags investment from Lockheed Martin

Mar 2, 2023, 2:38pm MST



Provided by H3X Technologies

A H3X Technologies employee assembling a motor. The startup snagged an investment from Lockheed Martin, bringing its total amount raised to \$9 million.

Lockheed Martin is betting on "transformative" technology developed by the Louisville-based manufacturer H3X — a startup with the ambitious goal of producing the lightest electric motors in the world for the aviation, defense and maritime industries.

Lockheed Martin Ventures, the investment arm of Lockheed Martin Corporation (NYSE: LMT), is helping to fund the Louisville startup, H3X announced Wednesday. The dollar amount of Lockheed's investment wasn't disclosed, but the new funding brings H3X to \$9 million total in seed money.

In a statement, Chris Moran, the vice president and general manager of Lockheed Martin Ventures, described H3X's work as transformative and said the startup has the potential to provide Lockheed's customers with viable options for electrifying their legacy systems.

"Our investment in H3X reinforces Lockheed Martin's commitment to developing predictive capabilities and scaling solutions that allow the U.S. and its allies to stay ahead of threats," Moran said.

Engineers and co-founders Jason Sylvestre, Max Liben and Eric Maciolek met while studying at the University of Madison-Wisconsin. They founded H3X in 2020 and established its headquarters in Louisville in 2021. H3X now employs 17 people who've

come to the startup from well-known aerospace manufacturers, such as SpaceX, Tesla, Relativity Space and Siemens.

The startup was part of the Y Combinator cohort in 2021 and raised \$4.3 million during the accelerator program's demo day. It's also received seed investments from Metaplanet, TechNexus, Liquid 2 Ventures and Soma Capital.

With this latest infusion of capital, H3X plans to accelerate its commercialization plan and grow its facility in Louisville, where the startup designs, manufacturers and tests its electric motors.

Sylvestre, Liben and Maciolek first developed their motors with the intention of disrupting the aviation industry. International aviation is responsible for more than 2% of global carbon dioxide emissions, and its carbon footprint is growing, according to the Center for Climate and Energy Solutions. Most flights are powered by jet gasoline, and the electric-powered passenger airplanes currently in development are small and capable of only short-haul flights.

The team at H3X claims it's developing an electric motor that could enable long-range flights. The startup unveiled a concept prototype of the motor in October at the Interferry Conference in Seattle. The company's goal is to have the motor certified by the Federal Aviation Administration in 2026 and integrate it into regional aircraft and commuter jets in 2028 and beyond.

"When you look at the power density and efficiency requirements that are needed for electrifying narrow-body jets, there really isn't anything out there that is sufficient," Sylvestre said in a statement. "The megawatt-class systems that you can buy today still use technology from the last century and are far too large, heavy, and inefficient to meet the demanding requirements of electric aviation."

The founders of H3X believe they're launching into an industry that's in its infancy but poised to explode in growth, similar to where automotive electrification was 10 years ago.

While developing its motors, H3X discovered other industries that could benefit from the technology, including the defense and maritime industries. The motors could also be used for specialized ground vehicles and power generation, according to the startup.

H3X is beginning its work with smaller motors that could be used in boats and cargo drones, among other vehicles. In January, H3X began selling and shipping one of these motors, the HPDM-30, to its first customers.



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