

# **Revitalization Commission**

## **Agenda**

**Wednesday, March 8, 2023**  
**City Hall, Council Chambers**  
**749 Main Street**  
**8:00 AM**

*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 [+1 646 876 9923](tel:+16468769923) or [833 548 0282](tel:8335480282) (toll free) Webinar ID [#852 0147 8768](tel:85201478768)
- You can log in via your computer. Please visit the City's website here to link to the meeting: [www.louisvilleco.gov/revitalizationcommission](http://www.louisvilleco.gov/revitalizationcommission).

*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](mailto:ABrown@LouisvilleCO.gov).*

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of February 8, 2023 Meeting Minutes
5. Public Comments on Items Not on the Agenda
6. Reports of Commission
  - a. Staff Updates
  - b. Downtown Business Association Updates – Corrie Williams
  - c. Chamber of Commerce Updates

---

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](mailto: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.

7. Business Matters of Commission
  - a. Discussion/Direction- URA Marketing Strategy
  - b. Discussion/Direction- Commission and Board URA Project Support
  - c. Façade Improvement Program Application: @ 922 Main Street
8. Discussion Items for Next Meeting
  - a. Downtown Coordinated Streetscape Plan
  - b. Funding/Incentive Development- Discussion of Potential New Programs
  - c. Façade Improvement Program Applications
9. Commissioners' Comments
10. Adjourn

## Revitalization Commission

**Wednesday, February 8, 2023 | 8:00AM**  
**City Hall, Council Chambers**  
**749 Main Street**

*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](mailto:ABrown@LouisvilleCO.gov).*

**Call to Order** – Chair Adler called the meeting to order at 8:03 AM and took roll call.

Commissioner Attendance: Present

Yes	Alexis Adler
Yes	Clif Harald
Yes	Graham Smith
Yes	Councilmember Chris Leh
Yes	Bob Tofte
Yes	Corrie Williams
Yes	Barbie Iglesias

Staff Present: Austin Brown, Economic Vitality Specialist  
Jeff Durbin, City Manager  
Nick Cotton-Baez, Attorney to the City of Louisville - virtual  
Rob Zuccaro, Director of Planning and Building Safety  
Ligea Ferraro, Executive Administrator  
Ryder Bailey, Director of Finance

Others Present: Rick Kron, DBA president; Mike Kranzdorf, Mark Oberholzer  
members of public  
Deb Fahey, Mayor Pro Tem

### **Approval of Agenda:**

Commissioner Harald made a motion to approve the agenda. Commissioner Smith seconded. Approved.

### **Approval of January 9, 2023 and January 11, 2023 Meeting Minutes:**

Commissioner Tofte made a motion to approve the minutes. Commissioner Williams seconded. Approved.

---

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](mailto: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.

**Public Comments on Items Not on the Agenda:**

None

**Reports of Commission:**

Staff updates

The City received two applications for the vacant seat on the LRC and Barbie Iglesias was appointed. Barbie introduced herself to the LRC.

The Economic Vitality Manager position was reposted in November. The first round of interviews will begin this week.

Council's vacant Ward 3 vacancies were appointed and sworn in yesterday.

Transportation improvement program projects: The City was awarded a DRCOG TIP grant for future 42 project. The \$3.2M covers 40% of the \$8M total project cost. CDOT is also contributing \$4M and the remaining \$800,000 will be split between Louisville and Lafayette.

The City also submitted a new application for a TIP Grange for construction of the South Street underpass which requested up to 80% of the \$9M project. The City has received up to \$7.2M for construction of the South Street underpass. Public comment period just opened. Staff will send out the link for submitting comments to LRC. Receipt of this funding will trigger the LRC's agreement to fund.

Properties in the URA area: The former Walgreens at 655 E S. Boulder Road has been listed for \$3.25M. The former Chase Bank building on Main Street has been listed for \$2.75M with a deed restriction that it cannot be used as a bank or financial institution.

Business Assistance Program: Staff proposed amendment to municipal code to expand the BAP allowing additional existing businesses that have been forced to vacate their current premises to request assistance to keep their business in Louisville. First reading of the proposed amendment change took place on February 7th with the second reading scheduled for February 21st.

The City Manager noted that the City council discussed Independence Day festivities regarding fireworks on February 7th. It was decided we will have the traditional event this year and will perform data collection to inform how to approach the event in the future. Council would like to consider how we might incorporate something downtown so businesses can benefit as well.

Mark Oberholzer asked if the BAP amendment will be retroactive for creative framing. Since Creative Framing hasn't been approved for any assistance at this time. It is likely they will qualify for assistance.

Election of Officers for 2023

LRC will take nominations today for secretary, vice chair and chair.

Council Member Leh moved to nominate Commissioner Williams for secretary. Commissioner Smith seconded the nomination. Roll call vote: unanimously approved.

Commissioner Tofte nominated Commissioner Smith for Vice Chair. Council Member Leh seconded the nomination. Roll call vote – unanimously approved.

Commissioner Williams nominated Commissioner Adler for Chair. Commissioner Harald seconded the nomination. Roll Call vote: unanimously approved.

**Commissioner Comments on Items not on the Agenda:**

Commissioner Williams offered to start attending DBA meetings to be a liaison for LRC. It was agreed that collaboration with DBA should be embedded in what LRC does. Ongoing agenda item for reports to commission on DBA will be added to future meetings. Staff also attends chamber board meetings and DBA meetings and will provide updates for Chamber. Staff will also ask the Director of the Chamber to provide reports to LRC.

**Business Matters of Commission:**

2023 Open Government and Ethics Pamphlet

Staff reminded LRC of the 2023 Open Government and Ethics Pamphlet. Staff will provide LRC with the upcoming training dates and will schedule orientation for Barbie.

Public Comment:

Rick Kron commented that the most difficult thing for public officials is the rule concerning communications between 3 or more commissioners on items related to the business of commission. Any time commissioners reply-all to communications that communication becomes public record. The City Manager noted that special meetings can be scheduled for discussions including three or more commissioners.

Approve 2023 Posting Locations for Public Meetings

Colorado Open Meetings Law, Section 24.6.402(2)(c) – LRC must annually approve posting locations by either vote or resolution. LRC meetings will be posted at City Hall, Louisville Public Library, Louisville Police Department, Louisville Recreation and Senior Center, and on the City website. Commissioner Williams asked if posting at the parks with pavilions is a viable option given City resource availability. The City Manager needs more information on the resource commitment required before considering this request.

The City Attorney noted that the only current required by law posting location is the City's website.

LRC requested adding a discussion on posting locations and methods to next agenda. Council Member Leh noted that this discussion will affect Staff resources and all City Boards, Commissions, Council and Ordinances.

Commissioner Smith motioned to approve the proposed public posting locations. Commissioner Harald seconded. Roll call vote: unanimously approved.

Commissioner Comments: none

Public comments: none

Discussion/Direction - 2023 LRC Work Plan

The Director of Community Development presented the 2023 work plan final draft with a timeline by quarter. It was suggested that this can be a living document throughout the year. The Work Plan will be included on all future meeting agendas and will be updated monthly.

The RFP for the Comprehensive Plan update was approved by council on February 7<sup>th</sup>.

Commissioner Comments:

There was a discussion around Streetscape Design and signage. Chair Adler asked about the plan for signage. Staff noted that there was a desire to include signage in the project which will require a discussion about scope and coordination with City Council. Commissioner Harald noted that LRC would like to complement the signage/branding the city does now and possibly incorporate Spanish language in City signage.

Staff suggested including signage as an add-on project rather than creating a separate project because coordination between signage and streetscape is important. LRC agreed to keep signage with streetscape plan.

Mayor Pro Tem Fahey noted that there are other areas of the City government that are looking at signage issues, such as the Open Space Board. Coordination of efforts will be needed to ensure branding is consistent.

There was a brief discussion about LRC coordination and support of other City Boards and Commissions. This topic will be included on the March LRC agenda.

There was a discussion about Sustainability and taking advantage of Bag Tax revenues.

There was a discussion about a URA Marketing Strategy. We have marketing materials that can be updated and add materials for any new programs. This topic will be covered later in this meeting. Staff will present signage options at a future meeting.

There was a discussion about LRC engagement with the DBA and it was noted that some of the LRC's projects might inform formal joint meetings to collaborate with DBA.

There was a discussion about small business retention. Commissioner Harald noted that small bus retention seems to be an Economic Vitality priority and EV should take the lead with LRC support. It was noted that the Economic Vitality Commission is re-evaluating its purpose statement. The City Manager noted that City Staff will be working with all Boards and Commissions, the City's Executive Leadership Team, and Council on the various Work Plans to ensure alignment in prioritization and allocation of resources.

The Director of Planning and Building Safety mentioned Council's approval of the RFP for the Comprehensive Plan update and discussed what the process will entail.

Public comments:

Mike Kranzdorf asked if the landscaping at the entrance to downtown on pine street is being considered as part of the streetscape project, possibly incorporating pollinator plants as part of the City's Bee City designation.

Rick Kron supports collaborating on streetscape signage with DBA.

Discussion/Direction - Amendment to Cooperation Agreement for Pre-Approved Spending Authority

The City Attorney shared the prepared draft language for an amendment to the Cooperation Agreement that would add a new subsection to set forth a formal process for LRC pre-approved spending authority. If the draft language is approved, it will move to Council for approval. The City Attorney outlined the current and proposed process for funding requests to Council.

Commissioner Comments:

There was a discussion about dollar limits on pre-approved spending authority.

There was a discussion on the Façade Improvement Program and how it works.

Commissioner Smith motioned to approve the draft language presented by the City Attorney. Commissioner Harald seconded. Roll call vote without Councilmember Leh in the room – unanimously approved.

Public comments:

Rick Kron supports the proposed amendment as a way to expedite the process.

Discussion - URA Marketing Strategy – moved to next meeting

Public comments:

The City Manager introduced Ryder Bailey, new Finance Director, to the LRC.

**Discussion Items for Next Regular Meeting, Wednesday, March 8, 2023:**

1. URA Marketing Strategy
2. Downtown Coordinated Streetscape Plan
3. Commission and Board URA Project Support
4. Façade Improvement Program Applications
5. Independence Day
6. Changing meeting time

**Commissioners' Comments:** None.

Commissioner Smith motioned to adjourn; Commissioner Williams seconded.

**Adjourn:** The meeting adjourned at 9:34 AM.

**SUBJECT: STAFF UPDATES**

**DATE: MARCH 8, 2023**

**PRESENTED BY: AUSTIN BROWN, ECONOMIC VITALITY SPECIALIST**

**SUMMARY:**

In the following, staff provides business and property updates related to activity within the Highway 42 Urban Renewal Area.

*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.

*Gas Station Ordinance*

Proposed Ordinance 1851, Series 2023 would limit the amount of new and existing gasoline and automobile service stations. As part of passage of the first reading of the ordinance on February 21, 2023, City Council approved an extension to the second reading and public hearing from March 7, 2023 to March 21, 2023 to allow for more community dialogue regarding the proposed ordinance. The EVC will be discussing the proposed ordinance during its March 10 meeting. The March 10 meeting materials are included as *Attachment #1*.

*Highway 42 Update*

City Council held a Special Meeting on February 28 to discuss Long-Term Transportation Funding, including Future 42 Conceptual Phasing Timelines and Funding Potential. The February 28 meeting materials are included as *Attachment #2*.

*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.

*Downtown Coordinated Streetscape Plan*

The Louisville Revitalization Commission (LRC) identified a Downtown Coordinated Streetscape Plan as a priority project for 2023. The first step of this process is the



**SUBJECT: STAFF UPDATES**

**DATE: MARCH 8, 2023**

**PAGE 2 OF 2**

development of a scope of work, which will help inform a discussion on funding. Staff has engaged with Public Works Engineering who is helping to create the scope of work. Staff anticipates that the scope will be ready for review during the April LRC meeting. Staff is also planning to have a draft Request for Proposal for review in April.

*Work Plan and Advanced Agenda*

The most recent Work Plan and Advanced Agenda are included as *Attachment #3*.

**ATTACHMENTS:**

1. Ordinance 1851, Series 2023 – An Ordinance Amending Title 17 of the Louisville Municipal Code Capping the Maximum Number of Gasoline and Automobile Service Stations
2. Long-Term Transportation Improvement Funding
3. LRC 2023 Work Plan and Advanced Agenda

**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 the first reading of the ordinance on February 21, 2023, City Council approved an extension to the second reading and public hearing from March 7, 2023 to March 21, 2023 to allow for more community dialogue regarding the proposed ordinance. The EVC will be discussing the proposed ordinance during its March 10 meeting. The March 10 meeting materials are included as *Attachment #1*.

**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.

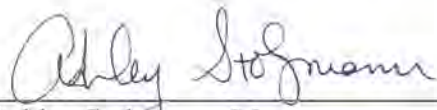
**Section 6.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any 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 1<sup>st</sup> day of November, 2022.

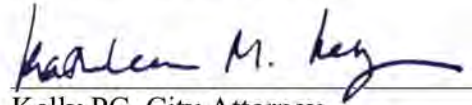
  
\_\_\_\_\_  
Ashley Stolzmann, Mayor

ATTEST:



Meredyth Muth, City Clerk

APPROVED AS TO FORM:



Kelly PC, City Attorney

received  
11/9/22

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder  
State of Colorado

PUBLIC NOTICE  
ORDINANCE NO. 1843, SERIES 2022

NOTICE IS HEREBY GIVEN that at a regular meeting of the City Council of the City of Louisville, Colorado, held on November 1, 2022 at the hour of 6:00 p.m., at 749 Main Street, Louisville, Colorado, the City Council held a Public Hearing on the passage and adoption of a proposed emergency 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

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

Published with full ordinance in the Daily Camera 11/6/22.

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 EVs 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

The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Daily Camera*.
2. The *Daily Camera* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Daily Camera* in Boulder County on the following date(s):

Nov 6, 2022

  
\_\_\_\_\_  
Signature

Subscribed and sworn to me before me this 7th day of November, 2022

  
\_\_\_\_\_  
Notary Public

SHAYLA NAJERA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20174031965  
MY COMMISSION EXPIRES July 31, 2025

(SEAL)

Account: 1048836  
Ad Number: 1933450  
Fee: \$365.64

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 re-

location 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

Published: Boulder Daily Camera November 6, 2022-1933450



**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.

<b>INITIATIVE PETITION REPRESENTATIVES</b>	
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.

38	Use Groups	A	A-O	B-O	*	R-RR	SF-R	SF-E	R-R	SF-LD	R-M	R-H	C-N	C-C	C-B	I	**	***	****
		Gasoline Service Stations	No	No	R	AO-T	No	No	No	R-E	SF-MD	No	No	No	No	No	No	PCZD	MU-R
			No	No			No	No	R-L	SF-HD	No	No	R	R	R	R	No	No	No
				R			No	No	No	No	No	No	R	R	R	R	No	No	No

**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.~~ Nursing and rest homes;
- ~~13. 14.~~ Small and large child care centers;
- ~~14. 15.~~ Financial offices, including banks and savings and loans;
- ~~15. 16.~~ Accessory structures and uses necessary and customarily incidental to the uses listed in this section;
- ~~16. 17.~~ Governmental and public facilities;
- ~~17. 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.~~ Other uses as established by the city council as found to be specifically compatible for commercial and office planning areas.
- ~~19. 20.~~ Limited wholesale sales as defined in section 17.08.262 of this title are allowed as a special review use.
- ~~20. 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.~~ Reserved.
- ~~22. 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](mailto:ewweber01@bvsd.org)>

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

**To:** Planning <[planning@Louisvilleco.gov](mailto: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

---

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

---

## Rob Zuccaro

---

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

**Importance:** High

---

**From:** Joshua Cooperman <[jhcooperman@gmail.com](mailto:jhcooperman@gmail.com)>  
**Sent:** Thursday, February 9, 2023 10:05 AM  
**To:** Planning Commission <[PlanningCommission@louisvilleco.gov](mailto: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

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**



## Rob Zuccaro

---

**Subject:** FW: Gas Stations in Louisville

**Importance:** High

**From:** Annie Parnell <[parnell.sisterhood@gmail.com](mailto:parnell.sisterhood@gmail.com)>

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

**To:** Planning <[planning@Louisvilleco.gov](mailto: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

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

# City Council

## Special Meeting Agenda

**Tuesday, February 28, 2023**  
**Library Meeting Room**  
**951 Spruce Street**  
**6:00 PM**

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

- You can call in to **+1 408 638 0968 or 833 548 0282 (Toll Free)**, Webinar ID **#876 9127 0986**.
- You can log in via your computer. Please visit the City's website here to link to the meeting: [www.louisvilleco.gov/council](http://www.louisvilleco.gov/council)

*The Council will accommodate public comments during the meeting. Anyone may also email comments to the Council prior to the meeting at [Council@LouisvilleCO.gov](mailto:Council@LouisvilleCO.gov).*

### **1. CALL TO ORDER**

### **2. DISCUSSION/DIRECTION – LONG-TERM TRANSPORTATION FUNDING**

- Staff Presentation
- Public Comments (Please limit to three minutes each)
- Council Discussion/Direction

### **3. ADJOURN**

---

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 (303.335.4536 or 303.335.4574) or [ClerksOffice@LouisvilleCO.gov](mailto:ClerksOffice@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 del Consejo, por favor llame a la Ciudad al 303.335.4536 o 303.335.4574 o email [ClerksOffice@LouisvilleCO.gov](mailto:ClerksOffice@LouisvilleCO.gov).

**SUBJECT: DISCUSSION/DIRECTION – LONG-TERM TRANSPORTATION  
IMPROVEMENT FUNDING**

**DATE: FEBRUARY 28, 2023**

**PRESENTED BY: KURT KOWAR, P.E., PUBLIC WORKS DIRECTOR**

**SUMMARY:**

Staff is providing information for review and discussion regarding the following topics:

- Education on Pavement Management
- Review of 2021 Citywide Street Pavement Condition Assessment
- Review and discussion of 2023-2028 Street Improvement Program PCI forecasts and budget trends and future steps.
- Review and discussion of Future 42 conceptual phasing, costs, potential funding sources, and direction on next steps.

**Pavement Management**

Staff will be providing a refresher on Pavement Management principals and policies for existing and new City Council members.

The City hires Infrastructure Management Systems to digitally survey city streets every 3 years. Annually, staff utilize this data to forecast and budget for the City's long-term pavement management program.

The City Council desires a target Pavement Condition Index (PCI) of 75. The 2021 IMS Survey indicated the Network Average PCI is 73. This has climbed from 64 in 2015 when the City completed its first digital inventory and created a long term plan to improve the network average to 75.

The City Council desires that no street in the City is below 35. The 2021 IMS Survey indicated that 0.30% of the City's streets were below 35. These streets were addressed in 2022, are part of the 2023-2028 plan, or are temporarily on hold due to coordination with other City or development related projects.

Fire impacted streets are planned for improvement in 2024/2025/2026 dependent upon substantial rebuild progress. Current observations and estimates suggest a need of \$3,550,000 while approved budgets provide \$6,000,000 with an estimated \$1,000,000 in FEMA reimbursement. Estimates are dependent on how well streets hold up during rebuild.

Long term forecasting for program costs indicates the goal PCI of 75 may be reached in 2025/2026 and the annual street improvement program could be reviewed for an annual reduction to maintain at a network average PCI of 75. Current approved budget versus program cost forecasting indicates a surplus of \$1,000,000 and up to \$10,000,000 over the 6-year planning period. These estimates are dependent on many external factors but provide a high-level perspective for discussion.

High level street conditions and necessary funding levels are reviewed annually.

### **Future 42 Conceptual Phasing Timelines and Funding Potential**

Staff will be presenting conceptual phases and implementation of the adopted Future 42 Plan.

Timelines for completion of various phases is dependent on significant outside funding potential from Federal, CDOT, DRCOG, Boulder County, and other miscellaneous agencies. Ongoing unbudgeted internal funding from the City or the Louisville Revitalization Commission (LRC) will be necessary to achieve required grant matches or self-funded portions of work. This may be achieved through reallocation of funding from sources such as the Street Improvement Program or the TMP First Steps.

Discussion and direction from City Council will provide guidance on staff work plans, grant applications, and potential LRC Agreements to support desired timelines and outcomes.

#### **PROGRAM/SUB-PROGRAM IMPACT:**

This discussion will help support the Program Goal of a safe, well-maintained, effective and efficient multi-modal transportation system at a reasonable cost. This project will increase the safety of pedestrian users and traveling motorists.

#### **ALTERNATIVES:**

Suggested alternative ideas to be considered for this discussion could be as follows:

- **Do Nothing** – Street PCI will climb to almost 80 by 2029. Staff will make minimal effort towards grant applications and prioritize other City funded projects. *Future 42 will receive minimal funding and see minimal progress without external funding and only likely to complete Phases 1 and 2.*
- **Reallocate Funding to Future 42/Hold 75 PCI** – Staff will manage future street improvement budgets to hit a 75 PCI and maintain 75 then on. Staff would aggressively push/prioritize the project and grant applications. *Future 42 would receive moderate funding and likely achieve Phases 1 – 3 in the next 10 years.*

- **Reallocate Funding to Future 42/Hold 70 PCI** - Staff will manage future street improvement budgets to ease down to a 70 PCI and maintain 70 then on. Staff would aggressively push/prioritize the project and grant applications. *Future 42 would receive moderate to significant funding and possibly achieve Phases 1 – 5 in the next 10 years.*
- **Reallocate Funding to Other City Priority Projects** – Staff would manage future street improvement budgets to desired City Council PCI. Funds would be reallocated to other priorities such as Decarbonization, Medians, or Parks.

**RECOMMENDATION:**







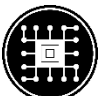

Staff recommends City Council provide direction for future budget development and management of the Street Improvement Program and other City priority capital intensive programs and projects.

Future information would be developed as part of annual budgeting exercises to represent long term desired adjustments.

**ATTACHMENT(S):**

1. Presentation
2. IMS Report

**STRATEGIC PLAN IMPACT:**

<input checked="" type="checkbox"/>	 <b>Financial Stewardship &amp; Asset Management</b>	<input checked="" type="checkbox"/>	 <b>Reliable Core Services</b>
<input checked="" type="checkbox"/>	 <b>Vibrant Economic Climate</b>	<input checked="" type="checkbox"/>	 <b>Quality Programs &amp; Amenities</b>
<input checked="" type="checkbox"/>	 <b>Engaged Community</b>	<input type="checkbox"/>	 <b>Healthy Workforce</b>
<input type="checkbox"/>	 <b>Supportive Technology</b>	<input checked="" type="checkbox"/>	 <b>Collaborative Regional Partner</b>

# Long Term Transportation Improvement Funding Discussion

- Pavement Management Education and Update
  - Future 42 Funding and Phasing
  - Next Steps
- 

February 28, 2023

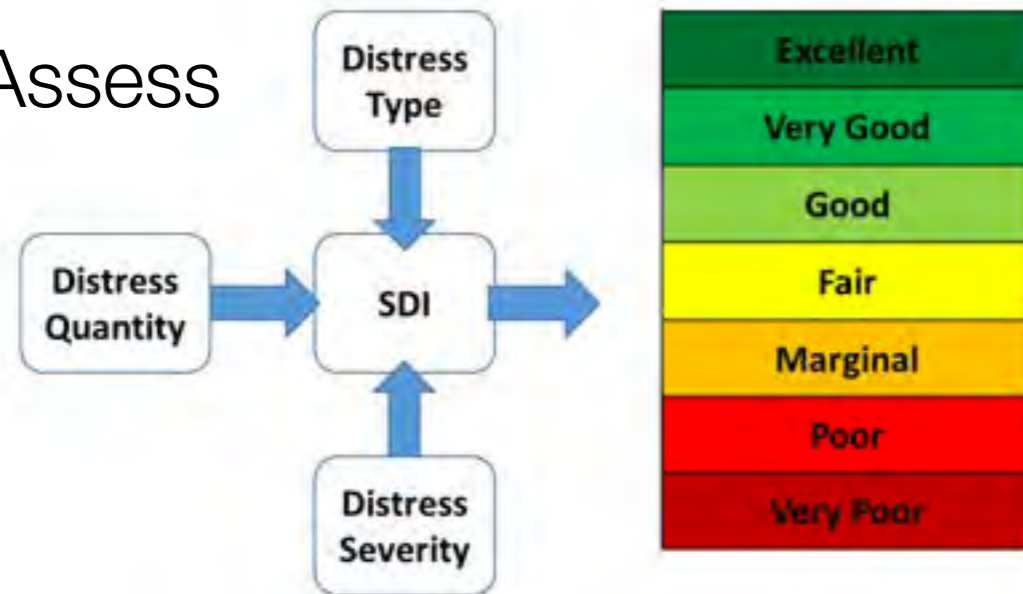


# The How, The Why, and The Louisville Policies of Pavement Management

# What is a PCI? Pavement Condition Index

Objective ASTM Method of Assessing the Condition of Asphalt or Concrete

1. Assess



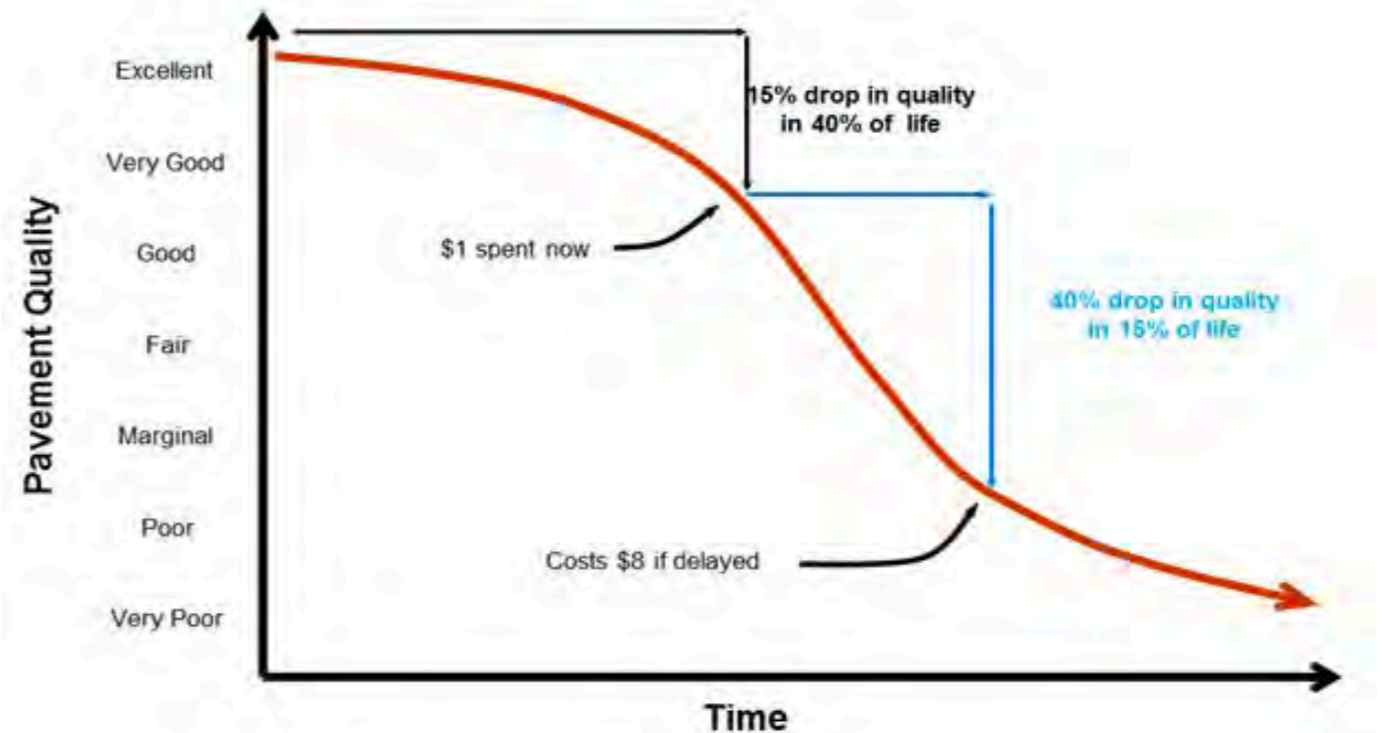
2. Score PCI

3. Model Scenarios

4. Create Yearly Plan

6. Update Network

5. Perform Work





# How is it Measured?

Every 3 Years by IMS (External). Fall 2024 is the next survey.

---



# Scanned Data

---

1. Quantify Surface Distresses (SDI)
2. Scan Ride Quality (RI)
3. Calculate PCI

$$\text{PCI} = 67\% \text{ SDI} + 33\% \text{ RI}$$



# How is it Forecasted and Streets Selected?

## Lucy Software Modeling and Field Review Annually (Internal)

Street Subsegment - No Filter

Subsegment Rec #: 1      Segment Rec #: 1      Segment ID: 7934

Subsegment Code: 7934-1      Street Name: E RANCH RD

Start Station: 0.0      From Street: S RADINE LN

End Station: 130.7      To Street: S TUCANA LN

Attributes: Curb | Sidewalk | Office | Inspections | Maintenance | WO/PM/Req | Custom | Shared | Comments

Starting Desc: \_\_\_\_\_

Ending Desc: \_\_\_\_\_

Subdivision 1: \_\_\_\_\_

Subdivision 2: \_\_\_\_\_

Classification	2	Collector	Length	130.7	Median Width
Pavement Type	1	Asphalt	Width	20.0	CDS Diameter
Pavement Strength	1	Average	Pave Area (SY)	290.44	# of Lanes
Surface Type	1	Chip Seal	Additional Area	5.00	Street Number
Group Number	865-45		Total Area	295.44	Block Number
Owner	1	City	Cross Slope	2	Not Adequate
Superseg Rec #	1		Cross Slope %	15.0	
SuperSegment ID					
SuperSeg Desc					

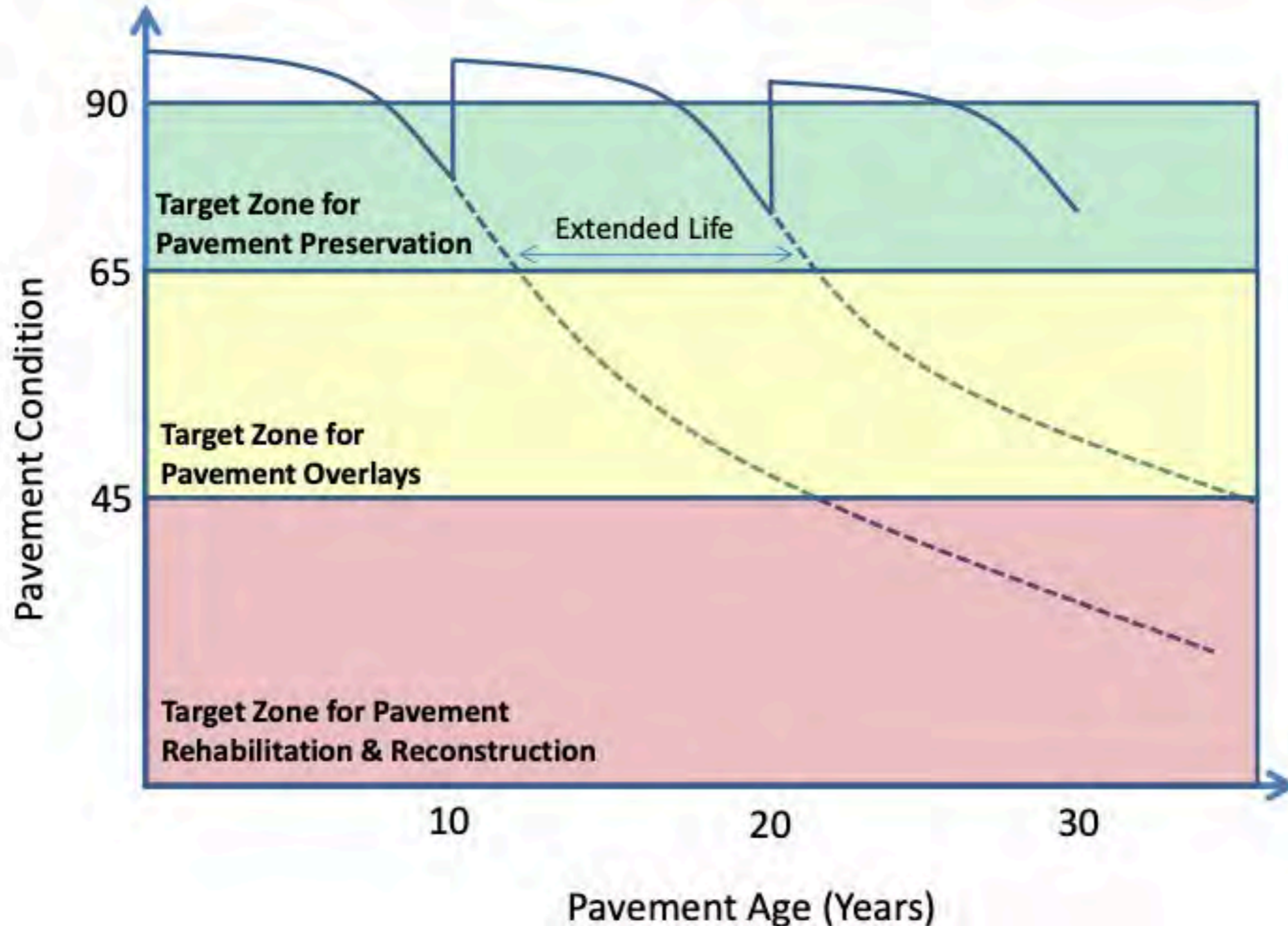
Record 1 of 347      View Mode      Ready...



11	Corner Cracks	Yes	Non-Load
12	Drainage	No	Environmental
13	Durability Cracks	Yes	Load
14	Trans. Cracks	Yes	Non-Load
15	Extreme Trans	Yes	Non-Load
16	Poor Cross Sect.	No	Non-Load
17	Dust	No	Environmental

# Why Does it Matter?

Optimize Treatment Timing and Cash Investment



# Strategy for Investment of Dollars

Minimal Preservation and then Overlay or Reconstruction



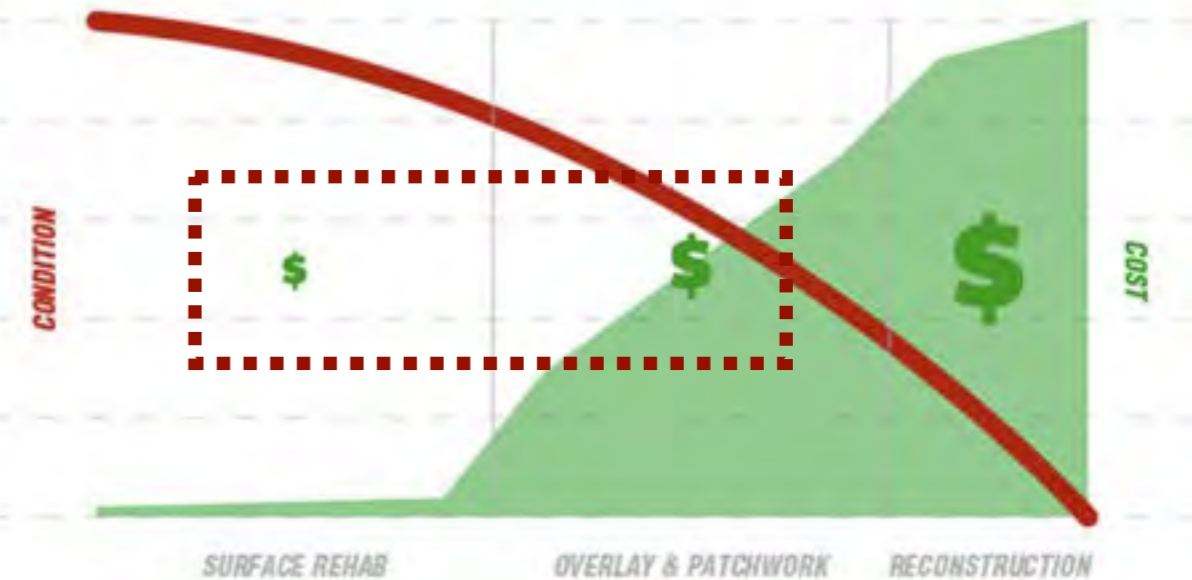
=



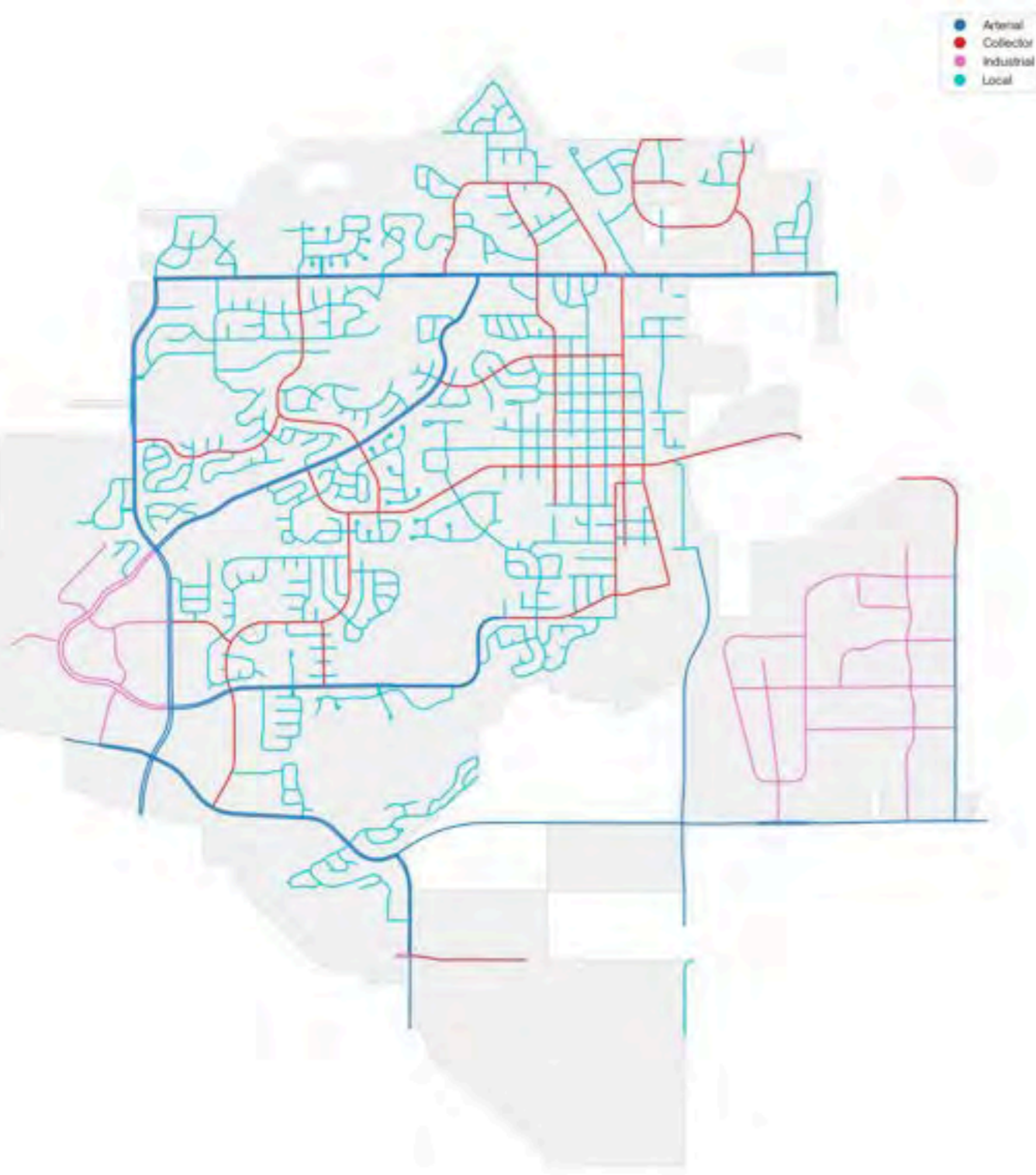
Crack Seal, Patch, Slurry Seal, Chip Seal



=

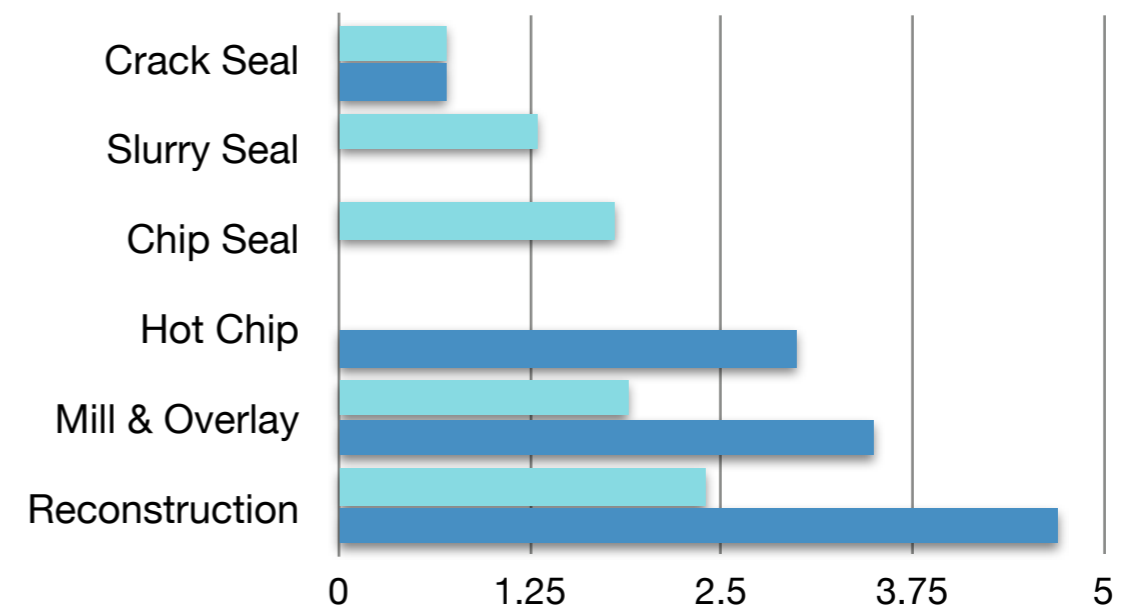


# Street Classification, Traffic, Lifespans, and Cost



Classification/ Priority	Average Daily Traffic (Vehicles)	Treatment Lifespan (Years)	Wear & Tear
Arterial	5,000 - 30,000	10 - 12	High
Collector	1,500 - 5,000	8 - 15	Moderate
Local	0 - 1,500 (Trash Trucks)	8 - 20	Low
Industrial	0 - 1,500 (Truck Traffic)	10 - 20	Low - Moderate

**Relative Treatment Costs (\$/SY/YR)**



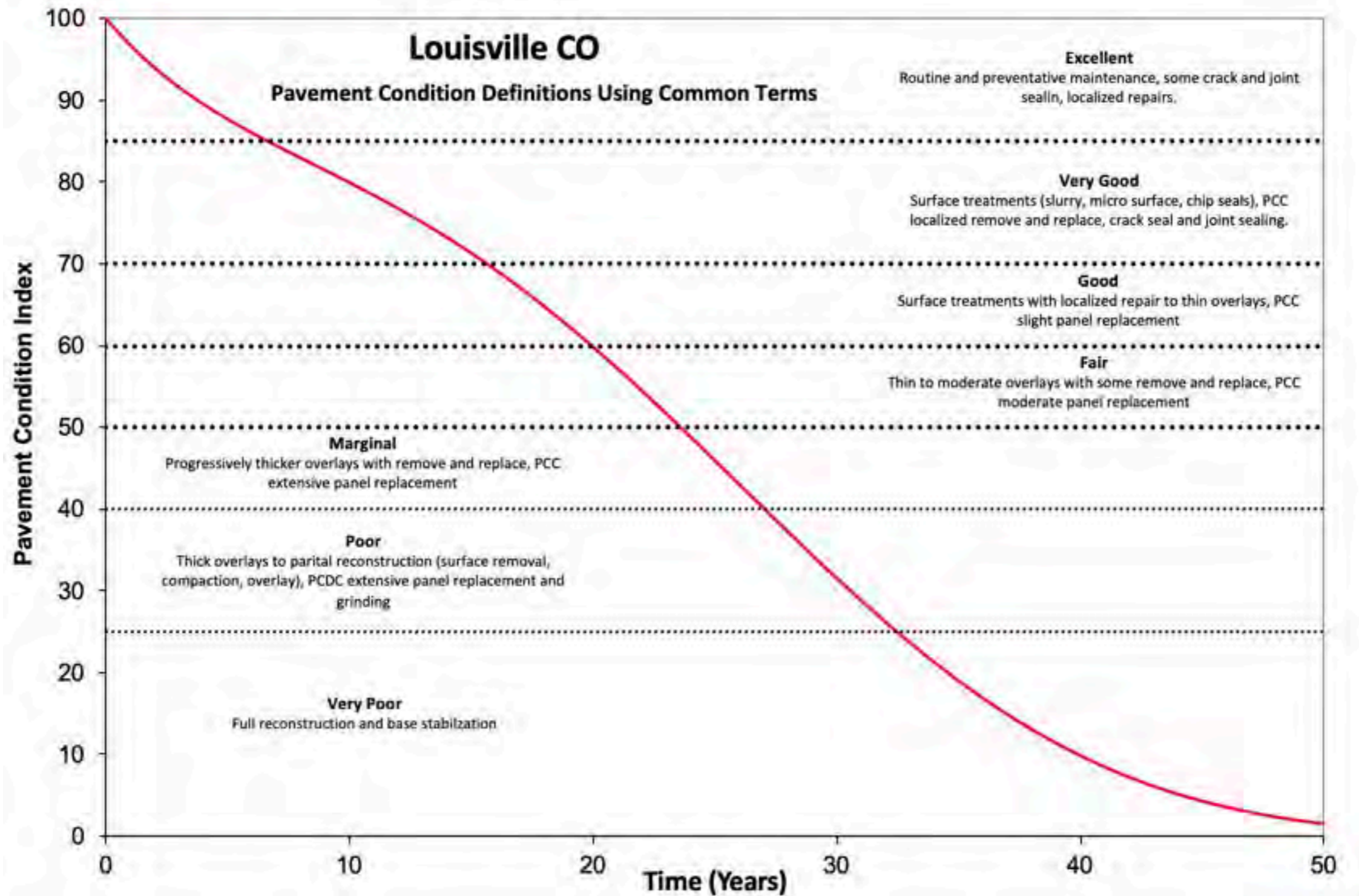
# Influencing Selection / Timing Factors

---

- Traffic Volume
- Seasonal Freeze Thaw
- Marshall Fire
- Lifespan
- Unexpected Utility Repairs
- Timed Utility Repairs
- Roads that Degrade Faster Than Expected
- Annual/Ongoing Staff Inspections to Confirm Planned Work for Following Year
- New IMS Survey Every 3 Years. New Modeling Results



# Types of Pavement Improvements by PCI





# Pavement Performance Metrics

	Network Average	% Network Excellent	IMS Backlog % PCI < 40	COL Backlog % PCI < 35
IMS Target	70	15 - 25%	< 12%	-
Louisville Target	75	-	-	0%
2015	64	17%	9.29%	5.13%
2018	67	25.5%	8.01%	3.00%
2021	73	28.4%	1.06%	0.30%

Overall, does the Network feel right? Arterials, Neighborhood, My Street Perspective.

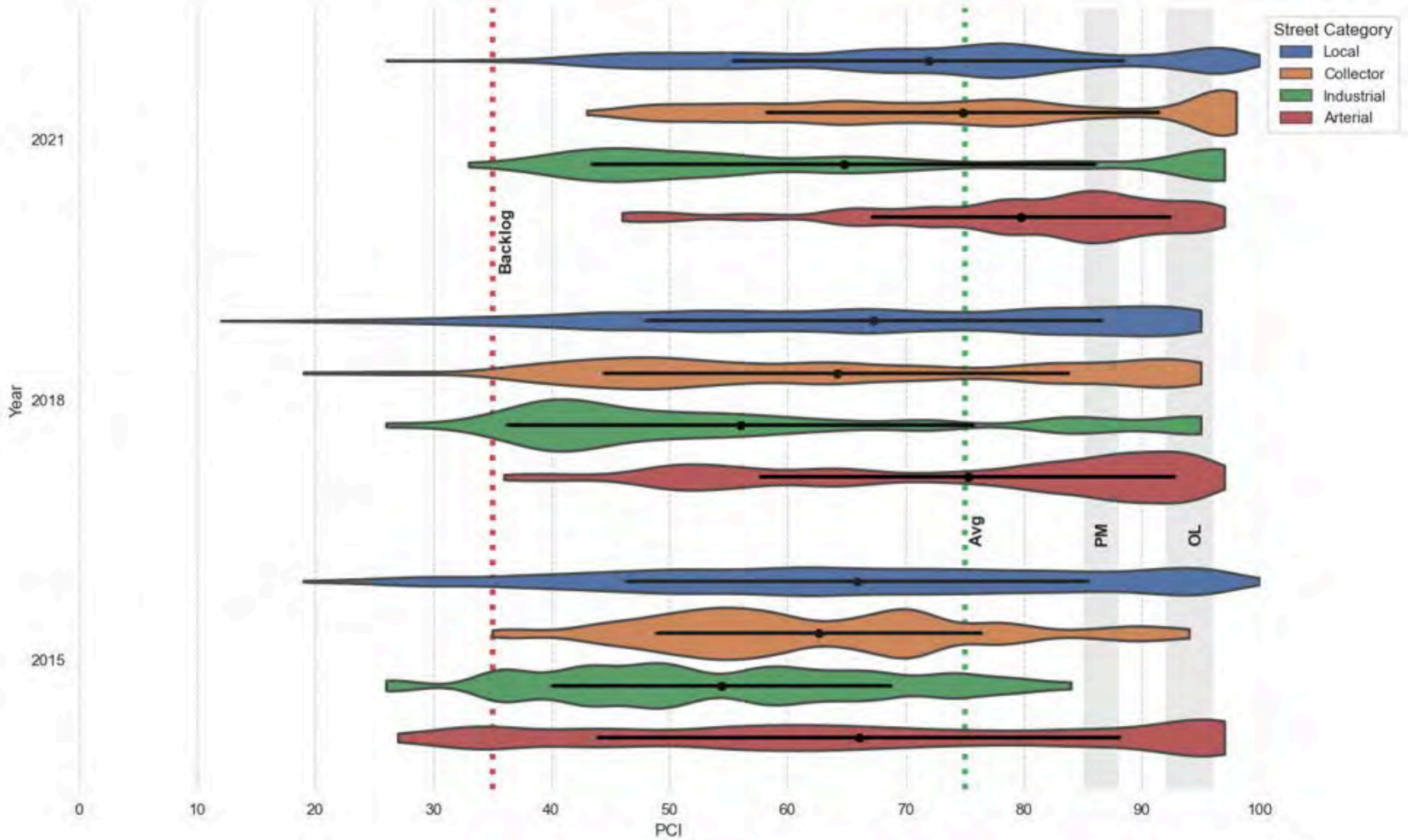
# Pavement Maintenance Activities and Reset Values

## Louisville CO Rehabilitation Strategies and Unit Rates

Pavement Type	Rehab Code	Rehab Activity	Simple Rehab Activity	Min PCI	Critical PCI (Need Year)	Max PCI	Reset PCI	LADD Min	LADD Max	Rehab Funding Sequence	Arterial Unit Rates (\$/yd2)	Collector Unit Rates (\$/yd2)	Industrial Unit Rates (\$/yd2)	Local Unit Rates (\$/yd2)
Asphalt	10	Slurry Seal / Prvntve Mntnce	Slurry	75	77	85	85	0	100	15	10.0	10.0	10.0	10.0
Asphalt	20	Surface Trtmnt / Chip Seal		70	73	75	88	0	15	8	22.0	22.0	22.0	22.0
Asphalt	23	Surf Trtmnt / Chip Seal + RR1	Chip Seal	70	73	75	88	15	100	7	22.0	22.0	22.0	22.0
Asphalt	26	Surf Trtmnt / Chip Seal + RR2		60	63	70	88	0	15	6	22.0	22.0	22.0	22.0
Asphalt	30	EM + Thin Overlay (1.5 - 2.0)		60	63	70	92	15	35	14	28.0	28.0	28.0	28.0
Asphalt	33	EM+Thin Oly (1.5 - 2.0) + RR1	Resurfacing (Mill & Fill)	60	63	70	92	35	100	13	28.0	28.0	28.0	28.0
Asphalt	36	EM+Thin Oly (1.5 - 2.0) + RR2		50	54	60	92	0	25	12	28.0	28.0	28.0	28.0
Asphalt	40	EM/FWM + Mod Olay (2.0 - 3.0)		50	54	60	94	25	45	11	30.0	30.0	30.0	30.0
Asphalt	43	EM/FWM + Mod Oly (2 - 3) + RR1		50	54	60	94	45	100	10	30.0	30.0	30.0	30.0
Asphalt	46	EM/FWM + Mod Oly (2 - 3) + RR2		40	44	50	94	0	35	9	30.0	30.0	30.0	30.0
Asphalt	50	FWM + Thick Olay (> 2.0 - 3.0)	Resurfacing (Hot Chip)	40	44	50	96	35	55	3	30.0	30.0	30.0	30.0
Asphalt	53	FWM + Thck Oly (> 2 - 3) + RR1		40	44	50	96	55	100	2	30.0	30.0	30.0	30.0
Asphalt	56	FWM + Thck Oly (> 2 - 3) + RR2		25	30	40	96	0	50	1	30.0	30.0	30.0	30.0
Asphalt	60	Surf Rmvl + Base Rehab + Olay		25	30	40	98	50	100	4	55.0	55.0	50.0	45.0
Asphalt	70	ACP Full Depth Reconstruction	Reconstruction	0	15	25	100	0	100	5	55.0	55.0	50.0	45.0
Concrete	510	PCC Jnt Rehab & Crk Seal		75	77	85	85			15	1.2	1.2	1.2	1.2
Concrete	520	PCC Localized Rehab		70	73	75	88			8	5.3	5.3	5.3	5.3
Concrete	530	PCC Slight Pnl Rplcmnt (<10%)		60	63	70	92			13	15.5	15.5	15.5	15.5
Concrete	540	PCC Mod Pnl Rplcmnt (< 20%)		50	54	60	94			10	31.5	31.5	31.5	31.5
Concrete	550	PCC Extnsve Pnl Rplcmnt (<33%)		40	44	50	96			2	47.0	47.0	47.0	47.0
Concrete	560	PCC Partial Reconstruction		25	30	40	98			4	126.0	126.0	126.0	126.0
Concrete	570	PCC Full Depth Reconstruction		0	15	25	100			5	183.0	183.0	183.0	183.0

# Survey Data Distribution Over Time

**Backlog** = Council Target Backlog (< 35)  
**Avg** = Council Target Network Average (75)  
**OL** = Overlay Reset Range (92-96)  
**PM** = Preventative Maintenance Reset Range (85-88)

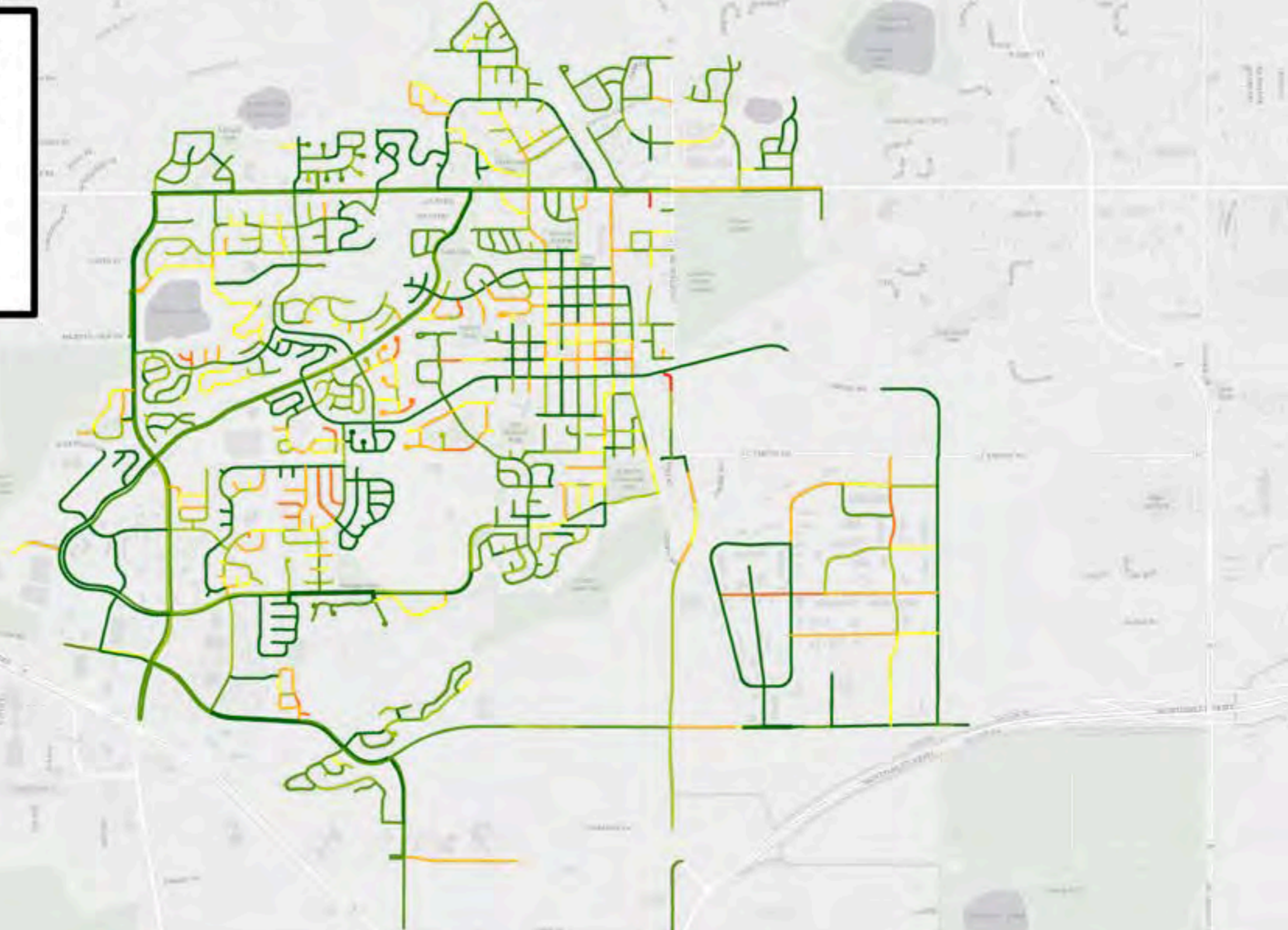


# Colorado Communities PCI Comps

Agency	State	Year	Mileage (mi)	PCI	<40PCI (Backlog)	Annual Funding
Adams County	CO	2019	504	68	8%	\$7.19M/Yr
Aurora	CO	2019	1003	71	2%	\$21.38M/Yr
Breckenridge	CO	2021	51	71	2%	\$2M/Yr
Centennial	CO	2022	440	67	9%	\$5.85M/Yr
Eagle County	CO	2019	130	68	2%	\$1.35M/Yr
Eaton	CO	2022	32	60	7%	\$0.43M/Yr
Englewood	CO	2021	124	59	6%	N/A
Evans	CO	2020	83	58	21%	\$2.1M/Yr
Firestone	CO	2021	77	66	2%	\$0.85M/Yr
Fort Collins	CO	2022	651	75	5%	N/A
Grand Junction	CO	2019	383	71	11%	\$6M/Yr
Gunnison	CO	2019	35	67	2%	\$1.04M/Yr
La Plata	CO	2023	227	74	3%	\$3M/Yr
Lafayette	CO	2020	118	68	2%	\$2.25M/Yr
Lake County	CO	2021	65	61	10%	\$0.5M/Yr
Longmont	CO	2022	366	67	3%	N/A
Louisville	CO	2022	101	73	2%	\$3.4M/Yr
Northglenn	CO	2022	117	67	8%	\$1.5M/Yr
Parker	CO	2019	238	76	0%	\$4.87M/Yr
Pueblo West MD	CO	2021	223	63	17%	\$0.5M/Yr
Routt County	CO	2023	157	79	1%	\$2M/Yr
Steamboat Springs	CO	2021	79	75	1%	\$1.3M/Yr

**Current PCI Conditions**

- Excellent: 85-100
- Very Good: 70-85
- Good: 60-70
- Fair: 50-60
- Marginal: 40-50
- Poor: 25-40
- Very Poor: 0-25

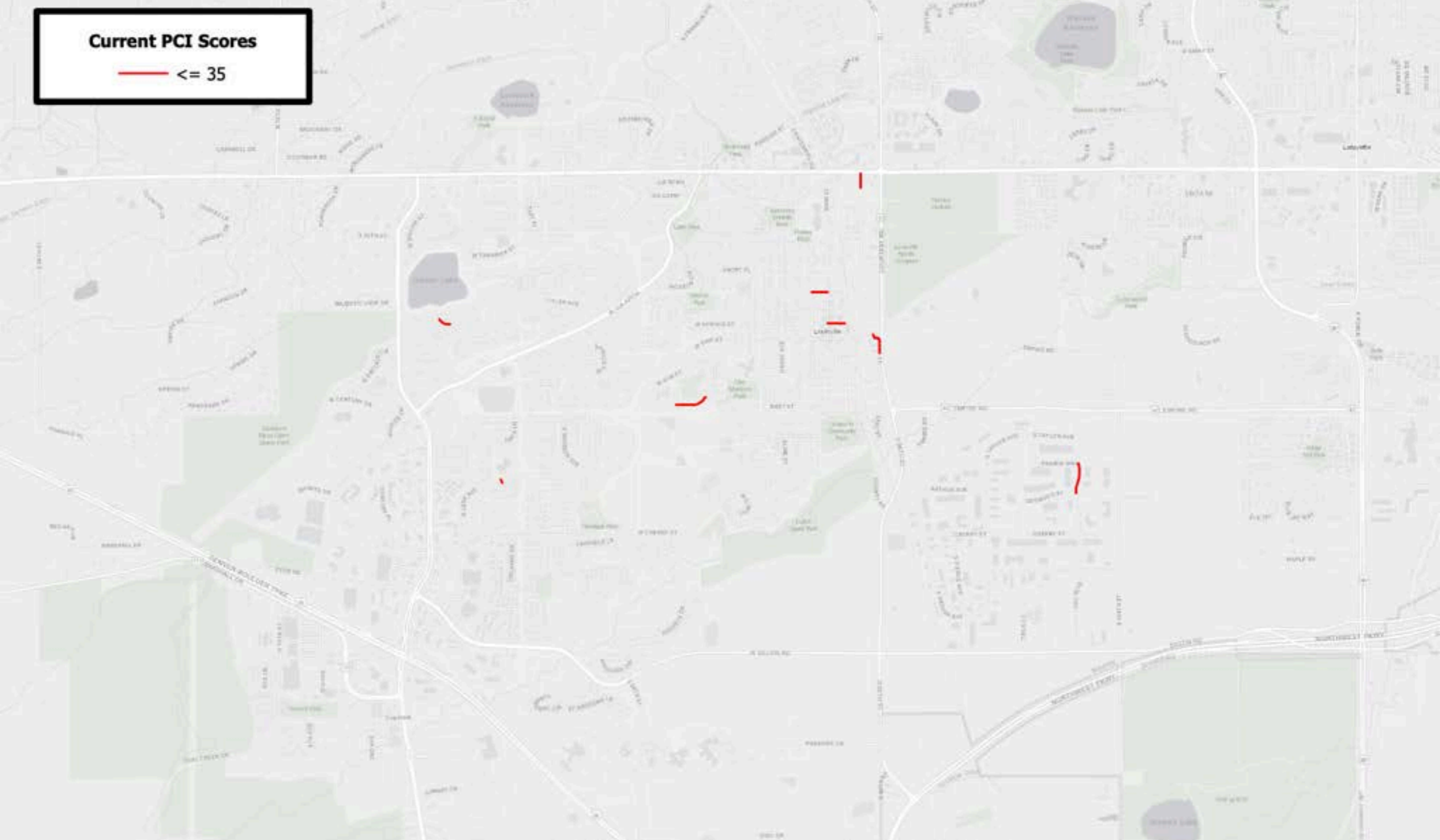


Citywide PCI

Forecasted Current PCI

### Current PCI Scores

— ≤ 35

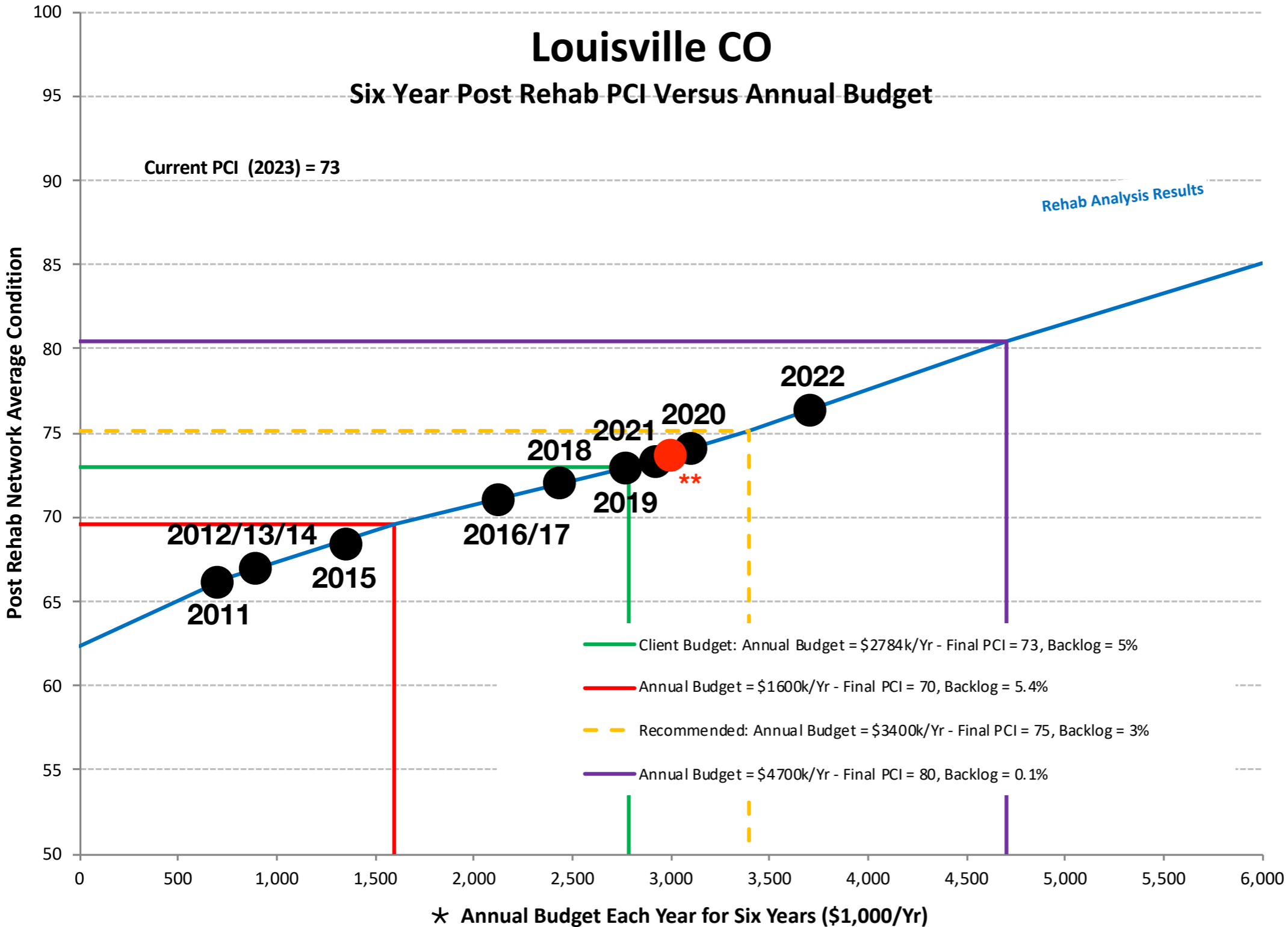


Citywide PCI < 35

Backlog 0.30% of Network

# Historical Budget vs Desired PCI

\* Costs for Asphalt Only.



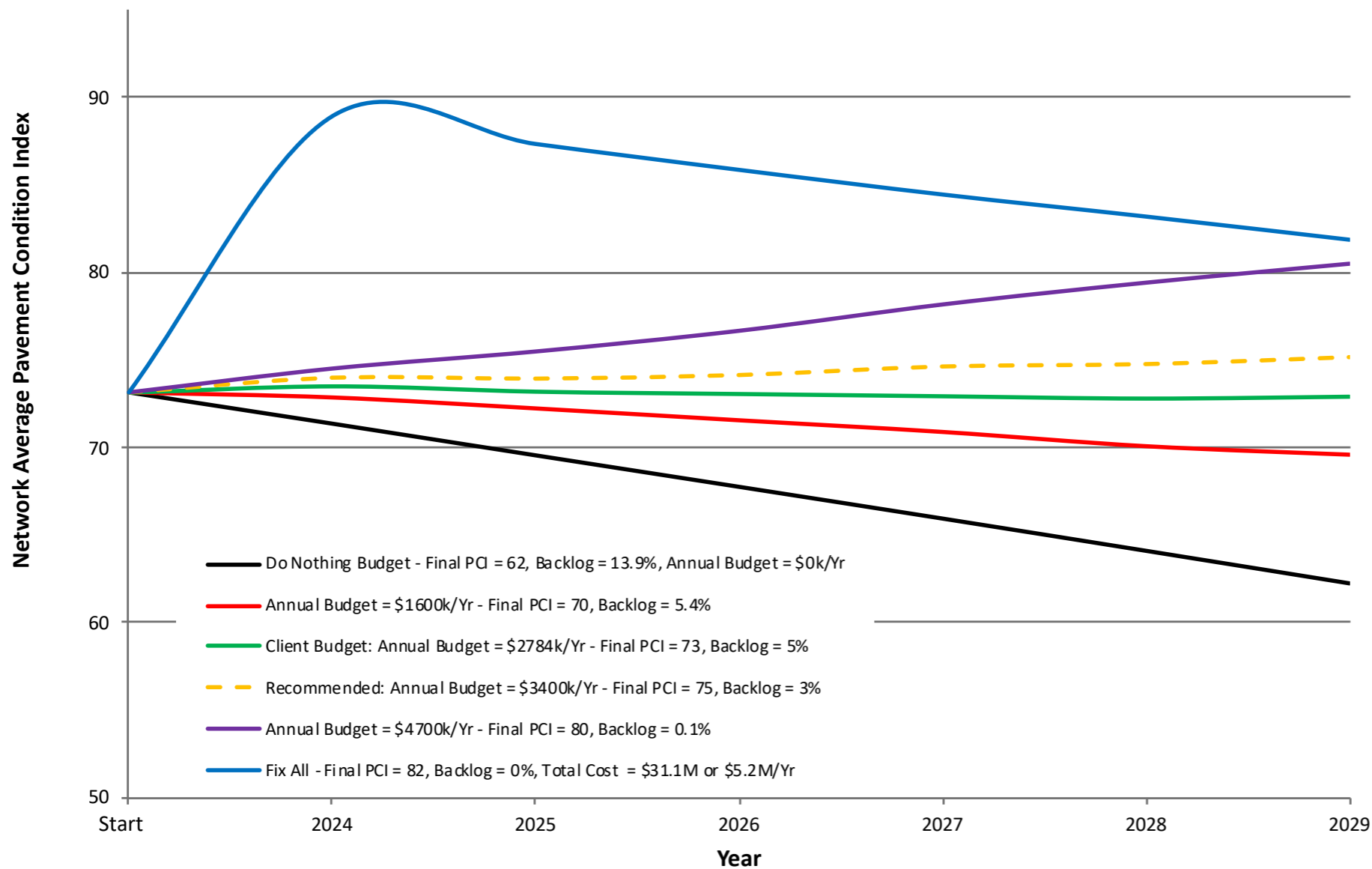
**\*\***  
**2023 - 2028**  
**Adopted Budget**

\$5,200,000/yr Avg Total

**\$3,100,000/yr** 60% Asphalt  
\$2,100,000/yr 40% Concrete

# Forecasted Budget Models vs PCI Over Time

**Louisville CO**  
Annual Condition for Various Budget Levels




2029 PCI	\$/Yr Asphalt Need (Total Need)
62	Do Nothing
70	\$1,600,000 (\$2,666,000)
<b>73/74</b>	<b>\$3,100,000</b> <b>(\$5,200,000)</b> <b>CIP Budget</b>
75	\$3,400,000 (\$5,666,666)
80	\$4,700,000 (\$7,833,333)



# 2023-2028 Approved Budget VS Challenges to Manage

- Timing of Majority of Fire Rebuild
- Ultimate Fire Rebuild Damage to Roads
- Timing of Arterial Degradation. May need to adjust street selection in different years. Substitute an Arterial for a Neighborhood.
- Combined Impact of Previous Influencing Factors (ie. Freeze/Thaw)
- Original Planned Treatments May Need to Change. (ie. Slurry Seal may need to become more expensive Mill and Overlay)
- Inflation
- Supply Chain/Materials Availability

Six-Year (2023-2028) Capital Improvement Plan Request Form for Capital Equipment or Capital Project							
<b>Identification and Funding Source</b>							
Project Name: Annual Resurfacing Program		Submitted By: Public Works		Version: 8/29/2023			
Program(s):	Sub-Program(s):	Funding Source(s):	Percent				
Transportation	Transportation Infrastructure Maint	Capital Projects Fund	100%				
			100%				
<b>Estimated Cash Flow Schedule</b>							
Equipment or Project Costs	Year 1 2023	Year 2 2024	Year 3 2025	Year 4 2026	Year 5 2027	Year 6 2028	Six-Year Total
Land Acquisition	-	-	-	-	-	-	-
Design & Engineering	-	-	-	-	-	-	-
Other Prof Services	-	-	-	-	-	-	-
Construction	3,780,000	3,780,000	4,000,000	4,000,000	4,500,000	4,500,000	24,560,000
Marshall Fire Repaving	-	2,000,000	2,000,000	2,000,000	-	-	8,000,000
Capital Equipment Purch	-	-	-	-	-	-	-
Contingency	756,000	756,000	1,200,000	1,200,000	1,350,000	1,350,000	5,612,000
<b>Total Costs (Gross)</b>	<b>4,536,000</b>	<b>6,536,000</b>	<b>7,200,000</b>	<b>7,200,000</b>	<b>5,850,000</b>	<b>5,850,000</b>	<b>37,172,000</b>
Grants or Other	-	-	-	-	-	-	-
Off-Setting Revenue	-	1,000,000	-	-	-	-	1,000,000
Impact to Annual Maint/Operating Costs	-	-	-	-	-	-	-
<b>Description and Justification</b>							
				<b>Description &amp; Proposed Funding:</b>			
				<b>Equipment/Project Description:</b> The project includes replacement of curb, gutter, walk, as well as improving the surface condition of asphalt pavements by utilizing a variety of maintenance techniques. Streets that exhibit signs of minor surface failure are crack sealed, patched, leveled and resurfaced with an overlay or chipseal. Streets that exhibit severe signs of deterioration are reconstructed. 2023 and 2025 include repaving all the affected streets within the Marshall Fire burn areas.			
				<b>Project revenue or grants that will support the project and the impacts to the operating budget:</b> Anticipating receiving \$1,000,000 in 2024 from FEMA for PPOR damages.			
				<b>Reference to Plan being implemented (i.e., Master Plan):</b> None			
<b>Justification and Alignment with Program/Sub-Program Goals &amp; Key Performance Indicators:</b>							
This project is needed for maintenance of 200 lane miles of the city's pavement infrastructure. Maintaining the City's infrastructure is consistent with a City Council goal of addressing aging infrastructure. This project supports compliance with the city's desired PCI level. Currently pavement modeling is being updated with the 2021 field survey data, fire impacted data, and new staff are training on modeling. Due to workloads, updates and modeling have been delayed. The current budget is an estimated worst case funding scenario that maintains historical funding levels and adds fire impacted roads.							
				<b>52</b>			
Department Priority Ranking: High				Request Number: (Finance Use)			

# Budget vs Projected Costs

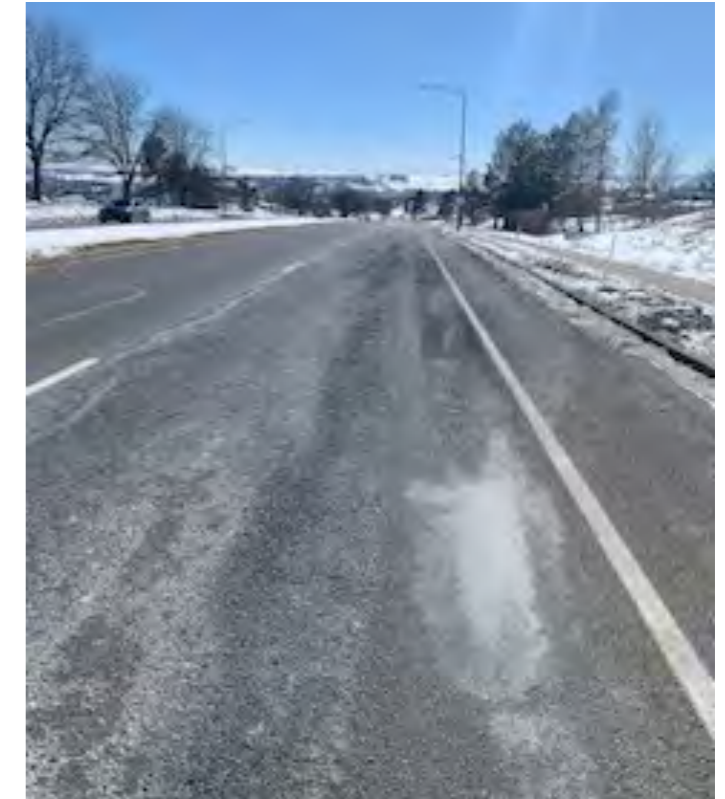
Approved Budget + Fire | PCI to 75 Goal/Fire Roads. Likely 2023-2025.

Hold 75 Plan | Hold PCI at 75 once Reaching 75 and Fire Roads are Complete. Likely 2026-2028.

Year	Plan	PCI	Council Approved Budget	Council Approved Fire Budget	Program Estimate	Fire Estimate	Difference
2023	Approved Budget	72.84	\$4,536,000	-	\$3,400,000	-	\$1,136,000
	Hold 75 Plan	-	-	-	-	-	-
2024	Approved Budget	74.19	\$4,536,000	\$2,000,000	\$6,500,000	\$400,000	\$36,000
	Hold 75 Plan	-	-	-	-	-	-
2025	Approved Budget	75.82	\$5,200,000	\$2,000,000	\$7,200,000	\$3,150,000	\$0
	Hold 75 Plan	-	-	↑	-	↑	-
2026	Approved Budget	77.70	\$5,200,000	\$2,000,000	\$7,200,000	Unknowns Contingency	\$0
	Hold 75 Plan	76.01	-	-	\$3,400,000	-	\$3,800,000
2027	Approved Budget	78.97	\$5,850,000	-	\$5,800,000	-	\$50,000
	Hold 75 Plan	76.26	-	-	\$3,400,000	-	\$2,450,000
2028	Approved Budget	79.93	\$5,850,000	-	\$5,800,000	-	\$50,000
	Hold 75 Plan	76.07	-	-	\$3,400,000	-	\$2,450,000
6 Yr	Approved Budget	-	\$5,200,00 Avg	\$6,000,000 Total	\$6,000,000 Avg	\$3,550,000 Total	\$1,272,000 Cumulative
	Hold 75 Plan	-	-	-	\$4,550,000 Avg	-	\$9,872,000 Cumulative

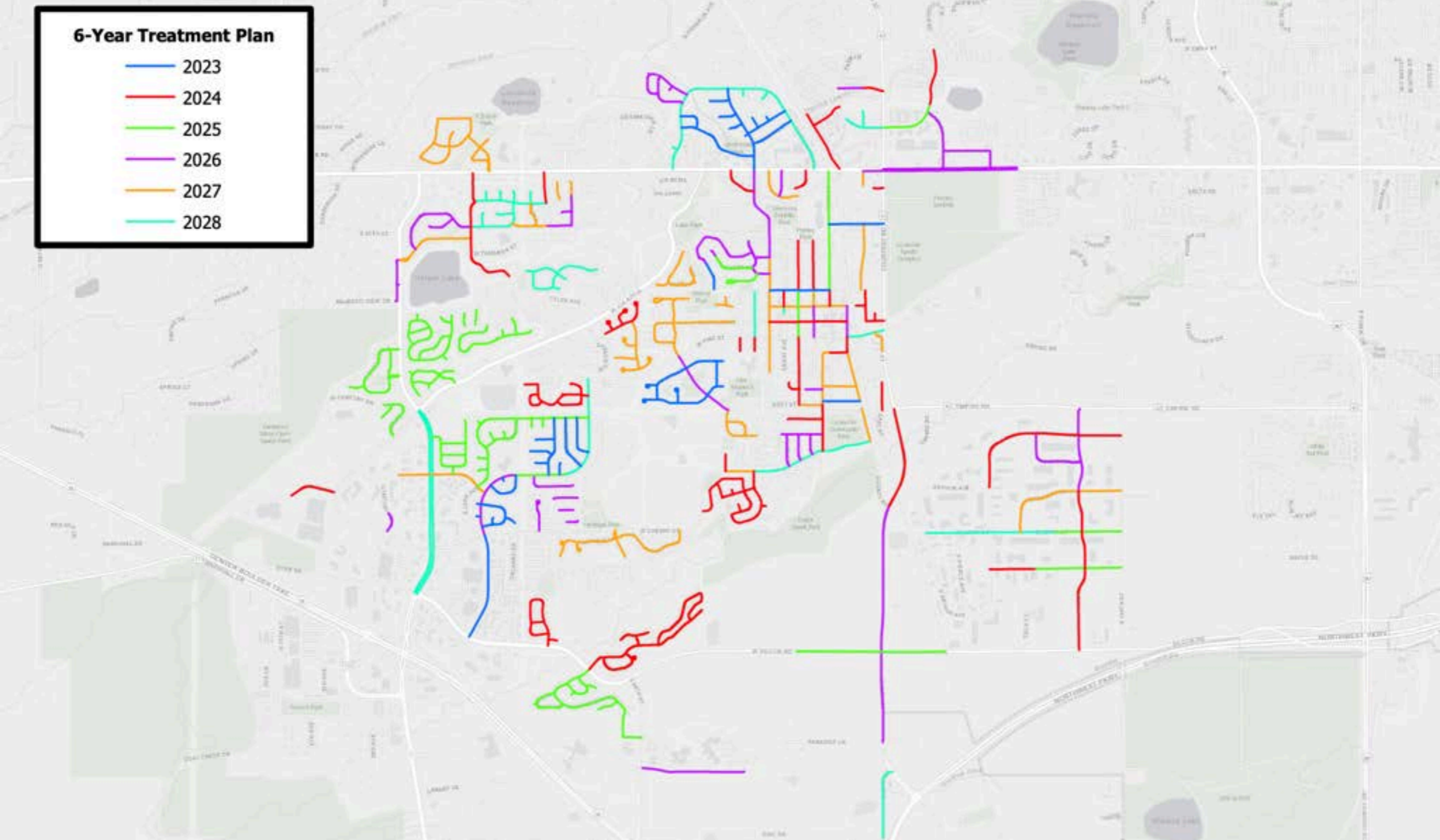
- Arterials generally dictate how good the network feels.
- The City's Arterials are in the last half of their lifespan. (least attractive)
- Parallel Model runs indicate completing Arterials before ultimate life span leads to lower PCI in long term.
- Staff will monitor Arterials and do heavy patching each year.
- If too much heavy patching becomes needed that Arterial will be immediately programmed.

Year	Current Optimized Model	Forced Arterials Model
2023	72.84	72.84
2024	74.19	74.07
2025	75.82	75.63
2026	77.70	76.75
2027	78.97	77.30
2028	79.93	78.02



### 6-Year Treatment Plan

- 2023
- 2024
- 2025
- 2026
- 2027
- 2028



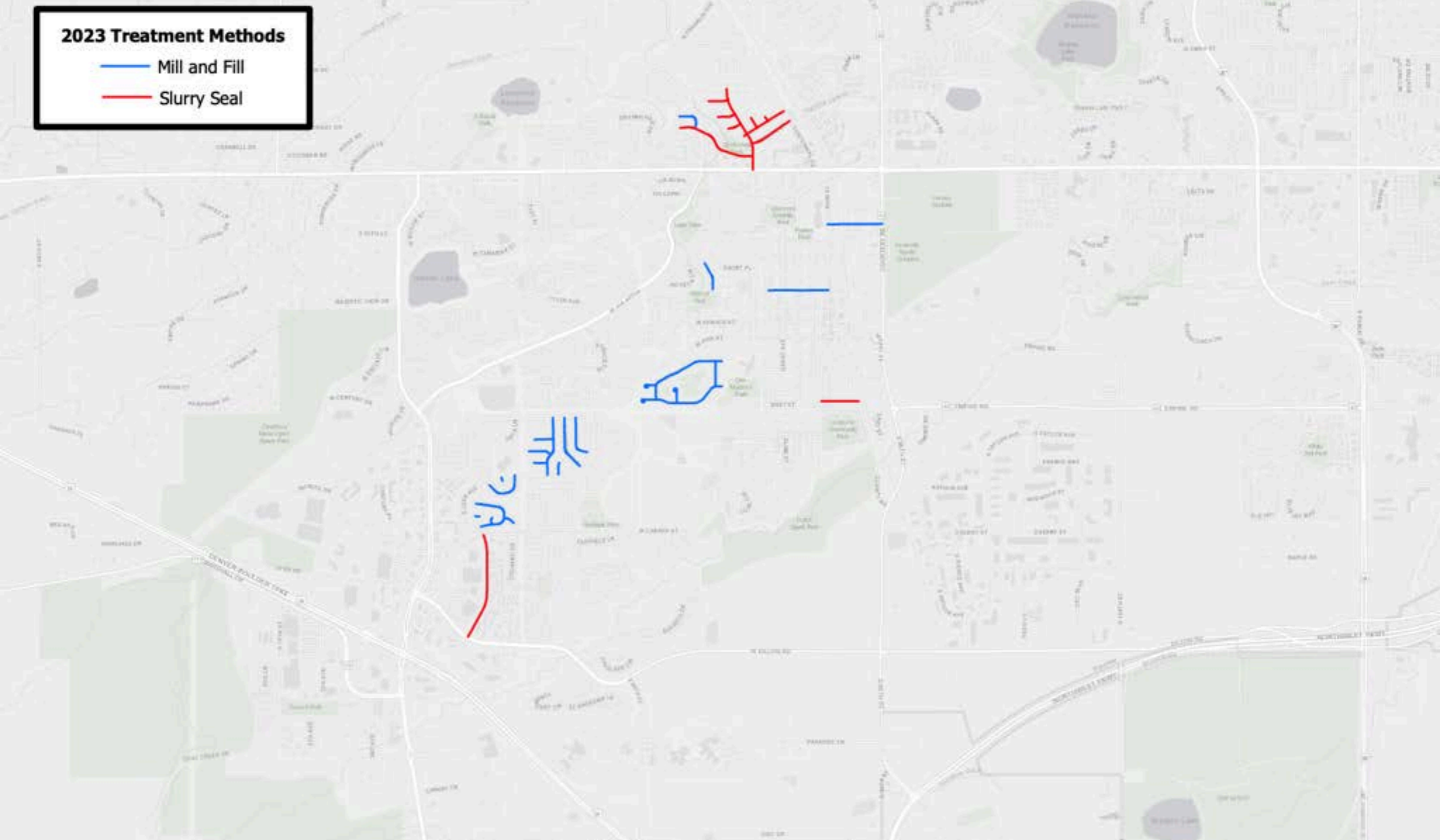
6 Year Paving Plan

2023 - 2028

### 2023 Treatment Methods

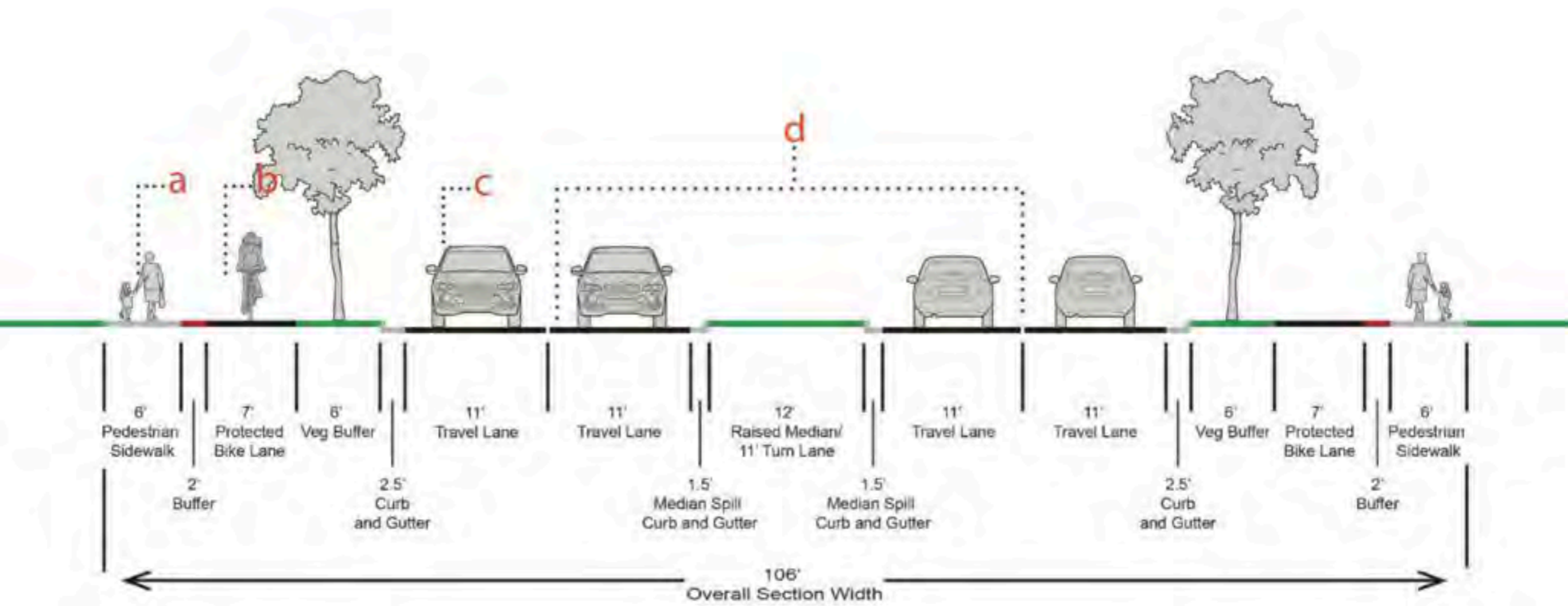
— Mill and Fill

— Slurry Seal



# 2023 Paving Plan

Spring/Summer



Future 42 Plan

Phasing and Funding Concepts

# Conceptual Hwy 42 Phasing

60% Design Process and Grants May Impact Phase Order  
South Synergies, North Synergies

## Phase 1 - Corridor Wide - \$9,500,000

60% Design, ROW Acquisition, Utility Conflicts, Utility Undergrounding - \$9,500,000

## Phase 2 - South Street Underpass - \$9,000,000

Underpass - \$9,000,000

## Phase 3 - SBR Intersection & Underpass - \$16,000,000

SBR Intersection - \$11,000,000

Underpass - \$5,000,000

## Phase 4 - Pine Street to Short Street Widening - \$11,000,000

Pine Street Intersection - \$3,000,000

West Side Walk/Bike Lane - \$4,000,000

East Side Walk/Bike Lane - \$4,000,000

## Phase 5 - SBR to Short Street Widening - \$17,000,000

Griffith Intersection - \$5,000,000

Short Street Intersection - \$4,000,000

West Side Walk/Bike Lane - \$4,000,000

East Side Walk/Bike Lane - \$4,000,000

## Phase 6 - Paschal to SBR - \$15,000,000

Paschall Intersection - \$4,000,000

Hecla Intersection - \$4,000,000

West Side Walk/Bike Lane - \$3,500,000

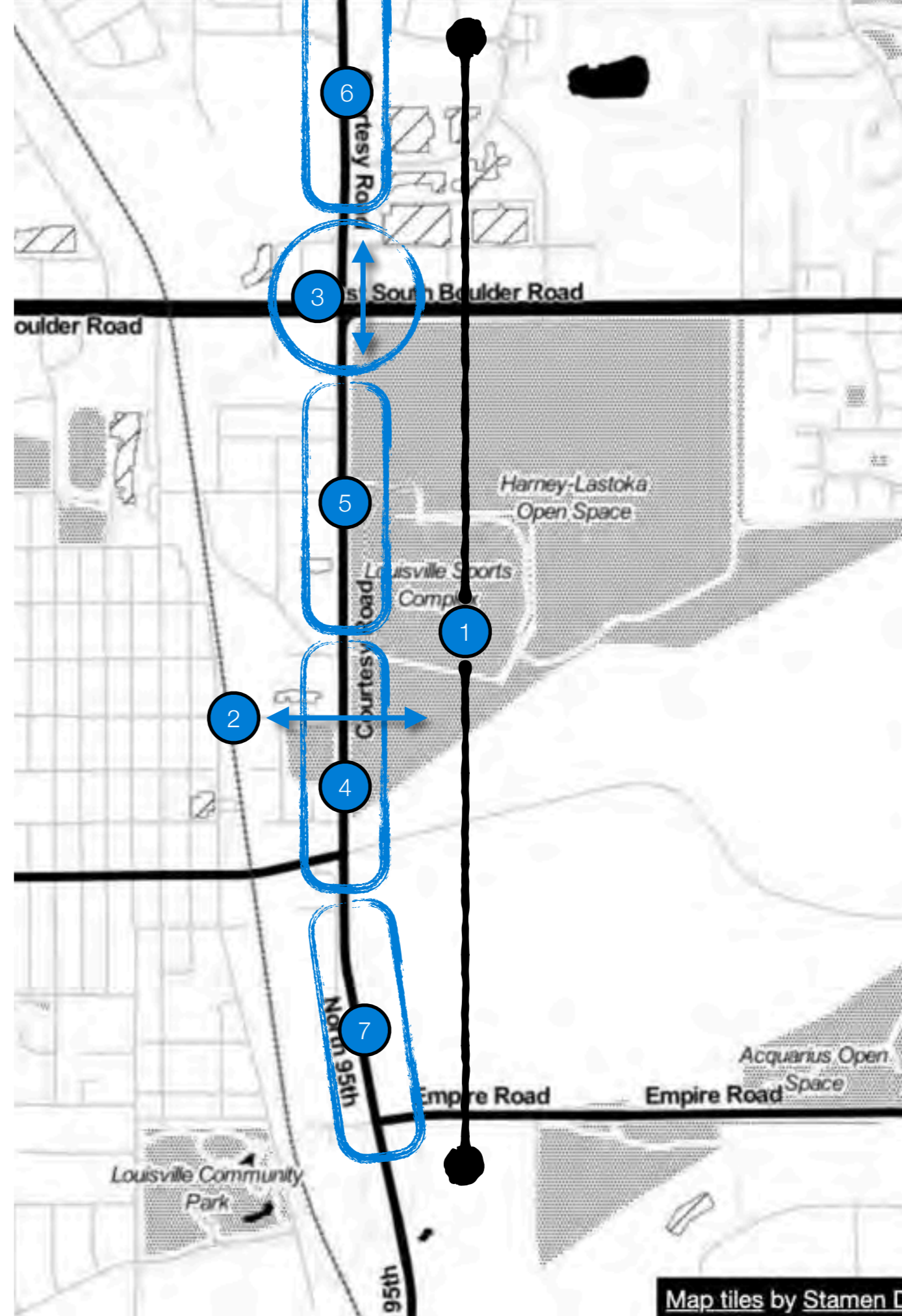
East Side Walk/Bike Lane - \$3,500,000

## Phase 7 - Pine Street to Lock/Empire - \$14,300,000

Lock Street Intersection - \$5,600,000

West Side Walk/Bike Lane - \$4,400,000

East Side Walk/Bike Lane - \$4,300,000



# Current Funding Potential

---

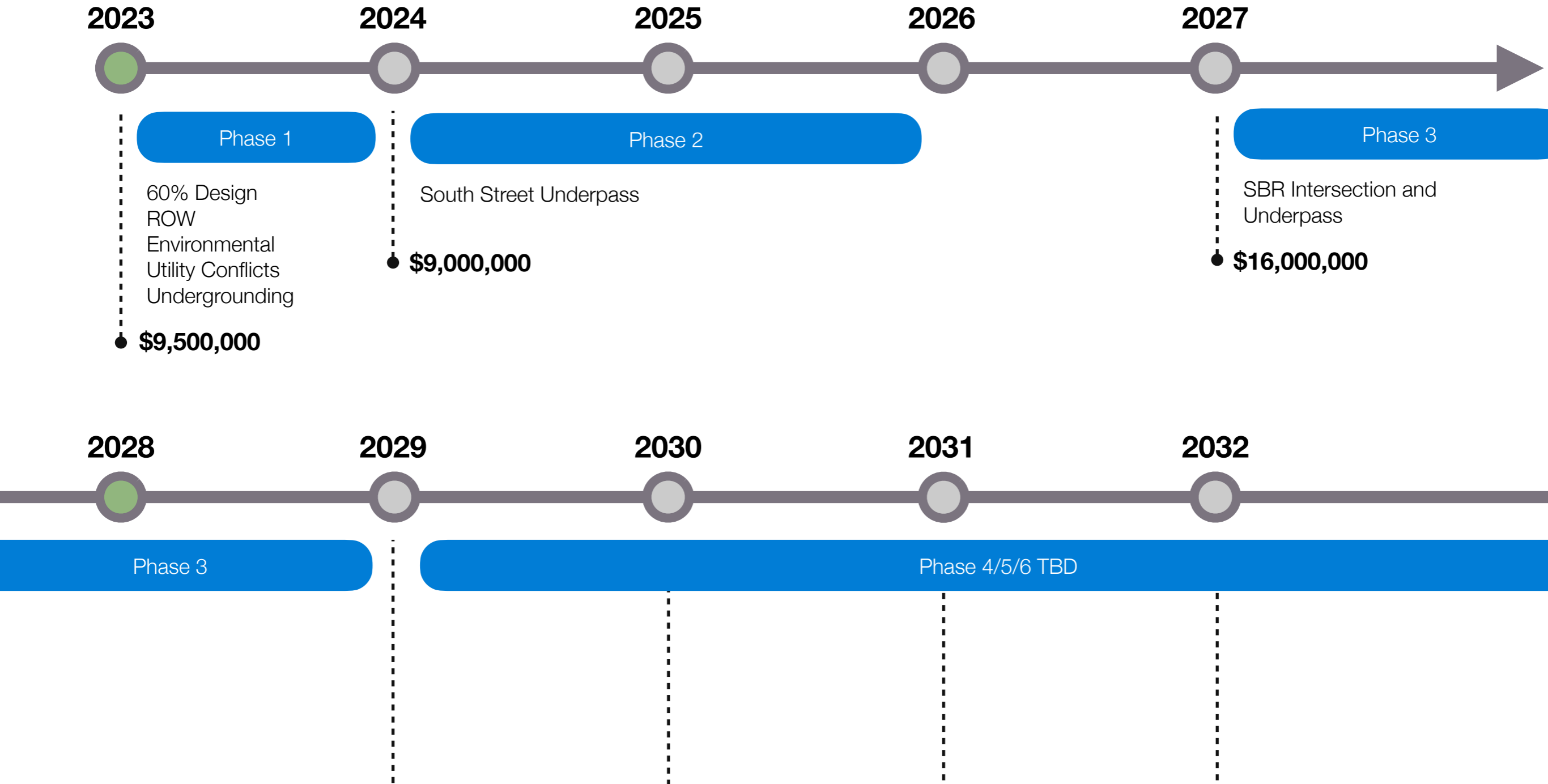
- 2023/2024 - CDOT/ARPA/DRCOG \$7,200,000, \$800,000 City - Received, Phase 1
- DRCOG TIP Application - 2024/2027 South Street Underpass \$7,190,000, \$1,810,000 City - Q2 Award Results, Possible Phase 2
- 2026 - CDOT \$2,770,000
- 2027 ?? - CDOT \$7,230,000 (Not Likely?)
- CDOT (Unused Lafayette) - \$2,000,000
- Boulder County Transportation Sales Tax - \$2,000,000
- Safe Streets for All (SS4A) - \$?
- Great Outdoors Colorado - \$?
- City Pavement Management Reallocation - Between \$1,272,000 - \$9,800,000
- City TMP First Steps Reallocation - \$3,000,000





# 10 Year Potential Buildout

Could Go Faster or Slower Dependent on Grants or Other Funding



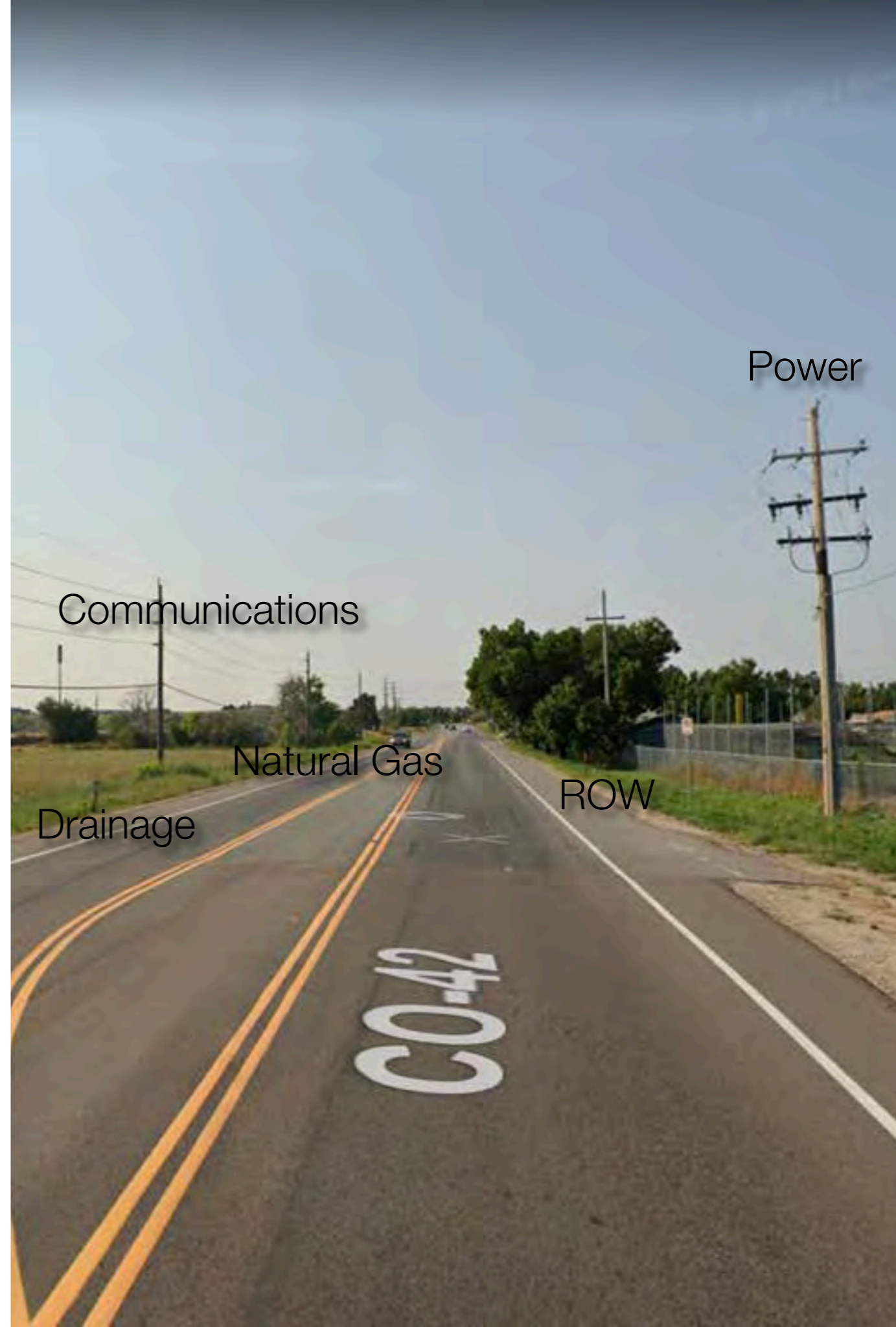
# Phase 1

60% Design, ROW,  
Utility Conflicts  
**2023**

---

CDOT/ARPA/DRCOG - \$7,200,000  
City Match (Budgeted) - \$800,000  
Xcel 1% (Unallocated) - \$1,500,000

Total \$9,500,000



# Phase 2

## South Street Underpass

### **2024/2025**

---

Potential DRCOG TIP - \$7,190,000

Potential Local Match - \$1,810,000

City - \$

LRC - \$

Total - \$9,000,000

Potential LRC Partnership

Could be City/LRC Partnership if no Grant





South Street Underpass

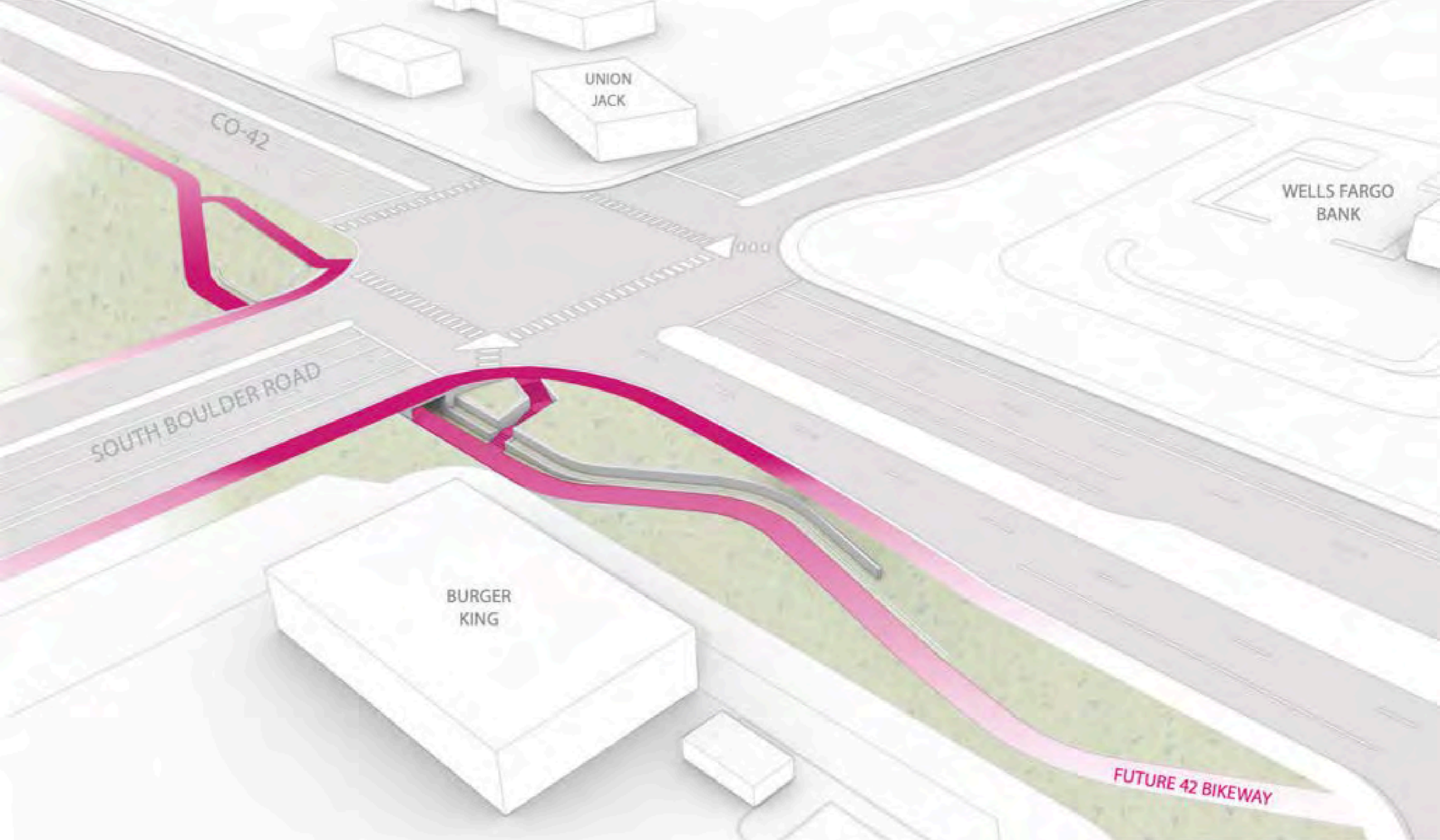
Looking East Near Miners Field

# Phase 3 SBR & Underpass **2027/2028**

Need - \$16,000,000

Potential LRC Partnership





Phase 3  
SBR/Hwy 42 Underpass Only

\$5,000,000

## Phase 4-7

Pine St to Short St

Short St to SBR

Lock to Pine St

SBR to Paschal

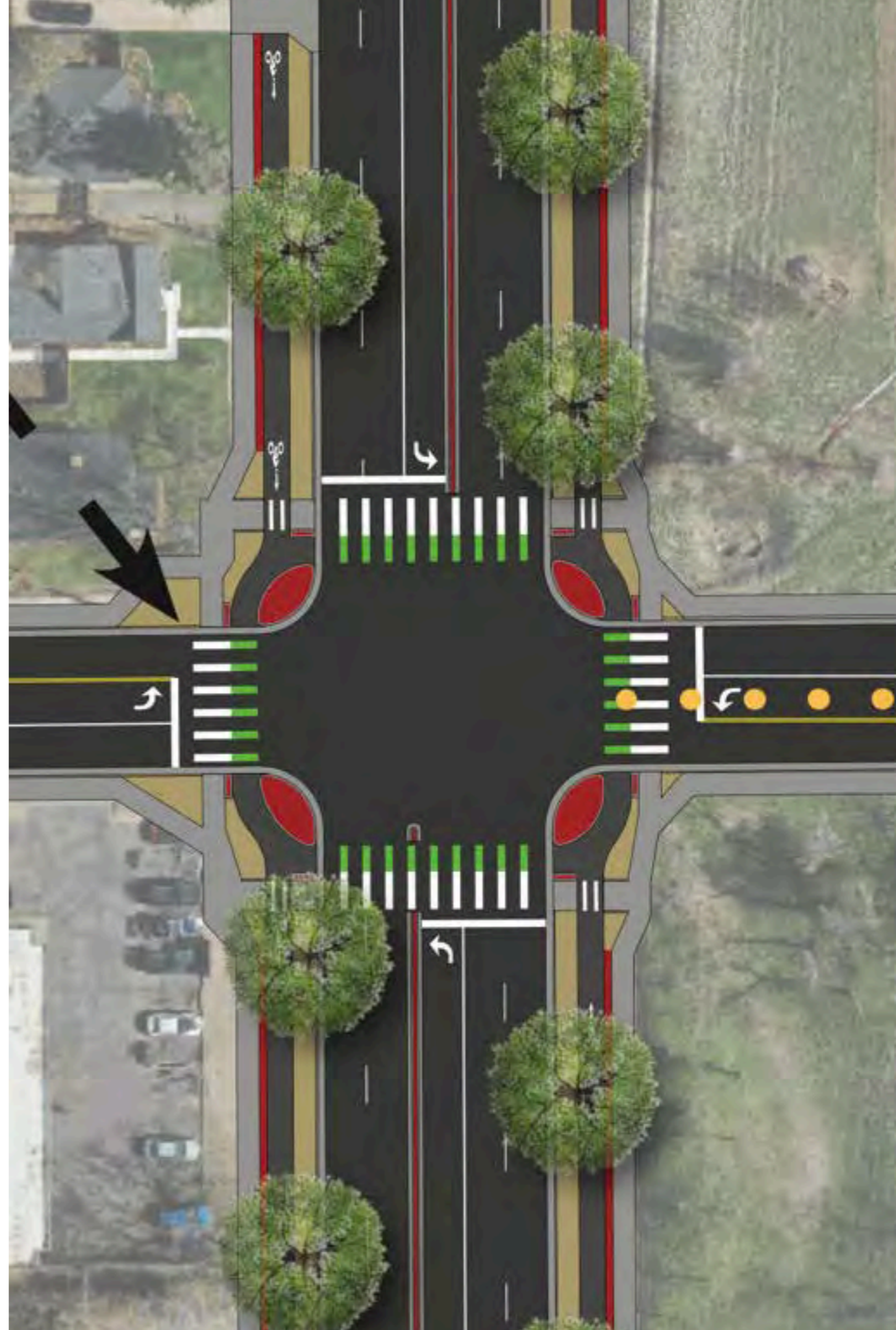
**TBD**

---

Long Term Need - \$57,300,000

Multimodal Trail/Lanes One Side -  
\$15,800

Potential LRC Partnership





**Louisville Revitalization Commission  
2023 Work Plan Prioritization Table**



**2023 Priority Projects**

<b>Project</b>	<b>Potential Steps</b>	<b>Timeline</b>	<b>Estimated Number of Meetings</b>	<b>Funding</b>
Downtown Coordinated Streetscape Plan	<ul style="list-style-type: none"> <li>• Discuss scope and funding</li> <li>• Review Request for Proposal</li> <li>• Council approval/collaboration</li> <li>• Contract for consultant</li> <li>• Public Engagement/plan development</li> <li>• Plan adoption</li> <li>• May include EV charging, alleyway activation, and district branding signage</li> </ul>	Q1-Q4	4-6	TBD
Commission and Board URA Project Support	<ul style="list-style-type: none"> <li>• Create proposal process and criteria for Boards and Commissions</li> <li>• Conduct outreach to Cultural Council and others that may be interested in participation</li> <li>• Review and approve proposals</li> </ul>	Q1-Q4	3+	\$50,000
Funding/Incentive Development	<ul style="list-style-type: none"> <li>• Amend cooperation agreement</li> <li>• Review and develop new incentive programs for existing business improvements</li> <li>• New business attraction and business retention incentives for the URA</li> <li>• Could include historic preservation component</li> <li>• Market program</li> <li>• Review/approve funding opportunities</li> </ul>	Q2-Q4	3+	TBD
Sustainability Grant Program	<ul style="list-style-type: none"> <li>• Explore program for energy efficiency building upgrades/EV charging grants (consider partnership with County PACE)</li> <li>• Consult with Sustainability Coordinator</li> </ul>	Q3-Q4	2+	TBD
Marketing Strategy for URA	<ul style="list-style-type: none"> <li>• Update current marketing materials</li> <li>• Potential hiring of marketing/graphics consultant</li> <li>• Develop materials for new LRC programs</li> </ul>	Q1-Q4	As needed	\$150,000





**Louisville Revitalization Commission  
2023 Work Plan Prioritization Table**



<b>Project</b>	<b>Potential Steps</b>	<b>Timeline</b>	<b>Estimated Number of Meetings</b>	<b>Funding</b>
South Street Underpass	<ul style="list-style-type: none"> <li>Engage with City Council on next steps for funding and design</li> <li>Potential DRCOG TIP grant</li> </ul>	Q2-Q3	1+	TBD
DBA Engagement	<ul style="list-style-type: none"> <li>Meeting w/ DBA to identify projects and partnership opportunities</li> <li>Support creation of DBA BID district funding/election</li> </ul>	Q3	1-2	TBD
Small Business Retention/Attraction	<ul style="list-style-type: none"> <li>Consider Development of Grant Program to attract/retain small businesses within URA</li> </ul>	Q3-Q4	2-4	TBD
Hwy 42 Plan Development	<ul style="list-style-type: none"> <li>DRCOG TIP funded design grant</li> <li>Engage in planning and design</li> </ul>	Q3-Q4	1-2	N/A
SBR Corridor Plan	<ul style="list-style-type: none"> <li>DRCOG corridor planning grant</li> <li>Engage in planning and design</li> </ul>	Q3-Q4	1-2	N/A
2024 CIP Planning/Coordination	<ul style="list-style-type: none"> <li>Develop project list</li> <li>Projects may include bicycle and pedestrian improvements, SBR sidewalk widening, etc.</li> <li>Make recommendations on projects and funding/cost share on priority projects</li> </ul>	Q3	2-3	N/A
10 Year Comprehensive Plan Update	<ul style="list-style-type: none"> <li>Provide feedback on plan development</li> <li>Project will extend into 2024</li> </ul>	Q3 or Q4	1-2	N/A
Façade Improvement Program Application Review	<ul style="list-style-type: none"> <li>Review and approve applications</li> <li>Expand marketing materials</li> </ul>	Q1-Q4	As needed	\$300,000
Development Assistance Application Review	<ul style="list-style-type: none"> <li>Review proposals and develop incentive agreements</li> </ul>	Q1-Q4	As needed	TBD
Downtown Street Light Conversation	<ul style="list-style-type: none"> <li>Potential project update</li> </ul>	TBD	1	\$480,000
Downtown ADA Project	<ul style="list-style-type: none"> <li>Potential project update</li> </ul>	TBD	1	\$120,00
Electric Vehicle Charging Stations	<ul style="list-style-type: none"> <li>Potential project update</li> </ul>	TBD	1	\$26,000
Downtown Conduit and Paver Repair	<ul style="list-style-type: none"> <li>Potential project update</li> </ul>	TBD	1	\$420,000



**Louisville Revitalization Commission  
2023 Work Plan Prioritization Table**



**Other Potential Projects**

<b>Project</b>	<b>Potential Steps</b>	<b>Timeline</b>	<b>Estimated Number of Meetings</b>	<b>Funding</b>
Small Business Survey	<ul style="list-style-type: none"> <li>• Possible partnership with DBA and/or Chamber</li> </ul>	TBD	TBD	TBD
Shuttle Service to CTC	<ul style="list-style-type: none"> <li>• Create program and hire private shuttle service between CTC and Downtown</li> <li>• Survey DTC to see if it would be desired.</li> </ul>	TBD	TBD	TBD
Inventory Local Events	<ul style="list-style-type: none"> <li>• Create inventory of events and track attendance</li> <li>• Focus on marketing local events</li> <li>• Develop strategy/use for data</li> </ul>	TBD	TBD	TBD
Cooperative Incubator	<ul style="list-style-type: none"> <li>• Define scope and intent of program</li> <li>• Identify location, staffing and resources needed</li> <li>• Lease incubator space for business start up</li> </ul>	TBD	TBD	TBD
Commissioner Outreach to Property Owners	<ul style="list-style-type: none"> <li>• Develop strategy for direct Commissioner outreach to property owners regarding redevelopment opportunities</li> <li>• Inform businesses of current programs/façade program</li> </ul>	TBD	TBD	TBD
Parking Lot Management	<ul style="list-style-type: none"> <li>• Improve Sports Complex parking to provide additional downtown parking</li> </ul>	TBD	TBD	TBD
Downtown WiFi Network	<ul style="list-style-type: none"> <li>• Develop program and contribute to funding</li> <li>• Presentation on Downtown communications options</li> </ul>	TBD	TBD	TBD



**Louisville Revitalization Commission  
2023 Tentative Advanced Agenda**



Date	Agenda Items
February 8	<ul style="list-style-type: none"> <li>• Cooperation agreement amendment for pre-approved spending</li> <li>• Discussion – Marketing strategy</li> <li>• Façade improvement program update</li> <li>• 2023 Work Plan review</li> <li>• Review – Façade Improvement Program Applications</li> </ul>
March 8	<ul style="list-style-type: none"> <li>• <del>Downtown Coordinated Streetscape Plan – Scope and RFP</del> (Moved to April 12)</li> <li>• Commission and Board URA Project Support - discussion/develop of process and criteria</li> <li>• URA Marketing Strategy – Window Decals</li> </ul>
April 12	<ul style="list-style-type: none"> <li>• Downtown Coordinated Streetscape Plan – Scope and RFP</li> <li>• Funding/Incentive Development – discussion of potential new programs</li> <li>•</li> </ul>
May 10	<ul style="list-style-type: none"> <li>• Downtown Coordinated Streetscape Plan - contract</li> <li>• Commission and Board URA Project Support – finalize process and criteria</li> <li>•</li> </ul>
June 14	<ul style="list-style-type: none"> <li>• 2024 CIP Planning/Coordination</li> <li>• DBA Engagement – potential joint meeting</li> <li>•</li> </ul>
July 12	<ul style="list-style-type: none"> <li>• Funding/Incentive Development – discussion of potential new programs</li> <li>• DBA Engagement – potential joint meeting</li> <li>• 2024 CIP Planning/Coordination</li> <li>•</li> </ul>
August 9	<ul style="list-style-type: none"> <li>• Funding/Incentive Development – development of programs</li> <li>• Sustainability Grant Program – presentation from Sustainability Coordinator</li> <li>•</li> </ul>
September 13	<ul style="list-style-type: none"> <li>• Downtown Coordinated Streetscape Plan – plan development</li> <li>• Hwy 42 Plan Development - update/feedback</li> </ul>
October 11	<ul style="list-style-type: none"> <li>• Comp Plan Update presentation/feedback</li> <li>• Sustainability Grant Program – discussion of potential new programs</li> <li>•</li> </ul>
November 8	<ul style="list-style-type: none"> <li>• SBR Corridor Plan – update/feedback</li> </ul>
December 13	<ul style="list-style-type: none"> <li>• Downtown Coordinated Streetscape Plan – plan development</li> <li>•</li> </ul>

**SUBJECT: DISCUSSION/DIRECTION- URA MARKETING STRATEGY**

**DATE: MARCH 8, 2023**

**PRESENTED BY: AUSTIN BROWN, ECONOMIC VITALITY SPECIALIST**

**SUMMARY:**

The Louisville Revitalization Commission (LRC) identified an Urban Renewal Area (URA) marketing strategy as a priority for 2023. This item was previously discussed by the LRC during its February meeting. Materials from this discussion are included as *Attachment #1*.

**DISCUSSION:**

The LRC identified a URA Marketing Strategy as one of its priorities for 2023. This item is budgeted for \$150,000 in 2023. During its February meeting, the LRC discussed the possibility of utilizing the existing LRC logo for window decals that could be displayed by businesses within the URA. Staff reached out to the graphic designer that prepared the LRC logo and requested potential window decal designs.

*Attachment #2* includes the three concepts that the graphic designer prepared with staff input. The first design is a basic decal that could be utilized by all properties within the URA. The second design would be specific to buildings that participated in the Façade Improvement Program. Finally, the third option would be made available to buildings that received any other financial assistance from the LRC.

Staff seeks LRC feedback on the decals, including if there is a preferred design or changes to color, font, etc. that may improve the designs. Staff will then continue to work with the designer to finalize the decal(s) and make them available to businesses.

**ATTACHMENTS:**

- Attachment #1: February 8, 2023 Materials
- Attachment #2: Draft LRC Window Decals

**SUBJECT: DISCUSSION- URA MARKETING STRATEGY**

**DATE: FEBRUARY 8, 2023**

**PRESENTED BY: AUSTIN BROWN, ECONOMIC VITALITY SPECIALIST**

**SUMMARY:**

The Louisville Revitalization Commission (LRC) identified an Urban Renewal Area (URA) marketing strategy as a priority for 2023.

**DISCUSSION:**

The previous LRC Work Plan included an initiative to “Develop marketing or communication materials to represent the LRC”, which was completed in June 2022. As part of this initiative, the LRC went through the process of designing and finalizing a LRC logo. The final LRC logo is included as *Attachment #1*.

In addition to the logo, the LRC also created marketing materials for both the Façade Improvement Program, as well as a one-pager marketing the different types of funding assistance that the LRC can provide. These existing marketing materials are included as *Attachment #2*.

The LRC identified a URA Marketing Strategy as one of its priorities for 2023. This item is budgeted for \$150,000 in 2023. In addition to the existing marketing materials, staff hopes to receive LRC feedback on marketing strategy initiatives for 2023. Possible initiatives include:

- Update current marketing materials
- Create new marketing materials for newly-created LRC programs
- Potential hiring of marketing/graphics consultant

In addition to these items, the previous LRC Work Plan considered a consultant-led marketing strategy for the URA. Staff removed this item from the 2023 Work Plan but would be open to a discussion with the LRC if they feel that this should still be a priority.

**RECOMMENDATION:**

Staff recommends that the LRC identify goals for the URA Marketing Strategy that can be accomplished in 2023.

**ATTACHMENTS:**

- Attachment #1: Louisville Revitalization Commission Logo
- Attachment #2: Existing LRC Marketing Materials

# Existing Logos

Full Color



**LOUISVILLE REVITALIZATION COMMISSION**  
Primary Logo

The LRC primary logo can be used on all print, electronic publications and websites.

---

Black/White



Embossed

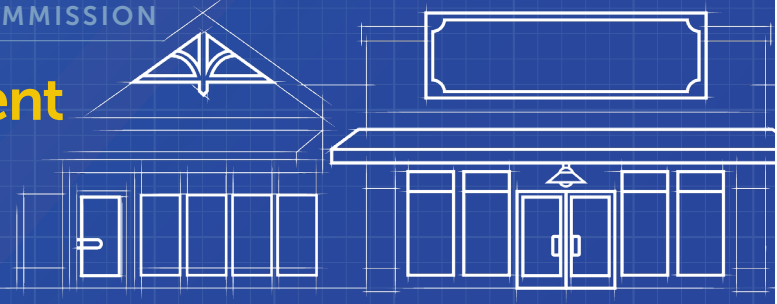




LOUISVILLE REVITALIZATION COMMISSION

## Façade Improvement Program

Investing in the maintenance and vibrancy of commercial structures



### The Louisville Revitalization Commission (LRC) is now offering a Façade Improvement Program for qualifying businesses.

#### PROGRAM ELIGIBILITY

- All commercial properties located within the Highway 42 Urban Renewal Area, [see map](#); and
- Business entities must be registered with the Colorado Secretary of State and be current on filings and payment.

#### REIMBURSEMENT SCHEDULE

Eligible Project Costs	% To Be Reimbursed
\$0 - \$15,000	100% Reimbursable
\$15,000 - \$50,000	75% Reimbursable
\$50,000 - \$100,000	50% Reimbursable
\$100,000.01 +	Reviewed on a case-by-case basis

2022 Funding: \$250,000

#### QUESTIONS? CONTACT US

**Austin Brown**  
Economic Vitality Specialist

Call **303.335.4529** or email  
[abrown@louisvilleco.gov](mailto:abrown@louisvilleco.gov)

#### ELIGIBLE IMPROVEMENTS

The following improvements are considered eligible for Façade funding; however, work already completed or covered by insurance is not eligible:

- Restoration and cleaning of masonry
- Repair or replacement of windows
- Lighting attached to the building
- Restoration and repair of original architectural details
- Removal of inappropriate façade materials
- Installation or repair of awnings or canopies
- Improvements to alley entryways
- Parking lot/infrastructure improvements that are accessible to the general public
- Creation of or improvements to outdoor seating areas
- Repair or replacement of primary/main doors
- Painting
- Permanent or reusable signage that meets sign code requirements; and
- Zoning review fees or architectural costs.

### How it works

The process begins with the submittal of a complete application and ends once the applicant has completed the improvements.



LEARN MORE AT [LOUISVILLECO.GOV](http://LOUISVILLECO.GOV)



## The Louisville Revitalization Commission (LRC) has financial assistance programs for qualifying businesses.

The Louisville Revitalization Commission (LRC) is the Urban Renewal Authority within the City of Louisville. The LRC's mission is to implement the Highway 42 Revitalization Area Urban Renewal Plan, which aims to reduce, eliminate, and prevent the spread of blight.

### FAÇADE IMPROVEMENT PROGRAM

- **Who's eligible:** Businesses (tenants) or commercial property owners investing in and maintaining permanent exterior building improvements.
- **Types of improvements:** Masonry, windows, outside lighting, restoration/repair of architectural details, awnings or canopies, alley entryways, parking lots, outdoor seating areas, main doors, painting, and signage
- **Funding type:** Reimbursement of project costs between 50% - 100%, depending on total cost of eligible improvements. Projects under \$15K are eligible for 100% reimbursement at project completion
- **Example project:** Installing updated building signage and replacing front windows and door

[LEARN MORE](#)

### PUBLIC INFRASTRUCTURE ASSISTANCE

- **Who's eligible:** Commercial property owners or developers revitalizing or redeveloping properties in a manner that eliminates or prevents blight and stimulates positive effects, such as growth and investment in the area.
- **Types of improvements:** Streetscape elements, such as brick pavers, streetlights, and tree lawns; access and circulation for vehicles, bikes, and pedestrians; streets, sidewalks, underpasses, and parks; and underground and above ground utilities
- **Funding type:** Reimbursement of approved infrastructure investments that have a public benefit. No capped amount of assistance; paid once improvements receive Construction Acceptance from City
- **Example project:** In coordination with a property redevelopment, upgrading the electric service, including new streetlights, and replacing concrete sidewalk and brick pavers

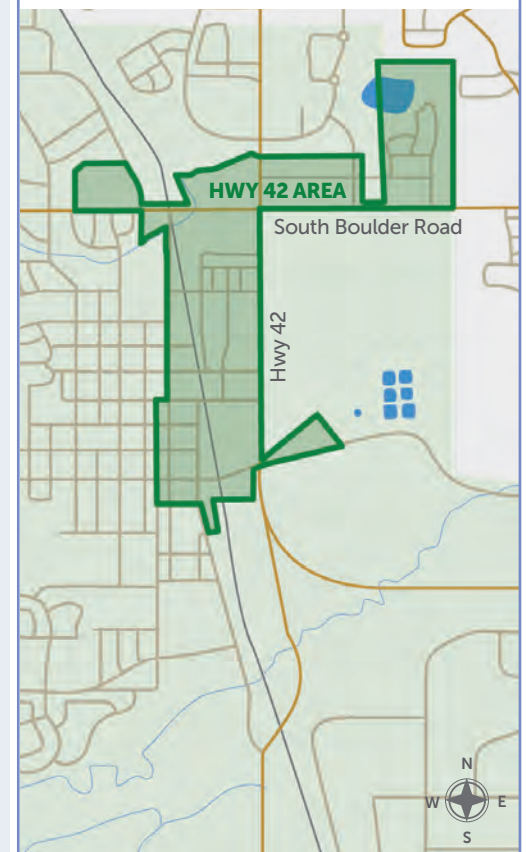
[LEARN MORE](#)

### PROPERTY TAX INCREMENT REBATE ASSISTANCE (DIRECT FINANCIAL ASSISTANCE)

- **Who's eligible:** Commercial property owners or developers supporting projects that may provide exceptional and unique public benefits can explore this opportunity for partnership
- **Types of improvements:** In unique situations, the LRC may fund certain private project components that would not otherwise be feasible without economic support
- **Funding type:** Property tax rebates, based on the incremental increase in assessed valuation on a property, after redevelopment is completed. Assistance requires third-party financial analysis and determination (50% of which is paid for by the applicant)
- **Example project:** Complete redevelopment of an existing building

[LEARN MORE](#)

### IS YOUR PROPERTY OR BUSINESS WITHIN THE HWY 42 AREA?



### QUESTIONS? CONTACT US

**Austin Brown**  
Economic Vitality Specialist

Call **303.335.4529** or email [abrown@louisvilleco.gov](mailto:abrown@louisvilleco.gov)

Staff is available to review these programs in greater detail with commercial property owners and businesses. Please contact us today for questions or to schedule a meeting.





LRC Window Decal - 1  
4" x 4"



LOUISVILLE REVITALIZATION COMMISSION

# Façade Improvement Program

Investing in the maintenance and vibrancy of commercial structures



LRC Window Decal - 2  
6" x 3.25"



Improvements Funded by the  
Louisville Revitalization Commission



LRC Window Decal - 3  
4" x 4"



**SUBJECT:** DISCUSSION/DIRECTION- COMMISSION AND BOARD URA  
PROJECT SUPPORT

**DATE:** MARCH 8, 2023

**PRESENTED BY:** AUSTIN BROWN, ECONOMIC VITALITY SPECIALIST

**SUMMARY:**

The Louisville Revitalization Commission (LRC) included Commission and Board URA Project Support as an expenditure in its 2023 budget. This item was also included as a priority in the 2023 LRC Work Plan.

**DISCUSSION:**

The LRC budget (*Attachment #1*) includes \$50,000 for Commission and Board URA Project Support in 2023. This item is intended to make LRC funding available to other Louisville Boards and Commissions. Including the LRC, there are twelve Louisville Boards and Commissions.

- Board of Adjustment
- Building Code Board of Appeals
- Cultural Council
- Historic Preservation Commission
- Historical Commission
- Library Board of Trustees
- Open Space Advisory Board
- Park and Public Landscaping Advisory Board
- Planning Commission
- Recreation Advisory Board
- Revitalization Commission
- Sustainability Advisory Board

The LRC is unique in that it is the only Board or Commission with its own budget. The LRC receives property tax revenue from Tax Increment Financing within the Highway 42 Urban Renewal Area (URA). Through this program, the LRC hopes to provide funding that would help other facilitate additional projects within the URA.

As this is the first discussion of this program, staff hopes to identify a proposal process through which Boards and Commissions can apply for funding, eligibility criteria for participation, and a review and approval process.

*Eligibility Criteria*

In order to be eligible to receive project funding from the LRC, a proposed project must demonstrate that it reduces, eliminates, or prevents the spread of blight within the Highway 42 Urban Renewal Plan Area. Projects that stimulate growth and reinvestment

with the Plan Area would also be considered eligible for funding. Staff recommends that any request for funding include a description of how the project meets this criteria.

#### *Application and Review Process*

Boards and Commissions will submit a completed application for funding. Staff recommends an electronic application similar to the Façade Improvement Program. Staff will review each application for completeness and make an initial determination of whether the project is eligible for funding. Staff will then present the application to the LRC for approval. Applications will be reviewed and presented for approval in the order that they are received. Staff does not suggest a defined application period to encourage projects throughout the year.

Staff recommends that the application require additional supplementary documentation. However, the type and amount of information required may differ with the type of project included in the application. More substantial project scopes may require additional project information, such as detailed drawings or plans. If the LRC wishes to further define what sort of projects would be included in this program (public improvements, events, etc.), then staff could further refine an application checklist. For reference, a complete Façade Improvement Program must include:

- Detailed project narrative;
- Pictures of existing façade;
- Proposed building elevations;
- Cut sheets of windows;
- W9 for business entity;
- Estimated cost of improvements; and
- Confirmation of year building constructed.

The initial staff review would also include a determination of other approvals that may be required. Different projects may trigger the need for Historic Planning Commission review, Zoning and Building review, or even a Special Event Permit. Economic Vitality staff will be the ombudsman to direct these other potential approvals in coordination with the appropriate City departments.

If the application is approved by the LRC, the applicant and the LRC would then enter into an agreement, similar to the Façade Improvement Program Grant Agreement (*Attachment #2*). Upon completion of the project, the applicant would be reimbursed in the agreed upon amount.

Because there are eleven other Boards and Commissions, the LRC may want to consider capping the maximum amount of funding that one project can receive, or capping the number of projects that one Board or Commission can receive support on. However, staff recognizes that several Boards and Commissions are much more likely to have projects that would be eligible for funding.

**SUBJECT: COMMISSION AND BOARD URA PROJECT SUPPORT**

**DATE: MARCH 8, 2023**

**PAGE 3 OF 3**

The implementation of the Façade Improvement Program required a separate Cooperation Agreement between the City of Louisville and the LRC. Because of the proposed changes to the Cooperation Agreement between the City of Louisville and the LRC that allow for pre-approved spending authority (*Attachment #3*), the LRC would need to apply for pre-approval from City Council to spend LRC funds on these projects. This request would need to include:

- a detailed description of the LRC Program objectives and application process;
- a proposed LRC Program budget;
- a statement of the LRC Program's potential impacts on City staff departments, other City boards and commissions, and the City Council;
- a proposed application form;
- and a proposed standard contract for execution between the LRC and LRC program awardees.

Staff seeks LRC input about the proposed program in order to revise the eligibility criteria, application and review process, and approval criteria. This information would also be used to develop the formal program application and the application to City Council.

**RECOMMENDATION:**

Provide staff with feedback on Commission and Board URA Project Support.

**ATTACHMENTS:**

- Attachment #1: 2023 LRC Budget
- Attachment #2: Façade Improvement Program Grant Agreement
- Attachment #3: Pre-Approved Spending Language

**RESOLUTION NO. 40  
SERIES 2022**

**A RESOLUTION APPROVING THE ANNUAL BUDGET FOR THE  
LOUISVILLE REVITALIZATION COMMISSION FOR THE FISCAL YEAR  
2023**

**WHEREAS**, there has been prepared and submitted to the City Council for review and approval in accordance with the Amended and Restated Cooperation Agreement, dated November 17, 2015, a proposed budget for the Louisville Revitalization Commission for the fiscal year beginning January 1, 2023 and ending December 31, 2023; and

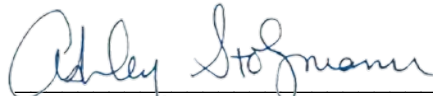
**WHEREAS**, the City Council has reviewed the proposed budget and desires to approve the same by this resolution.

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

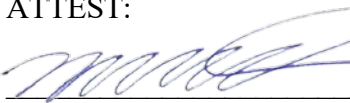
**Section 1.** The proposed budget for the Louisville Revitalization Commission (the “LRC”) for the fiscal year beginning January 1, 2023 and ending December 31, 2023, as shown in Exhibit A attached hereto and incorporated herein by this reference, is hereby approved.

**Section 2.** The City Council hereby authorizes the LRC’s appropriation of moneys to pay for the budgeted items as provided in Exhibit A.

**PASSED AND ADOPTED** this 1<sup>st</sup> day of November, 2022.

  
\_\_\_\_\_  
Ashley Stolzmann, Mayor

ATTEST:

  
\_\_\_\_\_  
Meredyth Muth, City Clerk



**Exhibit A**  
**2023 Budget**

	2019 Actual	2020 Actual	2021 Actual	2022			2023 Proposed Budget
				Current Budget	Actual @ 08/31/22	Latest Estimate	
<b>Beginning Fund Balance</b>	<b>921,851</b>	<b>1,120,508</b>	<b>2,238,610</b>	<b>2,870,989</b>	<b>2,870,989</b>	<b>2,870,989</b>	<b>2,918,779</b>
<b>Revenue:</b>							
Property Tax	1,647,855	1,904,547	2,052,703	2,302,350	2,140,938	2,243,870	2,068,720
Interest Earnings	50,692	33,595	(1,990)	34,060	12,430	36,780	61,920
<b>Total Revenue</b>	<b>1,698,547</b>	<b>1,938,142</b>	<b>2,050,713</b>	<b>2,336,410</b>	<b>2,153,368</b>	<b>2,280,650</b>	<b>2,130,640</b>
<b>Expenditures:</b>							
Marketing, Communications & Project Development	-	-	-	75,000	2,500	75,000	150,000
Staffing Support	-	-	-	-	-	-	200,000
Support Services - COL	60,000	60,000	45,000	45,000	-	45,000	50,000
CIP Consulting	-	-	-	-	-	-	104,730
Cap Contr - COL - Underpass	948,107	-	-	-	-	-	-
Cap Contr - COL - Undergrounding	-	-	-	-	-	187,000	-
Cap Contr - COL - TMP- Sidewalk- Griffith-Pine	-	-	-	-	16,500	16,500	-
Cap Contr - COL - South Street Gateway Art	-	-	-	-	-	-	-
Cap Contr - COL - Patio Parklet Enhancement	-	-	-	-	80,000	80,000	-
Cap Contr - COL - Front Street Sidewalk Connectivity Improvements	-	-	-	-	-	100,000	-
Cap Contr - COL - Downtown Streetlight Conversion	-	-	-	-	-	-	480,000
Cap Contr - COL - Electric Vehicle Charging Stations	-	-	-	-	-	-	26,500
Cap Contr - COL - Downtown Conduit & Paver Repair	-	-	-	-	-	-	420,800
Cap Contr - COL - Downtown ADA Project	-	-	-	-	-	-	120,000
TIF Refund - Boulder County	116,054	134,132	144,567	164,620	-	160,440	147,910
TIF Refund - Fire District	-	51,714	53,037	57,580	-	56,600	49,880
Façade Improvement Programming	-	-	-	250,000	-	250,000	300,000
District Wayfinding Signage	-	-	1,728	200,000	-	-	-
Bike Networks & Bike Parking	-	-	-	55,000	-	55,000	-
Commission and Board URA Project Support	-	-	-	-	-	-	50,000
Bottle Filling Station and Brick Replacement	-	-	-	-	-	15,000	-
Assistance Agreement - 824 South	-	-	294,108	-	-	-	-
Assistance Agreement - 511 SBR	-	-	-	-	-	-	-
Assistance Agreement - 950 Spruce	-	-	-	-	-	-	980,916
DCI Consulting Services Agreement	-	-	-	-	-	17,500	-
Bond Maint Fees - Paying Agent	7,150	7,150	7,150	7,150	-	7,150	7,150
ES & SBP Grants	-	100,000	88,000	-	-	-	-
Professional Services - Investment Fees	931	3,720	4,142	3,500	3,761	5,000	5,000
Professional Services - Other	23,273	-	-	12,000	3,950	4,000	12,000
Payments from Construction Acct - DELO	-	-	17,938	295,000	-	295,000	-
Principal-Bonds	-	133,369	457,000	603,000	-	590,000	607,000
Interest-Bonds	344,374	329,954	305,664	273,670	-	273,670	232,370
<b>Total Expenditures</b>	<b>1,499,890</b>	<b>820,040</b>	<b>1,418,334</b>	<b>2,041,520</b>	<b>106,711</b>	<b>2,232,860</b>	<b>3,944,256</b>
<b>Ending Fund Balance</b>	<b>1,120,508</b>	<b>2,238,610</b>	<b>2,870,989</b>	<b>3,165,879</b>	<b>4,917,647</b>	<b>2,918,779</b>	<b>1,105,163</b>



## FAÇADE IMPROVEMENT GRANT AGREEMENT

THIS FAÇADE IMPROVEMENT GRANT AGREEMENT (“Agreement”) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ (“Effective Date”), by and between the **LOUISVILLE REVITALIZATION COMMISSION** (the “LRC”) and \_\_\_\_\_ (“Recipient”), the [owner/commercial tenant] of the commercial [building/unit] located at \_\_\_\_\_ (sometimes referred to individually as “party” or collectively as “parties”).

**WHEREAS**, the LRC is a public body corporate and politic authorized to transact business and exercise its powers as an urban renewal authority under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the “Act”); and

**WHEREAS**, the LRC has created a Façade Improvement Grant Program (the “Program”) through which the LRC provides grant funding to offset certain eligible costs associated with projects undertaken by owners/tenants to improve the exterior façades of commercial properties within the Highway 42 Revitalization Area (the “Plan Area”), in furtherance of the Highway 42 Revitalization Area Urban Renewal Plan (the “Plan”); and

**WHEREAS**, the Program furthers the purpose of addressing blight within the Plan Area by incentivizing improved façade aesthetics, with the goal of attracting customers to Downtown Louisville public purpose; and

**WHEREAS**, Recipient is the [owner/commercial tenant] of the commercial building (the “Building”) located at \_\_\_\_\_ (the “Property”), which Building and Property are within the Plan Area; and

**WHEREAS**, Recipient has submitted to the LRC the Recipient’s application (the “Application”) for a grant to offset a portion of the eligible costs associated with the Recipient’s proposed façade improvements to the Building, as more particularly described on *Exhibit A*, attached hereto and incorporated herein by this reference (“Eligible Improvements”); and

**WHEREAS**, the LRC has approved the Application, and has offered to reimburse a portion of the costs associated with the Eligible Improvements, subject to and in accordance with the terms and conditions of this Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and promises contained herein the LRC and the Recipient agree as follows:

**A. Recipient Obligations.** The Recipient shall fulfill each of the following obligations (“Recipient Obligations”):

1. Apply for and obtain all approvals and permits from the City as required pursuant to the City Code for the construction of the Eligible Improvements. Such City approvals and permits may include, without limitation, Historic Preservation Commission approval for improvements to buildings constructed prior to 1955; planning department approval for Eligible Improvements requiring a PUD amendment; and demolition and building permit from the Department of Building Safety.

2. Complete the Eligible Improvements, with Recipient's own funds, in accordance with applicable requirements of the City Code and City-adopted building and fire codes, and the terms and conditions of City-approved plans, permits, and approvals applicable to the Eligible Improvements.

3. No later than ten (10) days after the Eligible Improvements are completed, request inspection by the City. If Recipient does not request this inspection within ten (10) days of completion of the Eligible Improvements, the City may conduct the inspection without the approval of Recipient.

4. Obtain acceptance of Eligible Improvements from the City. If the Eligible Improvements are satisfactory, the City shall grant acceptance. If the Eligible Improvements are unsatisfactory, the City shall provide written notice to Recipient of the repairs, replacements, construction or other work required to receive acceptance.

5. Recipient shall provide the LRC with certified statement of Eligible Improvement costs no later than thirty (30) days after Recipient obtains City acceptance of the Eligible Improvements are completed.

**B. Reimbursement.** Subject to Section C, upon Recipient's fulfillment of the Recipient Obligations, the LRC will authorize the payment of the Reimbursement. For purposes of this Agreement, "Reimbursement" means: \_\_\_\_\_ [Insert one of the following]

[100% of certified Eligible Improvement costs (projects up to \$15,000)]

[75% of certified Eligible Improvement costs (projects between \$15,000.01 and \$50,000)]

[50% of certified Eligible Improvement costs (projects between \$50,000.01 and \$100,000)]

[X% of certified Eligible Improvement Costs (projects above \$100,000; the LRC determines the percentage of certified Eligible Improvement costs to be reimbursed)]

**C. Termination.** The LRC and Recipient expressly agree that time is of the essence with regard to fulfillment of the Recipient Obligations and completion of the Eligible Improvements, and failure by Recipient to fulfill the Recipient Obligations and complete the Eligible Improvements shall relieve the LRC of any obligation under this Agreement without liability. In the event that Recipient fails to fulfill the Recipient Obligations within \_\_\_\_\_ ( ) days of the Effective Date, this Agreement and the LRC's obligation to pay the Reimbursement shall immediately terminate.

**D. Recipient's Post-Reimbursement Obligations.**

1. In consideration of the LRC's payment of the Reimbursement, the Recipient agrees that the Property shall not be redeveloped within \_\_\_\_\_ ( ) years of the LRC's payment of the Reimbursement, unless otherwise approved in writing by the LRC.

2. For a Two (2) year period from the date of City acceptance of the Eligible Improvements, Recipient shall, at its own expense, take all actions necessary to maintain said improvements and make all needed repairs or replacements which, in the reasonable opinion of the City or LRC, shall become necessary. If within thirty (30) days after Recipient's receipt of written notice from the City or LRC requesting such repairs or replacements, the Recipient has not completed such repairs or replacements, the City may complete the repairs or replacements at the Recipient's expense, in which event the Recipient shall reimburse the City within thirty (30) days after receipt of written demand and supporting documentation from the City for the full cost of repairs or replacements made by the City. The Recipient and each successor owner of the Building shall be responsible for the maintenance obligations provided for herein.

3. This Section D shall survive termination of this Agreement.

**E. Damages Waiver.** Recipient shall not be entitled to any payment or compensation of any kind from the LRC or the City for lost profits; direct, indirect, or consequential damages; or costs or expenses of any kind, including but not limited to costs of extended overhead, arising because of delay, disruption, interference or hindrance from any cause whatsoever, whether such delay, disruption, interference be caused by the City or LRC, reasonable or unreasonable, foreseeable or unforeseeable, or avoidable or unavoidable.

**F. Indemnification.** To the fullest extent permitted by law, the Recipient agrees to indemnify and hold harmless the LRC, and its appointed officers and employees, and the City, and its elected and appointed officers and its employees, from and against all liability, claims, and demands, on account of any injury, loss, or damage, which arise out of or are connected with this Agreement or the construction of the Eligible Improvements, whether by Recipient or Recipient's contractor, if such injury, loss, or damage is caused by the negligent act, omission, or other fault of the Recipient or any contractor of the Recipient, or any officer, employee, or agent of the Recipient or Recipient's contractor, or any other person for whom Recipient is responsible. The Recipient shall further bear all other costs and expenses incurred by the City, the LRC, or the Recipient, which are related to any such liability, claims and demands, including but not limited to court costs, expert witness fees and attorneys' fees if a court determines that these incurred costs and expenses are related to such negligent acts, errors, and omissions or other fault of the Recipient or any person for whom Recipient is responsible. The City and LRC shall be entitled to costs and attorneys' fees incurred in any action to enforce the provisions of this Section F. The Recipient's indemnification obligation shall not be construed to extend to any injury, loss, or damage which is caused by the act, omission, or other fault of the City or the LRC. This Section F shall survive termination of this Agreement.

**G. Miscellaneous.**

1. This Agreement shall be governed and construed in accordance with the laws of the State of Colorado. The exclusive venue for any lawsuit concerning the subject matter of this Agreement shall be in the District Court for Boulder County, Colorado. The LRC shall have no obligation to make any payment hereunder during the pendency of any legal challenge concerning the subject matter of this Agreement.

2. Nothing in this Agreement is intended or shall be construed to create a joint venture between the Recipient and the LRC and the City, and neither the LRC nor the City shall ever be liable or responsible for any debt or obligation of the Recipient.

3. This Agreement shall inure to the benefit of and shall be binding upon the LRC and Recipient and their respective successors.

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

**Recipient:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**LRC:**

Louisville Revitalization Commission  
Attn: Economic Vitality  
749 Main Street  
Louisville, CO 80027  
303.335.4531  
[mpierce@louisvilleco.gov](mailto:mpierce@louisvilleco.gov)

5. This Agreement is personal to Recipient and Recipient may not assign any of the obligations, benefits or provisions of the Agreement in whole or in any part without the expressed written authorization of the LRC. Any purported assignment, transfer, pledge, or encumbrance made without such prior written authorization shall be voidable by the LRC.

6. NEITHER THE LRC NOR THE CITY HAS LEGAL RIGHTS TO OR OWNERSHIP INTEREST IN THE MATERIALS CHOSEN BY THE RECIPIENT AND AS SUCH DISCLAIMS ALL WARRANTIES, EXPRESS, IMPLIED OR STATUTORY, REGARDING CONSTRUCTION MATERIALS UTILIZED IN THE ELIGIBLE IMPROVEMENTS, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY, ACCURACY, SATISFACTORY QUALITY, TITLE, SECURITY, NONINFRINGEMENT, UNINTERRUPTED OR ERROR-FREE USE, AND FITNESS FOR A PARTICULAR PURPOSE, AND ANY IMPLIED WARRANTY ARISING FROM COURSE OF PERFORMANCE, COURSE OF DEALING, USAGE OR TRADE.

7. None of the provisions, terms and conditions contained in this Agreement may be added to, modified, superseded or otherwise altered, except by written instrument executed by the LRC and Recipient.

8. It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly

reserved to the LRC, the City, and Recipient, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than the LRC, the City, or Recipient receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

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

This Façade Improvement Reimbursement Agreement is effective on the date first above written.

**RECIPIENT:**

\_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**LOUISVILLE REVITALIZATION COMMISSION**

By: \_\_\_\_\_  
Alexis Adler, Chair

**ATTEST:**

\_\_\_\_\_  
Alex Gorsevski, Secretary

Draft Amendment Language  
Pre-Approved Spending Authority

Key:

- Additions shown in double underline
- Deletions shown in ~~striketrough~~

5. Approval of Certain Contracts; Bonds and Other Obligations of the LRC. The Parties agree that the City Council of the City shall provide direction to LRC and oversight of LRC activities as follows:

a. Any proposed expenditure by the LRC which has not been previously approved as part of the LRC budget shall be subject to the prior review and approval of the City Council.

b. Prior to issuing bonds or any other capital financial obligations or financial obligations extending beyond the end of the current fiscal year of the LRC, the LRC shall notify the City Council in writing of its intention to do so, and shall promptly furnish to the City Council such information and documents relating to such bonds or other capital or long-term financial obligations as the City Council may request. The LRC shall not commit to or proceed with any such bonds or other capital or long-term financial obligations unless a majority of the City Council has adopted a resolution determining that the City's interests in connection with such bonds or other obligations are adequately protected.

c. Allocation of any municipal sales tax increment shall occur only upon City Council approval. For any such requested approval, the LRC shall submit a financing plan outlining the proposed amounts and purpose for which the municipal sales tax increments are proposed to be used. City Council may approve or deny such request in its discretion.

d. Except as provided in subsection (e), the ~~The~~ LRC shall provide to the City Council for review and approval any redevelopment agreement or other contract contemplated to carry to out the purposes of any urban renewal plan or to apply to property in any urban renewal area, prior to the LRC's final approval thereof. Any such approval shall be by City Council resolution.

e. The LRC shall submit to the City for review and approval any LRC Program. For purposes of this subsection, "LRC Program" means a comprehensive initiative, in furtherance of the purposes of the Act and the Highway 42 Revitalization Area Urban Renewal Plan, aimed at addressing one or more characteristics of blight within the Highway 42 Revitalization Area on a large scale (e.g., downtown business façade improvement), which is not specific to any particular piece of property or development, and is offered to multiple properties of a certain type or types within the Highway 42 Revitalization Area. The LRC's request for approval of an LRC Program shall be accompanied with: (i) a detailed description of the LRC Program objectives and application process; (ii) a proposed LRC Program budget; (iii) a statement of the LRC Program's potential impacts on City staff departments, other City boards and commissions, and the City Council; (iv) a proposed application form; and (v) a proposed standard contract for execution

between the LRC and LRC program awardees. Following Council approval of the LRC Program, the LRC shall not be required to seek further Council approval to: (1) utilize City staff, boards and commissions, and City Council time as necessary to carry out the objectives of the LRC Program; (2) approve LRC Program applications and enter into contracts with program awardees in substantially the same form as the standard contract; or (3) provide funds to program awardees, subject to the LRC Program budget. Each LRC Program budget shall be submitted annually for City Council approval.

e. f. The LRC shall comply with applicable City codes, rules, and regulations related to any other urban renewal activities of the LRC. The City Council shall be informed of the activities, functions, operations, and financial condition of the LRC in the form of reports to the City Council not less than quarterly, and at any other time as requested by the City Council.

f. g. The City agrees that it will make reasonable efforts to act within thirty days of a request for review of any document, agreement, obligation, or action required by this Cooperation Agreement. Unless otherwise required by law or provided herein, any approval or other action of the City Council shall be by motion or resolution.

## **AMENDED AND RESTATED COOPERATION AGREEMENT**

This Amended and Restated Cooperation Agreement (the Cooperation Agreement) is made as of \_\_\_\_\_, 2023, by and between the CITY OF LOUISVILLE, COLORADO (the City) and the LOUISVILLE REVITALIZATION COMMISSION (the LRC). The City and the LRC are sometimes referred to herein individually as a Party and collectively as the Parties.

### RECITALS

- A. The City is a home-rule city and municipal corporation duly organized and existing under and pursuant to Article XX of the Colorado Constitution and Charter of the City (the Charter).
- B. The LRC is a public body corporate and politic authorized to transact business and exercise its powers as an urban renewal authority under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the Act).
- C. The Act and Section 18, Article XIV of the Colorado Constitution authorize the Parties to enter into cooperation agreements, and the Parties desire to enter into this Cooperation Agreement respecting operating funds, support services, and general oversight of the LRC to be provided by the City to the LRC and related matters.

### AGREEMENT

NOW THEREFORE, in consideration of the foregoing and the following terms and conditions, the Parties agree as follows:

- 1. Advance of Operating Funds by the City. The City may annually advance to the LRC an amount of operating funds (Operating Funds) to be determined by appropriation by the City Council of the City. Operating Funds shall be used by the LRC for operating, administrative, consulting and other costs incurred by the LRC in accordance with the Act, including, without limitation, the costs and expenses of Support Services described in Section 2, below. Operating Funds shall be paid directly to the LRC to be used in accordance with the Act, this Cooperation Agreement and the City-approved LRC budget.
- 2. Support Services. The City agrees to provide administrative and legal support services (Support Services) to the LRC in connection with its operations. The City Manager shall serve as Director of the LRC as provided in the Act and shall have discretion to employ those City staff members as may be required to carry out the duties and operations of the LRC. Support Services may include, without limitation, planning, financing and accounting, engineering, legal, and administrative and outside consulting services.
- 3. LRC Budget. By December 31 of each year, the LRC shall adopt a budget (the LRC Budget) for the ensuing fiscal year (which shall be the calendar year), which LRC Budget



shall be submitted to the City for review and approval prior to LRC adoption. The LRC Budget shall contain a statement of sources and uses of all funds that are available or that the LRC reasonably expects to become available to LRC to finance its activities, undertakings, and obligations for each budget year. It is the intention of the Parties that the LRC shall use its reasonable best efforts to use other sources of revenue available under the Act as the primary source of its Operating Funds and payment for Support Services as such revenue becomes available to the LRC. Such revenue shall include, without limitation, tax allocation or tax increment revenues that may become available pursuant to any urban renewal plan approved by the City Council of the City.

4. Reimbursement for Operating Funds and Support Services. The Parties shall establish a procedure for documenting the reasonable costs and expenses (the Costs and Expenses) related to the Operating Funds and Support Services provided by the City. The Costs and Expenses shall constitute an indebtedness of the LRC to be repaid to the City from sources of revenue available under the Act as such revenue becomes available to the LRC. Such revenue shall include, without limitation, tax allocation or tax increment revenues that may become available pursuant to an urban renewal plan approved by the City Council of the City.

a. It is agreed that the Costs and Expenses incurred by the City up to and including expenses on December 31, 2014 total \$9,894.00 . At the election of the City, such amount may be evidenced by a note approved by the Parties and executed by LRC.

b. Upon request of the LRC, the City agrees to give reasonable consideration to subordinating its right to repayment of Costs and Expenses to any bonds, loans, advances, indebtedness, or other obligation of the LRC.

c. Notwithstanding the foregoing, the Parties agree that all Costs and Expenses related to the 550 S. McCaslin Urban Renewal Plan shall be paid by the City.

5. Approval of Certain Contracts; Bonds and Other Obligations of the LRC. The Parties agree that the City Council of the City shall provide direction to LRC and oversight of LRC activities as follows:

a. Any proposed expenditure by the LRC which has not been previously approved as part of the LRC budget shall be subject to the prior review and approval of the City Council.

b. Prior to issuing bonds or any other capital financial obligations or financial obligations extending beyond the end of the current fiscal year of the LRC, the LRC shall notify the City Council in writing of its intention to do so, and shall promptly furnish to the City Council such information and documents relating to such bonds or other capital or long-term financial obligations as the City Council may request. The LRC shall not commit to or proceed with any such bonds or other capital or long-term financial obligations unless a majority of the City Council

has adopted a resolution determining that the City's interests in connection with such bonds or other obligations are adequately protected.

c. Allocation of any municipal sales tax increment shall occur only upon City Council approval. For any such requested approval, the LRC shall submit a financing plan outlining the proposed amounts and purpose for which the municipal sales tax increments are proposed to be used. City Council may approve or deny such request in its discretion.

d. Except as provided in subsection (e), the LRC shall provide to the City Council for review and approval any redevelopment agreement or other contract contemplated to carry to out the purposes of any urban renewal plan or to apply to property in any urban renewal area, prior to the LRC's final approval thereof. Any such approval shall be by City Council resolution.

e. The LRC shall submit to the City for review and approval any LRC Program. For purposes of this subsection, "LRC Program" means a comprehensive initiative, in furtherance of the purposes of the Act and the Highway 42 Revitalization Area Urban Renewal Plan, aimed at addressing one or more characteristics of blight within the Highway 42 Revitalization Area on a large scale (e.g., downtown business façade improvement), which is not specific to any particular piece of property or development, and is offered to multiple properties of a certain type or types within the Highway 42 Revitalization Area. The LRC's request for approval of an LRC Program shall be accompanied with: (i) a detailed description of the LRC Program objectives and application process; (ii) a proposed LRC Program budget; (iii) a statement of the LRC Program's potential impacts on City staff departments, other City boards and commissions, and the City Council; (iv) a proposed application form; and (v) a proposed standard contract for execution between the LRC and LRC program awardees. Following Council approval of the LRC Program, the LRC shall not be required to seek further Council approval to: (1) utilize City staff, boards and commissions, and City Council time as necessary to carry out the objectives of the LRC Program; (2) approve LRC Program applications and enter into contracts with program awardees in substantially the same form as the standard contract; or (3) provide funds to program awardees, subject to the LRC Program budget. Each LRC Program budget shall be submitted annually for City Council approval.

f. The LRC shall comply with applicable City codes, rules, and regulations related to any other urban renewal activities of the LRC. The City Council shall be informed of the activities, functions, operations, and financial condition of the LRC in the form of reports to the City Council not less than quarterly, and at any other time as requested by the City Council.

g. The City agrees that it will make reasonable efforts to act within thirty days of a request for review of any document, agreement, obligation, or action required by this Cooperation Agreement. Unless otherwise required by law or provided herein, any approval or other action of the City Council shall be by motion or resolution.

6. Continuing Cooperation; Additional Agreements. The Parties shall cooperate to carry out and complete the urban renewal plans approved by the City Council. It is contemplated that additional agreements may be required to plan and carry out urban renewal projects in accordance with the provisions of any such urban renewal plan and the Act. The Parties agree to cooperate and give timely consideration to any additional agreements or amendments to this Cooperation Agreement that may be necessary or convenient in connection with such activities and undertakings; provided, however, nothing in this Cooperation Agreement shall preclude or require the commitment of additional revenue, financing, or services by either Party in connection with such activities and undertakings.

7. Obligations Subject to Act, Charter, and Constitution. The covenants, duties and actions required of the Parties under this Cooperation Agreement shall be subject to and performed in accordance with the provisions and procedures required and permitted by the Charter, the Act, any other applicable provision of law, and the Colorado Constitution.

8. Enforced Delay. Neither Party shall be considered in breach of, or in default in, its obligations with respect to this Cooperation Agreement in the event of delay in the performance of such obligations due to causes beyond its control and without its fault, it being the purpose and intent of this provision that if such delay occurs, the time or times for performance by either Party affected by such delay shall be extended for the period of the delay.

9. No Third Party Beneficiaries. Neither the City nor the LRC shall be obligated or liable under the terms of this Cooperation Agreement to any person or entity not a party hereto.

10. Severability. In case any one or more of the provisions contained in this Cooperation Agreement or any application thereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of this Cooperation Agreement, or any other application thereof, shall not in any way be affected or impaired thereby.

11. Binding Effect. Subject to compliance with Section 13, below, this Cooperation Agreement shall be binding upon and inure to the benefit of the Parties, their successors, legal representatives, and assigns.

12. City and LRC Separate. Nothing in this Cooperation Agreement shall be interpreted in any manner as constituting the City or its officials, representatives, consultants, or employees as the agents of the LRC, or the LRC or its officials, representatives, consultants, or employees as the agents of the City. Each entity shall remain a separate legal entity pursuant to applicable law. Neither of the Parties hereto shall be deemed to hereby assume the debts, obligations, or liabilities of the other. The LRC shall be responsible for carrying out its duties and functions in accordance with the Act and other applicable laws and regulations, and nothing herein shall be construed to compel either Party to take any action in violation of law.

13. Assignment. This Cooperation Agreement shall not be assigned in whole or in part by either Party without the prior written approval of the other Party.

14. Governing Law. This Cooperation Agreement shall be governed by, and construed in accordance with, the laws of the State of Colorado.

15. Headings. Section headings in this Cooperation Agreement are for convenience of reference only and shall not constitute a part of this Cooperation Agreement for any other purpose.

16. Additional or Supplemental Agreements; Organizational Matters. The Parties mutually covenant and agree that they will execute, deliver and furnish such other instruments, documents, materials, and information as may be reasonably required to carry out the Cooperation Agreement. The LRC's organizational documents shall provide, as permitted by C.R.S. § 31-25-104, that one City Councilmember shall be a member of the LRC. The LRC as an entity will not formally or legally oppose or object to any measure that may be proposed pursuant to C.R.S. § 31-25-115 to transfer the existing authority to the City Council.

17. Entire Agreement; Amendment. This Cooperation Agreement constitutes the entire agreement between the Parties pertaining to the subject matter hereof. No addition to or modification of the Cooperation Agreement shall be effective, except by written agreement authorized and executed by the Parties.

18. Supersede. This Cooperation Agreement supersedes and replaces in its entirety that certain Amended and Restated Cooperation Agreement, made as of November 17, 2015, by and between the City and the LRC, as of the date of this Agreement.

IN WITNESS WHEREOF, the Parties have caused this Cooperation Agreement to be duly executed and delivered by their respective officers as of the date first above written.

CITY OF LOUISVILLE,  
a Colorado municipal corporation

Attest:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

LOUISVILLE REVITALIZATION  
COMMISSION

Attest:

\_\_\_\_\_  
Chair

Secretary

**SUBJECT:** FAÇADE IMPROVEMENT PROGRAM APPLICATION: DAJ  
DESIGN @ 922A MAIN STREET

**DATE:** MARCH 8, 2023

**PRESENTED BY:** AUSTIN BROWN, ECONOMIC VITALITY SPECIALIST

**SUMMARY:**

Staff received an application for 2023 Façade Improvement Program reimbursement from DAJ Design, Inc. located at 922A Main Street.

**DISCUSSION:**

DAJ Design is an architectural office located at 922A Main Street. The property is within the Highway 42 Urban Renewal Area and is therefore eligible to apply for Louisville Revitalization Commission (LRC) funding. Applicant and business owner Andy Johnson indicated that the 1,878 SF building was constructed after 1955 and also provided a letter of authorization from the property owner (Vail Louisville, LLC). Mr. Johnson estimated the total cost of improvements to be \$52,390.00, and requested 100% reimbursement of the first \$15,000, 75% reimbursement of the project costs between \$15,000.01 and \$50,000, and 50% reimbursement of the remaining project costs. This results in a total reimbursement amount of \$42,445.00. The proposed improvements include:

- Complete siding replacement;
- Paint exterior of building;
- Replace overhead door at rear unit to match existing aluminum/glass doors;
- Replace existing entry door at rear unit;
- Add west-facing window at rear unit; and
- Add 4 new retractable steel awnings.

*Attachment #1* is DAJ Design's program application. *Attachment #2* is an application review and summary prepared by staff.

Because the building was constructed after 1955, the request did not require Historic Preservation Commission (HPC) review. Staff met with Historic Preservation Planner Amelia Brackett Hogstad, who determined that these improvements may need additional zoning and building review before the improvements can be completed. Staff has advised Mr. Johnson to work with Planning and Building to obtain all required approvals and permit.

Staff has determined that this application is complete and is requesting a review by the LRC. Should LRC approve the request, the applicant will enter into a Façade Improvement Grant Agreement (*Attachment #3*) with the LRC. As indicated in the

**SUBJECT: FAÇADE IMPROVEMENT PROGRAM APPLICATION: DAJ DESIGN**

**DATE: MARCH 8, 2023**

**PAGE 2 OF 2**

agreement, the applicant will be eligible for reimbursement once all eligible improvements have been completed and certified.

**RECOMMENDATION:**

Staff recommends approval of the Façade Improvement Program application for DAJ Design, Inc. in the amount of \$42,445.

**ATTACHMENTS:**

- Attachment #1: DAJ Design Program Application
- Attachment #2: Application Review and Summary
- Attachment #3: Façade Improvement Grant Agreement

DAJ Design, Inc.

922A Main Street

Building Constructed 2004

### **Description of Improvements**

Complete siding replacement

Painting of building

Replacement of overhead door at rear unit to match other existing aluminum/glass doors

Replacement of existing office front door for rear unit

Add west facing window at rear office unit

Addition of 4 new retractable steel awnings

### **Fees**

Contractor (siding, windows, doors) - \$34,310

Vendor (siding trim material) - \$2,100

Vendor (estimated steel awnings – fabrication & installation) - \$7,500

### **Additional Fees**

Contingency (9% for bidder error, price escalation, unforeseen conditions) - \$4,000

Design Fees - \$1,980

Permit Fees - \$2,500

**Total estimated cost: \$52,390.00**



## Austin Brown

---

**From:** Andy Johnson <andy@dajdesign.com>  
**Sent:** Monday, January 23, 2023 4:43 PM  
**To:** Austin Brown  
**Subject:** FW: 922 Facade Project outline  
**Attachments:** VailLSVL\_W9.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Austin,

Attached is the W9 for the ownership company of 922 Main, along with Steve's authorization to allow me to apply on his behalf for the façade improvement grant.

Andy

--

Andy Johnson, AIA

**DAJDESIGN**

w. [303.527.1100](tel:303.527.1100)

m. [303.249.1624](tel:303.249.1624)

---

**From:** [Steve Seeger](#)  
**Sent:** Monday, January 23, 2023 2:47 PM  
**To:** [Andy Johnson](#)  
**Subject:** RE: 922 Facade Project outline

Hey Andy,

As the Managing Partner of Vail Louisville, LLC, I give you full authority to represent us on this application and facade improvement project.

The W9 is attached here.

Thanks,  
-Steve Seeger

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

3/3/2023

Austin Brown  
Economic Vitality Specialist  
City of Louisville  
749 Main St  
Louisville, CO 80027

RE: 922 MAIN FACADE IMPROVEMENT GRANT

Dear Mr. Brown,

Below is a breakdown of the construction budget to complete the facade improvements to 922 Main St. Also attached are supporting documents from the contractor and material supplier.



922A MAIN STREET  
LOUISVILLE, CO 80027  
T (303) 527-1100  
INFO@DAJDESIGN.COM  
WWW.DAJDESIGN.COM

CONTRACTOR (siding, windows, doors)	\$34,310
VENDOR (siding trim material)	\$2,100
VENDOR (estimated steel awnings - fabrication & installation)	\$7,500
CONTINGENCY, ~9% (bidder error, price escalation, unforeseen conditions)	\$4,000
DESIGN FEES	\$1,980
PERMIT FEES (estimated)	\$2,500
TOTAL	52,390

Please contact me if you have any questions.

Regards,

Andy Johnson, AIA

cc. Steve Seeger, Owner

## Bill To

Steve Seeger

922 Main St

Louisville, CO

80027

steve@vailloouisville.com

## Quote

Quote-000086

Quote Date Friday, February 24, 2023

#	Item & Description	Price	Qty	Total
1	Nichiha Corbosa Moondust Material 8 Boxes Nichiha corbosa moondust (96 lft) 1 Box corner moondust 1 Box corner clip 1 Box Flange sealant backer 1 box Starter track 1 Box corrugate shim	\$ 3,181.00	1	\$ 3,181.00
2	Allura Fiber-Cement Siding Material 300. 7 1/4x12' Smooth lap siding 32. 4'x8' Smooth panel siding 50. 4/4x3x12 Smooth trim 18. 5/4x4x12 Smooth trim 4. 5/4x12x12 Smooth trim	\$ 7,629.00	1	\$ 7,629.00
3	Other Material 3. 9'x150' Tyvek Home wrap 1 Box 2" ring shank nails 1 box 15 gauge nails 3. House wrap tape 5 Boxes Siding sealant 1 Box staple	\$ 1,431.00	1	\$ 1,431.00
4	Lap Siding Installation	\$ 4.00	1630 sqft	\$ 6,520.00
5	Panel Siding Installation	\$ 3.00	913 sqft	\$ 2,739.00
6	Nichiha Corbosa Installation	\$ 5.00	96 Lft	\$ 480.00
7	Demolition Work South elevation, old wall with door and garage door	\$ 1.00	132 sqft	\$ 132.00
8	Framing Work South elevation, new wall with door rough opening and overhead door rough opening	\$ 22.00	14 Lft	\$ 308.00
9	New Window Rough Opening West elevation, load bearing wall	\$ 150.00	1	\$ 150.00

#	Item & Description	Price	Qty	Total
10	Framing Material Lumber (2x4x8 ground contact, 2x4x8, 2x4x12, 2x6x8), 7/16" osb, nails, concrete screws	\$ 339.00	1	\$ 339.00
11	New Window and Material 4030 Window, spray foam and Flashing tape	\$ 269.00	1	\$ 269.00
12	Window Installation	\$ 200.00	1	\$ 200.00
13	Concrete Repair East elevation, remove damaged concrete and pour a new one. Material and labor	\$ 365.00	1	\$ 365.00
14	Overhead Door 6080 Aluminum overhead door (fabrication and installation)	\$ 5,000.00	1	\$ 7,587.00
15	Entry Door 3068 full-lite fiberglass door (fabrication and installation)	\$ 2,500.00	1	\$ 2,500.00
16	Material Disposal	\$ 360.00	1	\$ 360.00

We're looking forward to working with you



**Forext Construction**

Sub Total \$34,190.00

Delivery Fee \$ 120.00

**Total \$34,310.00**

From: Emily Rich <Emily.Rich@engagebp.com>  
Date: Fri, Feb 10, 2023 at 2:29 PM  
Subject: RE: FW: Introduction - Engage Building Products  
To: Josh Johnston <josh@dajdesign.com>

Okay Josh! Here's what I'm thinking you will need. If there was an area that I wasn't 100% sure on dimensions, I added an extra pc to be safe for waste. Also, I got with Wayne over at Builders Warehouse in Aurora to quote this out for us! He said they could process this order for you come time of ordering.

I broke down everything by elevation so I could keep track & totaled everything for you down at the bottom with your price per pc.

North elevation

EZ 34 -2  
EZ 48 -10  
EZ 38 -10  
EZ 28 -1  
EZ40- 2  
Optional EZ 40 along the roof peak – 6

South elevation –

EZ 48 – 4  
EZ 38 – 6  
EZ 34- 5  
Optional EZ 40 along the roof peak – 6  
Ez28- 2  
EZ 40 – 1

West elevation –

EZ 38- 3  
Ez48 – 2  
Ez40- 2  
Ez 28- 1  
Ez 34- 2  
EZ 40 - 2

East elevation-

Ez48 – 2  
EZ 28 – 2  
EZ 40- 6  
EZ 38- 2

Totals:

EZ 34 – 9 - \$34.13/pc  
EZ 48 – 18 – \$24.68/pc  
EZ 38- 21 \$37.63/pc  
EZ 28 – 6 – \$18.51/pcs  
EZ 40 -11 - \$18.03/pc  
Optional EZ 40s to terminate top of walls- 12 - \$18.03/pc  
Total: \$2,090.16

Thanks!! Please let me know if you would like to go over this together. Like I said, this is a rough guess not knowing all dimensions, but it should more than cover you.

**Emily Rich**

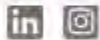
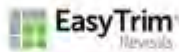
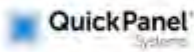
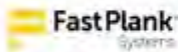
Area Sales Manager - Colorado

Mobile: (720) 289-6670

General: (877) 973-8746

Email: [Emily.Rich@engagebp.com](mailto:Emily.Rich@engagebp.com)

Website: [engagebp.com](http://engagebp.com)



**MODERN. AFFORDABLE. DURABLE.®**



*"Be kind to one another." - George Newal Singh*

This message and its contents may contain confidential information and is intended solely for only the individual named. If you are not a named addressee, you should not disseminate, distribute, or copy this email. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system (s). Email transmission cannot be guaranteed to be secure or error-free, as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender, therefore, does not accept liability for any errors or omissions in the contents of this message which arise because of email transmission. If verification is required, please request a hard-copy version.

Corporate Head Office: Unit 101, 4441 76th Ave SE, Calgary, AB T2C 2G8

© 2021 Engage Building Products | All Rights Reserved | [Privacy Policy](#)



From **DAJ Design**  
922A Main Street  
Louisville, CO 80027

Invoice ID **1311**  
PO Number 922 Main Facade Improvement  
Issue Date 03/03/2023  
Due Date 03/03/2023 (upon receipt)  
Subject Final Invoice

Invoice For **Vail Louisville LLC**

Item Type	Description	Amount
Service	[23-01] 922 Main Facade Improvement: 01  Administrative	\$277.50
Service	[23-01] 922 Main Facade Improvement: 05  Construction Documents	\$1,702.50
<b>Amount Due</b>		<b>\$1,980.00</b>

**Notes**

Please see link to download PDF for complete billing summary. Thank you very much for your business!

### Scope of Work

- Complete siding replacement.
- Painting of building.
- Replacement of overhead door at rear unit to match other existing aluminum/glass doors.
- Replacement of existing office front door for rear unit.
- Add a west facing window at rear office unit.

Note: We are prioritizing the siding before prioritizing the proposed awnings. If the budget comes back favorably we will add in the awnings covering the three primary entry doors.

Below are marked up [photos](#) illustrating the existing conditions and scope of work.





## WEST-FACING FACADE

- ↳ INTO CENTRAL COURTYARD
- ↳ DESIGNED TO SUPPORT SMALL COMMUNITY EVENTS



### SOUTH-FACING STUDIO

- ↳ WALL Rebuilt for structural integrity and aesthetic consistency
- ↳ New door and sliding (garage style) to match East Facing units.
- ↳ New awning to match E-facing units.





## EAST FACADE (VIA ARTISTA FACING)

↳ Dramatic aesthetic improvements  
via new siding/paint & awning installations



NORTH  
FACING

- Re-siding to  
match & protect





**DAJ DESIGN**

922A MAIN STREET  
LOUISVILLE, CO 80027  
P. 303.627.1100  
INFO@DAJDESIGN.COM

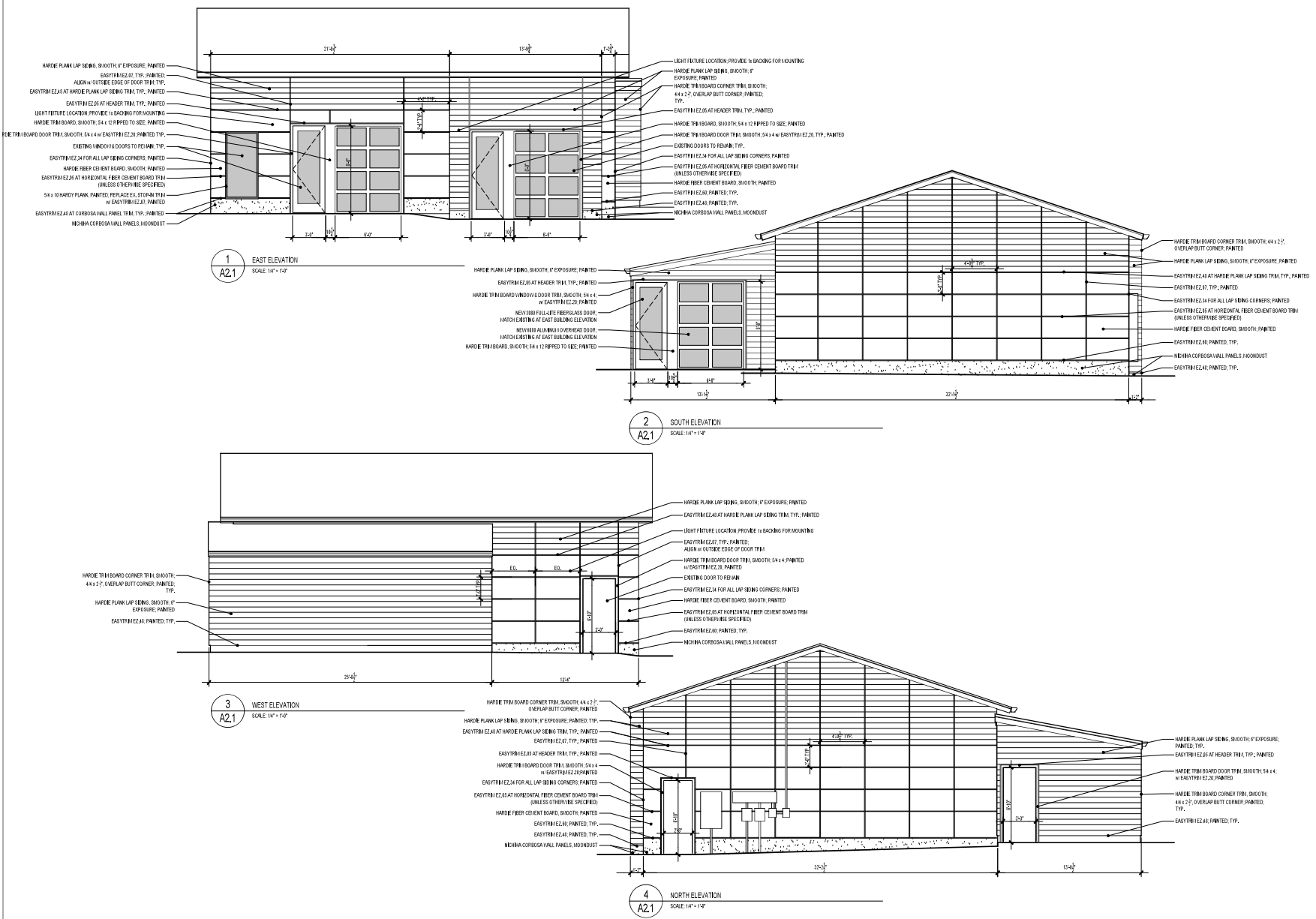
**NOT FOR CONSTRUCTION**

922 MAIN OFFICE  
922 MAIN STREET, LOUISVILLE, CO 80027

**BUILDING ELEVATIONS**

PRICING SET  
02/28/2023

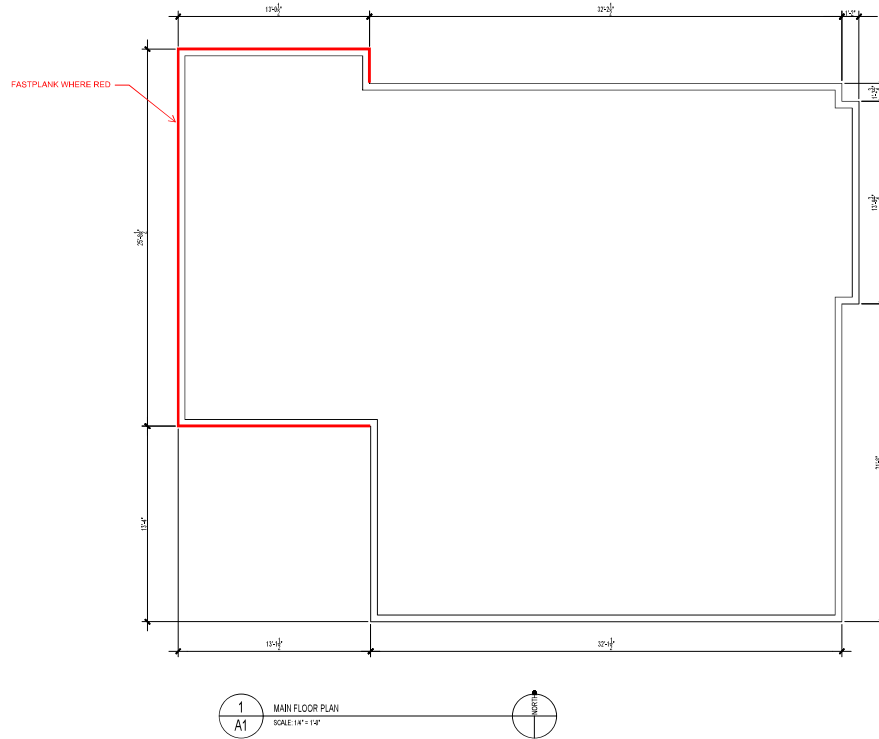
**A2.1**





**DAJ DESIGN**

922A MAIN STREET  
LOUISVILLE, CO 80027  
P. 303.427.1189  
INFO@DAJDESIGN.COM



NOT FOR  
CONSTRUCTION

922 MAIN OFFICE  
922 MAIN STREET, LOUISVILLE, CO 80027

BUILDING ELEVATIONS

PRICING SET  
DATE: 02/28/2023

**A2.1**

## Facade Improvement Program Review

Business name:	DAJ Design, Inc.
Address:	922A Main Street
Contact Person:	Andy Johnson
Phone:	303-527-1100
Email:	<a href="mailto:andy@dajdesign.com">andy@dajdesign.com</a>
Is applicant the property owner?	No
Property owner (if different):	Vail Louisville LCC
Building square footage:	1,878 SF
Year building was constructed:	2004

Estimated total cost of improvements:	\$52,390.00
Façade funding requested from LRC:	\$42,445.00
Anticipated Project Start Date:	3/1/2023
Anticipated Project Completion Date:	3/31/2023

### Summary of Improvements

Complete siding replacement;  
 Paint exterior of building;  
 Replace overhead door at rear unit to match other existing aluminum/glass doors;  
 Replace existing door from office at rear unit;  
 Add west-facing window at rear office unit;  
 Add 4 new retractable steel awnings.

### Application Complete?

- |   |   |
|---|---|
| <input type="checkbox"/> Detailed project narrative<br><input type="checkbox"/> Pictures of existing façade<br><input type="checkbox"/> Proposed building elevations<br><input type="checkbox"/> Cut sheets for windows | Yes<br><input type="checkbox"/> W9 for business entity<br><input type="checkbox"/> Estimated cost of improvements<br><input type="checkbox"/> LOA from property owner |
|---|---|

### Internal Review

Application Submitted Date:	1/23/2023
Initial EV Review:	1/24/2023
Date of Complete Application:	3/3/2023
HPC Review:	N/A
Planning Review:	2/20/2023
LRC Review:	3/10/2023
Permit Completion:	
Reimbursement Requested:	
Reimbursement Amount:	



## **FAÇADE IMPROVEMENT GRANT AGREEMENT**

THIS FAÇADE IMPROVEMENT GRANT AGREEMENT (“Agreement”) is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ (“Effective Date”), by and between the **LOUISVILLE REVITALIZATION COMMISSION** (the “LRC”) and **DAJ DESIGN, INC.** (“Recipient”), the commercial tenant of the commercial building located at 922A Main Street (sometimes referred to individually as “party” or collectively as “parties”).

**WHEREAS**, the LRC is a public body corporate and politic authorized to transact business and exercise its powers as an urban renewal authority under and pursuant to the Colorado Urban Renewal Law, Part 1 of Article 25 of Title 31, C.R.S. (the “Act”); and

**WHEREAS**, the LRC has created a Façade Improvement Grant Program (the “Program”) through which the LRC provides grant funding to offset certain eligible costs associated with projects undertaken by owners/tenants to improve the exterior façades of commercial properties within the Highway 42 Revitalization Area (the “Plan Area”), in furtherance of the Highway 42 Revitalization Area Urban Renewal Plan (the “Plan”); and

**WHEREAS**, the Program furthers the purpose of addressing blight within the Plan Area by incentivizing improved façade aesthetics, with the goal of attracting customers to Downtown Louisville public purpose; and

**WHEREAS**, Recipient is the commercial tenant of the commercial building (the “Building”) located at 922A Main Street (the “Property”), which Building and Property are within the Plan Area; and

**WHEREAS**, Recipient has submitted to the LRC the Recipient’s application (the “Application”) for a grant to offset a portion of the eligible costs associated with the Recipient’s proposed façade improvements to the Building, as more particularly described on *Exhibit A*, attached hereto and incorporated herein by this reference (“Eligible Improvements”); and

**WHEREAS**, the LRC has approved the Application, and has offered to reimburse a portion of the costs associated with the Eligible Improvements, subject to and in accordance with the terms and conditions of this Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and promises contained herein the LRC and the Recipient agree as follows:

**A. Recipient Obligations.** The Recipient shall fulfill each of the following obligations (“Recipient Obligations”):

1. Apply for and obtain all approvals and permits from the City as required pursuant to the City Code for the construction of the Eligible Improvements. Such City approvals and permits may include, without limitation, Historic Preservation Commission approval for improvements to buildings constructed prior to 1955; planning department approval for Eligible Improvements requiring a PUD amendment; and demolition and building permit from the Department of Building Safety.

2. Complete the Eligible Improvements, with Recipient's own funds, in accordance with applicable requirements of the City Code and City-adopted building and fire codes, and the terms and conditions of City-approved plans, permits, and approvals applicable to the Eligible Improvements.

3. No later than ten (10) days after the Eligible Improvements are completed, request inspection by the City. If Recipient does not request this inspection within ten (10) days of completion of the Eligible Improvements, the City may conduct the inspection without the approval of Recipient.

4. Obtain acceptance of Eligible Improvements from the City. If the Eligible Improvements are satisfactory, the City shall grant acceptance. If the Eligible Improvements are unsatisfactory, the City shall provide written notice to Recipient of the repairs, replacements, construction or other work required to receive acceptance.

5. Recipient shall provide the LRC with certified statement of Eligible Improvement costs no later than thirty (30) days after Recipient obtains City acceptance of the Eligible Improvements are completed.

**B. Reimbursement.** Subject to Section C, upon Recipient's fulfillment of the Recipient Obligations, the LRC will authorize the payment of the Reimbursement. For purposes of this Agreement, "Reimbursement" means: 100% of certified Eligible Improvement costs up to \$15,000, 75% of certified Eligible Improvement costs between \$15,000.01 and \$50,000, and 50% of certified Eligible Improvement costs between \$50,000.01 and \$100,000.

**C. Termination.** The LRC and Recipient expressly agree that time is of the essence with regard to fulfillment of the Recipient Obligations and completion of the Eligible Improvements, and failure by Recipient to fulfill the Recipient Obligations and complete the Eligible Improvements shall relieve the LRC of any obligation under this Agreement without liability. In the event that Recipient fails to fulfill the Recipient Obligations by December 31, 2023, this Agreement and the LRC's obligation to pay the Reimbursement shall immediately terminate.

**D. Recipient's Post-Reimbursement Obligations.**

1. In consideration of the LRC's payment of the Reimbursement, the Recipient agrees that the Property shall not be redeveloped within three (3) years of the LRC's payment of the Reimbursement, unless otherwise approved in writing by the LRC.

2. For a Two (2) year period from the date of City acceptance of the Eligible Improvements, Recipient shall, at its own expense, take all actions necessary to maintain said improvements and make all needed repairs or replacements which, in the reasonable opinion of the City or LRC, shall become necessary. If within thirty (30) days after Recipient's receipt of written notice from the City or LRC requesting such repairs or replacements, the Recipient has not completed such repairs or replacements, the City may complete the repairs or replacements at the Recipient's expense, in which event the Recipient shall reimburse the City within thirty (30) days after receipt of written demand and supporting documentation from the City for the full cost of repairs or replacements made by the City. The Recipient and each successor owner of the Building shall be responsible for the maintenance obligations provided for herein.

3. This Section D shall survive termination of this Agreement.

**E. Damages Waiver.** Recipient shall not be entitled to any payment or compensation of any kind from the LRC or the City for lost profits; direct, indirect, or consequential damages; or costs or expenses of any kind, including but not limited to costs of extended overhead, arising because of delay, disruption, interference or hindrance from any cause whatsoever, whether such delay, disruption, interference be caused by the City or LRC, reasonable or unreasonable, foreseeable or unforeseeable, or avoidable or unavoidable.

**F. Indemnification.** To the fullest extent permitted by law, the Recipient agrees to indemnify and hold harmless the LRC, and its appointed officers and employees, and the City, and its elected and appointed officers and its employees, from and against all liability, claims, and demands, on account of any injury, loss, or damage, which arise out of or are connected with this Agreement or the construction of the Eligible Improvements, whether by Recipient or Recipient's contractor, if such injury, loss, or damage is caused by the negligent act, omission, or other fault of the Recipient or any contractor of the Recipient, or any officer, employee, or agent of the Recipient or Recipient's contractor, or any other person for whom Recipient is responsible. The Recipient shall further bear all other costs and expenses incurred by the City, the LRC, or the Recipient, which are related to any such liability, claims and demands, including but not limited to court costs, expert witness fees and attorneys' fees if a court determines that these incurred costs and expenses are related to such negligent acts, errors, and omissions or other fault of the Recipient or any person for whom Recipient is responsible. The City and LRC shall be entitled to costs and attorneys' fees incurred in any action to enforce the provisions of this Section F. The Recipient's indemnification obligation shall not be construed to extend to any injury, loss, or damage which is caused by the act, omission, or other fault of the City or the LRC. This Section F shall survive termination of this Agreement.

**G. Miscellaneous.**

1. This Agreement shall be governed and construed in accordance with the laws of the State of Colorado. The exclusive venue for any lawsuit concerning the subject matter of this Agreement shall be in the District Court for Boulder County, Colorado. The LRC shall have no obligation to make any payment hereunder during the pendency of any legal challenge concerning the subject matter of this Agreement.

2. Nothing in this Agreement is intended or shall be construed to create a joint venture between the Recipient and the LRC and the City, and neither the LRC nor the City shall never be liable or responsible for any debt or obligation of the Recipient.

3. This Agreement shall inure to the benefit of and shall be binding upon the LRC and Recipient and their respective successors.

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

**Recipient:**

DAJ Design, Inc.  
922A Main Street  
Louisville, CO 80027  
[andy@dajdesign.com](mailto:andy@dajdesign.com)

**LRC:**

Louisville Revitalization Commission  
Attn: Economic Vitality  
749 Main Street  
Louisville, CO 80027  
303.335.4529  
[abrown@louisvilleco.gov](mailto:abrown@louisvilleco.gov)

5. This Agreement is personal to Recipient and Recipient may not assign any of the obligations, benefits or provisions of the Agreement in whole or in any part without the expressed written authorization of the LRC. Any purported assignment, transfer, pledge, or encumbrance made without such prior written authorization shall be voidable by the LRC.

6. NEITHER THE LRC NOR THE CITY HAS LEGAL RIGHTS TO OR OWNERSHIP INTEREST IN THE MATERIALS CHOSEN BY THE RECIPIENT AND AS SUCH DISCLAIMS ALL WARRANTIES, EXPRESS, IMPLIED OR STATUTORY, REGARDING CONSTRUCTION MATERIALS UTILIZED IN THE ELIGIBLE IMPROVEMENTS, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY, ACCURACY, SATISFACTORY QUALITY, TITLE, SECURITY, NONINFRINGEMENT, UNINTERRUPTED OR ERROR-FREE USE, AND FITNESS FOR A PARTICULAR PURPOSE, AND ANY IMPLIED WARRANTY ARISING FROM COURSE OF PERFORMANCE, COURSE OF DEALING, USAGE OR TRADE.

7. None of the provisions, terms and conditions contained in this Agreement may be added to, modified, superseded or otherwise altered, except by written instrument executed by the LRC and Recipient.

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

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

This Façade Improvement Reimbursement Agreement is effective on the date first above written.

**RECIPIENT:**

**DAJ DESIGN, INC.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**LOUISVILLE REVITALIZATION COMMISSION**

By: \_\_\_\_\_  
Alexis Adler, Chair

**ATTEST:**

\_\_\_\_\_  
Corrie Williams, Secretary