

# **Revitalization Commission**

## Agenda

## Wednesday, July 12, 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 or 833 548 0282 (toll free) Webinar ID #852 0147 8768
- You can log in via your computer. Please visit the City's website here to link to the meeting: <u>www.louisvilleco.gov/revitalizationcommission</u>.

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

- 1. Call to Order
- 2. Roll Call
- 3. Approval of Agenda
- 4. Approval of June 14, 2023 Meeting Minutes
- 5. Public Comments on Items Not on the Agenda
- 6. Reports of Commission
  - a. Staff Updates
  - b. Downtown Business Association Updates
  - 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. 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. Community-Led Improvement Programs
  - b. Façade Improvement Program Application: Schlageter Properties, LLC @ 916 Main Street
  - c. Ice Rink Electricity Costs
  - d. Monthly Meeting Date
- 8. Future Agenda Items
- 9. Discussion Items for Next Meeting
  - a. Ice Rink
    - i. LRC Budget Amendment
    - ii. LRC/City Cooperation Agreement
  - b. Recap of 2023 Work Plan and Future Funding Allocations
  - c. Funding/Incentive Programs
  - d. 2024 CIP Planning/Coordination
  - e. Direct Financial Assistance Application: 916 Main
  - f. Façade Improvement Program Applications
- 10. Commissioners' Comments
- 11. Adjourn



## **Revitalization Commission**

## Wednesday, June 14, 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 <u>ABrown@LouisvilleCO.gov</u>.

**Call to Order** – Chair Adler called the meeting to order at 8:04 AM and took roll call.

Commissioner Attendance:	<u>Present</u> Yes Yes No Yes Yes Yes Yes	Alexis Adler Clif Harald Graham Smith Councilmember Chris Leh - virtual Bob Tofte Corrie Williams Barbie Iglesias		
Staff Present:	Austin Brown Jeff Durbin, ( Nick Cotton-I Rob Zuccaro Deb Fahey, N	ner, Economic Vitality Manager own, Economic Vitality Specialist in, City Manager – virtual on-Baez, Attorney to the City of Louisville aro, Director of Planning and Building Safety ey, Mayor Pro Tem iley, Director of Finance		
Others Present:	Rick Kron, Lo members of	puisville DBA President public		

## Approval of Agenda:

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

## Approval of May 10, 2023 and May 24, 2023 Meeting Minutes:

Councilmember Leh 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. A forty-eight-hour notice is requested.

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## Public Comments on Items Not on the Agenda:

Rick Kron, Louisville resident and president of the Downtown Business Association recommended that the LRC address vacant buildings in downtown, which is a major concern of the DBA.

## **Reports of Commission:**

#### Staff updates

The Economic Vitality (EV) Manager provided updates on properties within the URA.

816 Main is for sale, not for lease. The City has provided the broker information on incentives and is also working with Historic Preservation as the building is landmarked. The Empire sign will need to be retained and needed renovations are unknown at this time.

833 Main – there is an interested party for this site and currently under contract. A consultant team was hired to review the potential of the property and the possibility of the city occupying or purchasing that building.

804 Main – the owner isn't planning on improving the site. The City provided information on incentives and the owner isn't interested in them at this time. LRC has the authority to acquire the property and it was noted that this could be an option to revitalizing the community.

The owner of 916 Main applied for direct assistance and the City is working on getting a thirdparty review. This application will likely come back to LRC in August.

Ice Rink contact for services with Rocky Rinks will be presented at next week's council meeting and will come back to LRC at July meeting for final approval. The agreement includes the purchase of equipment, chiller rental and event management. Initial outlay costs are approximately \$405,000. The LRC committed \$300,000 in the recent Budget Amendment. LRC will receive fee revenues estimated at \$190,000 at the end of the season, reducing the total cost to LRC to approximately \$200k. The EV manager noted that there may be an additional LRC budget amendment needed to cover the additional funding. Storage and other details will need to be addressed and discussions will continue as we move forward with the contract. How electrical costs are covered will also need to be determined. It's estimated to cost around \$20k for electricity each year.

Business openings/closings: There will be a Dollar Tree grand opening on June 28.

The updated draft ordinance for dark sky lighting will go to council on July 19 as part of the public hearing process. Councilmember Leh noted that Community Development has worked very hard to address complex issues.

DCI is hosting workshops for Urban Renewal and URAs. The EV Manager will share information on upcoming workshops for those who would like to attend.

The Downtown Streetscape Plan RFP has been posted.

Commissioner Comments:

Commissioner Williams asked if the city is seeking developers who have done innovative things for vacant properties. The EV Manager noted that this topic will be covered during the potential program discussion later in this meeting. The City is not currently seeking creative developers at this time.

Councilmember Leh noted that no decision about City involvement has been made on the 833 Main property.

## **Downtown Business Association Updates**

Commissioner Williams wasn't able to attend DBA and asked Rick Kron to include her on the email regarding when meetings are being held. She also noted that Andy Clark's celebration of life is planned for Sept. 16 at community park and asked if LRC could pay the permit fees. The EV Manager will look into what the options are for covering those fees.

## Chamber of Commerce Updates

None.

## Commissioner Comments on Items not on the Agenda: None.

## **Business Matters of Commission:**

## Public Hearing: 2023 LRC Budget Amendment

The EV Manager presented the background on the LRC Budget Amendment Request. Details of the budget request were included in the LRC meeting packet.

## Commissioner Comments:

Commissioner Harald asked if additional budget amendments would result from additional expenditures for WinterSkate. The EV Manager responded that the City is planning to capture all foreseeable additional expenses in one amendment request.

Commissioner Williams asked how much was spent on the Façade Improvement Program in 2022. It was noted that approximately \$92,000 was spent last year and any reallocation would require a budget amendment.

## Public Comment:

Rick Kron, Louisville resident and president of the Downtown Business Association stated that the DBA strongly supports the budget amendment and feels the WinterSkate is essential to the health and wellbeing of the community.

Chair Adler closed the public Hearing at 8:42 a.m.

Chair Adler made a motion to adopt the resolution. Commissioner Harald seconded. Roll call vote: unanimously approved.

## Discussion: LRC Information and TIF Expenditure Deadline

The EV Manager addressed questions posed at the last meeting by Mr. Kranzdorf related to HWY 42 revitalization, expenditure period, length of time LRC will remain active. A staff report was provided to the LRC in answer to these questions. The EV Manager reviewed the history of the URA (now designated LRC), how it is funded, it's role and responsibilities, City Council oversight and the length of term of the LRC. The LRC is not required to spend all TIF revenues; however, funds will need to pledged during the URA period. Projects can continue beyond the end of the TIF period using pledged funds. Any tax increment unpledged must be returned to taxing entities based on previous years' rates.

Lexi noted that Graham had a great idea of redeveloping Steinbach and front street for the benefit of the community.

EV Mgr – at next meeting we should discuss what LRC wants to do. Trestle recently went through the same evaluation with Parker to identify investment costs and redevelopment potential to develop a strategy.

Commissioner Comments:

Commissioner Williams suggested the LRC consider purchasing historical buildings downtown to revitalize the community. The EV Manager noted that the DCI report included site purchase options. The City Attorney added that the Urban Renewal Act requires the LRC to convey any purchased property to another party or developer as soon as practicable.

Commissioner Iglesias asked if LRC purchases the buildings, who is responsible for leasing the spaces to businesses. The EV Manager noted that there are a lot of expenses related to purchasing, renovating or redeveloping and reselling property.

Councilmember Leh asked the City Attorney if he agreed with the information provided about the TIF expenditure deadline. The City Attorney confirmed that what was presented was accurate. Related to the purchase of property, Councilmember Leh noted that it's important to engage professionals to help evaluate this kind of step and cautioned that the procurement and improvement of property takes analysis and careful planning. Also, in the council context, and possibly under broader rules for LRC this is the kind of topic that could appropriately be the subject of an executive session. Under the rules of charter, we have opportunities under open meetings to be able to do this and there are strategic values to this approach in evaluating Commissioner Williams' suggestion to purchase property.

The Director of Community Development noted that City Staff have discussed the issue of the amount of money the LRC has to spend and the most effective ways to utilize it for the community. He suggested it might be useful for LRC to have a long-term financial discussion and noted that there is a lot of infrastructure projects LRC could contribute to, such as

underpasses. He also suggested looking at how to spend the funds in business assistance and setting appropriate criteria, such as for historic buildings and noted that the Downtown Streetscape Plan could be a huge investment. Incentive programs might provide a great impact to the community.

Chair Adler commented that Commissioner Smith had presented an idea last week regarding Front Street and the Steinbaugh Pavillion. The EV Manager recommended that the next meeting include a discussion around the potential purchase of properties. Trestle recently went through a similar exercise with Parker, CO.

The EV Manager elaborated on Commissioner Smith's suggestion that the LRC could look at closing a portion of front street to put something permanent in to be used for the Ice Rink in winter and other potential uses in summer, perhaps generate front street redevelopment to create more of a public area. There would need to be extensive discussion to determine if this is a viable investment option.

Commissioner Harald noted that the LRC should carefully consider what the Director of Community Development suggested. There are many competing ideas and it is important to balance them out. He added that the LRC would need to better understand what the purchase of property would entail and noted that it's not just redevelopment, it's the ownership aspect that is a lot to understand. There is a lot to consider before committing LRC funds to purchase property.

EV Manager stated that Staff will provide information to the LRC on what it would mean to purchase/own a building.

There was a lengthy discussion around the Strategic Plan that DCI provided and the need to begin moving forward on projects listed in the Plan. Councilmember Leh noted that concerns about Louisville plaza redevelopment has been brought up in the past and there may be great opportunities for LRC funding to be very helpful with this.

## Public Comments:

Mike Kranzdorf asked the City Attorney if there is a formal definition of "pledge" and how strict is it. The City Attorney noted that there is no formal definition of "pledge" and it's more about indebtedness, which is construed to mean any financial obligation of the LRC. So as long as the obligation is formally established during the required timeframe.

Rick Kron, resident, DBA President commented that he doesn't believe that underpasses are a good investment. Three vacant properties, energy code incentives, dark sky incentives should be the focus of the LRC. He would like to see LRC take an in-depth look.

## Funding/Incentive Development – Discussion of Potential New Programs

The EV Manager shared the DCI report summary on ideas for small community-led improvement programs. The EV Manager would like to look at the Façade Improvement Program to see if other incentives can be offered as part of the program to assist with possible utility system upgrades as well as back of the building improvements and possibly murals. The

EV Specialist noted that back entry requests have been approved as part of the Façade Improvement Program, although they were for businesses that have a primary back entry. The City Attorney noted that the relationship between the City and LRC is important; for example, with the Façade Improvement Program the Planning Department and Historic Preservation was very involved in setting criteria and reviewing proposals. LRC will discuss how to expand the Façade Improvement Program at a future meeting.

The EV Manager mentioned that there are limits on staff time. Do we implement one of the smaller programs right now or dive into bigger infrastructure projects, etc. Review execution and start moving forward from that to get more focus. LRC should move forward in an achievable manner. Will bring this back in August.

Commissioner Comments:

Commissioner Williams asked if the Façade Improvement Program could apply to the back of the building. She also asked if the cultural council operating.

Councilmember Fahey commented that the Cultural Council exists and City Council is redefining boards/commissions and noted that the Cultural Council has funding to provide art, including murals.

Chair Adler asked to bring this discussion back to the next meeting.

Commissioner Harald voiced support for working the strategic plan as it stands.

Public Comments: None.

## Discussion: New LRC Meeting Date and Time – deferred to future meeting

Councilmember Leh left the meeting.

#### Façade Improvement Program Application: Acme Fine Goods @ 915 Walnut Street

The EV Specialist presented the application for 915 Walnut Street which was made by the business owner/tenant of the property. The property owner letter of support was included in the application and it was noted that Historic Preservation review is not needed for the signage. Staff recommends approval of the application.

Commissioner Comments: None.

Public comments:

Rick Kron noted that the DBA supports the application.

Commissioner Williams motioned to approve the application. Commissioner Harald seconded. Unanimously approved.

#### Façade Improvement Program Application: Amterre Pine LLC @ 1130 – 1140 Pine Street

The EV Specialist presented the application for Amterre Pine, LLC. Staff recommends approval of the application.

The applicant/owner commented that this is a good example of what the façade improvement program is meant to accomplish.

Commissioner Comments: None

Public comments:

Rick Kron stated he supports this application.

Commissioner Harald moved to approve the application. Commissioner Tofte seconded. Roll call vote: Chair Adler, Commissioner Harald, Commissioner Williams, Commissioner Iglesias, and Commissioner Tofte unanimously approved.

#### Façade Improvement Program Application: B&M Enterprises @ 900 Main Street

The EV Specialist noted that four properties are included in this application. Previous awnings on the building were removed with a previous façade improvement project and tenants have requested new awnings due to light and heat issues in the spaces without the awnings. These improvements do not require Historic Preservation review. Staff recommends approval of the application.

Commissioner Comments: None.

Commissioner Harald asked if LRC is covering the awnings recently installed. The EV Specialist confirmed that the awnings were installed after the application was submitted and are eligible for reimbursement.

Commissioner Tofte asked if the old frames are being reused and the EV Specialist confirmed that they are being reused where they can be.

Public comments: None

Commissioner Tofte motioned to approve the application. Commissioner Williams seconded. Roll call vote - unanimously approved.

## Discussion Items for Next Regular Meeting, Wednesday, July 12, 2023:

- 1. Program strategy
- 2. Funding/Incentive Development
- 3. DBA Engagement Potential Joint Meeting (may move to future meeting)
- 4. 2024 CIP Planning/Coordination
- 5. Direct Financial Assistance Application: 916 Main
- 6. Commission and Board URA Project Support Update

7. Façade Improvement Program Applications

## Commissioners' Comments: None.

Commissioner Tofte noted that LRC shouldn't take underpass totally off the table and that there could be options to contribute to other funding so the cost to LRC may be manageable.

Commissioner Iglesias asked for the status of streetscape. It was noted that the RFP went out and City will choose a vendor and move forward soon. The way it's proposed, dark sky lighting would have an amortization period in the ordinance, once the ordinance is finalized.

Commissioner Iglesias asked if there are any plans for removing alley poles and undergrounding utilities. Staff isn't aware of current projects to underground utilities in the alleys and it was noted that Staff will determine if this is part of the CIP for 2024. There are a lot of considerations and complexity with multiple vendors: excel, comcast, etc.

Commissioner Williams noted that undergrounding utilities is a really expensive project.

Public Comment: None.

Commissioner Williams motioned to adjourn; Commissioner Tofte seconded.

Adjourn: The meeting adjourned at 9:47 AM.



SUBJECT: STAFF UPDATES

DATE: JULY 12, 2023

PRESENTED BY: APRIL KRONER, AICP, ECONOMIC VITALITY MANAGER 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.

## URA Property Updates

- 916 Main Street Direct Assistance Application Status: As indicated at the last meeting, the 3<sup>rd</sup> party financial review was not set up as a retainer/on-call contract and therefore a new contract needs to be completed in order for EPS to conduct the financial analysis for the project. EPS provided a proposal to staff (attached), which will be included with a contract and brought to the July 25<sup>th</sup> City Council meeting for approval. That contract will then need to come back to the LRC in August for final approval.
  - The proposal is for an amount of \$15,250. That cost will be shared 50/50 between the LRC and the applicant. Should the project move forward, the applicants share will be reimbursed.
  - Staff is working with the attorney to develop a retainer/on-call contract for future consideration by the LRC and Council, whereby seeking council to authorize the LRC to authorize 3<sup>rd</sup> party financial reviews without having to go back to council (and then again to LRC) in an effort to save time and keep projects moving forward in a more timely manner.

## Ice Rink Update

- The contract with Rocky Rinks has been finalized, equipment has been ordered, and the initial payment was made. April is scheduled to meet with Rocky Rinks on Monday, July 10<sup>th</sup> to have an initial kick-off and discuss schedule/prep, next steps, etc.
- Staff will need to come back to LRC in August for the Commission to consider a budget amendment to cover the remaining \$105,458 of the contract (resulting total outlay would be \$405,458 for the 2023-34 skating season).
  - As discussed previously the LRC would then receive the revenues that are generated from the skating fees (not the concessions). The average revenue generated based on the past two seasons was \$199,999 (last year was higher than the year prior, however the year prior the rink was closed for a portion of time due to the fires). Assuming the recent average revenue is generated, the overall cost to the LRC to fund the ice rink for

SUBJECT: STAFF UPDATES

DATE: JULY 12, 2023

the 2023-24 season would be approximately \$206,458. This includes ownership of the vast majority of equipment for the rink to be provided moving forward.

- The cost for electricity to operate the rink for the season will need to be addressed in terms of where that funding will come from, and has been placed on this agenda for the LRC to consider. It was shared by IRE that the total electricity cost for the 2022-23 season from late October 2022 through early March 2023 was \$19,500. If the LRC is to provide funding to cover the cost of electricity this will be included in the next budget amendment.
- Attorney Nick Cotton-Baez has drafted a Cooperation Agreement between the City and the LRC for the outdoor skating rink, however some details are still being worked out. This DRAFT agreement will be brought to the LRC for review and consideration at the August meeting. Highlights of the agreement for consideration will include: requirements for how long the rink is to be operated in the future given the LRC's investment in equipment; total contribution from the LRC for the 2023-24 season; total contribution by City for the 2023-24 season; deadline for determination about funding and management for the 2024-25 season; entity responsible for electricity charges; amount of revenue generation to be provided back to the LRC, as well as other items.

## Dark Sky Lighting

An updated draft of the dark sky lighting ordinance has been posted online for public review. Staff will review comments before the ordinance goes to Planning Commission on July 13.

## Downtown Vision Plan

- An RFP was issued for the Downtown Vision Plan on June 9, 2023, and proposal submissions were due to the City on June 30, 2023.
- A total of six proposals were received for the project.
- An internal staff team is currently evaluating the proposals and will be meeting on Wednesday, July 12<sup>th</sup> to discuss scoring of the proposals and to either select a consultant or identify consultants that the team would like to interview.
  - If interviews are warranted, those will be held the week of July 18<sup>th</sup>.
- It is anticipated to bring a contract for this project to the City Council on August 1<sup>st</sup> and commence the project immediately.
- Anticipated project completion is February, 2024.

## Utility Line Undergrounding

Utility undergrounding was brought up during the June meeting. The City included \$1.3 million in its 2023 budget for Utility Line Undergrounding. The City's franchise agreement with Xcel requires the company to budget and allocate 1% of the preceding

SUBJECT: STAFF UPDATES

DATE: JULY 12, 2023

year's electric gross revenues for Louisville to bury existing overhead facilities underground.

In addition to the cost of burying Xcel's facilities using the 1% fund, the City will be required to pay for the relocation of any impacted telecommunications facilities. To use the 1% fund, City staff must select projects with distribution or feeder utility lines that are located in the right-of-way and at least 750 feet in length. City staff continues to identify potential projects according to the criteria outlined in the City's Utility Line Undergrounding Policy.

## Work Plan

The most recent Work Plan and Advanced Agenda are both included as Attachment #2.

## ATTACHMENT(S):

- 1. EPS Proposal
- 2. LRC 2023 Work Plan and Advanced Agenda



The City of Louisville has requested that Economic & Planning Systems (EPS) submit a scope of work and budget for a review of a request for tax increment financing (TIF) revenues submitted by Schlageter Properties LLC (Owner/Developer). The Developer is requesting TIF in order to assist with façade and building improvements to 916 Main Street, which is proposed to be occupied by Radiance MedSpa. The Developer has indicated that the project is not financially viable without assistance from the City due to the fact that rental rates in the City of Louisville do not support current construction costs.

## Scope of Work

## **Task 1: Project Initiation**

EPS will complete a project kickoff meeting with Louisville Revitalization Commission (LRC) staff to discuss key objectives, issues, and deliverables and to confirm the project schedule. Following this kickoff, EPS will also contact the applicant to better understand their TIF request and to address any outstanding questions.

## **Task 2: Downtown Market Conditions**

The Developer has provided an overview of their project as well as data on construction costs, land and building values, and lease rates. EPS will conduct a high-level assessment of downtown Louisville market conditions including data on land values, construction costs, and operating expenses to verify the financial analysis inputs.

## Task 3: "But-For" Analysis

The Developer has provided a static pro forma of the project. EPS will request the Developer to provide a 10 year cash flow model in Excel format with development and construction costs, annual operating revenues and costs, and project returns (YOC and IRR) with and without the requested TIF revenues. This analysis will provide the basis for beginning to define a project gap and a reasonable level of public investment. In other words, this analysis will answer the questions: 1) "but for" the public investment the project is financially infeasible; and 2) what level of public investment is appropriate to provide the Developer with a reasonable rate of return given current financial conditions and the LRC TIF policy guidelines.

This analysis will evaluate the performance of the project under alternative scenarios that assess project feasibility with and without TIF revenues. At a minimum, EPS will run two versions of the model that will include the following:

 Baseline Scenario – EPS will construct a baseline pro forma using the inputs provided by the Developer to verify the cost, revenues, and return estimates and to confirm that there is a financial gap and need for the requested TIF investment. TIF Investment Analysis – EPS will develop one to two alternative scenarios that reflect any potential revisions to key model inputs. The results of this model will be used to determine project sensitivities to various model inputs, lease rates, vacancy rates, operating costs, and other key variables. This analysis will help the City determine if the level of TIF allowable by LRC policy is appropriate or if there are excess returns generated in the project, potentially justifying a lower amount of public investment.

#### **Task 4: Financial Model and Memo Report**

The analysis outlined in this scope of work will be detailed in a concise summary memo report including key project components, TIF revenue estimates, and project feasibility with and without TIF revenues. A draft report will be submitted with a final report completed within one-week's receipt of comments and edits.

#### **Task 5: LRC Presentations**

EPS will make a presentation to the LRC summarizing our analysis and findings. These presentations will provide an overview of the methodology used to estimate the need for public financing, a summary of the initial assumptions used by the Developer, any changes that are recommended by EPS, and the final estimated public financing that the project requires in order to move forward.

## **Budget and Agreement**

EPS agrees to complete the above work program on a time and charges basis up to a maximum of \$15,250. Additional meetings and presentations not included in the above work program will be billed on a time and materials basis. The approximate breakdown of level of effort by task and staff level is shown in **Table 1** below.

Description	Principal	Associate	Research/ Production	Total
Billing Rate	\$260	\$145	\$115	
Labor Costs				
Task 1: Project Initiation	2	2	0	\$810
Task 2: Downtown Market Conditions	2	12	4	\$2,720
Task 3: "But-For" Analysis	4	24	2	\$4,750
Task 4: Financial Model and Memo Report	6	16	4	\$4,340
Task 5: LRC Presentation	<u>4</u>	<u>8</u>	<u>2</u>	<u>\$2,430</u>
Total Hours	18	62	12	\$15,050
Dollars by Person	\$4,680	\$8,990	\$1,380	
Direct Costs				
Travel & Miscellaneous				<u>\$200</u>
Subtotal				\$200
Total Project Cost				\$15,250

Source: Economic & Planning Systems





Date	Agenda Items
February 8	<ul> <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> <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> <li>URA Marketing Strategy – Window Decals</li> <li>Downtown Coordinated Streetscape Plan – Scope and RFP</li> <li>Commission and Board URA Project Support – discussion/develop process and criteria</li> </ul>
May 10	<ul> <li>Direct Financial Assistance – 916 Main Street, Radiance MedSpa</li> <li>Funding/Incentive Development – discussion of potential new programs, Part 1</li> <li>Board &amp; Commission Mission and Roles Considerations</li> <li>Winterskate (Special Meeting on 5/24 to discuss budget amendment)</li> </ul>
June 14	<ul> <li>Public Hearing: 2023 LRC Budget Amendment</li> <li>TIFF Expenditure Deadline</li> <li>Funding/Incentive Development – discussion of potential new programs</li> <li>2024 CIP Planning/Coordination</li> <li>Review – Façade Improvement Program Applications</li> </ul>
July 12	<ul> <li>Funding/Incentive Development – Community-Led Improvement Programs</li> <li>Ice Rink Electricity Costs</li> <li>Monthly Meeting Date</li> <li>DBA Engagement – potential joint meeting</li> <li>2024 CIP Planning/Coordination</li> <li>916 Main</li> <li>Commission and Board URA Project Support</li> </ul>
August 9	<ul> <li>Ice Rink</li> <li>Recap of 2023 Work Plan and Future Funding Allocations</li> <li>Funding/Incentive Program Development</li> <li>Sustainability Grant Program – presentation from Sustainability Coordinator</li> <li>South Street Underpass Discussion</li> <li>Downtown Coordinated Streetscape Plan - Contract</li> <li>DBA Engagement – potential joint meeting</li> <li>2024 CIP Planning/Coordination</li> <li>Application for Direct Financial Assistance - 916 Main Street</li> <li>Commission and Board URA Project Support</li> </ul>





Star August at 12.4	
Date	Agenda Items
September 13	Downtown Coordinated Streetscape Plan – plan development
	<ul> <li>Hwy 42 Plan Development - update/feedback</li> </ul>
October 11	Comp Plan Update presentation/feedback
	Sustainability Grant Program – discussion of potential new programs
November 8	SBR Corridor Plan – update/feedback
December 13	Downtown Coordinated Streetscape Plan – plan development



Louisville Revitalization Commission 2023 Work Plan Prioritization Table



## 2023 Priority Projects

Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
Downtown Coordinated Streetscape Plan	<ul> <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> <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> <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> <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> <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





Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
South Street Underpass	<ul> <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> <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> <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><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><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> <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> <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><li>Review and approve applications</li><li>Expand marketing materials</li></ul>	Q1-Q4	As needed	\$300,000
Development Assistance Application Review	<ul> <li>Review proposals and develop incentive agreements</li> </ul>	Q1-Q4	As needed	TBD
Downtown Street Light Conversation	Potential project update	TBD	1	\$480,000
Downtown ADA Project	Potential project update	TBD	1	\$120,00
Electric Vehicle Charging Stations	Potential project update	TBD	1	\$26,000
Downtown Conduit and Paver Repair	Potential project update	TBD	1	\$420,000



Louisville Revitalization Commission 2023 Work Plan Prioritization Table



## **Other Potential Projects**

Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
Small Business Survey	Possible partnership with DBA and/or Chamber	TBD	TBD	TBD
Shuttle Service to CTC	<ul> <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> <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> <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> <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> <li>Improve Sports Complex parking to provide additional downtown parking</li> </ul>	TBD	TBD	TBD
Downtown WiFi Network	<ul> <li>Develop program and contribute to funding</li> <li>Presentation on Downtown communications options</li> </ul>	TBD	TBD	TBD



## LOUISVILLE REVITALIZATION COMMISSION

SUBJECT: COMMUNITY-LED IMPROVEMENT PROGRAMS

DATE: JULY 12, 2023

PRESENTED BY: APRIL KRONER, AICP, ECONOMIC VITALITY MANAGER

#### SUMMARY:

The Louisville Revitalization Commission (LRC) 2023 Work Plan identifies the following 'Project' to be worked on during quarters two through four:

*Funding/Incentive Development* which includes: considering the development of new incentive programs for existing business improvements; new business attraction and retention incentives for the URA; and possible inclusion of historic preservation components to such programs.

This memo serves as a next step in moving forward with the implementation of new programs including providing general information on four programs that were identified for further investigation at the LRC's meeting on June 14, 2023, and to gather input and direction on proposed next steps and which program should be implemented first.

## **DISCUSSION:**

Earlier in 2023, the Cooperation Agreement between the LRC and City of Louisville was amended to help facilitate the efficient implementation of new financial assistance programs that the LRC may implement. The amendment allows for the LRC to propose new programs, along with establishing a budget for said programs, to the City Council and upon their approval of the program parameters and budget, the LRC may engage in reviewing and approving funding projects without having each project go before the City Council. The resulting amendment achieved the first step of the *Funding/Incentive Development Project* as indicated in the 2023 work plan.

The next step is the consideration of what types of new programs should be established and the prioritization of them for implementation. Downtown Colorado, Inc (DCI) completed the <u>LRC Downtown Strategy Report</u> in 2022 which included in it several ideas for small, community-led improvement programs that the LRC may wish to consider for implementation. These programs were reviewed briefly at the June 14, 2023, meeting of the LRC and the following were identified to be further explored:

- Back of Building & Alleyway Improvements
- Historic Structures and Interior Code Improvements
- Resilience & Climate Impacts
- Arts & Culture

## SUBJECT: COMMUNITY-LED IMPROVEMENT PROGRAMS

## DATE: JULY 12, 2023

This memo provides further information as to the goal of each type of program along with primary benefits and example ideas of eligible items. Economic Vitality staff is looking for the LRC to provide input on these programs and to prioritize them in terms of implementation. Staff would then proceed with developing the highest priority program outline and providing much more detailed information for future review and discussion by the LRC. This would include identification of a draft program budget, eligibility and funding parameters, application requirements, review entities and process (including establishment of review criteria), agreement and reimbursement terms.

## Back of Building & Alleyway Improvements

Goal: This program would be similar to the existing façade program however funds would be provided for rear/back-of-building improvement projects which are often overlooked such as: upgrading the backs of the buildings along alley with murals, paint, signage, lighting, etc; and to clean-up, enclose and/or modernize dumpsters.

Benefits: Improvements to the backs of buildings and alleyway areas result in a better experience of the downtown for visitors by signaling that the complete property is cared for, safe, and inviting, and can also add to creating ambiance and showcasing local artist talents.

Eligible Items: The current Façade Improvement Program does allow for 'improvements to alley entryways' as an eligible improvement for reimbursement, however the goal of that program is to concentrate on the street-facing building façade. It is envisioned that with a Back-of-Building Improvement Program many of the improvements that are eligible under the façade program would be applicable to the back of the building, such as lighting, infrastructure improvements (i.e., landscaping, bike racks); signage, painting, outdoor seating areas, replacement of windows, installation or repaid of awnings/canopies, repair/replacement of entry doors, restoration/cleaning of brick, stone and concrete, zoning review fees and/or architectural costs, etc. Additional ideas for eligible projects may including opening rear-facing facades with new windows and doors, adding landscaping and/or planters, new paving, painting of murals or addition of other art initiatives, rain gardens, enclosures for trash cans/dumpsters.

In terms of implementation for a program of this type, there are two ways it could move forward.

- Rename the current 'façade improvement program' to something along the lines of a 'property improvement program', amend the current program including restate the goal/purpose, add to the list of eligible improvements to include the back-of-building items, and add to the budget; OR
- Develop a NEW program specifically targeting back-of-building/alleyway improvements to keep them very distinct from one another and promote separately, and establish a new budget amount. Many of the program guidelines

## SUBJECT: COMMUNITY-LED IMPROVEMENT PROGRAMS

## DATE: JULY 12, 2023

established for the façade improvement program could be used as a template for creating the new program.

## Historic Structures & Interior Code Improvements

Goal: Focus on older, pre-building code structures that could benefit from investment to ensure longevity and reuse. Such projects to be supported could include foundation and/or roof studies and resulting improvements, interior improvements to bring buildings up to current code requirements, replacement of major systems such as mechanical/HVAC, plumbing, electrical and use-specific needs such as grease traps.

Benefits: Such improvements will help towards making downtown spaces more competitive and more usable for tenants, and will help extend the longevity of historic structures. It will also bring more buildings into compliance with current building code requirements.

Eligible Items: For this program, eligible improvements must be permanent in nature that will remain with the building such as facility retrofitting, plumbing/electrical/HVAC improvements, grease traps for restaurants, remodeling, studies of foundation and/or roof systems and any resulting structural improvements. Consideration may want to be given to requiring a free PACE energy assessment in order to qualify for funding.

## **Resilience & Climate Impacts**

Goal: Mitigate and/or repair impacts to businesses from weather/natural disasters such as hail damage, fire mitigation, replacing landscaping, etc.

Benefits: Encourage use of building materials that are more disaster or weather resistant to reduce potential disaster impacts to businesses; support existing businesses that experience losses due to natural disasters by assisting with underinsured expenses, and ensure landscaping is re-established within the URA if lost.

Eligible Items: Eligible costs would be those that are not already covered by insurance claims in the wake of a disaster, and pro-active measures to buildings and/or properties to better protect against disaster (i.e., flooding, fires).

Staff requests the LRC provide direction as to their intent with the establishment of such a program to better establish desired outcomes.

## Arts & Culture

Goal: Encourage and support public art and mural projects in the URA.

## SUBJECT: COMMUNITY-LED IMPROVEMENT PROGRAMS

## DATE: JULY 12, 2023

Benefits: The addition of new art projects into the URA may enhance the URAs sense of place, support local artisans, activate underutilized spaces, encourage participatory art opportunities for community members, and allow for community enjoyment of artful expression

Eligible Items: A program could be structured to encourage businesses to have art installations completed on their properties, and/or for the LRC to initiate public art installations on City property within the URA. There is also potential to collaborate with the Louisville Cultural Council to direct art grant funds into the URA and supplement one another to encourage a more substantial project.

Other considerations: The LRC could consider other means of bringing public art into the URA by requiring urban renewal redevelopment projects to incorporate artwork onto public (or private) property as part of any new project. There are multiple ways this could be achieved such as through the addition of original creations of visual art or through unique and artistic landscape features and/or ornamental architectural embellishments that are not part of the basic design of a building/structure. There are examples of URA's that have such a requirement, and they structure the requirement that the amount to be expended by the developer on the artwork not be less than a certain percentage of the estimated redevelopment project cost (i.e., 0.5%, 1%).

## **RECOMMENDATION:**

Staff seeks LRC input on the various programs, further clarification of desired program outcomes, and order of priority for program implementation so as to be able to advance the specific program development for one or more of the programs.

## ATTACHMENTS: N/A



## LOUISVILLE REVITALIZATION COMMISSION

## SUBJECT: FAÇADE IMPROVEMENT PROGRAM APPLICATION: SCHLAGETER PROPERTIES, LLC @ 916 MAIN STREET

DATE: JULY 12, 2023

PRESENTED BY: AUSTIN BROWN, ECONOMIC VITALITY SPECIALIST

## SUMMARY:

Staff received an application for 2023 Façade Improvement Program reimbursement from Schlageter Properties LLC for the property located at 916 Main Street.

## **DISCUSSION:**

Schlageter Properties recently purchased the property at 916 Main Street with the intention to renovate the building and open Radiance MedSpa. The property is within the Highway 42 Urban Renewal Area and is therefore eligible to apply for Louisville Revitalization Commission (LRC) funding. Owner Stephanie Schlageter submitted an application for direct financial assistance for this project to the LRC on May 10. The direct financial assistance application is still in the review process and will come back to the LRC for approval.

Miss Schlageter also submitted an application for Façade Improvement Program reimbursement. The building was constructed prior to 1950 and is currently going through a PUD application process with Planning. The Historic Preservation Commission previously reviewed this property during its April 24 hearing. The applicant will be required to submit for all necessary building permit approval and building permits.

Hartronft Associates estimated the total cost of improvements to be \$308,534, and requests 50% reimbursement (\$154,267). In their direct financial assistance application, the applicant included an estimated \$139,214 Façade Improvement Program grant. The proposed improvements include:

- Redesigned Main Street storefront façade;
- Creation of wheelchair accessible entrance that is ADA compliant;
- Code compliant main entry;
- Upgrade of east alley elevation;
- Screening of mechanical equipment and trash enclosure;
- Added bike parking; and
- New signage.

## SUBJECT: FAÇADE IMPROVEMENT PROGRAM APPLICATION: ACME FINE GOODS

DATE: JUNE 14, 2023

Attachment #1 is Schlageter Properties' Façade Improvement Program application and includes a detailed scope of work and cost estimate. Attachment #2 is an application review and summary prepared by staff.

Staff has determined that this application is complete and is requesting a review by the LRC. The applicant has requested \$154,267 in façade funding, which is 50% of the total estimated cost. This figure is slightly above the amount that was included in the applicant's initial proforma (Attachment #3), which may need to be revised.

Per the Program criteria, requests for projects with greater than \$100,000 in total costs are reviewed on a case-by-case basis. Staff feels that the request for 50% reimbursement is consistent with the Program criteria and has prepared a Façade Improvement Grant Agreement (Attachment #3) that allows for 50% reimbursement, up to a total of \$154,267.

The LRC allocated \$300,000 to Façade Improvement Program funding in 2023 and has so far entered into four agreements in 2023, totaling an estimated \$86,999.20 in reimbursement.

Should the LRC approve the request, the applicant will enter into the Façade Improvement Grant Agreement with the LRC. As indicated in the 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 Schlageter Properties, LLC.

## ATTACHMENT(S):

- 1. Schlageter Properties Program Application
- 2. Application Review and Summary
- 3. Direct Financial Assistance Application Project Proforma
- 4. Façade Improvement Grant Agreement

# Façade Improvement Program Application

<u>Stephanie@radiancemedspa.com</u> (not shared) Switch account \* Indicates required question

Façade Improvement Program Application Please complete the application.

Business Name \*

Schlageter Properties, LLC

Address \*

7534 Brockway Drive, Boulder, CO 80302 (Note property address is 916 Main Street, Louisville, CO 80027)

Contact Person\* Stephanie Schlageter

Phone 727-466-8999

Email Stephanie@radiancemedspa.com

Is applicant the property owner?

- 🗙 Yes
- **No**

Property Owner (if different than the applicant) \* <u>Your answer</u>

Address \*

Your answer

Building Square Footage \* 3.045 sf

Year Building was Constructed \* <u>1948-1950</u>

Current Use \* <u>Vacant</u> Project will include the following (check all that apply) \*

- □ Restoration and cleaning of masonry (brick, stone and concrete)
- **D** Repair or replacement of windows (historic windows should be repaired)
- 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 (must meet sign code requirements)
- Zoning review fees or architectural costs

List proposed improvements (Please send an itemized budget/detailed cost breakdown to <u>abrown@louisvilleco.us</u>) \*

Please see attached

#### Estimated total cost of improvements \*

Façade Cost = \$238,117 Construction + \$27,368 Soft Costs + \$15,000 Signage + \$28,049 Contingency

Total Façade Cost = \$308,534

Façade funding requested from LRC \* Requested funding = 50% of Cost - \$154,267

Project start date \* Date 06/01/2023 (project) 07/01/2023 (façade est.)

Project completion date \* Date 10/31/2023

I acknowledge that these improvements have not yet been completed, or that any in-progress improvements have been approved through the required permitting process. \*

Agree

#### Back Submit Clear form

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M:\\_MAIN\_065\\_Proj\2251-916 Main-MedSpa\Project Admin\LRC Facade Grant\Forms Etc\Facade Grant-Application-060823.doc

HARTRONFT ASSOCIATES P.C. Planning • Architecture • Interiors 950 Spruce Street #2A, Louisville, CO 80027 p 303.673.9304 f 303.673.9319



## 916 MAIN STREET RENOVATION- RADIANCE MEDSPA

Schlageter Properties, LLC

## LRC FACADE GRANT PROPOSAL - PROJECT NARRATIVE

June 8, 2023

The redevelopment of 916 Main is intended to upgrade a 72 year-old existing stucco storefront to a more pedestrian friendly retail presentation that features large windows with an upgraded level of finish to reinforce the Owner's business model. This renovation will also provide an accessible entrance that meets ADA codes. The facade will be maintained in the same line as the original front and maintains the storefront alignment of the adjacent commercial storefronts.

The proposed storefront is consistent with the desired character and development concepts set forth in the Downtown Design Guidelines for the Commercial Core as reviewed and accepted by the Historical Preservation Commission and the Planning Department (Administrative Amendment to PUD approved). The existing one story façade will be retained and renovated with structural reinforcement and new storefront windows and entry.

The storefront has a precast concrete base below large display windows. This base provides a durable material at the walkway level and anchors the enlarged display windows above. These display windows have intermediate mullions to break down the scale and provide more detail. Above the storefront there is a sign band below the original stepped parapet wall above. The main entry door is recessed and covered by a wood canopy that provides a sense of shelter and invitation to the pedestrian walkway directly in front of the building.

The materials proposed are appropriate to the downtown core as expressed in the Design Guidelines. The primary exterior finish material is the original stucco, which will be repaired and resurfaced. The canopy above the door is wood. There is a use of steel in the sign band. All exterior lighting and signage will meet applicable design and code requirements.

The major aspects of this proposed facade grant request are as follows:

- Redesigned Main Street storefront facade design that is cohesive with the Downtown Design Guidelines and adjacent storefront vocabulary, with new storefront windows and new primary entry door. Note that existing windows and entry door are not original. The new storefront and entry door and canopy are within the height and width of the existing windows, door and transom.
- Creation of a wheelchair accessible entrance that is ADA compliant and code compliant main entry.
- Upgrade of east alley elevation using the same materials as the Main Street elevation.
- Screening of mechanical equipment, trash enclosure, and added bike parking.
- New signage.
- Soft costs including zoning review fees, permit fees and professional fees.

## HARTRONFT ASSOCIATES P.C.

916 Main St. Renovation – Radiance MedSpa LRC Façade Grant Proposal – Project Narrative. – Dated 06/08/23



We understand that facade grant requests for projects over \$100k are reviewed on a case by case basis. We are looking at the 50% reimbursement as a way to help bridge the gap in terms of the cost of the project (which is currently over \$3.2 million if no grants are received) and the funding originally allocated by the business owner. As we have discussed, the construction cost inflation we have seen has made the project more difficult to accomplish.

Following are the Improvements and costs included in the Façade Grant request:

- \$238,117 Construction Cost General Contractor
- \$ 15,000 Estimated Signage Cost
- \$ 8,578 Building Permit Cost Estimate
- \$ 3,500 Structural Engineering Cost
- \$ 6,600 Professional Fees Design and Approvals (PUD, HPC, etc.)
- \$ 2,191 City of Louisville PUD Review Fees
- \$ 5,200 Architectural Fees Construction Documents
- <u>\$ 1,300</u> Professional Fees Construction Observation
- \$ 280,486 Total Facade Costs
- <u>\$ 28,049</u> 10% Contingency
- \$ 308,534 Total Facade Costs including Contingency

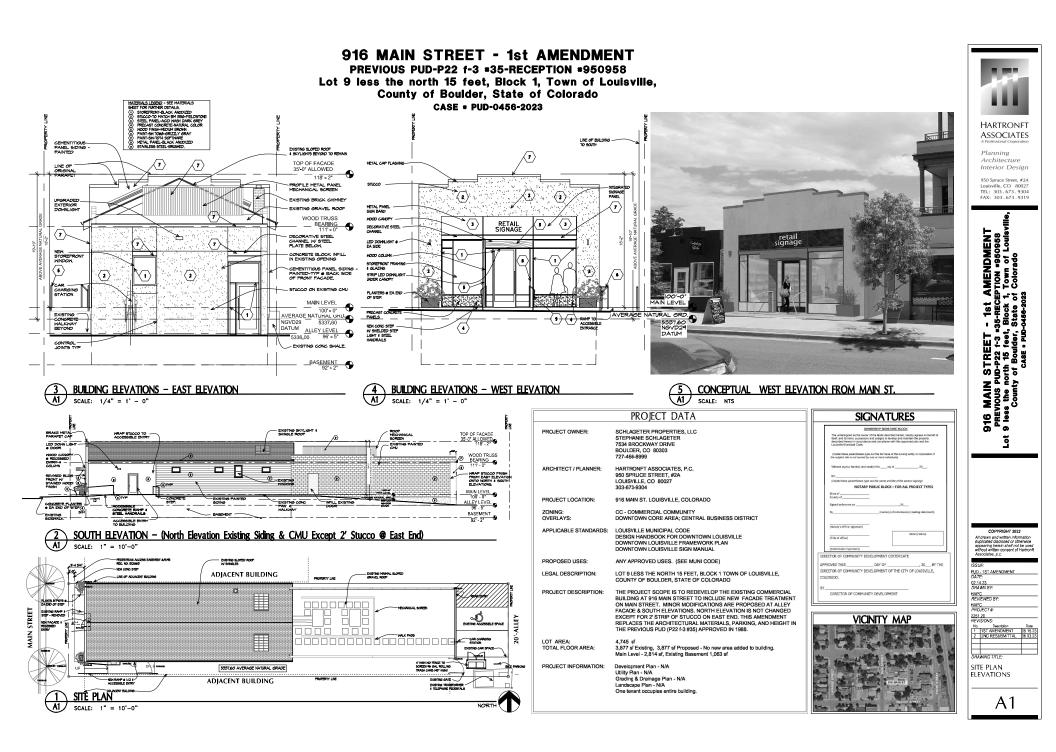
\$ 154,267 50% of Facade Costs = Facade Grant Request

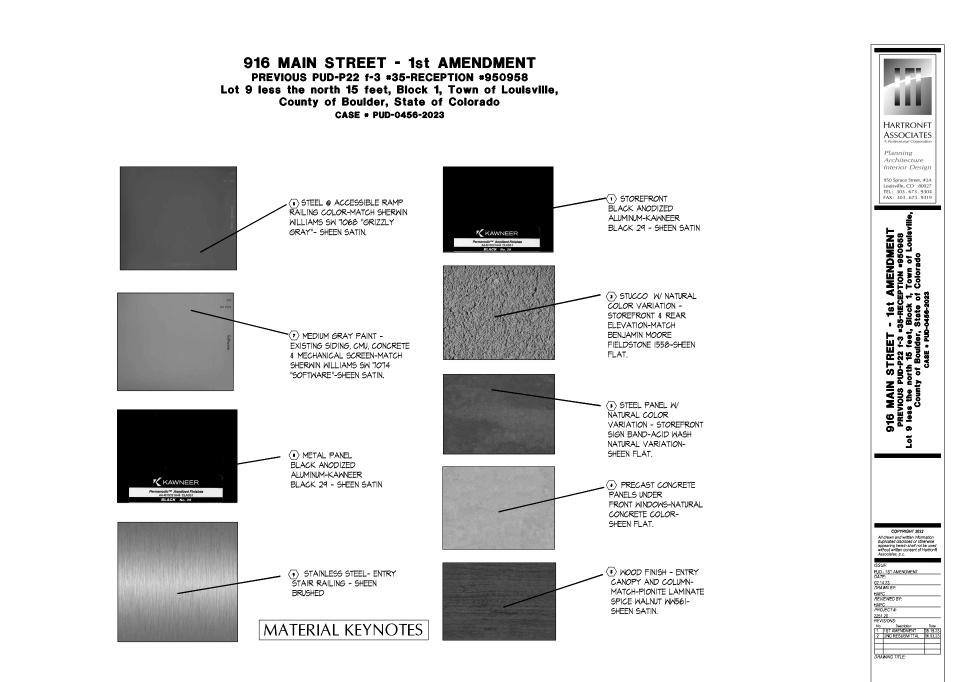
Please see the attached supplemental information:

- Pictures of the Existing Façade
- Proposed Building Elevations (Administrative PUD Amendment)
- Cut Sheets for New Storefront Windows and Entry
- W9 for Business Entity
- Estimated Cost of Improvements with Itemized Budget
- Confirmation of Year Building was Constructed

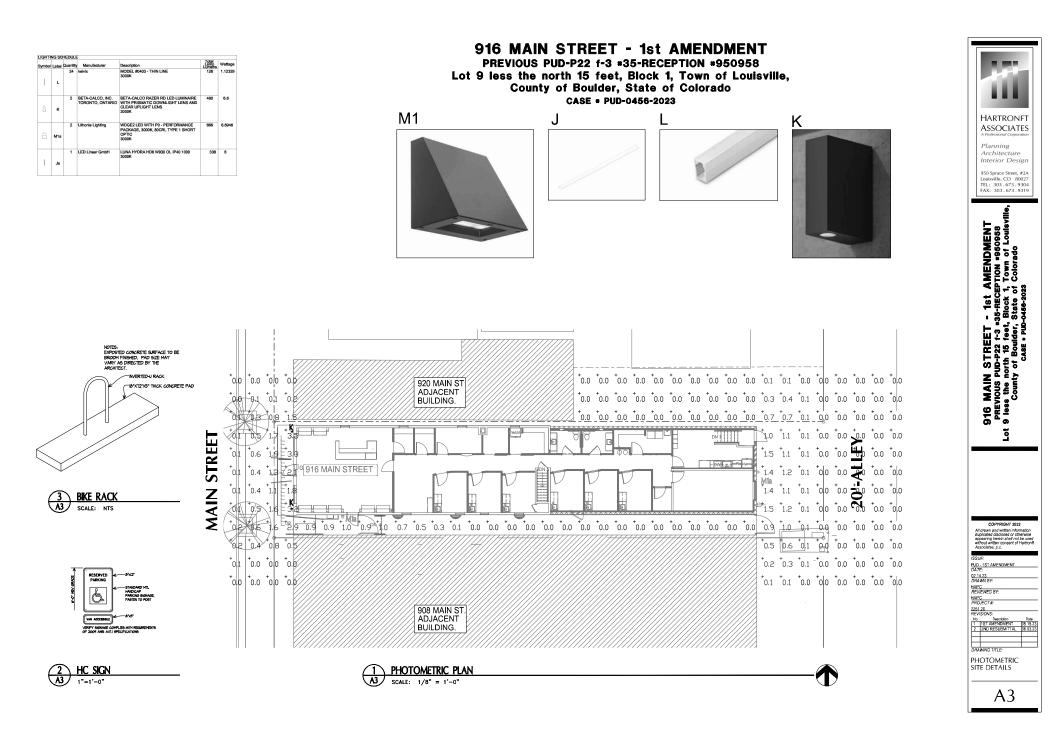


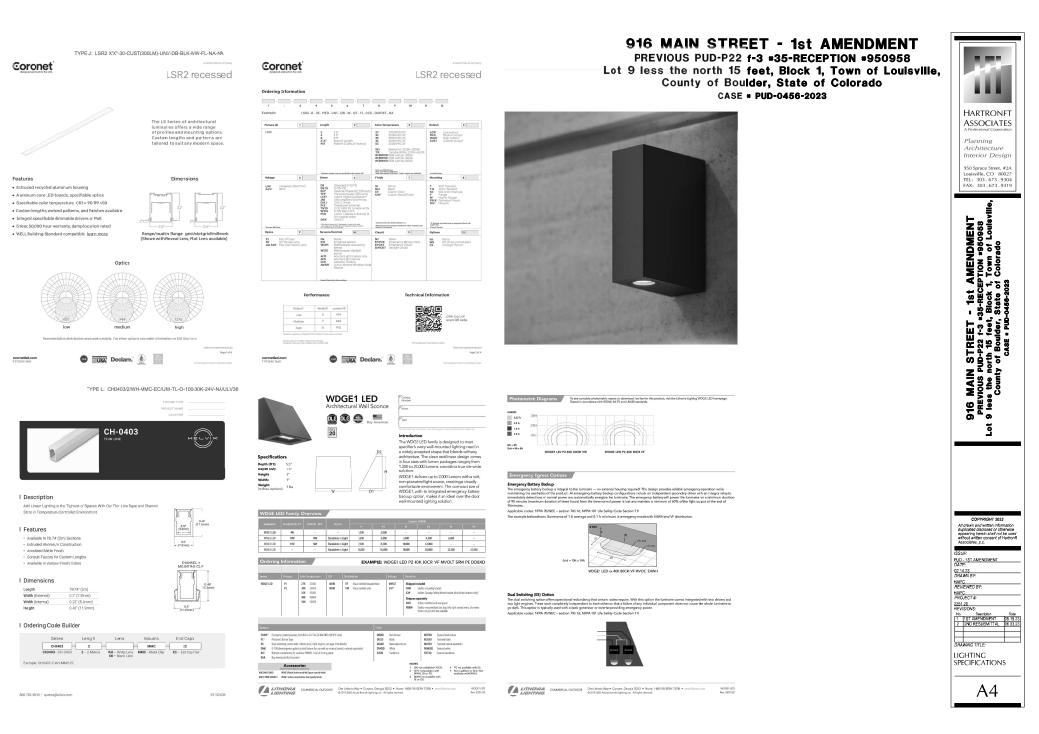






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#### JULY, 2020

#### EC 97911-233

#### CONSTRUCTION DETAILS

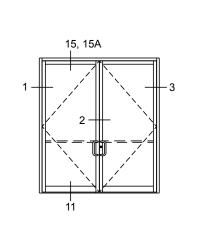
#### Additional information and CAD details are available at www.kawneer.com

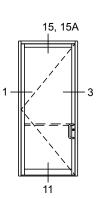
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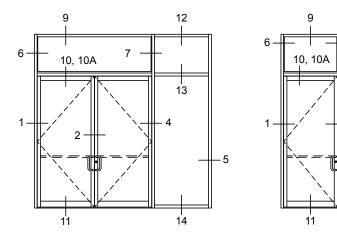
- 1. SERIES 250T NARROW STILE DOORS ARE DETAILED, MEDIUM STILE 350T DOORS AND WIDE STILE 500T DOORS ALSO MAY BE USED.
- 2. TRIFAB® VG 451T CENTER, 2" x 4-1/2" (50.8 x 114.3) FRAMING IS DETAILED WITH THE DOORS FOR REFERENCE. OTHER KAWNEER FRAMING SERIES OR CURTAIN WALL SYSTEMS MAY BE USED.

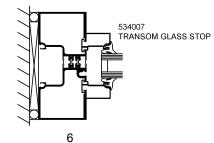
Kawneer reserves the right to change configuration without prior notice when deemed necessary for product improvement.

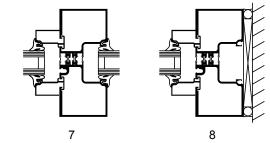
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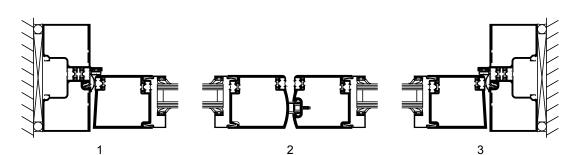




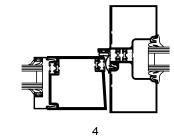


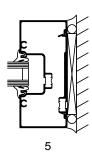






SINGLE ACTING DOORS







- 8

3

kawneer.com



# PROJECT: PUD RENOVATIONCLIENT: RADIANCE MEDSPALOCATION: 916 MAIN STREETARCHITECT: HARTRONFTDATE: 04/28/23PROJECT MANAGER: CHRIS DUGGANTOTAL SF:PLAN: REVISED PUD

CODE	DIVISION	COST	DESCRIPTION
01 00 00	GENERAL REQ.		
01 31 00	PROJ. MANAGEMENT & COORDINATION	\$4 000 00	PROJECT MANAGEMENT.
010100		φ4,000.00	
24.24.42			
	PROJ. SUPERVISION	\$15,600.00	PROJECT SUPERVISION.
01 31 13	GENERAL LABOR		
01 33 00	SUBMITTAL PROCEDURES		
01 33 19	FIELD TEST REPORTING		
01 33 23	SHOP DRWGS/SAMPLES		
01 41 23	FEES	\$600.00	ALLOWANCE FOR R.O.W. PERMIT FEES.
01 41 26	PERMITS		BUILDING PERMIT FEES ARE EXCLUDED, CONTRACTOR COORDINATED.
01 45 23	TESTING & INSPECTION	\$1,500.00	WELDING INSPECTIONS.
01 51 13	TEMPORARY ELECTRIC		
01 51 19	TEMPORARY FUEL & OIL		
01 51 23	TEMPORARY HVAC		
01 52 13	FIELD OFFICE/STORAGE		
01 52 19	SANITARY FACILITIES		ASSUMES USE OF EXISTING FACILITES.
01 54 19	EQUIPMENT		ASSUMES NO RENTAL EQUIPMENT REQUIRED.
01 54 23	SCAFFOLD & PLATFORMS		
01 55 26	TRAFFIC CONTROL	\$1,800.00	SIDEWALK CLOSURE TRANSPORTATION PLAN AND SIGNAGE.
01 56 16	TEMP DUST BARRIERS		
01 56 23	TEMP BARRICADES	\$2,500.00	TEMPORARY BARRICADE MATERIAL.
01 56 26	TEMPORARY FENCING	\$900.00	TEMPORARY FENCING.
01 65 00	MISC. SITE MATERIALS.	\$1,500.00	MISC. MATERIALS.
01 74 19	WASTE MANAGEMENT	\$1,400.00	CONSTRUCTION DUMPSTERS.
01 74 23	FINAL CLEANING	\$1,500.00	FINAL CLEANING.
01 78 33	BONDS		

CODE	DIVISION	COST	DESCRIPTION
01 78 36	CONTINGENCY	\$21,450.00	10% CONTINGENCY.
01 78 39	PROJECT DOCUMENTS	\$200.00	PLAN REPRODUCTION.
02 00 00	EXISTING CONDITIONS		
02 21 00	SURVEYS		
02 26 00	HAZ/MAT ASSESSMENT		
02 32 00	GEOTECHNICAL INVEST.		
02 41 13	SELECTIVE SITE DEMO		
02 41 16	STRUCTURE DEMOLITION	\$5,100.00	SELECTIVE SITE DEMOLITION.
02 61 00	CONTAMINATED SOILS		
02 80 00	FACILITY REMEDIATION		
03 00 00	CONCRETE		
03 11 00	FOUNDATIONS		REVISED BUDGET ASSUMES NO NEW FOUNDATIONS REQUIRED.
03 22 00	WELDED WIRE REINFOR.		
03 30 00	CAST-IN-PLACE CONC.	\$12,500.00	SIDEWALK AND FLATWORK. ASSUME REMOVAL OF EXISTING.
03 31 13	HW STRUCT. CONCRETE		
03 31 16	LW STRUCT. CONCRETE		
03 33 16	LW ARCH. CONCRETE		
03 35 00	CONCRETE FINISHING		
03 37 16	PUMPED CONCRETE		
03 40 00	PRE-CAST CONCRETE	\$4,000.00	PRE-CAST CONCRETE PANELS.
03 61 00	CEMENTITIOUS GROUT		
03 81 00	CONCRETE CUTTING	\$3,200.00	CONCRETE CUTTING AND REMOVAL.
04 00 00	MASONRY		
04 01 20	MASONRY MAINTENANCE		
04 05 13	MASONRY ADHESIVES		
04 21 13	BRICK MASONRY		
04 22 00	CMU	\$1,500.00	MASONRY PATCHING IF REQUIRED.
04 23 00	GLASS UNIT MASONRY		
04 25 00	UNIT MASONRY PANELS		
04 40 00	STONE ASSEMBLIES		
04 43 00	STONE MASONRY		
04 80 00	MASONRY CUTTING		
05 00 00	METALS		
05 05 13	METAL SHOP COATINGS		
05 05 23	METAL FASTENINGS		
05 12 00	STRUC. STEEL FRAMING	\$27,500.00	STRUCTURAL STEEL PACKAGE.
05 20 00	METAL JOISTS		

CODE	DIVISION	COST	DESCRIPTION
05 30 00	METAL DECKING		
05 41 00	STRUC. METAL STUD FR.		
05 45 00	METAL SUPPORT ASSEMB.		
05 51 00	METAL STAIRS		
05 52 00	METAL RAILINGS	\$11,400.00	S.S. GRAB RAILS AT MAIN ENTRY AND SOUTH STAIR.
05 73 00	ARCHITECTURAL METAL		
06 00 00	WOOD AND PLASTICS		
06 05 23	FASTENINGS	\$2,000.00	FASTERNERS AND ATTACHMENTS.
06 10 00	ROUGH CARPENTRY	\$8,000.00	ROUGH CARPENTRY MATERIAL.
06 11 00	WOOD FRAMING		
06 15 00	WOOD DECKING		
06 16 00	SHEATHING		
06 17 00	SHOP-FAB STR. WOOD		
06 20 13	EXT. FINISH CARPENTRY	\$5,600.00	EXTERIOR CARPENTRY LABOR.
06 20 23	INT. FINISH CARPENTRY		
06 22 00	MILLWORK		
06 40 00	ARCH. WOODWORK		
06 41 00	ARCH. WOOD CASEWORK		
06 42 00	WOOD PANELING	\$4,500.00	EXTERIOR WOOD MATERIAL.
06 43 00	WOOD STAIRS & RAILING		
06 60 00	PLASTIC FABRICATIONS		
06 82 00	FRP		
07 00 00	THERMAL & MOISTURE		
07 10 00	DAMP & WATER PROOF		
07 20 00	THERMAL PROTECTION	\$2,500.00	INSULATION.
07 25 00	STUCCO	\$17,120.00	STUCCO. ASSUMES TWO COAT COLORED APPLICATION.
07 26 00	VAPOR RETARDERS	\$1,800.00	VAPOR AND ICE SHIELD.
07 27 00	AIR BARRIERS		
07 31 00	SHINGLES & SHAKES		
07 41 00	ROOF PANELS		
07 42 00	WALL PANELS	\$6,500.00	METAL PANELS/BRAKE METAL.
07 46 00	SIDING	\$2,500.00	HARDI PANEL PANELS REAR PARAPET.
07 50 00	MEMBRANE ROOFING	\$1,800.00	ROOFING AT AWNING.
07 60 00	FLASHING/SHEET METAL		
07 62 00	FLASHING/TRIM	\$3,300.00	PARAPET CAP.
07 71 23	GUTTERS & DOWNSPOUT		

CODE	DIVISION	COST	DESCRIPTION
07 84 00	FIRESTOPPING		
07 90 00	JOINT PROTECTION		
08 00 00	OPENINGS		
08 11 00	METAL DOORS/FRAMES		
08 12 00	METAL FRAMES		
08 13 00	METAL DOORS		
08 14 00	WOOD DOORS		
08 15 00	PLASTIC DOORS		
08 31 16	ACCESS PANELS		
08 33 00	COILING DOORS/GRILLES		
08 33 23	OVERHEAD DOORS		
08 41 13	ALUMINUM STOREFRONT	\$17,500.00	STOREFRONT.
08 41 23	STEEL STOREFRONT		
08 41 26	ALL-GLASS ENT. & SF		
08 45 00	TRANSLUCENT ASSEMB.		
08 51 00	METAL WINDOWS		
08 52 00	WOOD WINDOWS		
08 60 00	SKYLIGHTS		
08 71 00	DOOR HARDWARE		
08 75 00	WINDOW HARDWARE		
08 81 00	GLAZING		
08 83 00	MIRRORS		
08 95 00	VENTS		
09 00 00	FINISHES		
09 21 00	GYPSUM BOARD ASSEMB.	\$3,500.00	FRAMING AND DRYWALL.
09 24 00	PORT. CEMENT PLASTER		
09 28 00	BACKING & UNDERLAY		
	CERAMIC TILING		
	QUARRY TILING		
	GLASS MOSIAC TILING		
	WATERPROOFING		
	ACOUSTICAL CEILINGS		
	ARCH. CEILING PANELS		
	SPECIALTY FLOORING		
	WOOD FLOORING		
09 65 00	RESILIENT FLOORING		

CODE	DIVISION	COST	DESCRIPTION
09 65 00	RESILIENT FLOORING		
09 68 00	CARPETING		
09 72 00	WALL COVERINGS		
09 77 00	SPECIAL WALL SUFACES		
09 80 00	ACOUST. TREATMENTS		
09 91 00	PAINTING	\$2,500.00	PAINT OR STAIN BUDGET.
09 93 00	STAINING/CLEARCOATS		
10 00 00	SPECIALTIES		
10 11 00	VISUAL DISPLAY SURF.		
10 14 00	SIGNAGE		EXCLUDED.
10 21 00	COMPARTMENTS & CUB.		
10 21 13	TOILET COMPARTMENTS		
10 22 26	OPERABLE PARTITIONS		
10 26 00	WALL/DOOR PROTECTION		
10 28 13	TOILET ACCESSORIES		
10 28 16	BATH ACCESSORIES		
10 28 19	TUB & SHOWER DOORS		
10 30 00	FIREPLACES & STOVES		
10 40 00	SAFETY SPECIALTIES		
10 44 00	FIRE PROTECTION SPEC.		
10 71 13	EXTERIOR SUN CONTROL		
10 73 13	AWNINGS		
11 00 00	EQUIPMENT		
11 10 00	VEHICLE & PED EQUIP.	\$200.00	BOLT DOWN BIKE U RACK.
11 12 23	PARKING METERS		
11 31 00	RES. APPLIANCES		
11 40 00	FOODSERVICE EQUIP.		
11 41 23	WALK-IN COOLERS		
11 41 26	WALK-IN FREEZERS		
11 52 00	A-V EQUIPMENT		
11 70 00	HEALTHCARE EQUIP.		
12 00 00	FURNISHINGS		
12 20 00	WINDOW TREATMENTS		
12 30 00	CASEWORK		
12 36 13	CONC. COUNTERTOPS		
12 36 16	METAL COUNTERTOPS		
12 36 23	PLASTIC COUNTERTOPS		

CODE	DIVISION	COST	DESCRIPTION
12 36 40	STONE COUNTERTOPS		
12 36 61	SIMULATED STONE C.T.		
12 40 00	FURNISHINGS & ACCESS.		
12 50 00	FURNITURE		
12 60 00	MULTIPLE SEATING		
13 00 00	SPEC. CONSTRUCTION		
13 12 00	FOUNTAINS		
13 17 00	TUBS AND POOLS		
13 30 00	SPECIAL STRUCTURES		
14 00 00	CONVEYING EQUIP.		
14 10 00	DUMBWAITERS		
14 20 00	ELEVATORS		
14 30 00	ESCALATORS/WALKS		
21 00 00	FIRE SUPPRESSION		
21 13 00	FIRE SPRINKLER SYST.		
21 20 00	FIRE EXTINGUISH SYST.		
21 40 00	FIRE SUPPRESSION STOR		
22 00 00	PLUMBING		
22 10 00	PLUMBING PIPING		
22 13 00	SANITARY SEWAGE		
22 13 19	SANITARY WASTE SPEC.		
22 30 00	PLUMBING EQUIPMENT		
22 41 00	RES. PLUMBING FIXTURES		
22 42 00	COMM. PLUMBING FIXT.	_	
23 00 00	HVAC		
23 30 00	HVAC AIR DISTRIBUTION		
23 33 13	DAMPERS		
23 38 00	VENTILATION HOODS		
23 54 00	FURNACES		
23 56 00	SOLAR HEATING		
23 83 00	RADIANT HEATING UNITS		
26 00 00	ELECTRICAL		
26 01 00	ELECTRICAL SYSTEMS	\$15,000.00	ELECTRICAL AND LIGHTING ALLOWANCE.
26 10 00	ELECT. DISTRIBUTION		
26 50 00	LIGHTING		
27 00 00	COMMUNICATIONS		
27 01 00	COMMUNICATIONS SYST.		

CODE	DIVISION	COST	DESCRIPTION
27 40 00	A-V COMMUNICATIONS		
28 00 00	ELEC. SAFETY & SEC.		
28 31 00	FIRE ALARM		
28 40 00	MONITORING & CONTROL		
31 00 00	EARTHWORK		
31 00 00	SITE CLEARING		
31 22 00	GRADING		
31 23 00	EXCAVATION & FILL		
31 25 00	EROSION CONTROL		
31 40 00	SHORING		
31 60 00	SPECIAL FOUNDATIONS		
31 64 00	CAISSONS		
32 00 00	EXT. IMPROVEMENTS		
32 10 00	BASES,BALLASTS,PAVING		
32 13 13	CONCRETE PAVING		
32 14 00	UNIT PAVING		
32 16 00	CURBS AND GUTTERS		
32 17 13	EXTERIOR DECKS		
32 31 00	FENCES AND GATES	\$4,000.00	DUMPSTER FENCING.
32 32 13	CONC. RETAINING WALLS		
32 32 19	CMU RETAINING WALLS		
32 80 00	IRRIGATION		EXCLUDED.
32 90 00	PLANTING		EXCLUDED. PLANTERS BY OWNER.
SUBTOTAL:		\$216,470.00	
O&P:	10.00%	\$21,647.00	
SALES TAX			
	SUB TOTAL JOB COST	\$238,117.00	
	COST PER SQ. FT.		
TOTAL JOB COS	т	\$238,117.00	
PERMIT FEES			
IMPACT FEES			
BONDS			
TOTAL COS	T OF CONSTRUCTION		\$238,117.00

Bridget Bacon Louisville Historical Museum Department of Cultural Services City of Louisville, Colorado April 2023



#### 916 Main St. History

Legal Description: "Lot 9 less N 15 ft" of Block 1, Original Louisville

#### Year of Construction: 1948

**Summary:** John Madonna's Bug Dust Pool Hall at 916 Main is remembered for its high-stakes, illegal barbuit dice games in the 1950s and 1960s. Thousands of dollars would change hands at these secret games taking place at a time when Louisville was still a relatively out-of-the-way small town with a large Italian community. The building at 916 Main was a location in the state where the Smaldone Brothers, who led organized crime in Denver and Colorado, had lucrative gambling interests and were caught running a rigged table with magnetized dice. From 1971 to 1997, 916 Main was the location of the *Louisville Times* newspaper business and operations. Most recently, it has been the location of Creative Framing & Art Gallery.

(Images in this report are from the Louisville Historical Museum collections unless otherwise noted. *Denver Post* articles cited were accessed at <u>Family History & Genealogy Search</u> <u>GenealogyBank</u>. *Denver Rocky Mountain News* and *Boulder Daily Camera* items cited were accessed at Boulder's Carnegie Library for Local History. *Louisville Times* articles cited were accessed at <u>Colorado Historic Newspapers Collection</u>.)

#### History of Site Prior to Current Building

This property is part of the original "Plat of the Town of Louisville" registered by Louis Nawatny in 1878. The history of the property at 916 Main is interconnected with the histories of the properties at 920 and 924 Main. As was noted in the Museum's report on 920 Main & 924 Main, the house at 924 Main (which has been remodeled) was the home of the related Hutchinson, Clarkson, and Hancock families for nearly 60 years. That report is accessible on the City of Louisville website here: <u>920, 924 Main St History - Laserfiche WebLink (louisvilleco.gov)</u>.

In 1947, Amelia Clarkson Hancock was preparing to move to Denver and she sold her family's property to G.R. & Marguerite Henning. (According to an item in the *Louisville Times* on 11/20/1947, they purchased it for their daughter and son-in-law to live in. However, for whatever reason, that did not materialize.) In early 1948, the Hennings sold the property to John Madonna, Jr.

## John "Bug Dust" Madonna, Jr. Ownership (1948-1953, 1959-1967) Joe Colacci Ownership (1953-1959)

#### Date of Construction and Early History of the Building

John Madonna (1918-2022) purchased the Hutchinson-Clarkson-Hancock home at 924 Main in 1948, then transferred part of the property to his brother-in-law, Joe D'Amato. The original home at 924 Main became the D'Amato family home, and D'Amato constructed a building at 920 Main to be Joe's Fruit Market on what had been part of the south side yard of the original home.

Additionally, John Madonna constructed a building for a pool hall that he intended to operate at 916 Main. This property that Madonna retained for himself also had been part of the south side yard of the original Hutchinson-Clarkson-Hancock family home. He named it the Bug Dust Pool Hall, with the name being based on his own nickname, but the name of the business and his nickname were also often given as one word, "Bugdust."

John Madonna stated that it was constructed in 1948. The website of the County Assessor gives the date of construction as 1950. Boulder County has at times been found to be incorrect with respect to the year of construction of some historical buildings in Louisville, so it is important to look at other sources of evidence. This is especially important to do in cases such as this, where there is evidence for two different dates of construction for a historical building.

In this case, the *Louisville Times*, looking back at news in town from the previous year of 1948, stated that the Bug Dust Pool Hall had been completed in July 1948 (<u>The Louisville Times</u> January 6, 1949 — Colorado Historic Newspapers Collection).

The Boulder County Assessor card for this property does not clearly state a construction date. However, the card is virtually identical to other cards that were completed in 1948 for Louisville, including the one for the D'Amato property next door at 920 Main. The cards for both 916 and 920 Main state that they were filled out on Sept. 9, and the 920 Main card gives the date with the year: Sept. 9, 1948. It is strongly believed that the Assessor also filled out the

#### **Facade Improvement Program Review**

Business name:	Schlageter Properties, LLC	Schlageter Properties, LLC		
Address:	916 Main Street	916 Main Street		
Contact Person:	Stephanie Schlageter	Stephanie Schlageter		
Phone:	727-466-8999			
Email:	stephanie@radiancemedspa.com			
Is applicant the property owner?	Yes			
Property owner (if different):	N/A			
Building square footage:	3,045 SF			
Year building was constructed:	1948			

Estimated total cost of improvements:	\$308,534.00
Façade funding requested from LRC:	\$154,267.00
Anticipated Project Start Date:	7/1/2023
Anticipated Project Completion Date:	10/31/2023

#### **Summary of Improvements**

Redesigned Main Street storefront façade;

Creation of wheelchair accessible entrance that is ADA compliant and code compliant main entry;

Upgrade of east alley elevation;

Screening of mechanical equipment, trash enclosure, and added bike parking;

New signage; and

Zoning review, permit, and professional fees.

Application Complete?	Yes
Detailed project narrative	W9 for business entity
Pictures of existing façade	Estimated cost of improvements
Proposed building elevations	LOA from property owner
Cut sheets for windows	

#### **Internal Review**

Application Submitted Date:	6/7/2023
Initial EV Review:	6/12/2023
Date of Complete Application:	6/7/2023
HPC Review:	4/24/2023
Planning Review:	6/12/2023
LRC Review:	7/12/2023
Permit Completion:	
Reimbursement Requested:	
Reimbursement Amount:	

#### 916 Main Street - Project Proforma - LRC Application

C&S Loan Amt (not incl tenant loan)	\$2,662,182	7.5%	Interest Rate	25 Year Am.	\$19,673.29 /	Month P&I
Land/Building Cost Soft Costs (permit, A/E fees, etc) Total Project Cost Requested Grants - LRC (LRC only)	\$ 769,836 \$ 304,500 By Tenant \$1,500,000 \$ 87,846 \$2,662,182 (\$342,436]	Annual Interest Pmt	\$198,385	\$40,620 \$195,459	\$43,774 \$192,306	\$47,172 \$188,907
Additional Equity (holding costs) Project Cost Incl. Grants & Holding	\$539,631 \$2,859,377	= Non-financed Carrying Cost \$296,554 Minimum equi		ough Construction incl. Mortga equirements at current loan a		
Loan To Proj Cost 93%	\$2,662,182	Loan w/Project Cost of	\$2,859,377	Project Value \$/sf Land Value \$/sf		
	\$755,200	Extg. Assessor Act. Value +	\$1,000,000 Hypothetical	Potential Value \$/sf	tential Valuation af \$576.42 @ sumed Assessed \	3,045 sf
	\$27,430	Current Prop Tax vs Future	\$47,127		sumed Addl. Tax Ir	
	3.4%	5 Return = NOI / Total Project C	osts	Internal Rate of R Residual Value Cal		
		Retail Sales Projected - 10 ye Sales Tax @ 9.06%	ars	Assumed Cap Ra Broker Commissic Year 11 EBIDTA Projected Sale Pri	te on	7.00% 4.00% \$ 122,804 \$ 1,754,343
INPUT VALUES:		RSF Leaseable Area (1st Lev /sf Lease Rate (NNN Lease)	el)	Commission Net Sale price		\$ 70,174 \$ 1,684,169
	\$14.77 3.0% 0%	/sf NNN Expenses - Estimate b /yr Rent Escalation b Assumed Vacancy Rate /sf Tenant Finish Allowance		Intital Investment 2024 2025 2026 2027		\$ (2,662,182) 95,918 98,886 101,853 104,909
Grant(s) - HPC+LRC (\$342,436)	\$139,214	Assumed HPC Grants Requestd LRC Facade Grant Requested LRC Direct Assist		2028 2029 2030 2031 2032 2033 Internal Rate of R	eturn	108,056 111,297 114,636 118,076 121,618 1,809,436 <b>0.54%</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 SCHLAGETER PROPERTIES, LLC ("Recipient"), the owner of the commercial building located at 916 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 owner of the commercial building (the "Building") located at 916 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.** <u>**Recipient Obligations**</u>. 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 completed.

**B.** <u>Reimbursement</u>. 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 50% of certified Eligible Improvement costs, up to \$154,267.

**C.** <u>Termination</u>. The LRC and Recipient expressly agree that time is of the essence with regard to fulfilment 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. <u>Recipient's Post-Reimbursement Obligations</u>.

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.** <u>Damages Waiver</u>. 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. <u>Miscellaneous</u>.

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:**

Schlageter Properties, LLC 7534 Brockway Drive Boulder, CO 80303 <u>stephanie@radiancemedspa.com</u>

#### LRC:

Louisville Revitalization Commission Attn: Economic Vitality 749 Main Street Louisville, CO 80027 303.335.4529 <u>abrown@louisvilleco.gov</u>

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:**

#### SCHLAGETER PROPERTIES, LLC

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

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

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

#### LOUISVILLE REVITALIZATION COMMISSION

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

ATTEST:

Corrie Williams, Secretary



### LOUISVILLE REVITALIZATION COMMISSION

#### SUBJECT: ELECTRICITY COSTS FOR THE 2023-24 ICE RINK

DATE: JULY 12, 2023

PRESENTED BY: APRIL KRONER, ECONOMIC VITALITY SPECIALIST

#### SUMMARY:

A determination needs to be made as to how the electricity costs for the 2023-24 ice rink operations will be funded. One option for consideration is for the LRC to cover that cost for the upcoming season.

#### **DISCUSSION:**

The cost for electricity to operate the ice skating rink for the 2023-24 season needs to be addressed in terms of the funding source to covert that cost. It was shared by IRE (prior rink operations vendor) that the total electricity cost for the 2022-23 season from late October 2022 through early March 2023 was \$19,500.

Staff seeks to know if the LRC desires to cover the cost of the electricity for the ice rink for the upcoming season, or if an alternative to cover this cost should be pursued. If the LRC is to provide funding to cover the cost of electricity this would require a budget amendment to be completed. The estimated amount needed to cover the costs is \$20,000. In addition, the Cooperation Agreement that is being drafted for the LRC and City pertaining to the ice rink operations and funding will need to include clarification as to the entity that is responsible for the electricity costs.

#### **RECOMMENDATION:**

Staff requests the LRC determine if it will cover the electricity costs (estimated at \$20,000) for the operation of the ice skating rink for the 2023-24 season or if an alternative funding source should be found (i.e. City of Louisville).

#### ATTACHMENT(S): N/A