



## City Council

August 20, 2024  
Packet Addendum #2

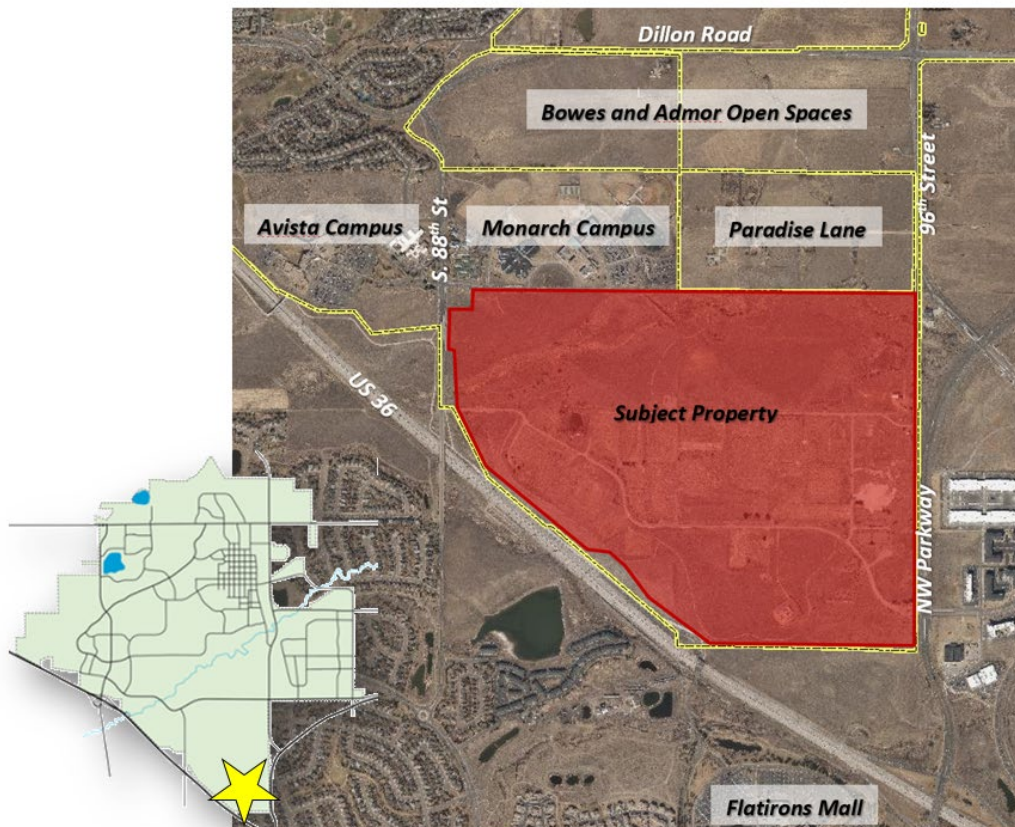
**SUBJECT:** RESOLUTION 38, SERIES 2024: APPROVING THE REDTAIL RIDGE FILING NO. 1 FINAL PLAT

**ADDENDUM FOR REVISED RESOLUTION**

**DATE:** AUGUST 20, 2024

**PRESENTED BY:** ROB ZUCCARO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

**VICINITY MAP:**



**SUMMARY:**

Staff is providing a revised Resolution 38, Series 2024 for Council consideration. A “blackline” and clean version of the revised resolution are attached. The changes include:

- Deletion of Condition No. 1 that would require the Shared Maintenance Agreement between the City of Louisville, City and County of Broomfield, and the Northwest Parkway Authority to be completed prior to issuance of Construction Documents (CDs) for the roadway improvements. Removal of this condition would allow for flexibility to issue phased (CDs) if the details of the shared maintenance agreement

for certain sections of roadway were still being approved by the three jurisdictions. Completion of the agreement will still be needed to complete the project.

- Deletion of Condition No. 3 regarding repair of surface improvements within exclusive easements dedicated to the City. Staff finds that this language is not needed to preserve the City's rights to access and make repairs to the easements.
- Modification of Condition No. 4 to amend Section 8.3 of the SIA to allow the Subdivider and City to negotiate the value of water tap credits for the transfer of water rights to the City, or appoint a mutually agreeable appraiser if the value cannot be negotiated. The new SIA language would read as follows:

*8.3 City Acceptance. Pursuant to Section 13.12.040(E) of the LMC, prior to the first PUD to be approved for the Project, the Subdivider may dedicate to, and the City may accept the dedication of the Subdivider's Water Rights. The Subdivider may assign all or part of the credit to the District for irrigation tap fees or apply the credit to tap fees for future development. If Subdivider and the City have not agreed upon the value of Subdivider's Water Rights within 90 days of the Effective Date of this Agreement, the Parties may appoint a mutually agreeable and neutral qualified water appraiser to conclusively determine the value of Subdivider's Water Rights. Developer shall bear the cost of the appraiser.*

**ATTACHMENTS:**

1. Blackline – Revised Resolution 38. Series 2024
2. Clean – Revised Resolution 38. Series 2024

**BLACKLINE AMENDMENT**  
**(AMENDMENTS SHOWN IN BOLD WITH DELETED TEXT SHOWN WITH STRIKETHROUGH AND NEW LANGUAGE UNDERLINED)**

**RESOLUTION NO. 38**  
**SERIES 2024**

**A RESOLUTION RECOMMENDING APPROVAL OF THE REDTAIL RIDGE FILING NO. 1 FINAL SUBDIVISION PLAT**

**WHEREAS**, on April 6, 2010, by Ordinance 1569, Series 2010 (Reception No. 03284515), the City rezoned the property known as the ConocoPhillips Campus property to Planned Community Zone District – Commercial (PCZD-C), approved the ConocoPhillips Campus General Development Plan (Reception No. 3088779), and on April 20, 2010 executed the ConocoPhillips Colorado Campus General Development Plan Planned Community Zone District Zoning Agreement (Reception No. 03284516; and

**WHEREAS**, the applicant, Sterling Bay, has submitted to the City a proposal for a final plat titled Redtail Ridge Filing No. 1 to develop the ConocoPhillips Campus property as a commercial development consistent with the ConocoPhillips Campus General Development Plan; and

**WHEREAS**, the City Council approved Resolution 80 Series 2023 on February 20, 2024, approving the Redtail Ridge Preliminary Subdivision Plat with conditions, and finds that all conditions of approval have been satisfactorily met; and

**WHEREAS**, City staff has reviewed the application and found that, with staff's recommending conditions, and based on the findings in staff's August 20, 2024 staff report, that the application for a final plat meets the requirements of Louisville Municipal Code Title 16 – Subdivisions, including the standards of approval listed in Louisville Municipal Code Sec. 16.12.075, and meets the policies and standards of the Comprehensive Plan; and

**WHEREAS**, the Planning Commission has considered the application at duly noticed public hearings on August 11, 2022, September 8, 2022, September 22, 2022, October 13, 2022, November 10, 2022, and December 8, 2022, where evidence and testimony were entered into the record, and where the Commission adopted Resolution 13, 2022 recommending to the City Council denial of the application.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Louisville, Colorado does hereby approve the Redtail Ridge Filing No. 1 Final Subdivision Plat, with the following conditions:

- ~~1. Prior to issuance of construction documents for the roadway improvements, the Shared Maintenance Agreement between the City of Louisville, City and County of Broomfield and Northwest Parkway Authority will be finalized and adopted by each jurisdiction.~~

2. Prior to recording the plat, the applicant shall provide a final schedule of improvements and engineering cost estimates in Exhibits B and C to the SIA that shall be approved by the City Engineer.
3. ~~Prior to recording the plat, the applicant shall add a new Section 4.3 that states the following:~~  
**~~Maintenance Obligations.~~**  
**~~Surface Repairs within Exclusive City of Louisville Easements. The obligation of the City to repair or replace landscaping, irrigation, pavement, sidewalk, curb/gutter, and private subdivision signage improvements within the City's exclusive easements that are damaged by the City in connection with its operation or maintenance of water main, City-owned portion of water services, sanitary sewer, and storm sewer shall be limited to the repair or replacement of the damaged portion of said improvements to an equal or better condition than the condition existing immediately prior to the damage by the City, except that damaged landscaping may be replaced with materials of like size, type and maturity as when originally installed, except that any damaged landscape, irrigation, concrete flatwork, planters, structures and other surface improvements shall be repaired by the Subdivider and the City shall have no responsibility for repair or replacement of any damaged landscape, irrigation, concrete flatwork, planter~~**
4. Prior to recording the plat, ~~the City Engineer shall approve the water rights credit amount noted in~~ Section 8.3 of the SIA shall be modified to read as follows:-  
**8.3 City Acceptance. Pursuant to Section 13.12.040(E) of the LMC, prior to the first PUD to be approved for the Project, the Subdivider may dedicate to, and the City may accept the dedication of the Subdivider's Water Rights. The Subdivider may assign all or part of the credit to the District for irrigation tap fees or apply the credit to tap fees for future development. If Subdivider and the City have not agreed upon the value of Subdivider's Water Rights within 90 days of the Effective Date of this Agreement, the Parties may appoint a mutually agreeable and neutral qualified water appraiser to conclusively determine the value of Subdivider's Water Rights. Developer shall bear the cost of the appraiser.**
5. Prior to recording the plat, the City Engineer shall approve the cost estimate and Exhibit I for the sanitary sewer extension to the parks parcel and the applicant shall revise Section 9.3 to reflect that there shall be a cash payment to the City reflecting 2/3 of the cost of the new sanitary sewer line that shall be held by the City until the improvements are constructed.
6. Prior to recording the plat, the applicant shall add a Section 9.6 to the SIA providing for reimbursement to the City for widening 96<sup>th</sup> Street to four lanes north of Dillon Road equal to 14% of the cost of the improvements.
7. Prior to recording the plat, the SIA and Escrow Agreement, Agreement Regarding Water Rights Dedications and Wastewater Treatment System Upgrades, and Operations and Maintenance Agreement shall be completed and fully executed.
8. Prior to recording the plat, the applicant shall provide a public access easement from BVSD for the underpass access ramp that extends beyond the dedicated right of way.

9. Prior to recording the plat, the applicant shall provide the required easement and completed agreement with the Goodhue Ditch and Reservoir Company addressing the relocation of the Goodhue Ditch.
10. Prior to recording the plat, the applicant shall provide warranty deeds, title insurance, and legal descriptions that shall be approved by the City Attorney and City Engineer for the dedication of all public tracts on the plat and for the Campus Drive right of way dedication from the BVSD.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_  
Christopher M. Leh, Mayor

Attest: \_\_\_\_\_  
Genny Kline, Interim City Clerk

**RESOLUTION NO. 38  
SERIES 2024**

**A RESOLUTION RECOMMENDING APPROVAL OF THE REDTAIL RIDGE FILING  
NO. 1 FINAL SUBDIVISION PLAT**

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**WHEREAS**, the applicant, Sterling Bay, has submitted to the City a proposal for a final plat titled Redtail Ridge Filing No. 1 to develop the ConocoPhillips Campus property as a commercial development consistent with the ConocoPhillips Campus General Development Plan; and

**WHEREAS**, the City Council approved Resolution 80 Series 2023 on February 20, 2024, approving the Redtail Ridge Preliminary Subdivision Plat with conditions, and finds that all conditions of approval have been satisfactorily met; and

**WHEREAS**, City staff has reviewed the application and found that, with staff's recommending conditions, and based on the findings in staff's August 20, 2024 staff report, that the application for a final plat meets the requirements of Louisville Municipal Code Title 16 – Subdivisions, including the standards of approval listed in Louisville Municipal Code Sec. 16.12.075, and meets the policies and standards of the Comprehensive Plan; and

**WHEREAS**, the Planning Commission has considered the application at duly noticed public hearings on August 11, 2022, September 8, 2022, September 22, 2022, October 13, 2022, November 10, 2022, and December 8, 2022, where evidence and testimony were entered into the record, and where the Commission adopted Resolution 13, 2022 recommending to the City Council denial of the application.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Louisville, Colorado does hereby approve the Redtail Ridge Filing No. 1 Final Subdivision Plat, with the following conditions:

1. Prior to recording the plat, the applicant shall provide a final schedule of improvements and engineering cost estimates in Exhibits B and C to the SIA that shall be approved by the City Engineer.
2. Prior to recording the plat, Section 8.3 of the SIA shall be replaced with the following:

*8.3 City Acceptance. Pursuant to Section 13.12.040(E) of the LMC, prior to the first PUD to be approved for the Project, the Subdivider may dedicate to, and the City may accept the dedication of the Subdivider's Water Rights. The Subdivider may assign all or part of the credit to the District for*

*irrigation tap fees or apply the credit to tap fees for future development. If Subdivider and the City have not agreed upon the value of Subdivider's Water Rights within 90 days of the Effective Date of this Agreement, the Parties may appoint a mutually agreeable and neutral qualified water appraiser to conclusively determine the value of Subdivider's Water Rights. Developer shall bear the cost of the appraiser.*

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8. Prior to recording the plat, the applicant shall provide warranty deeds, title insurance, and legal descriptions that shall be approved by the City Attorney and City Engineer for the dedication of all public tracts on the plat and for the Campus Drive right of way dedication from the BVSD.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_  
Christopher M. Leh, Mayor

Attest: \_\_\_\_\_  
Genny Kline, Interim City Clerk



**From:** [Mark Cathcart](#)  
**To:** [Clerks Office](#); [City Council](#)  
**Subject:** Items not on the Agenda 8/20/24 City Council Meeting  
**Date:** Tuesday, August 20, 2024 3:06:21 PM  
**Attachments:** [Appeal For Joined Up Thinking .pdf](#)

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I would like the attached included in late submissions to the city council and propose to discuss at items NOT on the agenda at tonight's meeting.

I will attend in person. Please acknowledge receipt.

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++Mark.

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qq3avkdxIUj4D6SncToRC4Tu9P0jAzn98YjBYIqk6huLjNgHTzJc3tXuVUI0.&typo=1](https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fctproduced.com&c=E.1.wm6OCHCqI22kUvwiN8tgNHG5b0nHBbSjnuHpLi0gAjWyrXLtdCbMba-qq3avkdxIUj4D6SncToRC4Tu9P0jAzn98YjBYIqk6huLjNgHTzJc3tXuVUI0.&typo=1)  
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**From:** [Kelly Majure](#)  
**To:** [City Council](#)  
**Subject:** Red Tail Ridge Support  
**Date:** Tuesday, August 20, 2024 2:44:01 PM

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For the LOVE of GOD, please approve this development! Enough with the naysayers who don't seem to understand the significance of this development for our city and its future.

This is far too important of a decision - without it we will loose the hospital and millions of dollars in revenue!

The developers have worked way to hard to accommodate all of the needs citizens have brought up and have done a great job at trying to implement the majority of them. MAKE THIS HAPPEN.

Thank you!  
Kelly Majure  
Ward 2

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**From:** [Mike Kranzdorf](#)  
**To:** [City Council](#)  
**Cc:** [Vanessa Zarate](#); [Rob Zuccaro](#); [Samma Fox](#)  
**Subject:** Redtail  
**Date:** Tuesday, August 20, 2024 2:16:43 PM

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Hi City Council,

Advantages to passing the Redtail Ordinances:

- Keeping Avista Hospital in Louisville
- Improved Monarch access
- Increased tax base
- Continuing to demonstrate the City's commitment to economic development

Disadvantages:

- Angering people who don't want to see any growth

Please move forward with this. Thank you,

Mike Kranzdorf

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**From:** [Talitia Hockeborn](#)  
**To:** [City Council](#)  
**Subject:** Oppose the Redtail Ridge plan  
**Date:** Tuesday, August 20, 2024 2:13:34 PM

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To whom it may concern;

I have lived in Louisville over 25 years and I believe there is no reason to accept this redtail ridge plan.

- The project is too large
- Traffic will be worse
- Net fiscal benefit is minimal
- Stress on our city infrastructure
- Approval is based on too many conditions
- Planning commission denied the application

Sincerely,

Thank you,

**Talitia McCoy**  
[www.tejcoaccounting.com](http://www.tejcoaccounting.com)  
**Managing Director**  
**303-263-0675**

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**From:** [Rony Sara](#)  
**To:** [City Council](#)  
**Subject:** Say no to red tail please  
**Date:** Tuesday, August 20, 2024 2:09:41 PM

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Please say no! I worry about the animals and the roads and the water and so many things. It is not what our town needs

Sent from my iPhone

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**From:** [Joshua Cooperman](#)  
**To:** [City Council](#)  
**Subject:** Comments on Redtail Ridge, part 4  
**Date:** Tuesday, August 20, 2024 2:07:27 PM

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Dear Louisville City Councillors,

This email contains my fourth installment of comments on Redtail Ridge. In this final installment I propose and discuss two major improvements for Redtail Ridge. These improvements would make Redtail Ridge a significantly better development for Louisville, our region, and the world, but these improvements would require significant alterations to not only the final plat, but also the City's zoning code. I appreciate that these improvements are unlikely to be realized, but I wish to propose them in any case.

**Reconsider the alignment of Campus Drive's extension.** While an extension of Campus Drive to 96th Street is much desired and long overdue, the proposed alignment calls for construction of an entirely new roadbed through some of the site's highest quality open space requiring extensive grading. Two alternative roadbeds already exist: Disc Drive and Paradise Lane. As I discuss further below, the intergovernmental agreement regulating the site does not preclude either alternative. I contend that extending Campus Drive by connecting to the west end of Paradise Lane is the best option. Such a realignment would have the following benefits.

- **Creation of more open space:** Almost the entirety of the currently planned roadway extension could become open space.
- **Reduction of grading:** Much of the grading necessary to build the currently planned roadway would be unnecessary.
- **Minimal new road construction:** This realignment would involve a minimum of new roadway construction since Paradise Lane and its emergency connection to Monarch already exist.
- **Reduction of roadkill:** A new roadway partially bisecting open space will likely result in considerable roadkill; a busier existing roadway will likely result in less new roadkill.
- **Reduction of development costs:** Improving Paradise Lane would presumably cost significantly less than constructing an entirely new roadway.
- **Compatibility with future Broomfield development:** A subdivision was previously proposed in Broomfield directly across 96th Street from Paradise Lane. This subdivision called for extending Paradise Lane directly across 96th Street, likely with a signalized intersection. Although this subdivision was not approved because of nearby fracking, development is likely in the future.
- **Improved traffic stacking at 96th Street and NW Parkway:** This realignment would likely improve traffic stacking issues at the intersection of 96th Street and the Northwest Parkway.
- **More direct route to and from Monarch Campus:** This realignment provides a more direct route to and from Monarch Campus, reducing travel times and associated emissions.
- **Improved compliance with City codes and Planning Commission findings:** Several of the above reasons would bring the Redtail Ridge plat into better alignment with City Codes, especially as detailed in the Planning Commission's finding of denial.

There have been discussions about the alignment of Campus Drive's extension over the past few years; nevertheless, I have yet to be party to a thorough explanation of the proposed alignment. For instance, Councillor Dickinson inquired about the alignment of Campus

Drive's extension at City Council's hearings on the Redtail Ridge preliminary plat. Mr. Zuccaro explained that the alignment veers south to create a buffer between the roadway and the Paradise Lane properties in unincorporated Boulder County as required by the relevant intergovernmental agreement. His explanation, though, is incomplete. If Campus Drive is extended within Redtail Ridge, then such buffering is required. If Campus Drive is extended to connect with Paradise Lane as allowed by the intergovernmental agreement, then such buffering is simply irrelevant.

There is one downside to extending Campus Drive to connect with Paradise Lane: the impact of increased traffic on the people who live along Paradise Lane. Buffering the road with walls, trees, and shrubs would help to mitigate the traffic impact. Buffering the borders of the new open space dedications with trees and shrubs would also help to mitigate the traffic impact. The people who live along Paradise Lane are also slated to enjoy a new benefit in any case: the new open space dedications along Paradise Lane will prevent development adjacent to these people's properties.

**Create a pathway for housing at Redtail Ridge.** While Redtail Ridge will eventually bring thousands of jobs to Louisville, Redtail Ridge will bring no new housing to Louisville. Unless these employees are sufficiently fortunate to find housing within walking or bicycling distances or regional transit corridors, these employees will drive to Redtail Ridge from distant locales most likely outside of Boulder County. Louisville could alleviate this issue by allowing for housing at Redtail Ridge, thereby helping to mitigate the climate and traffic impacts of Redtail Ridge. Boulder County has echoed these concerns in the letter that I attached to my previous email. For the moment, however, we can only hope that residential development across the Northwest Parkway in Broomfield and across US 36 in Superior will serve some employees at Redtail Ridge.

Thank you for reading and considering my comments.

Best,  
Josh

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**From:** [Kim Contini](#)  
**To:** [City Council](#)  
**Subject:** Red Tail Ridge Vote  
**Date:** Tuesday, August 20, 2024 1:12:36 PM

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Please take the time to more fully investigate the Red Tail Ridge proposal. Is the application complete? Is the application fiscally responsible protecting Louisville residents in the future? Could there be more time to review the differences from the approved preliminary application to the current application that has several changes? Thank you for your consideration. Kim Contini Louisville Resident for 31 years  
Sent from my iPhone

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**From:** [Shannon Sullivan](#)  
**To:** [City Council](#)  
**Subject:** Supporting Redtail Ridge  
**Date:** Tuesday, August 20, 2024 12:53:30 PM

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Hello,

I wanted to write in in advance of your meeting today in support of the redtail ridge project. Our family believes in keeping as much business in Louisville as possible, and we hope you approve the final plat in tonight's meeting knowing that your community members are in favor of the project!

Thank you,  
Shannon Sullivan

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**From:** [cindy Bedell](#)  
**To:** [City Council](#); [Meredyth Muth](#)  
**Subject:** Comment for Redtail Ridge Final Subdivision Plat 8/20/24 City Council Meeting  
**Date:** Tuesday, August 20, 2024 12:51:22 PM

Dear City Councilmembers,

I encourage you to require more wildlife and natural features protection in the Redtail Ridge Final Subdivision Plat.

This language below is a start, but incomplete:

9.4 Habitat and Wildlife. The Project will include continuous monitoring of wildlife use, including burrowing owl and raptor surveys, a prairie dog management plan, migratory bird nest assessments, and pollinator protections.

In addition please add back in this stipulation:

Prairie Dog Control Measures. During construction of the Improvements hereunder, reasonable efforts will be made to relocate prairie dogs before lethal control measures are undertaken. Acceptable methods for lethal control shall be limited to those using carbon 26 monoxide gas (fumigants). No other means of lethal control such as shooting, poison bait, zinc phosphide (an oral toxicant), or aluminum phosphide (a fumigant) shall be used. Relocation and lethal control operations shall be done by a commercial exterminator with a valid State permit.

For a measly fiscal net gain estimate of between 884,000 to 1.3 million dollars annually, this project will destroy thousands of prairie dogs and 389 acres of natural features and wildlife habitat. . On the low end this will be only \$189 per month, per acre, for the site.

It's not too late to require a smaller footprint for the development and more natural features/wildlife and wildlife habitat preservation. It is not too late to require more open space within the City of Louisville project boundaries.

In addition, the traffic estimated to be generated by Redtail Ridge is unacceptable and will seriously degrade the quality of life of Louisville residents and anyone who must travel through the nearby corridor. The DIA skyride AB bus gets on the NW Parkway near Via Varra, and that intersection is going to fail, or reach a D level, depending which traffic study you use. The projected 21,285 additional vehicle trips per day is too many. This project needs to be pared down in some way to reduce the traffic impact.

This table is from a March 2021 packet and demonstrates that the Redtail Ridge daily trip generation (at that time projected to be only 20,000) will be almost double that generated by Storage Tech.

Redtail Ridge [FT#19055] Traffic and Mobility Study

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**Table E.1. Trip Generation Comparison**

Development	Trip Generation Estimates		
	Daily	AM Peak Hour	PM Peak Hour
Storage Tek	12,400	1,600	1,400
ConocoPhillips	17,500	2,660	2,455
Redtail Ridge	20,104	1,923	2,010
<i>Redtail % Diff. to Storage Tek</i>	62%	20%	44%

Thank you for considering my input. I trust that you have not already made up your mind how you will vote on this project before receiving complete public input from your constituents.

Cindy Bedell  
Louisville

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**From:** [hbuniverse@comcast.net](mailto:hbuniverse@comcast.net)  
**To:** [City Council](#)  
**Subject:** Red Tail Ridge  
**Date:** Tuesday, August 20, 2024 11:52:32 AM

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Plan keeps getting worse with every revision  
My vote NO  
Harvey Benas

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**From:** [Joshua Cooperman](#)  
**To:** [City Council](#)  
**Subject:** Comments on Redtail Ridge, part 3  
**Date:** Tuesday, August 20, 2024 11:44:10 AM  
**Attachments:** [Redtail Ridge Feedback from Boulder, Superior, and Broomfield.pdf](#)

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Dear Louisville City Councillors,

This email contains my third installment of comments on Redtail Ridge. In this installment I propose and discuss improvements that will make Redtail Ridge a better development for Louisville, our region, and the world.

Before recording my suggested improvements, I wish to call attention to another record of improvements on which I partially draw. After City Council approved the Redtail Ridge preliminary plat, City staff elicited feedback on the plat from Boulder County, the Town of Superior, and the City and County of Broomfield. As this feedback does not appear in tonight's meeting packet, I attach a copy for your consideration. Staff from Boulder, Superior, and Broomfield took time to provide valuable feedback; we would be remiss not to incorporate much of this feedback into the Redtail Ridge final plat.

My suggested improvements now follow.

**Require phased clustering of development.** As Redtail Ridge develops over the next twenty or more years, buildings should cluster outwards from an initial core on the former StorageTek footprint. Since Avista Hospital plans to relocate to Redtail Ridge, this core should abut the hospital's future location. Such phased clustering would prevent sprawl and preserve more open space (if only temporarily). The current alphabetical labeling of future planned unit developments does not fully reflect such phased clustering.

**Strengthen some of the developer's sustainability commitments.** City Council should require heat island mitigation for all structures. City Council should require dark night sky lighting items 1 and 2 at a minimum and items 3 and 4 optionally.

**Augment infrastructure for pedestrians, bicyclists, and transit.** The developer has committed to some excellent infrastructure, but a few additions and modifications are essential.

- **Underpass or overpass across Northwest Parkway at Tape Drive.** While the planned pedestrian-bicyclist overpass near the 96th Street-Northwest Parkway intersection is one example of such excellent infrastructure, another dedicated connection to Broomfield is needed. Indeed, as Broomfield has requested, Louisville should require an underpass (or overpass) across the Northwest Parkway just north of Tape Drive.
- **Protected bicycle lanes on 88th and 96th Streets and Dillon Road.** Given current speed limits and predicted traffic increases on 88th and 96th Streets and Dillon Road, protected bicycle lanes are warranted. City Council should require the inclusion of protected bicycle lanes on the portions of 88th and 96th Streets and Dillon Road directly implicated in the final plat and budget appropriately for inclusion of protected bicycle lanes on the portions of 88th and 96th Streets and Dillon Road not directly implicated in the final plat.
- **Bus rapid transit stops.** As Boulder County has recommended, City Council should require allocation of space at Redtail Ridge for future bus rapid transit stops.

**Require the developer to pay a fair share of offsite infrastructure upgrades.** Owing to Redtail Ridge's traffic impacts, upgrades are planned for 88th and 96th Streets and Dillon Road as well as the Northwest Parkway. City Council should critically evaluate its cost-sharing agreement with the developer. As Boulder County has recommended, City Council should request funds for the eventual replacement of the Northwest Parkway-US 36 interchange.

Thank you for reading and considering my comments.

Best,  
Josh

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**From:** [Tim Stalker](#)  
**To:** [City Council](#)  
**Subject:** Redtail Ridge Final Plat vote to deny  
**Date:** Tuesday, August 20, 2024 11:40:23 AM

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To the Louisville City Council,

Thank you for your time in reading my letter here that I'd like to see included in the packet for the August 20, 2024 meeting where you're going to vote on denial of the RTR final Plat.

I'm sure you will agree with me and several others on these points below, in no particular order of importance, and not complete as far as how I recall the reasoning against the RTR project from its inception.

You'll note that there has never been a list of reasons equal to these to support the project beyond simple conjecture as to its economic impact. Really no other reasons have been supplied in favor of the project other than assumptions and guesses as to its economic advantages. And you of course know that if you to decide to vote for in support of the final plat, you will be gambling:

1. The project is too large for Louisville with a total land displacement, both cut and fill, of 2.4 million cubic yards of soil, making it one of the largest land development sprawl projects in Colorado. The questionable and inflated estimates for its economic impact are not enough to offset the environmental impact it will have on Louisville and its quality of life.
2. The open space dedication within the subdivision is not adequate and flies in the face of a city-wide referendum where the project was voted down as the previous developer tried to amend the conoco philips GDP in place for the site.
3. The process the previous developer used to amend the GDP wasn't necessary in the first place and cost the city an untold expense in staff labor, engineering, project review, etc., etc., leading to a vote against the project by the Louisville Planning Commission and the city referendum.
4. The city staff usurped the Planning Commission and the city population that voted against the GDP amendment for a project scope that wasn't modified in this year's subdivision proposal workaround that avoided a crucial democratic necessity of another referendum for Louisville residents to vote on the project again. As a consequence the one referendum vote still stands and is ignored, a cornerstone of local democracy, and the only public opportunity to have evaluated it with the power of the vote.
5. The developer and the city are really at the mercy of the political constitution of the city council, making really no difference in the land development application processes, city code, comp plan and other governing requirements.
6. The grading and drainage plan are only designed for 100 year flood events in

an overall slope to the north that infringes on the safety of the Monarch schools. While the ridge appears in the name of the site, the ridge will be destroyed to the point where slope can meet outdated regulations that don't pertain to urban flooding caused by over-development.

7. The site's land uses are in too much competition to make the open-space use meaningful if not usable. In times of flooding most of the trails will be in constant repair and inaccessible. The trails are in too close proximity and in coordination with the site's drainage system.
8. Open space dedication comes only after it's been graded and modified too much for the sake of the development.
9. Only 8% of the workforce on the site will live in Louisville, making the commuter population available to use and stress city infrastructure while not paying taxes for its use.
10. RTR provides no housing in the last of Louisville's space where housing is desperately needed to improve the city's shortage of affordable housing.
11. Additional traffic and flimsy coordination with adjacent jurisdictions that will see the failure of the 36 interchange sooner rather than later. There's still no signed agreement with the Northwest Parkway Authority as stipulated and conditioned in the preliminary plat approval.
12. The loss of another tract of native shortgrass prairie along the front range that continues to lose habitat to development. Grazed, previously developed in portions, or undeveloped still in places, no thought was put into restoration while the developer proposes to urban-forest the site with 3000 tree plantings, destruction of the vista of the ridge and native species habitat.
13. Such a development at this scale in this area is decontextualized and out of the fabric of current surrounding alignments of the schools, streets, 36 corridor, and parcels where future development to somehow work with it are impossible. No additional entrances to the schools are proposed from the north, making its front, southward facing access routes stress points for years to come, despite the extension of Campus drive to compete with Dillon Road. The original intent for the site was a modest development further back to the south with the Campus Drive extension.
14. The developer Sterling Bay has a history of debt and is asking for concessions from the city council around one of the conditions you've imposed on it for it to guarantee improvement in the form of a letter credit for 115% of the improvement costs as well as a warranty guarantee of 15%. They don't want to do this, probably because of its debt issue with Wells Fargo on its Fulton Market project in Chicago.

No. There are just too many reasons for why this application should be denied. There is not an equal list of reasons to support it other than those based on conjecture for its economic impact.



The city will get a one-time expense from the developer for campus drive and only a paltry fiscal net gain estimate of between 884,000 to 1.3 million dollars annually. On the low end this will be a measly \$189 per month, per acre, for the site.

City staff have no idea what the impact will be from the commuter workforce in addition to these figures, and the city of Louisville should not be subject to the over speculation of companies that specialize in speculation of things like retail sales and tax when there isn't anything within the vicinity of the site for people who work there to purchase. They will just go over to the flatirons mall area for lunch and pay sales tax to Broomfield and Superior. The traffic will be too difficult to deal with, leaving from and returning to work.

Thank you so much for your attention,

Tim Stalker  
Louisville

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**From:** [Iona Kearney](#)  
**To:** [City Council](#)  
**Cc:** [Austin Brown](#); [Vanessa Zarate](#)  
**Subject:** Chamber Support for Redtail Ridge Resolutions 38 and 39, Series 2024  
**Date:** Tuesday, August 20, 2024 11:36:56 AM

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Good morning Mayor and Council:

I am emailing on behalf of the Board of Directors of the Louisville Chamber of Commerce. We strongly support the adoption of Resolution Number 38, Series 2024 (Redtail Ridge Filing 1 Final Subdivision Plat) and Resolution Number 39, Series 2024 (Metropolitan District Amended Service Plans).

We believe that keeping Avista Hospital is vital to our community. They are an integral part of the area and the Board is very much looking forward to their expansion into the new space! We also understand the need for Campus Drive to be completed to 96th street, both from a residential, business, and safety and fire perspective.

Sterling Bay has not only shown that they wish to put a substantial amount of money towards improvements, like Campus Drive and the NWP, but they also have demonstrated their desire to be engaged in a multitude of community events. That, coupled with the sales tax revenue they will bring through this development with the City, show that approving their final plat, we believe, is a win for the residents, the business community, and the city alike.

The Chamber Board of Directors strongly encourage City Council to approve the final plat and continue to move this project along.

All the best,

Iona Kearney  
President of the Louisville Chamber of Commerce



**IONA KEARNEY**  
*Operations Manager*  
Speedy Sparkle Car Wash

1414 Hecla Way, Louisville, CO 80027  
970.691.2330 | [www.speedysparklecarwash.com](http://www.speedysparklecarwash.com)

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**From:** [Loraine Benas](#)  
**To:** [City Council](#)  
**Subject:** Red Tail Ridge  
**Date:** Tuesday, August 20, 2024 10:36:22 AM

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This plan seems to get worse with every revision  
My Vote is NO to this recent plan

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**From:** [Jeffrey Gass](#)  
**To:** [City Council](#)  
**Subject:** Redtail Ridge  
**Date:** Tuesday, August 20, 2024 7:41:28 AM

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To All city council Member

Again, I just want to state my total support for this project. Please do not allow the loud minority, sway you in anyway, with some of their false and misleading statements about this project. The safety of our children is at stake. The buildout of Campus Drive to 95th, a safer Northwest Parkway(how can we forget the Marshall Fire) and of course revenue. How appropriate that this next step is happening tonight, just one week before the state legislature goes back into special session to reduce rates on property values on homes so we pay less taxes on our properties, which means less money from the state. The city would then have to increase the mil rates to make up for the state shortfall or just reduce services. The city of Louisville relies on sales tax for the majority of its revenue. What better way to get more people to spend money in our city, to have this project finally get built. Even with lower valuation rates(Gallagher repeal) on office structures built within Redtail Ridge, those valuations and revenue received will be a hell of a lot higher than a dirt pile that is there now.

If we lose the hospital to another community, what are we saying as a city, about caring for people, by letting a high quality medical facility just pick up and leave. What would be the economic impact if that happens.

The increase revenue for Boulder Valley School District will certainly make our younger families with school age children in our city happy, knowing there is new revenue stream to keep programs that have been cut and a possibly for a mil rate reduction by them to help all of us with our property tax bill.

These naysayers are the same people that think the city just wrote a check for \$15 million dollars to Kings Sooper to build on the Lowe's property. How absurd is that, King's Sooper must think that property is worth their investment, knowing RedTail Ridge will be built so foot traffic will increase and support there store.

More sales tax revenue from all the other stores within Louisville will change the projections of how fast the city gets to the net zero with the \$15 million dollar incentives given to Kings Sooper.

Just think what future city council members, planning board members and the residents of Louisville can decide on once the new hospital is build within Redtail Ridge and the old hospital property will be sold. So many possibilities, from affordable and/or senior housing, near public transit and not in anyone's back yard, housing for government employees, especially teachers, who would love to work in the community they teach in. Your study that was released in May shows a decrease in Louisville's population and young people who grew up here, cannot start the next stage of their lives in Louisville because housing is to expensive

Thank you for all you do for the city. The amount of time you all put into the city is greatly appreciated by my family.

Jeffrey Gass  
784 Meadowlark Lane  
Louisville, CO 80027

Sent from my I-phone

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**From:** [Eric Reed](#)  
**To:** [City Council](#)  
**Subject:** Redtail Ridge Vote  
**Date:** Tuesday, August 20, 2024 7:31:25 AM

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Council and City Staff,

I am writing to extend my support for the Redtail Ridge Final Plat.

I am a resident, parent of high school aged children, Louisville business owner, board member of the Downtown Business Association, and Vice President of the Louisville Chamber of Commerce. I have been part of this process for the last 4 years and have had my name stamped on many emails, letters and other materials supporting the project. At this point no one should be surprised that I continue to support a development that will benefit our schools, community, and business culture at the same time as aligning with our City's Values and goals. I hope that the this City Council can make the right decision and approve the Plat.

Thank you,

Eric Reed

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**From:** [Natasha Flyer](#)  
**To:** [City Council](#)  
**Subject:** HONESTLY, Is RTR ready for a Final Plat Approval??  
**Date:** Monday, August 19, 2024 11:48:08 PM

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Council, SERIOUSLY, have ALL the required boxes been checked?? Also, Sustainably, Environmental, and Wildlife measures included in primary plat are not seen in the final plat application!!

Are you holding Sterling Bay/Brue Baukol financially responsible for the HUGE infrastructure needed. Example: minimum of 40,000 more toilet flushes a day or 64,000 gallons of drinkable water turned into sewage per day with a very conservative estimate that RTR will generate 1000 jobs and the average person uses the restroom 4 times a day. That's equivalent to flushing Memory Square pool down the toilet every two days!

Also what about the possibility of financial default??? It has already made business news that Sterling Bay is in financial trouble on a 240 million dollar construction loan from Wells Fargo that has already had two extensions past the due date (being in 2024) and the bank is calling up a good portion of loan.

Lastly, my property is a hundred feet from 88th street and with school having just started it is a DAMN MESS!! Maybe it is not your back yard but it is my front yard. I live closer than anyone in Louisville. And I don't see anything in the packet on how this is going to be alleviated, but only made worse with this construction.

Natasha Flyer  
Superior CO

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**From:** [Cathern H Smith](#)  
**To:** [City Council](#)  
**Subject:** Final Plat for Redtail Ridge  
**Date:** Monday, August 19, 2024 11:24:01 PM  
**Attachments:** [Res 80 Ser 2023.pdf](#)

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Dear Mayor Leh and Members of City Council:

Earlier today, a representative of the Northwest Parkway confirmed that the Parkway and the developer have not yet executed an agreement. Up until now the City Council has taken the position that "***Prior to the City Council hearing on the final plat***, the applicant shall provide approval from the NW Parkway Authority for the Campus Drive alignment." (emphasis added). See condition 1 of Resolution No. 80 Series 2023, dated February 20, 2024 (copy attached). It puzzles me why the City noticed the hearing. And, it concerns me that the City is weakening its bargaining power by overlooking non-compliance.

Should you choose to ignore your own condition and proceed with hearing, I ask you to:

a. Protect the financial interests of the City by denying the applicant's request for special financial treatment. As Director Zuccaro's memo explains, the City's standard practice is to have the developer - not a metropolitan district - provide an improvement guarantee in the form of a letter credit for 115% of the improvement costs as well as a warranty guarantee of 15%.

Importantly, a letter of credit brings the resources of a third party to the table in the event of a default. In contrast, the proposed escrow agreement would simply impose some controls over the disbursement of monies raised through the metro district's bond issuance. Under an escrow arrangement, once the metro district money allocated for construction is spent, there is no additional funding source. Thus, in the event of a default, taxpayers will be on the hook for any shortfalls --- unless a letter of credit is in place. Further, in an inflationary environment, reduction of the standard percentages is particularly unwise.


If the developer requested these concessions because they cannot obtain a letter of credit at a price they consider reasonable, this is a red flag.

b. Stop the back pedaling and hold the applicant to the sustainability and wildlife commitments made when the preliminary plat came before you.

c. Figure out how the US 36 and other road improvements will be funded. The developer's traffic study estimates a total of 21,285 additional daily vehicle trips. According to Wiki, in 2020, there were 21,266 residents in Louisville. To give you an idea of the magnitude of the change, in rough terms, this means that every single resident goes to Redtail every day. Clearly, our roads are not currently designed for this volume of traffic. Please take action to preserve the quality of life in Louisville.

Best.

Cathern Smith  
Ward III





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**From:** [Joshua Cooperman](#)  
**To:** [City Council](#)  
**Subject:** Comments on Redtail Ridge, part 2  
**Date:** Monday, August 19, 2024 10:29:07 PM

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Dear Louisville City Councillors,

This email contains my second installment of comments on Redtail Ridge. In this installment I address analysis of the fiscal impact of Redtail Ridge on the City.

For certain development applications City staff performs a fiscal impact analysis using the City's fiscal model. I have not been able to determine the conditions that trigger such an analysis. Under such conditions the City's codes prescribe that a development should have a neutral or positive fiscal impact.

Given the proposed scale of development at Redtail Ridge, I would have expected City staff to perform such an analysis. (City staff did perform such a fiscal impact analysis for the previous Redtail Ridge proposal that voters rejected in the 2022 special election.) Nevertheless, City staff did not perform a fiscal impact analysis for City Council's consideration of the Redtail Ridge preliminary plat, and City Council did not request such an analysis. Initially, City staff also did not perform a fiscal impact analysis for the Planning Commission's consideration of the Redtail Ridge preliminary and final plats, but the Planning Commission requested such an analysis. This analysis did not find its way into City Council's meeting packets except in the form of the Planning Commission's meeting minutes. As plans for Redtail Ridge have evolved since the Planning Commission's review, this fiscal impact analysis is presumably out-of-date anyway.

Louisville residents deserve to know (projections for) the fiscal impact of Redtail Ridge prior to City Council's approval of a final plat. Since City staff have not provided a fiscal impact analysis, I ask you to request such an analysis. You should instruct City staff to include all relevant impacts. Specifically, as I recall, the fiscal impact analysis for the previous Redtail Ridge proposal did not account for the cost-sharing agreement for 88th and 96th Streets' improvements, the potential widening of the two 96th Street overpasses, Dillon Road improvements, the potential expansion of the City's services center, and the expected police annex at Redtail Ridge.

Thank you for reading and considering my comments.

Best,  
Josh

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**From:** [Cory Nickerson](#)  
**To:** [City Council](#)  
**Subject:** Redtail is key to economic revitalization"  
**Date:** Monday, August 19, 2024 9:31:46 PM

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Dear Members of the Louisville City Council,

Economic revitalization should be an important priority for every member on City Council.

I hope you all will review the economic impact studies conducted by EPS that show that Redtail Ridge will have an enormous positive impact on our community. These include:

- An annual economic impact of approximately \$4.9 billion;
- More than 10,500 new jobs, many of which will spend their time and dollars in our local shops and restaurants;
- Approximately \$144 million in annual retail sales across the region; and
- An additional \$1.9 billion impact from construction and related services.

Most importantly, Redtail Ridge will generate significant annual sales tax and property tax revenues to Louisville. EPS calculates that Redtail could generate up to \$12.5 million in annual sales tax revenues while contributing more than \$1.4 million in annual property tax revenues to Louisville (and even more to Boulder County, BVSD, and our fire district, among others).

Council approved Redtail Ridge's preliminary plat six months ago. It is time to approve the Final Plat so we can finally have the benefits that have been denied to our community for so long, including the long-awaited extension of Campus Drive and all the new public parks and open space.

Please approve Redtail at your August 20 meeting.

Best,

\*\*\*\*\*

*Cory Nickerson*  
*Resident of Louisville since 2010*

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**From:** [Annie Parnell](#)  
**To:** [City Council](#)  
**Subject:** NO on this plan for retail ridge  
**Date:** Monday, August 19, 2024 8:40:42 PM

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Who do you think you represent?  
Hint: it's NOT the developers

What is the matter with you all? We've made it clear to you in council meetings, emails, and a one item referendum— this plan is unacceptable.

We cannot do business as usual. The climate here in Colorado has been 10 degrees above normal throughout the month of July. We are only going to get hotter. We will never go back. Think about our children. What kind of world do you want them to inherit?

Making this kind of change is like turning the titanic. It can be done if we work together. From your behavior you are demonstrating you have your head someplace it doesn't belong.

This plan is incomplete and a giant screw-you to all of us who call Louisville our home. For God's Sake, do the right thing

Annie Parnell (aka Channah Horst )

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**From:** [James Heafner](#)  
**To:** [City Council](#)  
**Subject:** In Support of Redtail Ridge  
**Date:** Monday, August 19, 2024 8:35:12 PM

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Dear Members of the Louisville City Council,

I am writing to express my support for the construction of the Redtail Ridge (RTR) project in Louisville. As a resident of this community, I believe that the RTR project offers substantial benefits that align with our city's values and future needs.

One of the most compelling aspects of the RTR project is its commitment to environmental sustainability. The development requires the builder to adhere to the highest environmental standards in Colorado, including the installation of over 3 megawatts of solar power on-site. Additionally, all commercial buildings within RTR will be required to meet LEED certification standards, ensuring that this project contributes positively to our environment and sets a new standard for eco-friendly development in the region.

Additionally, the financial impact of RTR on our community cannot be overlooked. The currently vacant site generates only \$15,000 in property-tax revenue per year. However, with the RTR project at full buildout, that figure would rise substantially. This increase in revenue would significantly benefit our city, funding essential services, public safety, and other community needs.

In conclusion, the Redtail Ridge project is a forward-thinking development that balances economic growth with environmental stewardship and community enhancement.

Thank you for considering my perspective.

-Jim Heafner

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**From:** [sherry sommer](#)  
**To:** [City Council](#)  
**Subject:** Redtail Ridge Final Plat  
**Date:** Monday, August 19, 2024 8:25:27 PM

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Members of council:

As you well know, approval of the Redtail Ridge final plat is an historic event in Louisville, and a decision that should not be taken lightly.

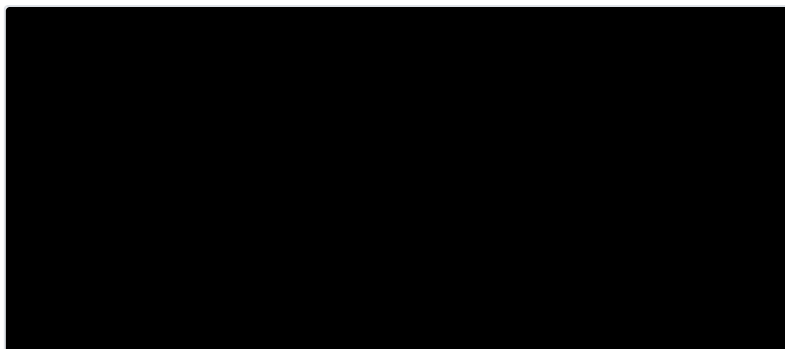
- 1) Last I checked the application did not include signed approval from the Northwest Parkway. Additionally, there are almost a dozen conditions that have not been met. Please do not approve the final plat until it is complete.
- 2) Without additional traffic from RTR, the highway 36 interchange is projected to fail in 6-7 years from the projects' start. This is a stark contrast to the projected fail date of 2040 without RTR. Thiis will be a massive project and there are no plans to begin to plan for it or to fund it. This must not be left for future councils to solve. Due to the enormous scale of the project, I think it's quite unwise to is unwise to trust that our customary impact fees will cover the costs, Please take the most responsible actions and require that the developer commit to at least a percentage of the total cost.
- 3) I am very concerned that Sterling Bay may not have the financial stability to cover unfinished work in case of default. We need to require the most secure instrument to ensure that Louisville will not be left holding the bag should Sterling Bay be unable to fulfill their obligations. The market has changed dramatically since Brue Baukol first came to Louisville in 2019. Denver was one of the top markets for office space, now it's one of the most overbuilt. Light industrial is also overbuilt. I've read several articles indicating that Sterling Bay is low on cash. Let's be wise and protect the city's interests.
- 4) The traffic on 88th has been a huge mess during school pick up and drop off times in years past. Now parents will have to contend with even more congestion with increased traffic due to the school bus driver shortage and construction traffic. Campus Drive is planned to alleviate some of the distress, but that will take at least two years to materialize. What is the plan in the meantime?

Thank you for your consideration,

Sherry Sommer

For reference:

Facing an impending deadline to pay off debt, Sterling Bay has hired CBRE to sell the properties at 1907 North Mendell Street, 1901 North Elston Street and 1500 West Cortland Avenue, Crain's [reported](#).



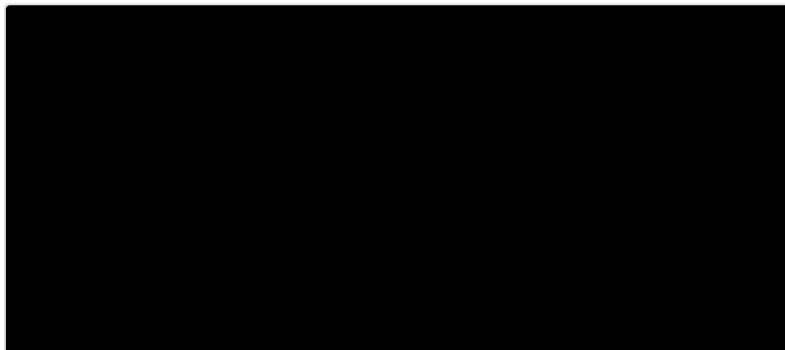
Sterling Bay looks to sell more properties next to

## Lincoln Yards

Facing an imminent deadline to pay off debt, the developer has put a trio of sites next to the planned megaproje...

The properties were originally earmarked for inclusion in the ambitious \$6 billion mixed-use project. However, amid financial challenges, Sterling Bay has been on a selling spree, as it scrambles to raise adequate funds for the development.

Wells Fargo provided Sterling Bay \$182 million in 2018 as a construction loan on the 553,000-square-foot property. It refinanced the debt in January 2020 — right before the pandemic picked up steam — with a \$230 million debt package from the same lender.



### Sterling Bay snags \$182M construction loan for office project

Laura Hanrahan

Sterling Bay, one of the West Loop's most active developers, obtained a \$181.5 million construction loan from We...

The latest loan was set to mature in January 2023, public records show. It got a one-year extension. As maturity approached this year, Wells Fargo requested the landlords pay down tens of millions of dollars before another extension. Multiple sources pegged Wells Fargo's request at a little less than \$40 million.

JPMorgan and Sterling Bay balked at the figure their lender requested. They have been willing to pay down some of the debt to secure the later maturity, but the parties remain far apart on resolving the matter.

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**From:** [David Sweedler](#)  
**To:** [City Council](#); [Barbara Hamlington](#); [Caleb Dickinson](#); [Deb Fahey](#); [Dietrich Hoefner](#); [Christopher Leh](#); [Tim Bierman](#); [Samma Fox](#)  
**Subject:** Do NOT approve of the reduced financial carve outs Sterling Bay is asking for in the Redtail Ridge Project final plat. Insist upon the original required Bank Letter of Credit to backstop Louisville's financial commitment to the public improvements requ...  
**Date:** Monday, August 19, 2024 8:07:54 PM

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I ask the Louisville City Council to delay the approval of the final plat until at least early September 2024, to allow a brief time period for citizen review of the substantial changes between the initial plat and the final plat. I also ask that the Louisville Council state publically that they have reviewed and approved of the proposed changes BEFORE voting to approve this final plat document. There are an extra ten pages of additional contract language that have appeared between the initial and final plat agreements that Louisville citizens must be given time to review. In addition the developer, Sterling Bay has asked for very substantial changes in their financial commitments that would greatly increase the financial burden to the City of Louisville for the required public improvements, if the project is delayed or can't be completed successfully.

Sterling Bay is asking for a substantial reduction in the Escrow terms and conditions. They have proposed a reduction in the total escrow amount from the standard Louisville City requirement of 115% to 105%. Sterling Bay is currently experiencing severe financial pressure to reduce their existing projects and has delayed and is proceeding to sell off many projects in its Chicago home base. I can provide numerous citations to business publications that outline the severe financial pressure that Sterling Bay and related commercial property developers are currently experiencing. This is resulting in prolonged delays and selling off of existing commercial projects. Louisville can't afford to be a part of that process.

<https://therealdeal.com/chicago/2024/07/24/inside-sterling-bays-delays-on-lincoln-yards-marcey-street/>

"Chicago developer Sterling Bay has been facing financial challenges due to the COVID-19 pandemic and higher interest rates, which have made it difficult to pay off maturing debt. In April 2024, Sterling Bay put three properties near its \$6 billion Lincoln Yards megaproject up for sale, and in July 2024, it hired CBRE to sell another Fulton Market development site. **Sterling Bay has also been seeking financial support for the Lincoln Yards project**, including an unsuccessful pitch to the Chicago Teachers Pension Fund in June 2023."

If Sterling Bay is deferring and delaying current commercial property projects around the US, Louisville needs to remain vigilant and not accept financial changes that can stress our already financially vulnerable City coffers. Do not accept the reduced escrow amount proposed by Sterling Bay for the Redtail Ridge Development proposal. Insist upon the original Bank letter of credit and do not accept a third party escrow account. I am unable to understand the financial implications of Sterling Bay's request for the yet to be created Redtail Ridge Metro District to be the guarantor rather than the developer but from a legal liability standpoint, it appears to be major change if the project encounters financial difficulties and this change should be carefully reviewed by qualified legal counsel before being accepted as a condition of acceptance by Louisville Council.

[The following pages 29-30 are copied directly from the original 754 page 8b\_Redtail Plat document]

Typically, the subdivider meets these Code requirements by providing the City a letter of credit

(“LOC”) in an amount that is 115% of the estimated construction costs of the improvements, which the City holds until the improvements are completed and inspected, at which time the LOC is reduced to 15% of the construction costs for the warranty period until the improvements are again inspected and accepted by the City.

The Subdivider for this application has requested the City Council allow the Redtail Ridge Metropolitan District (“the District”) to furnish the improvement guarantee for this subdivision rather than the “Subdivider” (Redtail Ridge Portfolio, LLC), and has proposed the District be a party to the Subdivision Improvements and Development Agreement (the “SIA”). Additionally, the Subdivider and District have requested the City Council accept the following deviations from the City’s standard practice with regard to SIAs:

- The guarantee required by the Code would be bond proceeds deposited with an escrow agent, so not held by the City.
- The amount of bond proceeds deposited with the escrow agent (defined in the SIA as the “Improvement Guarantee Amount”) would be 105% of the improvement costs, rather than the City’s standard of 115%. So there would only be a 5% contingency. SIA Sec. 1.11(b).
- The City typically holds the full amount of the improvement guarantee until “Construction Acceptance” of the public improvements, at which point the improvement guarantee is reduced to 15% for the warranty period. This SIA would allow the improvement guarantee funds to be used to pay construction costs.
- Under the Escrow Agreement (SIA Exhibit E), disbursements from the escrow account to pay improvement costs are not limited to the amount that was included in the estimate, so if construction costs escalate (or if the estimates prove to be lower than actual costs for any other reason), the amount disbursed can spend down the Improvement Guarantee Amount. To address this, a District Engineer is to provide the City with monthly reports detailing the improvements yet to be constructed and the cost of those improvements, and if less than 105% of that amount is in the escrow account, the Subdivider and/or District are required to deposit additional funds.
- The Subdivider and District are also requesting the City Council approve a Warranty Guarantee of 5%, rather than the City’s standard 15%, which would be held by the City until the City grants final acceptance of the improvements. This would be either cash, a letter of credit, or “any other form of Guarantee or security as may be acceptable to the City.” SIA Sec. 1.11(e)(iii). Staff is not aware of what this “any other form” would be, but the SIA does not require the City to accept it during the warranty period. If the City were to need to access funds during the warranty period to make repairs, it would need to rely on the limited funds provided by the 5% Warranty Guarantee.
- Section 10.16 of the SIA contains “Lender Protection Provisions.” Generally, these provide that Subdivider’s lenders will receive a copy of any breach notice issued by the City; allows (but does not require) lenders to step in and cure SIA breaches; and recognizes permitted transfers of the property that may occur during a foreclosure proceeding. The City would be notified if any lender initiates foreclosure proceedings, and a lender’s right to cure a breach will not prevent the City from taking action to assert its rights under the SIA (including the right to finish construction of improvements, if that is what the City determines is reasonable or necessary under the circumstances).
- Lenders may request (in connection with a foreclosure or otherwise) the City provide an estoppel certificate or other written document memorializing these lender provisions, which Section 10.16.3 of the SIA authorizes be executed by the City Manager or Finance Director unless the City Manager and/or Finance Director believe the requested document should be reviewed and approved by the City Council. The intent here is that any request that alters or modifies in any way the terms or conditions of the SIA would be approved by the City Council

as an amendment to the SIA, not the City Manager or Finance Director.

Thank you in advance for taking the time and consideration of these important issues, in advance of your upcoming vote on the final plat document for the Redtail Ridge Project.

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David Sweedler  
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**From:** [Audrey DeBarros](#)  
**To:** [City Council](#)  
**Subject:** Please Approve RTR Final Plat and Metro District Service Plan  
**Date:** Monday, August 19, 2024 7:02:16 PM

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Dear Council and Interim City Manager:

I write to express my support for council to approve the final plat and metro district service plan Tuesday night.

It's time to finally enable the private landowner the opportunity to develop their property and to ensure Avista Hospital stays in Louisville.

I have seen misinformation online that the Northwest Parkway Authority has not approved the development agreement with Sterling Bay. The Northwest Parkway Authority's board approved the agreement at their July 29 board meeting. Sterling Bay has worked closely with the Northwest Parkway, BVSD, and City Staff to meet the five conditions that Council attached to their February 20 approval of the Preliminary Plat.

The agreement with Northwest Parkway includes more than \$25 million in improvements and meets every condition that Northwest Parkway required for approval. Sterling Bay's agreement to fully fund the improvements is especially significant given that Redtail will only account for about one-fifth of the traffic on the Northwest Parkway yet will fund 100% of the desired improvements and upgrades.

Without Redtail, none of these improvements would be made. The sooner you approve Redtail, the sooner we can all benefit from these improvements.

Thank you for your service to the City of Louisville.

Best,  
Audrey DeBarros  
839 West Mulberry Street

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**From:** [joy brook](#)  
**To:** [City Council](#)  
**Subject:** Refuse redtail  
**Date:** Monday, August 19, 2024 5:43:44 PM

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Dear Mayor and city Council of Louisville, Colorado,

There are many problems with the red tail Ridge plan. There was an election where the citizens of this town were very clear that they do not want this development. The developer seems to be more important to the city council and the mayor than the citizens and their needs. Specifically I need to breathe clean air and be able to drive to where I need to go without sitting in traffic for hours. The application is not complete and needs to be denied again. Do not give these people special treatment. They have been disrespectful to our citizens and our laws and only want to do what is in their interest not what is best for our town or our county or state. They need to be financially responsible but most of all we don't want this development. It is a beautiful sanctuary for wildlife and the trees should not be cut down. They are doing a change to agreements and not taking care of wildlife as they had said they would. They have reduced their commitment to solar. These people cannot be trusted, and the public needs to be listened to! The mayor and city Council needs to listen to the public, not the developer.

We care about our quality of life and economic future And I hope our government makes decisions in our best interest for the environment and our children's future as well as our quality of life. I want to breathe clean air.

- The C470/36 interchange is projected to fail in 2040 without the project. With RTR traffic, the bridge will need to be widened or major improvements will be needed within 6-7 years to prevent unacceptable backups.
- The application Council wants to approve isn't even complete! An agreement with the NW Parkway Authority was a condition of approval. Because there's no agreement, there shouldn't be a hearing – much less an approval.
- This hearing should be rescheduled until there is a complete application. In addition to needing the NWP agreement, the approval kicks the can down the road on 9 other outstanding conditions.
- Instead of providing the standard letter of credit that protects the City if roads, water and sewer lines, trails, and other infrastructure are not completed, Redtail wants special treatment: They're asking to escrow the money the metro district will raise when it issues bonds. The issue? Escrow accounts don't bring any additional resources to the table when things go sideways, and accepting this offer would be financially irresponsible in the extreme. (Relatedly: Sterling Bay recently asked for a loan extension on \$230M of debt on a Chicago office building. The lender said they'd grant it in exchange for a \$40M paydown. Sterling Bay is objecting to that stipulation.)

**Another big problem: The final plat application differs significantly from the preliminary plat Council approved in February. The public has fewer than 4 days**

to review it. Two changes (that we've discovered so far) that we want to flag:

- In the preliminary plat, which Council approved, the developer committed to continuous monitoring of wildlife use, burrowing owl and raptor surveys, migratory bird nest assessments, and pollinator protections. These commitments have been removed from the final plat application.
- The commitment to 2.6MW of solar power generating facilities in the preliminary plat has been effectively reduced to 2.16 in the final.

VOTE NO ON RETAIL RIDGE!

Tane Mahuta E Tu!

Blessings to the Creator, trees! Stand Tall!

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