

From: [Herb Newbold](#)
To: [Planning](#)
Subject: Cantilevers Project
Date: Thursday, December 8, 2022 1:16:45 PM

Dear Ms. Marchetti,

I am writing to you in regards to the Cantilever project that is being presented at the Planning Commission meeting tonight. We had attended the November 10 meeting and were planning on attending tonight's meeting also. Unfortunately, we have had something come up and will not be able to be there tonight. Would you please forward this message to the planning commission members also for their review?

I am writing to you as a property owner, both to the north and east of the development in question. My wife and I own a ten acre property, directly to the north of the proposed development, where we reside. We also own a portion of the Mountain View Building directly to the east of the proposed development. Because of the close proximity to both of these properties, the Cantilever project will directly affect us.

We had originally attended the October 10, 2019 meeting with the Planning Commission at which time the original PUD was approved. The project was very nice and would not have had a significant affect on our two properties. Unfortunately, we feel that the significant changes to the new Cantilevers project will now have several adverse effects for us that require additional consideration. Below we have tried to outline our new concerns:

- The footprint of the new building has grown by 37 percent. This increase in building footprint, combined with the need for additional parking, causes the amount of open space around the building to decrease by nearly ten percent. It is our opinion that the new building should be designed in such a way as to maintain the previously approved ratio of building/parking area to overall lot area.
- By code, the building is required to have 282 parking spaces. The developer is requesting a variance to only have 205 spaces. By my count, the developer has shown only 196 parking spaces on the plans. The eight parking spaces described as Garage Parking (Flex-Industrial) should not count toward the required parking space number. The requested number of parking spaces is 30 percent less than required by code. We are not opposed to slight variances to the code. However, a 30 percent reduction in required parking spots is not slight. Mr. Johnson, the project architect, has argued that the "new normal" for office environments due to the pandemic and flexible office-use trends is to have fewer required parking spaces. We were unable to find any published/peer-reviewed papers that support this opinion. If you assume, however, that this opinion is valid then a better solution to the problem would be to modify the City of Louisville code requirements to reflect this reduced requirement so that all new developments could benefit from this.
- We were involved in the design of the Mountain View Building just to the east of the proposed development. At that time, we were required to have a parking space ratio of 4 spaces/1000

SF of building area. We were required to have 118 parking spots and we complied with this code. Had we been allowed to comply with this proposed and extremely reduced parking ratio, we would have only been required to have 70 spaces. This would have allowed us to have a considerably larger building footprint, similar to that being proposed by the Cantilever development group. This policy unfairly gives a significant financial advantage from one developer to the next. As it turns out, we are glad that we complied with the City of Louisville parking code requirements as we have needed all of the spaces that we have.

- Mr. Johnson touts the bicycle parking as being a significant amenity to the development. We respectfully disagree. The business sharing the Mountain View building with ourselves is Wheels Manufacturing, a high-end bicycle component manufacturer. It is extremely rare that any of the Wheels employees ride their bicycles to work, especially during the winter. In the future, there may be a greater need for bicycle parking. At this point in time, however, essentially everybody is still commuting with a motor vehicle and appropriate parking for these vehicles should be required.
- As previously noted, the footprint of the original building design has grown by nearly forty percent. Assuming that the building footprint stayed the same, there would only be a need for approximately 235 spaces. The reduced building size would free up an additional 14,000 SQ of land, allowing as much as 71 additional parking spaces. This number, combined with the 196 spaces shown on the plan, would result in 267 parking spaces or approximately 15 spaces less than that required by code. This five percent reduction in required parking spaces seems to be a much more reasonable variance to consider.
- The Mountain View Building was required to plant trees between the Newbold residence (us) and the commercial building to screen the views between the two. To accomplish this, and without planting trees in the water line easement, significant retaining walls had to be built and maintained. Again, what is good for the goose should be good for the gander. We respectfully disagree that the Cantilever development will not have an adverse effect on our residential property and would have the exact same argument that we made during the Mountain View Building design process. We feel that the building and parking areas could be designed in such a way as to allow screening trees to be planted along the south edge of the water line easement and between the two properties. This is especially important since the new building design allows for delivery and parking access along the north side of the development, something that was not allowed in the original plan. One may ask the question "Why don't you plant trees along your south fence line to screen between the two properties?" The answer to this question is we simply do not have the water. We are on a well and are limited to outside watering only in and around the house. If we had water, we would strongly consider this option.

In summary, our concerns are as follows:

- We believe that the size and scope of the Cantilever project has changed significantly and that variances to the building codes allowed previously should be re-evaluated. Otherwise, this is just another bait and switch scheme that the City should be all too familiar with and should not allow.

- We believe that the required number of parking spaces should conform to the building code that is presently in place. If it is deemed appropriate to reduce the number of required parking spaces, change the building code so that everybody can benefit from this change.
- We believe that it is unfair to require one building to meet parking area and landscaping code requirements and allow the building that is directly next door to not meet the code requirements.
- We believe that, by not increasing the overall size of the new building, the developer can meet parking code requirements.
- We believe that there should be no waiver for the required tree planting along the water line easement.

We have tried our best to accurately analyze the available information associated with this request and form opinions based on this analysis. If something that we have said is inaccurate, we apologize in advance and welcome any and all feedback. Thank you, Herb and Lynda Newbold

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From: [Joshua Cooperman](#)
To: [Planning Commission](#)
Subject: Comments on waivers for CTC development applications
Date: Thursday, December 8, 2022 10:00:14 AM

Dear members of the Louisville Planning Commission,

This evening you will review applications for two new developments at the Colorado Technology Center. I urge you to critically assess some of the waivers requested in these two applications, and I ask you not to approve these waivers without compensatory concessions.

Before presenting my specific comments on these waivers, I wish to explain the perspective motivating my comments. As you all know, I am a champion of environmental sustainability. One crucial component of environmental sustainability is the conservation of land as habitat for Earth's myriad living creatures. Indeed, land conservation is more critical than ever before as virtually all of Earth's living creatures, humans excepted, are in serious decline, primarily owing to humanity's actions. Accordingly, when considering development, land conservation, on both small and large scales, is at the forefront of my thoughts.

The Colorado Technology Center was zoned and platted well before I moved to Louisville, so, in advocating for land conservation there, I must work within the confines of the existing zoning, plans, and codes. Fortunately, there is room for land conservation within the existing zoning, plans, and codes. The land being conserved at the Colorado Technology Center may not be prime wildlife habitat, but at least the land provides some desperately needed wildlife habitat, and there is potential to transform this land into considerably better wildlife habitat. I will begin advocating for such a transformation in the near future.

All of the waiver requests discussed below reduce the amount of land conserved. While my primary motivation is the conservation of as much land as possible, one could just as well work from the perspective that waivers are requests to violate aspects of the existing zoning, plans, and codes, which should not be granted without good reason or without compensatory concessions.

I now present my comments on the two applications that you will consider this evening.

Regarding the application for a planned unit development at 1411 South Arthur Avenue .

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This application requests a waiver to Section 5.2.B of the Commercial Development Design Standards and Guidelines. The development plan fails to include the required 30-foot wide planting buffer adjacent to the residential property to the north; instead, the development plan calls for paving essentially this entire area. I request that you do not approve this waiver for the following reasons.

First, despite an almost 20% reduction in the building footprint (compared to the previous development plan) and a separate waiver request for reduced parking (which I do support), the development plan has 9% less open space (compared to the previous development plan). Restoring the 30-foot wide planting buffer would significantly increase the percentage of open space.

Second, the existing landscape buffer on the adjacent residential property to the north does not justify this waiver. The relevant codes refer to the property being developed not the adjacent

properties. Moreover, if the current or future owners of the adjacent property choose to alter their existing landscaping, then should they not be entitled to a landscaping buffer on the development property?

Third, the development application actually presents one option for retaining the 30-foot wide planting buffer: design the building to have multiple stories. Why should the City compromise its design standards and guidelines when the building could be designed to accord with them? If the developer is unwilling to implement such an option, then perhaps the building's desired use is incompatible with the development site. (I would argue that the truck traffic associated with an industrial-flex use is not appropriate immediately adjacent to a residential property.)

Although the Commercial Development Design Standards and Guidelines call for trees in the 30-foot wide landscaping buffer, its proximity to the Northern Colorado Water Conservancy District easement warrants other plantings. As the building is envisioned as having an industrial-flex use, I would recommend planting drought-tolerant shrubs that are able to scrub some of the exhaust from the associated truck traffic.

Regarding the application for a final plat and planned unit development at 578-632 South Pierce Avenue . . .

This application requests two waivers to Section 5.4.D of the Industrial Development Design Standards and Guidelines.

First, the development plan fails to meet the minimum perimeter landscaping standards. The developer could have met these standards by planning a smaller building footprint or a smaller drive aisle footprint. I request that you do not approve this waiver.

Second, the development plan fails to meet the minimum perimeter tree planting standards. While the soils along parts of the perimeter may not be amenable to irrigated trees, the developer could have met these standards by considering drought-tolerant tree species, or the developer could have compensated for these standards by planning more extensive tree planting elsewhere. Moreover, the developer could have made the building perimeter more amenable to trees by reducing the heat stress to trees with a light-colored building exterior (and, possibly, other design modifications). I request that you do not approve this waiver.

If you decide to approve any of the waivers discussed above, then I urge you to require compensatory concessions from the developers. From my perspective appropriate concessions might include more extensive tree plantings to shade parking areas, solar awnings to cover parking areas, green awnings to cover parking areas, solar panels installed on building roofs, and/or plants growing on building roofs.

Thank you for reading and considering my comments.

Best,
Josh

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