



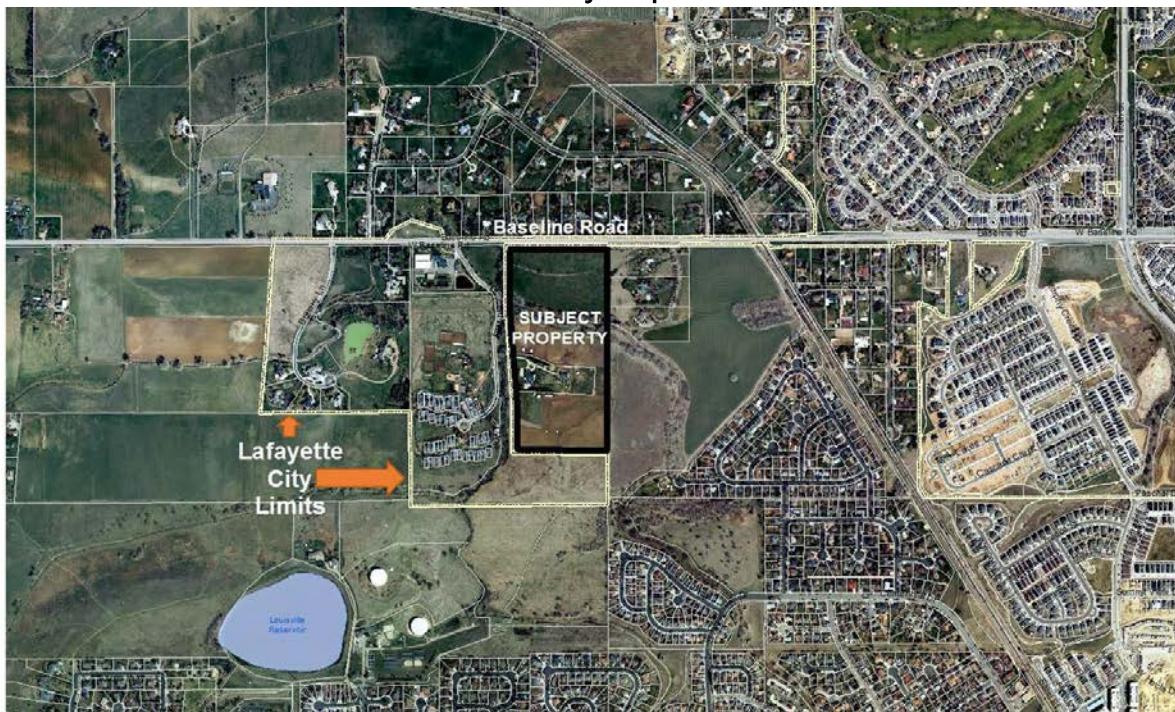
## MEMO

To: Planning Commission  
From: Paul Rayl, Planning & Building Director  
Date: April 18, 2018  
Subject: Leven Neighborhood – Annexation, Zoning, Sketch Plan Review

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**Applicant/Owner:** Reid Phillips – Applicant  
T.G. Broida Living Trust – Property Owner  
**Location:** South side of Baseline Road approximately 1 mile west of 95<sup>th</sup> Street  
**Land Use Designation:** Low Density Residential  
**Current Zoning:** Boulder County Rural Residential  
**Proposed Zoning:** DR (Developing Resource)  
**Total Area:** 34.403 acres

Vicinity Map



## **BACKGROUND**

The subject property is currently located in unincorporated Boulder County adjacent to the Lafayette City limits on the western and southern boundary. The property contains one (1) single-family dwellings and associated outbuildings. The property is traversed from east to west by the Goodhue lateral ditch and the Davidson Highline Ditch. The property owner is seeking to annex into the City of Lafayette and develop a residential subdivision with a total of 87 units (46 single-family & 41 Townhomes). The existing single family residence on the property is proposed to remain and would be incorporated into the subdivision as a separate lot and count towards the proposed 46 single-family units.

Prior Agreements: Staff is unaware of any prior agreements between the City and the property owner. The property is located within the Lafayette Urban Growth Boundary and has a land-use designation of 'Low Density Residential' on the Comprehensive Plan Land Use Plan Map.

Public Notification and Comment: Per the requirements of Section 26-16-3(c) of the Municipal Code, a neighborhood meeting was held on October 4, 2017, with another follow-up meeting on January 24, 2018 due to changes to the sketch plan that occurred after the first neighborhood meeting. A copy of the sign-in sheet and comment cards are included in the applicant's submittal and attached to this report. It appears there were approximately 227 people in attendance between the 2 neighborhood meetings. The comments from the meeting attendees were primarily focused on preservation of the property as open space, impacts to wildlife, character of the development with surrounding neighborhoods, density, and traffic impacts on Baseline Road.

Per the public notification requirements, letters to property owners within 750 feet of the subject property have been mailed, a public notice has been advertised in the Colorado Hometown News, and public hearing signs have been posted on the property. To date, staff has received multiple emails, attached to this report, from adjacent property owners, both in the County, in Lafayette, and in Louisville. The comments were similar to comments received at the neighborhood meeting including impacts of the development on existing traffic along Baseline Road, compatibility with the character of the area, density, open space, and impacts to wildlife.

Procedure: The Planning Commission is charged with making a recommendation to the City Council regarding the annexation and zoning of the subject property. The Commission may recommend approval of the annexation and zoning as submitted, approval with modifications, or may recommend denial of the annexation and zoning based upon applicable Code criteria.

The Planning Commission is responsible for making a decision on the Sketch Plan application. The Planning Commission may approve the sketch plan as submitted, approve

with modifications or deny the sketch plan based upon applicable Code criteria. If the Planning Commission approves this sketch plan application, the applicant may proceed with preparing and submitting preliminary plans. Sketch plan approvals are valid for two (2) years. Approval of a sketch plan does not bind the Commission to approve a preliminary plan, nor does it confer any vested rights to the applicant. The Planning Commission will review any preliminary plan once it is submitted.

## **ANNEXATION**

Colorado State Statutes require that in order for a property to be annexed it must meet certain eligibility requirements. The major requirement is that the property have not less than one-sixth (1/6), or 16.67%, of its perimeter contiguous with the annexing municipality's city limits. In this case, 1/6<sup>th</sup> contiguity would equal 871.32 feet. The annexation map indicates approximately 3,464.92 feet are contiguous to Lafayette's existing city limits. Other requirements for annexation eligibility include that a community of interest exists between the subject property and the annexing municipality, and a finding that it is practical to extend municipal services to the subject property.

According to Section 26-5-1(a) of the Municipal Code, an annexation request is to be reviewed against any criteria for a Planned Unit Development (PUD) that are relevant to the proposed annexation. Code §26-18-5 establishes the PUD criteria. Staff has reviewed the following criteria:

Water & Water Reclamation: The City Engineer has indicated the subject property is not currently in either the 2000 Wastewater Utility Master Plan or the 2004 Water Utility Master Plan. If annexed, the plans would need to be updated to include the subject property. While it is anticipated the City would be able to provide service to the property and thus why the property is included within the Urban Growth Boundary, staff time and resources would be required to update the aforementioned master plans. With current projects already within the City limits either developing or in the entitlement process it would be unlikely that updating the master plans would be a top priority at this time.

Other Utilities: To date staff has received one response from Xcel. Xcel indicates that Public Service Company of Colorado (PSCo) owns and operates gas and electric facilities in the area. They also indicated easements may be necessary to service any new development. It is staff's opinion that any non-municipal services that are required by the subject property can be provided since they are provided to the properties surrounding the subject property.

Public Safety: Neither the Police and Fire Department have expressed concerns regarding the capacity to provide appropriate levels of protection to the subject property with respect to the annexation.

Recreation and Open Space: Typically when considering an annexation there is usually at

sketch plan application submitted with the annexation request. The City may ask for recreational amenities and public land dedication at the time of annexation but typically waits until the final plan to get the required amenities and public land dedication. The sketch plan submitted with the Annexation request indicates that the development will exceed the minimum public land dedication of 15% (5.16 acres) with a total of 9.21 acres or 26.8%. The Parks, Recreation & Open Space department indicated the City would not be interested in taking over maintenance of any land dedicated to satisfy the public land dedication requirement. LOSAC was not supportive of the proposed public land dedication and instead recommended cash-in-lieu.

The Parks, Recreation, Open Space & Trails Master Plan (PROST) does not indicate any existing or planned trail facilities within the vicinity of the subject property. Non-maintained social trails have been installed through the open space properties surrounding the site. The open space land around the subject property is owned by different agencies including, Lafayette, Louisville and Boulder County. At this time there is not a plan to formalize the social trails within the open space areas.

#### PROST Master Plan – Trails Plan



Please refer to the PROST Master Plan for a description of lines and symbols.

The sketch plan submitted with the annexation includes connections to the social trails within the adjacent open space land. The City and LOSAC are not supportive of connections to the social trails as it could constitute some formal recognition of the trails which is not expected. This would not be a community amenity if it does not conform to the City's overall plan for the open space.

Economy of Service: Based on comments received from the Public Works Department, the Fire Department, and the Police Department staff is not aware of any disproportionate liability risks that are associated with any future development on the subject property.

Community Housing Needs: The intent of this criterion is to promote a variety of housing types and prices ultimately leading to a variety of ownership forms. The sketch plan submitted with this annexation shows larger lot single-family and townhomes which would make up the housing types for the subdivision. Already within the City limits are developments that are providing or will provide a variety of housing types and prices. Staff does not see the need for additional housing of this type that isn't already being provided or will be provided by developments already within the City limits. In the future as projects build out the annexation of this property may be appropriate but staff believes the annexation is not necessary at this time to provide for a variety of housing types.

Build-out Rate: While not typically a function of annexation, the potential build-out rate for the subdivision is difficult for staff to ascertain at this time. The intent of this criterion is to manage growth through permit allocations under the growth management charter. Currently staff is anticipating a possibility of all 1200 residential permits being allocated for the current 6-year window from 2013 to 2018. Also due to projects currently in the beginning of construction or going through the review process, staff believes there is a possibility that all 1200 permits available for the period of 2019 thru 2024 may mean there will be few if any permits available to allocate to new projects. With plenty of developable land within the City limits staff believes it would be irresponsible to annex additional land at this time for residential purposes.

Community Amenities: While there will be additional discussion on this criterion during the sketch plan portion of the staff report, staff does not believe the annexation of this property at this time provides any significant amenities to the community at large.

Goal Fulfillment: The Comprehensive Plan has a goal of not annexing land unless it is within the City's Urban Growth Boundary, that the annexation is a benefit to the community, and that the annexation conforms with goals and policies of the Comprehensive Plan. The subject property is located within the Lafayette Urban Growth Boundary, however, staff is concerned that annexation of the subject property is not currently a benefit to the community. The Comprehensive Plan Land Use map designates the property to be annexed as Low Density Residential. The sketch plan submitted with the annexation petition indicates the applicant would be requesting a future zoning to residential however the only zoning that would accommodate the proposed subdivision is R3 (Multi-family Residential). A residential zoning designation would be part of any future preliminary plan submittal. The pertinent policies for this annexation include:

- Policy B.1.1: Prohibit annexations outside of the Urban Growth Boundary indicated on the Land Use Plan.
- Policy B.1.2: Ensure that conditions stipulated in all annexation agreements between the City and an annexor(s) benefit both existing and future City residents alike and fully address the City's goals and policies.
- Policy B.2.1: Ensure that adequate utility, drainage, transportation infrastructure; community services; and, community facilities are available to appropriately serve any proposed development or redevelopment. If such facilities and services are not available or determined to be inadequate, the applicants of the proposed development or redevelopment should dedicate proportional funding to expand these elements.
- Policy B.2.2: Encourage compact and clustered development to facilitate more efficient provision of utility, drainage, and transportation infrastructure; community services; and, community facilities.
- Policy C.1.1: Ensure that proposed developments conform to the Land Use Map's designations.
- Policy C.3.4: Ensure proposed residential developments provide adequate community facilities, physical infrastructure, and services.
- Policy D.1.1: Ensure that both the scale and appearance of proposed development responds appropriately to adjacent development and provides a compatible transition to existing neighborhoods.
- Policy D.1.3: Cluster development within parcels to increase open areas and public access.
- Policy H.4.3: Create trail connections through and between Lafayette's open space properties in order to provide an integrated and complete trail system within the community.

It is staff's belief that other than the property's location within the Urban Growth Boundary, the annexation does not comply with the aforementioned Comprehensive Plan policies.

**City's Financial Ability to Serve:** While not currently within the service area boundary of the water and wastewater master plans, it is unclear if the City will have the financial ability to provide city services to the subject property at this time.

**Transportation:** The subject property abuts Baseline Road along the northern property line. It is anticipated that widening of Baseline Road adjacent to the development will be necessary to accommodate future intersection improvements.

The Regional Transportation District's (RTD) 225 route currently provides service along Baseline Road. A bus stop is located near the property.

Environment: The subject property appears to contain some wildlife areas due to the two (2) ditches traversing the property. This has allowed for the possible creation of a riparian corridor. A referral was sent to the Colorado Division of Wildlife. To date staff has not received any comments from the DOW. As part of any future development review process the City will require the developer to survey the property and identify any endangered plant or animal species or wetlands area. In researching Boulder County and State of Colorado wildlife maps, the subject property is not specifically shown as containing wildlife, however with the presence of two (2) ditches traversing the property and feedback from the public staff believes the subject property would need to be surveyed prior to development especially if development would also entail piping of the ditches through the subject property.

Floodplain and Subsidence: The property is not located within a regulatory floodplain per the FEMA (Federal Emergency Management Agency) maps. Also, according to the Dames and Moore Subsidence Study, the property does not appear to be located within an area of mine subsidence hazard.

Cultural: Staff is not aware of any cultural resources associated with this site but would require a Cultural Resource Survey prior to any future development.

Miscellaneous: Overall staff does not believe annexation of the subject property is appropriate at this time. There are multiple residential projects already in the City limits either developing or going through the development review process. Staff does not believe the annexation or the proposed residential development will bring any needed housing styles to the City that aren't already being offered in developments within the City limits. Staff does understand that the property is within the Urban Growth Boundary and will most likely be annexed into the City at some time in the future. Growth Management also plays a part in this discussion. If there is a possibility residential building permits may not be available until after 2024 it would not be practical to annex the property at this time.

## ZONING

In accordance with Colorado State Statutes property annexed into a municipality must be granted zoning within 90-days of the annexation. The Lafayette zoning district that most typically accompanies annexation is Developing Resource (DR). DR zoning allows only historical uses to occur and does not grant any developable rights to the property. Rezoning the property to a zoning district that allows development occurs concurrently with a preliminary and final plan review. At this time, if City Council annexes the subject property staff recommends the property be zoned DR.

In accordance with Development Code Section 26-16-8, in order for a property to be zoned or rezoned, one (1) or more of the following criteria must be met:

- a. *The land to be rezoned was initially zoned in error or the rezoning is of a technical or corrective nature in order to conform zone district boundaries with lot lines.*

The property is not currently within the City limits. This criterion is not applicable.

- b. *Because of changed or changing conditions in a particular area or in the city generally, it is in the public interest and reasonably necessary in promotion of the public health, safety or welfare to rezone a property to encourage development or redevelopment.*

When a parcel is annexed from Boulder County into the City of Lafayette it must be provided with a zoning designation per State Statutes and the City of Lafayette Development Code. While DR zoning does not encourage development, a subsequent rezoning request that does support development of the subject property would be submitted with a future preliminary plan of the property is annexed into the City.

- c. *The rezoning is necessary to conform to the Lafayette Comprehensive Plan.*

The Comprehensive Plan Land Use map designation for the subject property is 'Low Density Residential'. Concurrently with the review of a preliminary plan, the applicant will submit a final rezoning request that should comply with the Comprehensive Plan's land use designation and development plan for the property. If the property is annexed, DR zoning would be the most appropriate zoning district at this time as it allows the historic use of the property to continue.

- d. *The rezoning is necessary to provide land for a community related use that was not anticipated at the time of adoption of the Lafayette Comprehensive Plan, but which use is generally consistent with the policies and goals of said plan, is in the public interest and is reasonably necessary in promotion of the public health, safety or welfare.*

The rezoning is not necessary to provide land for a community related use and thus this criterion is not applicable.

Zoning of the subject property is a requirement of State Statutes but only upon annexation. While staff does not believe that annexation is appropriate at this time, this is only a recommendation. Ultimately the City Council will be responsible for the final decision on the applicant's annexation request. If Council does annex the subject property then a zoning classification to DR would be appropriate.

## **SKETCH PLAN REVIEW**

General: The purpose of the sketch plan is to allow a review of the concept and the appropriateness of the proposed development in order to identify major problems which must be resolved and to assess the overall feasibility of the request. Approval of the sketch plan does not bind the Planning Commission to approve a preliminary plan, nor does it confer any vested rights upon the applicant.

The applicant has submitted a sketch plan for a residential development on approximately 34.403 acres located on the south side of Baseline Road, approximately 1 mile west of 95<sup>th</sup> Street. The plan includes 87 residential units (46 single-family & 41 Townhomes). The applicant has also indicated the future zoning of the property to be residential, however the exact residential designation has not been identified by the applicant. To support the townhome portion of the development the most likely zoning designation would be R3/PUD (Multifamily Residential/Planned Unit Development) or a combination of R1 (Medium Density Residential) and R3.



The Comprehensive Plan Land Use map designation for the subject property is low density residential. This is defined as future residential land with three (3) dwelling units or less per developable acre based on the property's gross developable acreage (i.e. including streets, parks, and other public land areas and open space).

The project is intended to be developed in phases starting on the north adjacent to Baseline and moving south. The project narrative indicates completion of the homes will be over a 5-year period based on building permit allocations. As mentioned previously during discussion of the proposed annexation, staff is unable to say at this time if any permits will be available through growth management for the next 6-year cycle beginning in 2019. Availability of permits will depend on projects already in the City and moving through the development review process.

PUD (Planned Unit Development): A PUD is required for all residential development that does not qualify as a minor subdivision. **The intent of the PUD requirement is to promote the most beneficial and creative development of the land.** A PUD permits greater flexibility in design by having the effect of overlaying the existing zoning district and thereby adding to and modifying the existing zoning regulations. A PUD may modify any measurable standard of Lafayette's Development and Zoning Code, except those specified in Section 26-18. The sketch plan includes a number of PUD modifications primarily for the townhome portion of the development. These modifications are listed below:

#### Proposed Code Modifications

- A reduction in frontage on a public street from 25 feet to 0 feet;
- A reduction in the front yard/street setback from 25 feet to 10 feet from the building, not the lot line;
- A reduction in the minimum lot area to 1,260 square feet;
- A reduction in the rear yard setback to 5 feet for the alley loaded townhome units;
- An increase in lot coverage from 30% to 90% for the townhome lots.

It is difficult for staff to ascertain what the actual setback reductions will be related to the proposed modifications since a specific zoning district has not been identified. The proposed Code modifications are not out of character for a townhome development however, **staff believes the development of townhomes on the subject property would be out of character with the neighborhood.** If the sketch plan is approved by the Planning Commission and the annexation by City Council, detailed architectural plans will be submitted with the Site Plan/Architectural review application at the time of preliminary plan review.

The Code requires any future residential PUD to be reviewed against the criteria of Section 26-18-5 similar to annexation review. The following criteria have been analyzed relative to the proposed development.

Water and Wastewater: The City has or will have the capacity to provide water and water reclamation service to the subject property in the future subject to updates to the water and wastewater master plans mentioned previously in the report. At this time the subject property is not addressed in either of the master plans and would need to be prior to development.

Also for consideration is Section 1.1.2 of Resolution 2012-21 which include the mandatory and aspirational standards for residential projects. The mandatory standards outlined in the resolution shall be met. Failure to meet any mandatory standard shall constitute grounds for denying the sketch plan. Section 1.1.2 states that it is reasonably likely that the proposed development will be able to begin receiving building permits within 2 years after the final plan is approved. As stated previously, at this time the City is uncertain if permits will even be available in the next 6-year growth management cycle ending in 2024, let alone in 2 years.

Engineering/Utilities: Gas and electric service appears to be available to the proposed development according to comments received by Xcel. The city engineer has reviewed the sketch plan and found that the property was not currently in the service plans for the City and would have to be added prior to any future development.

Public Safety: Staff referred the sketch plan to both the Police Department and Fire Marshall. Neither expressed concerns with the proposal.

Open Space/Recreation: The sketch plan indicates that the development will exceed the minimum public land dedication of 15% (5.16 acres) with a total of 9.21 acres or 26.8%. The Parks, Recreation & Open Space department indicated the City would not be interested in taking over maintenance of any land dedicated to satisfy the public land dedication requirement. LOSAC was not supportive of the proposed public land dedication and instead recommended cash-in-lieu.

Section 4.12 of Resolution 2012-21 states that all parks and trail facilities shall comply with all adopted parks, trails and recreation master plans. As mentioned previously, the trails do not comply with the PROST Master Plan because they will connect to social trails on adjacent open space that are not recognized trails by the municipalities maintaining the open space.

Schools: The Boulder Valley School District (BVSD) has indicated that the proposed development would be served by Coal Creek Elementary, Louisville Middle School and Monarch High School all located in Louisville. The following student numbers are expected to be generated from the development:

|                   |           |
|-------------------|-----------|
| Elementary School | 18        |
| Middle School     | 9         |
| High School       | 13        |
| <b>TOTAL</b>      | <b>40</b> |

The School District has indicated that this development can be served at the elementary, middle school and high school level with existing and planned school facilities.

Community Housing Needs: This criteria is intended to promote a variety of housing types, prices and ownership forms. While the sketch plan does propose large-lot single-family and townhomes staff believes there are developments within the City that currently are or will provide this type of housing and that this subdivision is not needed at this time.

Developer's Ability to Complete the Project: This is the first project for the developer in the City of Lafayette. The project narrative indicates the applicant has developed several projects around Colorado including in Louisville. Staff does not believe this criterion is relevant at this time due to the recommendation to not annex the property at this time.

Build-out Rate & Growth Management Priority Status: This subdivision will be subject to a growth management priority status and building permit allocations. As mentioned during the annexation discussion, the City is unsure that permits will be available for this project in the next 6-year growth management cycle running from 2019-2024. As such there are projects in the City that have already received approval which will have to take from the allocations available in the next growth management cycle. Staff does not believe the build-out rate mentioned in the narrative would be achievable if permits are not available.

Sections 10.1.1 and 10.1.2 deal with the expected build out rate and ability to obtain permits under the Growth Management Charter. Staff believes it is not likely the development has a reasonable likelihood of completion given the unknown status of building permits available in the growth management building permit allocation cycle from 2019-2024.

Community Amenities: Amenities include a centralized meeting spot and several trail connections to the adjacent open space. The entities maintaining the open space (Lafayette, Boulder County) do not recognize any formal trails on the open space property and do not support the proposed trail connections to the open space at this time.

#### Goal Fulfillment:

While portions of the project comply with some of the goals and policies of the City's Comprehensive Plan, staff is concerned about several of the policies regarding development that this proposed project does not meet. The following are some of these Comprehensive Plan policies for your consideration, that staff believes this project does not meet:

- Policy B.2.2: Encourage compact and clustered development to facilitate more efficient provision of utility, drainage, and transportation infrastructure; community services; and, community facilities.
- Policy C.2.2: Development should provide pedestrian connections to adjacent development and whenever feasible to existing and proposed trail systems as identified in the PROST Master Plan.
- Policy C.3.1: Encourage new residential developments to provide a variety of housing densities, styles, and price ranges.
- Policy C.3.4: Ensure proposed residential developments provide adequate community facilities, physical infrastructure, and services.
- Policy C.3.8: Ensure that new residential development provide pedestrian connections to adjacent development and whenever feasible to existing and proposed trail systems as indicated on the PROST plan.
- Policy D.1.1: Ensure that both the scale and appearance of proposed development and redevelopment responds appropriately to adjacent development and provides a compatible transition to existing neighborhoods.
- Policy D.1.3: Cluster development within parcels to increase open areas and public access.
- Policy G.2.6: Encourage the development and maintenance of bike routes, which include trails, paths, and street bike lanes, to complement an enhanced multipurpose trail system.
- Policy G.3.1: Ensure that pedestrian and bicycle routes, which include trails, paths, sidewalks, and street bike lanes, are planned and built to allow users access to key city destinations, and are integrated with and strengthen the City's alternative transit system.
- Policy H.1.2: Ensure proposed development plans maximize park services through land dedication requirements and that new park, open space and trail sites are located appropriately.
- Policy J.2.7: Protect wildlife habitats and wetlands.

Once again, it is important to consider that not all projects will meet all of the various policies within the Comprehensive Plan. However, staff is concerned with a proposed project that does not appear to comply with several of the important policies dealing with new development within the City. It is also important to remember that the property is within the Lafayette Urban Growth Boundary. It is expected that development will occur at some time in the future on this property but at this time staff does not believe annexation into the City and this particular sketch plan are appropriate for the subject property.

**City's Financial Ability to Serve:** There are existing City developments to the west of the subject property that are serviced by the City. It is anticipated that the City will be able to adequately serve development on this property in the future.

Transportation: Vehicular access is proposed to be from Baseline Road and Nyland Way. Pedestrian and bicycle access can also be accommodated from improvements to Baseline Road and Nyland Way. The project narrative indicates improvements to Baseline Road will include widening for a turn lane and an area for a bike lane along the property's frontage. The sketch plan indicates attached sidewalks within the development will be 4 feet wide. The public streets within the development will provide access to each lot and would be built to City standards. There is a bus stop located near the property on Baseline Road at Nyland Way west of the subject property. This stop is serviced by the 225 route which connects from the Boulder downtown transit station to the Lafayette Park-n-Ride in downtown Lafayette.

Environment: There are two (2) irrigation ditches that traverse the property. It is also surrounded by open space property on the south property line and portions of the eastern and western boundaries of the property. The development as proposed in this sketch plan would include a request by the ditch companies to pipe the ditch laterals underground. The sketch plan does include a proposed easement over the ditches that could be landscaped however, removal of the natural habitat created by the open ditches could affect the overall open space areas surrounding the property. The City understands the ditch companies have the right to require undergrounding of ditches. The City also understands the ditch companies can underground their irrigation ditches at any time without any impending development. However this is usually unlikely to happen as historically the ditches are open. Due to the design of this project staff believes a good number of existing habitat areas will be negatively affected. This sentiment is also echoed by the City of Lafayette Open Space Advisory Committee (LOSAC), Louisville open space advisory committee and Boulder County Open Space staff. Prior to future development on the property, an ecological/wildlife study will need to be conducted by a qualified professional to determine if the project area supports important plant communities, wildlife habitat, or potential habitat for special status species.

Mandatory standard Section 15.1.1 of Resolution 2012-21 requires proposed developments be designed to recognize and mitigate impacts on wildlife areas as defined by the Division of Wildlife. As previously mentioned the Division of Wildlife and Boulder County wildlife maps do not indicate formal wildlife areas on the subject property, however with the current state of the irrigation ditches traversing the property it would seem that wildlife habitat does exist. With the design of the proposed subdivision the ditch companies are requesting the ditches be piped. This would most likely have a negative effect on the wildlife population in the area especially on the adjacent open space properties.

Cultural: It is unknown what, if any, cultural resources exist on-site. According to the Boulder County Assessor records the current home on the property was constructed in 1986. Prior to future development of this property it would be appropriate to conduct a Cultural Resources

Survey to ensure there are no important cultural resources exist on the site from the areas past.

Diversity and Quality of Development: The intent of this criterion is to encourage residential developments that present a diversity of design, a feeling of spaciousness, and an enhanced quality of life. Staff does not believe this proposed development would include a diversity of design but more importantly would not enhance the quality of life of either the existing neighbors or future residents of the subdivision.

Drainage: Storm drainage is intended to be accommodated on-site with multiple detention ponds scattered throughout the various detention basins. These proposed improvements will be included in a formal drainage analysis and plan submitted with any future preliminary plan.

Water Rights: Water rights for any future residential development on this property will most likely be required to dedicate shares of Colorado Big Thompson (CBT) water to satisfy the water dedication needed to service the development.

Public Land Dedication: The public land dedication for this subdivision is 15% or 5.16 acres. The sketch plan proposes a public land dedication of 9.21 acres or 26.8%. The Parks, Recreation & Open Space department indicated the City would not be interested in taking over maintenance of any land dedicated to satisfy the public land dedication requirement. LOSAC was not supportive of the proposed public land dedication and instead recommended a substantial portion of the southern 2/3<sup>rd</sup> of the property be dedicated as open space and if not the public land dedication requirement be satisfied by the payment of cash-in-lieu for the 5.16 acres.

Landscaping: The applicant has submitted a sketch plan level landscape plan for the site. The plan includes the required street trees along with a landscaped entry areas. The Site Plan/Architectural Review, which would be required to be submitted with the Preliminary Plan if the sketch plan and annexation are approved, will include a more detailed landscape plan for staff and Planning Commission review.

Visitability: This project would be subject to the Visitability regulations adopted by the City Council in September 2007. The Visitability ordinance states that a minimum of 25% of the dwelling units within the development shall comply with the Visitability criteria, which includes a zero step entry, wider hallways and a ground level bathroom that can accommodate a wheelchair. Of the 87 proposed dwelling units, 22 units would need to comply with the aforementioned criteria. The Visitability criteria also include provisions for the geographical dispersion of units throughout the development where possible due to site grading.

## **SUMMARY**

The property is within the City's Urban Growth Boundary and is eligible for annexation per the requirements of the Colorado State Statutes. However staff does not believe the proposed annexation and sketch plan complies with the goals and policies of the Comprehensive Plan and the applicable criteria of Section 26-18-5 established by Code §26-5-1(a).

The sketch plan area is approximately 34.4 acres and includes 87 residential units (46 single-family & 41 Townhomes). The plan also includes a proposed public land dedication of 9.21 acres or 26.8%. LOSAC as well as Boulder County has indicated that it would be preferable to have a larger open space dedication adjacent to the existing open space.

Staff believes the annexation and concept of the sketch plan are not appropriate for the site. The plan does not comply with policies of the Comprehensive Plan, or the review criteria of Section 26-18-5 and several of the mandatory standards of Resolution 2012-21 as stated previously in the report. Subject to the concerns expressed by staff, staff does not support the proposed annexation or sketch plan as submitted.

## **RECOMMENDATION**

### **1. Annexation**

Staff recommends denial of the annexation request, that while the proposed annexation meets the contiguity requirements for annexation, the annexation was reviewed against the applicable criteria of Section 26-18-5 of the Code as required by Code Section 26-5-1 governing annexations to the City and does not meet the applicable criteria and that at the current time as bringing additional residential land into the City limits in this location will cause a stain on the ability of the City to serve its existing residents and therefore is not advisable or in the best interest of the City.

### **2. Zoning**

If the property is annexed into the City, Staff recommends approval of the zoning to DR (Developing Resource), however staff does not recommend annexation at this time. If the annexation is denied, the City will not have jurisdiction to zone the property.

### **3. Sketch Plan**

If the property is annexed into the City, Staff recommends denial of the Leven Neighborhood Sketch Plan believing the plan does not meet the review criteria of Section 26-18-5, specifically, the property is not currently in the service area boundary for providing water and wastewater services, the type of housing proposed is or will be provided by developments already within the City, it is unclear whether permits will be available for the subject property within the next 6-year growth management cycle, the proposed community amenities such as trail connections to adjacent open space are not supported by the City, the plan does not comply with a number of Comprehensive Plan policies, the proposed piping of the ditches on

the property may adversely affect wildlife on the property and the proposed design of the subdivision will not enhance the quality of life for current or future residents. Additionally, several mandatory standards for residential developments as outlined in Resolution 2012-21 have not been met including, Sections 1.1.2, 4.1.2, 10.1.1, 10.1.2, and 15.1.1 as outlined in the staff report.

## MOTIONS:

### 1. Annexation

#### Proposed Motion for Denial:

The Planning Commission recommends that City Council deny the requested annexation because the annexation is not consistent with Comprehensive Plan goals and policies, the criteria for annexation has not been met including the applicable criteria of Section 26-18-5, and the annexation is not in the best interest of the City. Additionally, the Planning Commission believes that bringing residential property into the City jurisdiction at this location, and at this time, will strain available city resources and therefore impact the ability of the City to provide essential service to the remainder of the City.

#### Proposed Motion for Approval:

The Planning Commission recommends approval of the requested annexation, finding that the annexation complies with Comprehensive Plan goals and policies, the criteria for annexation have been met, and the annexation is in the best interests of the City.

### 2. Zoning

#### Proposed Motion for Denial:

Subject to denial of the annexation by the City Council, the Planning Commission recommends denial of zoning the property to the Developing Resource (DR) district, finding that the zoning request does not meet the zoning criteria of Section 26-16-8 and is not necessary due to changing conditions in the area.

#### Proposed Motion for Approval:

If the property is annexed into the City, the Planning Commission recommends approval of the Developing Resource (DR) zoning, subject to staff's recommended condition, finding that zoning complies with the zoning criteria and is necessary due to changing conditions.

### 3. Sketch Plan

#### Proposed Motion for Denial:

If the property is annexed into the City, the Planning Commission denies this request for sketch plan approval finding that the proposal does not comply with the review criteria of Section 26-18-5 specifically, the property is not currently in the service area boundary for providing water and wastewater services, the proposed housing type is already being provided by developments within the City, it appears permits may not be available for the subject property within the next 6-year growth management cycle, the proposed community

amenities are not appropriate for the development, the proposed piping of the ditches on the property may adversely affect wildlife on the property, and the proposed design of the subdivision will not enhance the quality of life for current or future residents. In addition Planning Commission finds that several mandatory standards for residential developments as outlined in Resolution 2012-21 have not been met including, Sections 1.1.2, 4.1.2, 10.1.1, 10.1.2, and 15.1.1. Additionally the plan does not comply with a number of the Comprehensive Plan's goals and policies including providing compact and clustered development to facilitate more efficient provision of utilities, clustering development on the property to increase open areas, and the scale and appearance of the proposed development does not respond appropriately to adjacent development nor provide a compatible transition to existing neighborhoods.

Proposed Motion for Approval:

If the property is annexed into the City, the Planning Commission approves this request for sketch plan approval, finding that the proposal complies with the requirements for sketch plan submittal; the PUD criteria; and the Comprehensive Plan's goals and policies.

Attachments:

- Applicant's narrative
- Residential Development Questionnaire
- Neighborhood meeting sign-in sheet and comments
- Resolution 2012-21
- Adjacent property owner/neighborhood comments
- Annexation Plan
- Zoning Plan
- Sketch Plan
- Connectivity Plan
- Landscape Plan

LD Baseline, LLC  
111 West Cannon Street  
Lafayette, CO 80026

January 26, 2018

Mr. Paul Rayl  
Planner II  
City of Lafayette  
1290 South Public Road  
Lafayette, CO 80026

Dear Paul,

Please find enclosed the submittal information for the Annexation, Rezoning and Sketch Plan applications for the proposed new neighborhood herein referred to as the Leven Neighborhood. The 34-acre property is generally located southeast of the intersection of Baseline Road and Nyland Way. More particularly described as being located in the East one-half of the Northwest one-quarter of Section 6, Township 1 South, Range 69 West of the 6th PM, County of Boulder, State of Colorado. The property addresses are 8600 and 8602 Baseline Road.

The following letter describes the property; the development intent; compliance with the City's Comprehensive Plan; and benefits of annexation, zoning and development within the City of Lafayette.

1. **Property/Ownership**

T.G. Broida Living Trust, C/O Vista Consulting Ltd  
Attention: Kenneth Finkel  
8600 Baseline Rd  
Lafayette, Co 80026  
[kencfinkel@gmail.com](mailto:kencfinkel@gmail.com)  
Boulder County Parcel ID# 157-506-10-0050 and 157-506-10-0051

2. **Applicant/Developer**

LD Baseline, LLC, C/O Nest Home Company, LLC  
Attention: Reid Phillips  
111 West Cannon St  
Lafayette, Co 80026  
(719)510-1360  
[reid@nesthomecompany.com](mailto:reid@nesthomecompany.com)

### **3. Design Team**

Civil Arts  
Attention: Frank N. Drexel, PLS  
1500 Kansas Avenue, Suite 2-E  
Longmont, CO 80501  
(303) 682-1131  
[fdrexel@civilarts.us](mailto:fdrexel@civilarts.us)

Henry Design Group, Inc.  
Attention: Karen Z. Henry, PLA  
1501 Wazee Street, Suite 1-C  
Denver, CO 80202  
(303)446-2368  
[khenry@henrydesigngroup.com](mailto:khenry@henrydesigngroup.com)

### **4. Developer's Intentions**

LD Baseline, LLC is currently under contract with T.G. Broida Living Trust to purchase the property. Nest Home Company, LLC will develop the property and build the majority of the homes.

### **5. Development Schedule**

The goal is to begin land development upon completion of the entitlements. The development will be constructed in 2 phases working from north to south. Completion of the homes will be over a 5-year period based on building permit allocations. The intent is to construct the townhomes and a portion of the single family homes concurrently, if possible, based on the allocation.

### **6. Zoning**

Existing zoning: Boulder County Rural Residential (RR)  
Proposed zoning: Initial Zoning: Developing Resource (DR)  
Ultimate Zoning: Residential PUD

However, the overall density of the neighborhood is proposed at 2.53 dwelling units per acre gross which is more in keeping with the R-O district.

### **7. Exceptional Quality and Benefits to the City**

The Leven neighborhood will be a showcase of sustainable home development in the country by utilizing a combination of state of the art infrastructure design and preservation of open space surrounding the community.

The Leven neighborhood will be incorporating community wide geothermal heating and cooling systems using public streets and community owned storage. The system will use technology from a local company, Generative Technology Operatives, to provide onsite energy production to limit the neighborhood's impact on the environment. This geothermal system also has a unique side benefit of acting as a natural snow melt system for the public streets and sidewalks that are incorporated into the neighborhood. In addition to the community geothermal system, the Leven

neighborhood will also be incorporating individual passive solar systems on each home to bring the community to as close to net zero as possible.

The site will also provide a significant benefit to the City through public land dedication of 9.21 acres of its land as a buffer of the current Lafayette city boundaries adjacent to, Boulder County, Louisville and Lafayette owned open spaces.

## 8. Neighborhood Description

The proposed new Leven neighborhood is located on 34.4 acres generally located at the southeast corner of Baseline Road and Nyland Way. The property is proposed for annexation into the City of Lafayette which is in compliance with the City's designated Urban Growth Boundary. The Sketch Plan and narrative provide information and illustrates the design intent of the neighborhood. Planning objectives of the Leven neighborhood are to foster the goals and objectives of the City of Lafayette's 2013 Comprehensive Plan by providing housing choices and sustainability, while being supportive of the attainable housing goal by committing to provide 200% of the current Lafayette affordable housing fee in support of the affordable housing initiative.

The Leven neighborhood will be comprised of two housing types, single family detached homes on lots ranging from one-quarter to one-third acre lots and townhomes. The two housing types are strategically located given the infill nature of the site and adjacent uses. The large lot single family homes are located where adjacent to other residential neighborhoods. The townhomes are located at the northwest corner of the site adjacent to Baseline Road and Nyland Way across from the City's water plant.

Common open space and trail corridors are provided throughout the neighborhood and along property edges as a transition from private lot areas to existing residential and native open space. Most of the proposed homes are adjacent to common open space.

Trail connections will tie into the social trails within the adjacent public open space, to sidewalks along local streets, Baseline Road and Nyland Way. The trails do not tie directly into the adjacent neighborhoods. A bike lane will be provided along the southern edge of Baseline Road. The trails, walks and bike lanes provide public access to nearby bus stops along Baseline Road at Nyland Way and Elgin Street. Gathering spots and seat nodes will be provided at trail intersections.

The intent is to pipe the Goodhue and Davidson Ditches as they traverse the site in an east/west direction. The ditches along the western edge of the site will not be piped. The desire is also to provide a trail along the ditch open space corridor. The ditch piping, amount of open space, preservation of the existing trees and location of a trail corridor will be determined through coordination with the ditch companies and City of Lafayette. Currently, the open space along the ditches is indicated on the Sketch Plan at a minimum of 130 feet wide. Based on decisions by the ditch companies, this area may need to be revised.

The landscape design is intended to be informal in character to blend into the surrounding community and open spaces. Existing trees along the ditches and near the existing home will be maintained to the extent practical. A 10-foot wide streetscape zone located behind the attached walk on local streets is encouraged. The streetscape zone will be within the individual lots but placed to create a more pleasing walking environment and shade along the streets. Enhanced landscaping will be provided along Baseline Road to create a buffer and highlight the frontage and entry into the neighborhood. Internal open space/trail corridors and perimeter buffers will be more native in character to provide a transition between the private lot area and the adjacent open space. All landscaping will incorporate water wise design techniques in both the plantings and irrigation to ensure water conservation. Landscaping within the open spaces area will incorporate native vegetation which is attractive to wildlife. The design guidelines for the neighborhood will include information on xeriscaping to encourage less water usage.

Primary access to the neighborhood will be from Baseline Road. A modest entry monument will be provided at this location to announce the arrival into the neighborhood. A series of loop streets and cul-de-sacs provide access to the homesites. A 45-foot wide local street right-of-way is proposed which allows for two travel lanes, parking on both sides of the street and an attached walk.

Secondary access is provided to Nyland Way, which is a public street. Access will be at the same location of the existing bridge over the ditches. The bridge and access will be improved to accommodate emergency vehicles. No vehicular access is proposed into the adjacent neighborhoods. However, this secondary access will provide an additional point of access for the Nyland Community as well for use by emergency service providers given the neighborhood has only one access.

Drainage will be conveyed through the site to a detention and water quality pond at the low point of the site in the northeast corner. Drainage will be conveyed through

surface drainage swales and storm pipe. Drainage exiting the site may not exceed historic rates in accordance with all regulations.

A goal within the City's Comprehensive Plan is sustainable communities. A part of an integrated system of components, the Leven neighborhood will fulfill this goal. The components will include, community geothermal heating and cooling system as well as passive solar system on each home; building materials and construction methods, energy efficiency with all homes being certified by DOE Zero Energy Ready Home Program of renewable energy; water conservation both inside the home and within the landscape; connections throughout the community to encourage walking and biking; and a neighborhood design that is not tract housing and respectful of adjacent neighbors.

## 9. **Adjacent Land Uses and Zoning**

North: Baseline Road borders the northern edge of the site. Land use and zoning north of Baseline Road include large lot single family residential with lot sizes ranging from 1.0 acre to 1.5 acres in size. The sites are zoned RR in Boulder County. Six home sites are located north of Baseline Road along the frontage of the Leven Neighborhood. Each home has direct driveway access to Baseline Road.

South: City of Lafayette Open Space borders the south edge of the site and is zoned Public. The Open Space is unimproved and contains a social trail. There are no streets accessing the Open Space. The social trail connects to the Nyland Community. A concrete trail within the City of Louisville open space is in close proximity to the southeast corner of the property.

East (north): Three homes are located east of the property north of the Goodhue and Davidson Ditches. The homesites are zoned RR in Boulder County and are approximately 4-acres in size. Access to these homes is via Snowpeak Lane which connects to Baseline Road.

East (south): City of Lafayette Open Space is located between the Site and the Goodhue and Davidsons Ditch and is zoned Public. The Open Space is unimproved and contains a social trail.

West (north): The Goodhue and Davidson Ditch are located along the western property line. West of the ditches are Nyland Way and the City of Lafayette Baseline Water Plant. Access to the plant is via Nyland Way.

West (south): The Nyland Community borders the west property line and is zoned RE-1 in the City of Lafayette. According to the Nyland Subdivision Replat A, the subdivision is a total of 42.96 Acres. Platted Lots 43 through 76 totalling approximately 12.1 acres and 8.99 acres of open space are owned and maintained by the Nyland Community Association. No structures may be constructed on these lots unless approved by Board of Directors of the Association and the City of Lafayette. Forty-two platted lots and homes are clustered in the southern portion of the neighborhood on 2.95 acres. The homes are accessed from Nyland Way cul-de-sac which connects to Baseline Road. A private loop drive provides access to the homes and designated parking areas. 14.46 acres of open space located along the southern and eastern boundary of the neighborhood was dedicated to the City of Lafayette. The Nyland Community is separated by this open space tract where adjacent to the proposed Leven neighborhood.

## 10.. Existing Site Conditions

Topography: The Leven Subdivision site is 34.402 acres of gently sloping topography from a high point elevation of 5464 located in the southern portion of the site to the low point elevation of 5409 located in the northeast corner of the site.

Ditches: The Goodhue and Davidson Ditches traverse the site in an east west direction thereby bisecting the site into two areas. The ditches generally parallel each other with land between and alongside the ditches which appear to be outside of the ditch easements. Existing vegetation including Cottonwoods, Wild Plum and other riparian species parallel the ditches due to the availability of water. Preliminary discussions with Brad Dallum with the City of Lafayette indicate a preference for piping the ditches to maintain a consistent water flow within the ditches. Portions of the ditches flow in a north south direction off-site along the western property line. This portion of the ditches will not be piped. A head-gate controlling the water flow will stay in place.

Manmade Features: One existing home, barn, paddock, riding ring and grazing area are the only manmade features on the site. The existing home will remain as a lot within the proposed subdivision.

Easements: Several easements traverse the site.

1. A 30- foot wide right of way for Baseline Road is located south of the property line on the northern edge of the site.
2. A 30-foot wide City of Lafayette Water, Sanitary Sewer and Communications easement parallels the southern edge of the right-of-way.

3. An additional 20-foot wide City of Lafayette Water Easement parallels the 30-foot wide easement. A temporary 20-foot wide easement is located south of the above stated easements.
4. A City of Lafayette exclusive 20-foot wide access easement for parkland maintenance is located along the western property line of the site.
5. A 32-foot wide access and utility easement for Berger and Banman is located along the western edge of the property
6. All rights of the Goodhue Ditch Company and the Davidson Ditch Company relating to the Goodhue and Davidson ditches that traverse the site including but not limited to ditch maintenance and access rights to lands adjoining the ditch or canal as disclosed by the Boulder County Assessor Map for Section 6, Township 15, Range 69 West of the 6<sup>th</sup> PM.

Existing Vegetation: Several planted trees exist around the home and associated facilities on site. These trees have been surveyed by an arborist and are included in this Sketch Plan submittal. Native trees along the ditches have not been surveyed given the uncertain status of the ditches. If the ditches are piped, the trees will be evaluated by an arborist for health and safety conditions. Irrigation will be provided to the trees which are recommended for preservation by the arborist.

## 11. Parks and Open Space

Although open space and trails are provided throughout the neighborhood, the City has indicated they do not have an interest in additional park land dedication. Therefore, public land dedication requirements of 15% of the land area or 5.16 acres will be met through the dedication of open space as requested by the City and adjacent neighbors. The Sketch Plan proposes 9.21 acres or 26.8% of the land area to be maintained as open space.

Additionally, open space borders the west, east and south sides of the property. The City has no formal trails within the area and there is nothing in the PROST Plan that refers to any future desire to formalize trails in this area. The City's management plan for the site speaks to potentially connecting to the formalized trails in Louisville, but mostly encourages the City to restore the property to native prairie. With four different organizations owning open space in this area, an all-encompassing trails plan is not on the horizon. That coupled with the request by the Nyland Community during an on-site meeting with the City last year asking the City to ensure the installation of signage along the Nyland Community borders prohibiting connections through the neighborhood. The residents use the social trails to access

the formalized trails in Louisville but do not want any trespassing into the Nyland property citing safety concerns.

Social trails exist throughout the open space and will most likely continue. It is the applicant's understanding that County Rangers are in the process of developing an agreement to patrol the entire property regardless of the jurisdiction. However, it remains to be seen if they will issue citations for social trail use or if the City will continue to allow for the use here.

**12. Schools**

The applicant will work with the Boulder Valley School district to address needs of the District. It is anticipated that cash-in-lieu of land will be provided to the District.

**13. Land Dedication, Ownership and Maintenance**

All roads within the Leven neighborhood will be public with attached walks and will be owned and maintained by the City of Lafayette. Private alleys are proposed within the townhome area that will be owned and maintained by the homeowner's association. All common open space and detention facilities will be owned and maintained by the homeowner's association. The Goodhue and Davidson Ditches will remain in their current ownership. Maintenance of the ditches will be dependent on the ultimate design of the ditch area.

**14. Fire and Emergency Services**

Fire and emergency services will be provided by the City of Lafayette once the property is annexed into the City. The applicant will need to de-annex from the Rocky Mountain Fire District to ensure fire protection services by the City.

**15. Public Infrastructure and Services**

- A. Baseline Road will be repaved and improved with an 8-foot wide detached sidewalk and a 6-foot wide on-street bike lane along the frontage of the property.
- B. The site will be annexed into the Northern Colorado Water Conservancy District which will allow the City to serve the neighborhood. The City's central water system will lessen the impact on existing wells in the area given no new wells are proposed. All homes will be served by sanitary sewer provided by the City; however, the service area boundaries will need to be expanded to provide these services. The developer will work with the City to facilitate the expansion of the service area boundaries.
- C. All roads will be constructed to City standards.

- D. The bridge over the Goodhue and Davidson Ditches on the western edge of the property providing a secondary access will be improved to accommodate resident's vehicles as well as life safety vehicles.
- E. Preliminary intentions are to pipe the Goodhue and Davidson Ditches in accordance with the Ditch Company's requirements.
- F. Easements will be established through the neighborhood for public trails if necessary.
- G. The site is currently in the City's Urban Growth Boundary; however, it is not within the current Service Area.

**15. Land Use Data**

- A. Number of proposed occupants:  $87 \times 2.3$  people per DU (per last census data) = 200 residents
- B. Type of Dwelling Units:
  - 46 Single Family Detached homes
  - 41 Townhomes
- C. Maximum residential density: 2.53 dwelling units per gross acre
- D. Area of proposed non-residential construction: 0 acres
- E. Total area of Open Space: 9.21 (26.8% of site area)
  - Includes 2.95 acres of ditch easements and 1.79 acres of detention
- F. Off-street parking:
  - Townhomes: 2 car attached garage for each home
    - 39 off street parking spaces (.95:1 ratio)
  - Single Family Detached: Minimum 2 car garage + minimum 2 spaces in driveway for use by guest or resident
    - Guest parking on adjacent public streets

**16. Planning Objectives to be achieved by a PUD**

- A. The townhomes do not front on a public street. The majority of the homes face common open space and are served by a private drive/alley at the rear of the townhome. A public access and utility easement will be placed over the alleys.
- B. Reduction in lot area from 2,000 SF to 1,260 given the lot line is typically 5 feet off the building footprint and the balance of the area is common open space.
- C. Setback to a local street shall be 10 feet to the building not the lot line.
- D. Reduction in front and rear setback to 5 feet. The homes are rear loading to the private drive/alley to the attached garages. No parking is permitted in the driveway apron off the alley. Parking is provided at a rate of .95 off-street guest spaces per unit and 2 resident parking spaces in the attached

- garage. All building setbacks were set at 5 feet to create additional common open space.
- E. Lot coverage of 90% given minimal setbacks to provide for common open space.

**17. MINERAL OWNERS**

Mineral owners are listed in the Boulder County Assessor's records as follows:

|   |  |
|---|--|
| Magnolia Mineral Trust, LLC<br>2273 Fillmore Street<br>Denver, CO 80210 | LCB LTD ETAL<br>PO Box 958<br>Golden, CO 80402 |
|---|--|

**18. Compliance with Goals of the Comprehensive Plan**

The Leven neighborhood addresses and meets many of the Goals and Policies of the Comprehensive Plan.

***Goal A.: Collaborate with local jurisdictions and agencies to implement the Comprehensive Plan***

*Policy A.1.2: Work toward agreements with all utility and service providers operating within and near the City of Lafayette to ensure that future service extensions and improvements are consistent with the City of Lafayette Comprehensive Plan's goals and policies..*

The applicant will de-annex the land from the Rocky Mountain Fire District and concurrent with annexation of the Property to the City of Lafayette be served by the Lafayette Fire Department. The applicant will also ask for inclusion of the property into the Northern Colorado Water Conservancy District facilitating the ability of the property to be served with water by the City of Lafayette.

***Goal B: Growth Management***

*Policy B.1.1: Prohibit annexations outside the Urban Growth Boundary indicated on the Land Use Plan.*

The parcel is located within the City's Urban Growth Boundary. The site is adjacent to existing development within the City and has the potential to be efficiently served by utility infrastructure and exiting community services and facilities. The proximity of the City's water plant and Nyland Subdivision enable the logical extension of services.

*Policy B.1.2: Ensure that conditions stipulated in all annexation agreements between the City and an annexor(s) benefit both existing and future City residents alike and fully address the City's goals and policies.*

The Annexation Agreement will ensure the annexation is beneficial to both the applicant and the City by providing dedicated open space and 200% of required funding for Lafayette's affordable housing initiative.

***Policy B.2.1:** Ensure that adequate utility, drainage, transportation infrastructure, community services and community facilities are available to appropriately serve any proposed development or redevelopment. If such facilities and services are not available or determined to be inadequate, the applicants of the proposed development or redevelopment should dedicate proportional funding to expand these elements.*

The annexation agreement will ensure that adequate utility, drainage, transportation infrastructure, community service and community facilities are available to serve the proposed development. It is understood that the applicant will be responsible for providing a proportionate share of funds to expand the services if necessary.

***Policy B.2.2:** Encourage compact and clustered development to facilitate more efficient provision of utility, drainage, and transportation infrastructure, community services and community facilities.*

To the extent possible, the services are planned to be efficient, while maintaining buffers on the site perimeters and compatibility with the adjacent varied land uses.

### ***Goal C: Land Use and Development***

***Policy C.1.1:** Ensure that proposed development and redevelopment projects conform to the Land Use Map's designations. Periodically review the Land Use Plan to ensure an adequate supply of land for all land use designations.*

The neighborhood is in compliance with the Land Use Map's designation of Residential Medium which provides for greater than three but no more than six (6) dwelling units per acre.

***Policy C.2.2 and C.3.8:** Development should provide pedestrian connection to adjacent development and whenever feasible to existing and proposed trail systems as identified in the Parks, Open Space and trails ("PROST") Master Plan or the Multi-Modal Transportation Plan map referenced in Policy G.2.12).*

Trails are provided throughout the neighborhood connecting to the adjacent open spaces, although no formal trails are existing. The trails also connect to Baseline Road where a bike lane is proposed to be constructed by the developer. Bus service is provided along Baseline Road by RTD via local route 225.

***Policy C.3.1:** Encourage new residential to provide a variety of housing densities, styles and price ranges.*

Two primary housing types are proposed on the 34-acre site. The townhomes and single family homes will offer two distinct densities, housing types and price points.

***Policy C.3.2:** Encourage street connections between proposed and existing residential neighborhoods. Impacts on existing neighborhoods will be considered and mitigated through the use of multiple access connections, traffic calming devised and/or street design standards that avoid straight, uninterrupted routes. Such techniques will be employed to minimize cut through traffic.*

The primary access into the neighborhood will be from Baseline Road, so as to limit impacts to the adjacent neighborhoods. Secondary access will be to Nyland Way where the intent is to minimize impacts to Nyland Way by limiting this access to emergency services only. However, the benefit to providing an access to Nyland Way is to create a second access point not only for the Leven neighborhood but to the Nyland Community as well. Currently the Nyland neighborhood has only one access point.

***Policy C.3.6:** Support innovative demonstration projects that offer potential alternative land development and construction techniques without jeopardizing health, safety, and welfare considerations.*

Alternative land development and building techniques will be provided to encourage sustainable communities by providing an integrated system of components. The Leven neighborhood will fulfill this goal. The components will include, community geothermal heating and cooling system as well as passive solar system on each home; building materials and construction methods, energy efficiency with all homes being certified by DOE Zero Energy Ready Home Program of renewable energy; water conservation both inside the home and within the landscape; connections throughout the community to encourage walking and biking; and a neighborhood design that is not tract housing and respectful of adjacent neighbors.

***Policy C.3.9:** Sidewalks should be of sufficient width to be an effective transportation corridor for pedestrians and bicyclist when in-street bike lanes are not present or impractical.* Sidewalks are proposed along all local streets. An 8-foot wide sidewalk and 6-foot wide bike lane is proposed along Baseline Road to provide pedestrians and bicyclist an effective alternative transportation method.

***Policy C.4.2:** Require adequate infrastructure improvements including paved access, utilities and controlled access from major collector and arterials.*

Adequate infrastructure improvements will be provided as part of the development of this site.

## **Goal D. Community Character**

**Policy D.1.1:** *Ensure that both the scale and appearance of proposed development and redevelopment responds appropriately to adjacent development and provides a compatible transition to existing neighborhoods.*

The Leven neighborhood is uniquely positioned as an infill neighborhood with a variety of adjacent land uses. The Sketch Plan has been designed to be compatible and provide a transition in land use with the neighboring uses. The townhomes are located in the northwest corner of the site where adjacent to the City's water plant and an arterial road. Detention, open space and the larger lots are adjacent to land zoned RR in Boulder County. A buffer and single family lots are proposed along the eastern and southern edge of the property where adjacent to City of Lafayette unimproved open space. A buffer and single family lots are also proposed along the western property line where adjacent to the Nyland community housing which includes 42 attached homes, parking areas and community gardens. The buffers and open space enhance compatibility between neighborhoods.

**Policy D.2.1:** *Improve the streetscape along important thoroughfare as, as identified on the Community Framework Map, to strengthen Lafayette's overall community image and to stimulate future development and redevelopment by providing a more attractive and cohesive street edge.*

Baseline Road is identified on the Community Framework Map as a "Major Road" corridor. As part of the development, additional right-of-way for Baseline Road will be provided and the road will be improved with a six 6-foot wide bike lane, detached 8-foot wide sidewalk and landscaping along the frontage of the Leven neighborhood.

**Policy D.3.2:** *Strengthen Lafayette's community edge to distinguish it from neighboring communities through continued preservation of open areas using all methods available; including acquisition of areas currently designated rural preservation.*

The neighborhood proposes open space buffers on all sides of the site increasing the open space separation between development within the City and adjacent communities.

## **Goal E. Housing**

**Policy E.1.1:** *Encourage residential development that supports the spectrum of housing needs in the community, including seniors, first time home buyers and entry-level and mid-level employees through the provision of a variety of housing types, prices, styles and size.*

The limited size, location of the site, limited access and adjacent land uses, limit the ability to offer a wide variety of housing. To aid in meeting this goal and policy, two types of homes are proposed. Both housing types will be attractive to a wide variety of home buyers while remaining compatible with the surrounding neighborhood.

## **Goal F: Economic Development**

**Policy F.4.3:** Ensure that new development provides safe, pedestrian-friendly barrier free streetscape design.

All local streets within the Leven neighborhood will be designed and constructed by the developer to City Standards.

**Policy F.4.4:** Identify where public right-of-way improvements could be made to enhance safe, pedestrian-friendly, barrier free streetscapes.

Baseline Road will be improved along the frontage of the site to include a bike lane and detached walk.

## **Goal G: Transportation**

**Policy G.1.1:** Construct all new roadways according to the City's adopted design standards and classifications.

All local streets within the Leven neighborhood will be designed and constructed by the developer to City Standards.

**Policy G.1.2:** Require new development to provide appropriate street consistent with anticipated volumes and speeds based on documented and agreed upon traffic impacts from new development.

The final street design and necessary improvements to existing streets needed to serve the neighborhood will be coordinated with the City to mitigate and limit impacts to the existing street system. New streets internal to the neighborhood will be designed to meet the needs of the residents.

**Policy G.1.3:** Coordinate transportation planning in situations involving State and County roads including the design of roadways, bike/pedestrian ways, and curb cut locations with the State of Colorado and Boulder County. Configure land uses along arterial roads, to consolidate and minimize the number of curb cuts.

One access point is proposed to Baseline Road with secondary/emergency only access proposed to Nyland Way. The single access to Baseline Road provides access to both the townhomes and single family homes. A crossing of the Goodhue and Davidson Ditches will aid in creating a loop street further reducing the need for curb cuts along Baseline Road.

**Policy G.3.5:** Incorporate bike lanes in the construction and/or redesign of all collector and arterial roadways and connection corridor roadways, wherever possible.

Additional right-of-way will be dedicated for the construction of improvements along the frontage of the site for Baseline Road. The improvements will include a 6-foot wide bike lane and 8-foot wide detached walk to facilitate alternative modes of transportation along the arterial street.

## *Goal H: Parks, Recreation, Open Space and Trails*

*Policy H.4.3: Create trail connections through and between Lafayette's open space properties in order to provide an integrated and complete trail system within the community.*  
Trail connections are provided throughout, and to the edges of the proposed neighborhood with the intent of future connections to adjacent open spaces where currently only social trails exist.

The City has no formal trails within the area and there is nothing in the PROST Plan that refers to any future desire to formalize trails in this area. The City's management plan for the site speaks to potentially connecting to the formalized trails in Louisville, but mostly encourages the City to restore the property to native prairie. With four different organizations owning open space in this area, an all-encompassing trail plan is not on the horizon. That coupled with the request by the Nyland Community during an on-site meeting with the City last year requesting the City to ensure the installation of signage along the Nyland Community borders prohibiting connections through the neighborhood. The residents use the social trails to access the formalized trails in Louisville but do not want any trespassing into the Nyland property citing safety concerns.

Social trails exist throughout the open space and will most likely continue. It is the applicant's understanding that County Rangers are in the process of developing an agreement to patrol the entire property regardless of the jurisdiction. However, it remains to be seen if they will issue citations for social trail use or if the City will continue to allow for the use here.

## *Goal I: Environmental Sustainability*

*Policy I.1.1: New development should provide an analysis of sustainable elements such as renewable energy, water conservation, and water quality improvements that can be incorporated into the project.*

*Policy I.1.4: Encourage solar energy utilization in all forms throughout the community.*

*Policy I.1.6: Encourage renewable and alternative energy systems in new buildings and use of upgrades to existing buildings.*

Water quality ponds will be provided as part of the storm water detention facilities. Water wise techniques will be incorporated in all common area landscaping. Recommendations on water conservation for landscaping will be provided to the home buyer as part of the covenants, conditions and restrictions for the neighborhood. Water conserving fixtures will be incorporated into the design of the homes. Energy conservation techniques will include integrated community geothermal heating and cooling systems and individual passive solar systems on each home, along with individual

passive solar systems on each home, along with energy conserving design construction techniques.

#### ***Goal J: Environmental Quality and Natural Resources***

***Policy J.1.7:*** Protect the visible night sky by ensuring that outdoor lighting does not create undesirable light pollution. Exterior fixtures should conceal the light source in such a way so as to not cause excessive glare as perceived from neighboring properties.

Street lights and outdoor fixtures on the homes will be downcast with the light source concealed to limit glare.

***Policy J.2.3:*** Recognize that existing, mature trees contribute to community character and should be considered an important natural resource. The City, at its discretion, may require any development and/or redevelopment proposal to submit plans showing "Areas of Disturbance" as part of the development review process and refer these plans to the City's Tree Committee for its review and comment. Revise construction standards to require the installation and maintenance of construction fencing to minimize soil compaction and destruction around existing trees and other vegetation identified by the City during the development review process as being worthy of preservation.

Several planted trees exist around the home and associated facilities on site. These trees have been surveyed by an arborist and are included in this Sketch Plan submittal. Native trees along the ditches have not been surveyed given the uncertain status of the ditches. If the ditches are piped, the trees will be evaluated by an arborist for health and safety conditions. Irrigation will be provided to the trees which are recommended for preservation by the arborist.

***Policy J.2.7:*** Protect wildlife habitats and wetlands.

Wildlife likely travels the ditch corridors, albeit fragmented primarily by Baseline Road and piping of the ditches north of the road, seeking cover by the existing vegetation. The balance of the site is grasslands which provide habitat for birds, reptiles and rodents. As stated above, the existing vegetation will be preserved to the extent practical thereby maintaining the fragmented wildlife corridor. Additionally, the internal open space will be planted with native landscape species that attract wildlife.

***Policy J.2.8:*** Ensure that proposed development and redevelopment appropriately responds to existing topography to avoid excessive site grading and/or retainage

The site is gently sloping from the southwest corner to the northeast corner. The need for excessive grading is unlikely.

#### ***Goal K: Public Service, Facilities, Utilities and Government***

***Policy K.2.3:*** Require Fire Department review of all development proposals.

Fire and emergency services will be provided by the City of Lafayette once the

property is annexed into the City.

The applicant will need to de-annex from the Rocky Mountain Fire District to ensure fire protection services by the City.

***Policy K.2.4:** Ensure that street standards do not significantly increase fire response times.*  
All streets will be designed and constructed to City standards.

***Policy K.3.3:** Refer appropriate proposed residential development applications to the Boulder Valley School District for review and comment. And*

***Policy K.3.4:** Consider the estimated student yield, as provided by Boulder Valley School District, of new residential neighborhoods during the development review process.*

The applicant will work with the Boulder Valley School district to address needs of the district. It is anticipated that cash-in-lieu of land will be provided to the District.

***Policy K.7.1:** Where possible serve new developments by gravity feed wastewater to minimize maintenance costs. Allow existing buildings within the city not serviceable by gravity feed wastewater to connect to existing wastewater by means of sewage ejectors, at owner's expense, in order to reduce reliance on septic systems.*

An extension of the gravity feed line will be provided from Baseline Road to serve the neighborhood with sanitary sewer.

***Policy K.7.3:** Require proposed development to employ land use and development patterns that ensure efficient delivery of utilities.*

The property will be included in the Northern Colorado Water Conservancy District which will allow the homes to be served with water by the City. The water lines are a logical extension given the nearby City water plant and water service facilities within the Nyland Community. The design of the neighborhood provides for an efficient delivery of water throughout the neighborhood.

## 19. Compliance with Municipal Code Section 26-18-5

- A. Project is unique and /or necessary for the economic development of the City
- B. Development is in the best interest of the City

The Leven neighborhood will be a showcase of sustainable home development in the county by utilizing a combination of state of the art infrastructure design and preservation of open space surrounding a community.

The Leven neighborhood will be incorporating community wide geothermal heating and cooling systems using public streets ad community storage. The system will use technology from a local company, Generative Technology Operatives, to provide onsite energy production to limit the neighborhood's

impact on the environment. This geothermal system also has a unique side benefit of acting as a natural snow melt system for the public streets and sidewalks that are incorporated into the neighborhood. In addition to the community geothermal system, the Leven neighborhood will also be incorporating individual passive solar systems on each home to bring the community to as close to net zero as possible.

The site will also provide a significant benefit to the City through public land dedication of 9.21 acres of its land as buffers and common open space along current Lafayette boundaries adjacent to Boulder County, Louisville, and Lafayette owned open space.

*C. Modifications to the Code are in the best interest of the City and neighborhood in which the development is occurring*

The PUD will allow for two housing types in the neighborhood. Modifications in code are only proposed in the townhome area which will enable clustering of the townhomes on fee simple lots surrounded by open space.

## **19. DEVELOPER'S CAPABILITIES**

LD Baseline, LLC/Leven Development is owned by Justin Wood and Reid Phillips who have been building and developing communities in Colorado for a combined 27 years. The owners focus on architectural significant and community appropriate development by providing quality and environmentally sustainable homes.

Leven Development has been a part of over \$86,000,000 in past the 5 years across its infill communities.

## **20. NEIGHBORHOOD OUTREACH**

The initial Neighborhood Meeting was held on October 4, 2017 at 6:30 at the Lafayette Library. Notice of the meeting included a mailing to landowners within an 800- foot radius of the site. Additionally, a sign was posted on the property facing Baseline Road noticing the date time and location of the meeting. Approximately 75 people attended the meeting. The presentation of the proposed neighborhood was provided by the applicant which included 67 single family homes. The primary comments provided by the attendees included the following:

- Buffers
- Preservation of trees
- Density
- Type of homes, clustering, height, size of homes
- Why does the land need to be annexed to the City of Lafayette?
- Timing of construction

- Plan for dedication of land for parks and open space
- Secondary access
- Traffic on Nyland Way/need for a traffic signal at Nyland and Baseline Road
- Access needs to be from Baseline Road only
- Safety
- Compatibility with neighborhood
- Bike lane on Baseline Road
- Sustainability – Green Building, water usage, building practices, solar collection,
- Need improved bus service
- Access to open space
- Noise and light pollution
- Wildlife impacts
- Affordable housing
- Status of the contract for purchase of the land
- Will change character of the neighborhood?
- Grading and drainage patterns
- Construction noise

A second neighborhood meeting was held on January 24, 2018 at the library with the same notice parameters. Approximately 160 residents attended the meeting. The applicant presented the revised plan which includes 41 townhomes and 46 single family detached homes surrounded by open space buffers. Many of the comments remained the same. Comment cards from the meeting are included in the submittal.

Thank you for your time and efforts in reviewing this proposal and we look forward to working with the City of Lafayette to see this unique neighborhood to fruition.

Respectfully submitted,

Reid Phillips  
LD Baseline, LLC/Nest Home Comany, LLC



## RESIDENTIAL Predevelopment Questionnaire

Community Development Department  
1290 S. Public Road, Lafayette, Colorado 80026

303-665-5588  
Fax 303-665-2153

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### INTRODUCTION

This list of questions covers various aspects of development in the City of Lafayette. As one of the first steps in the development process, responses to this questionnaire give our staff basic information about your project. The questionnaire reflects a variety of concerns the Planning Commission has about future development. You will need the City's Comprehensive Plan, City Council Goals, and the Development and Zoning Code for reference.

Answer all the questions that relate to your project. Some questions may be answered with a simple "yes" or "no" answer, but most require a more detailed response.

Impacts of different phases of the project should be indicated separately. Call the Community Development Department if you have questions. Be concise, but thorough. After you have completed the questionnaire to the best of your ability, call the Community Development Department (303-665-5588) to set up a Pre-Application Conference.

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### Project Overview

1. Briefly describe the project. Include the housing type, density, and acreage.  
*Leven Subdivision is 34.4 planned for 87 homes including 41 townhomes and 46 single family detached homes. The gross density of 2.53 acres and 27% of the site is open space.*
2. Provide a site location map; include adjacent land uses. Indicate phasing plans, if any.  
*A location map is attached.*
3. Are there any prior contractual agreements between the owner and the City concerning this property?

- YES  
 NO

4. What is the current zoning?  
*Rural Residential (RR) - Boulder County*

- a. Do you intend to request rezoning?

- YES  
 NO

- b. If yes, to what?

*Residential PUD - Planned Unit Development*

- c. Why?

*The residential PUD zoning will allow for the two land uses, interesting architecture and enable the site plan*

5. Is the proposed development currently located within the city's boundaries?

- YES  
 NO   *Located within the Urban Growth Boundary*

a. If not, would annexation benefit the city?

YES

NO

b. If yes, how?

Alternate housing product, sustainable building practices and completion of a vacant infill parcel

6. If the project is adjacent to an established residential neighborhood, do you plan to meet with them?

YES

NO

a. If yes, when?

Neighborhood meeting occurred on October 4th at the Lafayette Public Library

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## Diversity and Quality

7. How does your project enhance the image of the city?

A variety of housing, enhanced frontage along Baseline Road, open space buffers on the perimeters and a transition in land use to the adjacent residents.

8. What type of exterior materials will be used?

A combination of masonry, stucco, glass, fiber cement siding, metal and wood.

9. What is the most aesthetically appealing aspect of the property?

Open space buffers, trail connections and existing trees.

10. How else might your development be an asset to the community?

Trail connections, improvements to Baseline Road including a bike lane and detached eight foot walk.

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## Goal Fulfillment; Community Need

11. What Comprehensive Plan goals or City Council goals are met with this development?

The proposed development plan meets the intent of the Comprehensive Goals as detailed in the project narrative.

Generally, the goals of housing, connectivity and sustainability are addressed

12. How does your project fill a housing need within Lafayette?

Housing for a variety of populations.

13. What price range, size of lot, and size of home will be available?

Town homes will vary between approximately 1,700-2,500 sf including main floor master and accessible units

Single Family homes will range from approximately 2,000-3,000 sf above grade

Pricing will be in a wide range

14. How will you encourage the continued existence and maintenance of a financially healthy homeowner's association? The homeowner's association will be professionally managed and dues will be assessed and collected to fund the ongoing maintenance of the neighborhood. A portion of the dues will be secured in a reserve account for ongoing expenses.

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## Amenities

15. What *natural* amenities, e.g., open space, trails, will your project offer the community?

Open space buffers on the perimeter of the site, trail connections throughout the community tying into the walk/bike lane along Baseline Road and to the social trails within the adjacent open spaces.

16. How will you preserve or enhance, or both, any wetlands on the property?

To be determined.

17. What other unique natural features, such as mature trees, windbreaks, ponds, etc., are on the property?  
Exiting trees are located within the developed homesite and along the ditch corridors. The trees along the ditch corridors will remain in open space corridors. Trees within the existing homesite will be preserved to the extent possible by the

a. Do you plan to incorporate these into your project? careful placement of improvements

YES

NO

18. Are there bike paths or trails next to the property?

YES

NO

19. Will you incorporate or continue trails or paths into your project?

YES

NO

20. Are there any known historic or archaeological features on the property, such as an old barn, stone wall, artifacts, etc.?

YES

NO

a. If yes, will you incorporate them into your project?

YES

NO

21. Are there Front Range views from the property?

YES

NO

a. If yes, how will the views be available to future residents of the development?

The site provides natural views of the front range

b. How will the project affect the views of existing residences?

The existing residences to the east sit significantly higher than this project and will not be affected

22. Where is the nearest shopping center?

Baseline Road and 107th Avenue

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## Water and Drainage Issues; Water Conservation

23. Are there any ditches or creeks located on the property?

YES

NO

a. Have you contacted the appropriate ditch company?

YES We met with Brad Dallum with the City of Lafayette who is most familiar with the ditch companies.

NO The proposed development will go before the boards of the ditch company during the Sketch Plan review.

Initial thoughts are that the ditch company would prefer the ditches to be piped in a similar manner to the piping

24. Are there any wells on site?

north of the site.

YES

NO

25. Are there any regional drainage plans that affect this property (e.g., from the Urban Drainage and Flood Control District)?

YES

NO

26. Will the project involve excavation, fill, or land surface contouring?

YES Minor grading to accommodate effective drainage and the home sites

NO

27. Will you incorporate any water conservation methods in your landscape design?

YES

NO

a. If yes, what?

A landscape design that incorporates water wise techniques including xeriscape plants, plantings grouped by hydrozones, the incorporation native grasses where appropriate and an automatic high efficiency irrigation system including rain and soil moisture sensing features and technology to track water consumption.

28. Are you working with a professional landscape architect?

YES

NO

a. Does the landscape architect have xeriscaping experience?

YES

NO

29. What steps will you take to ensure that the houses use water-conserving fixtures and water-thrifty landscaping?

The covenants, conditions and restrictions associated with the neighborhood will require water wise landscaping.  
The builder will incorporate water-conserving fixtures.

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## Landscaping and Project Design

30. Do you plan any special entry features?

YES

NO

31. Does your site plan include adequate space for recycling and waste minimization activities and equipment (recycling roll-away bins, cardboard compactors, etc.)?

YES

NO Trash collection will be to individual homes. Recycling bins will be provided.

32. Will energy conservation measures be incorporated into building design?

YES

NO

a. If yes, what?

The buildings will be designed to incorporate sub division-wide geothermal heating and cooling utilizing state of the art technology as well as individual passive solar systems for each home. A primary focus on this project is to come as close to a net zero community as possible.

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## **Streets, Transportation, and Traffic**

33. Describe the automobile and pedestrian transportation networks planned for the development.  
Vehicular, primary access will be to Baseline Road. Secondary/emergency vehicle access will be to Nyland Way. Pedestrian access will be throughout the neighborhood via sidewalks and trails. An 8-foot wide detached walks and 6-foot wide bike lanes.
34. Will there be any non-city standard streets, or any special features such as eyebrows, landscape islands, along Baseline or curb extensions?
- YES  
 NO
35. Will there be any private streets?
- YES within the townhome area  
 NO
36. If the property is adjacent to a state highway, do you know how to obtain access approval?
- YES  
 NO
37. Does your transportation plan indicate the construction or completion of any collector streets?
- YES  
 NO
38. Does your transportation plan indicate the construction or expansion of any arterial streets?
- YES  
 NO
39. Will any public street closing be required during construction?
- YES  
 NO
40. Who maintains the streets adjacent to the property?  
The streets are public and maintained by the City of Lafayette.
41. How does your plan address alternate modes of transportation?  
Installation of a bike lane along the frontage of the property within Baseline Road.
42. Is the proposed development located on an RTD bus line?
- YES Local route 225  
 NO
43. Where is the nearest RTD bus stop located?  
Baseline Road at Nyland Way and Baseline Road at Elgin Street.
44. How far is a RTD Park'n'Ride from the property?  
3.9 miles

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## **Public and Private Utility Service**

**45. How near is City water?**

**Along the north side of the property**

**46. Is the property within the designated Clean Water Plan area (sewer service area)?**

YES

NO

**47. Is the entire property serviceable by the City's current sewer system?**

YES

NO

**48. Will full or partial build-out of the project require a lift station?**

YES

NO

**49. Will the acquisition of any off-site easements to connect to public utilities be required?**

YES

NO

**a. If yes, have you made contact with the adjacent property owner?**

YES      **NA**

NO

**50. Are there any overhead utility lines adjacent to or across the property?**

YES      **Along the northern edge of the property**

NO

**51. When can electricity and natural gas be supplied?**

**At time of infrastructure development**

**52. When can telephone service be supplied?**

**At time of infrastructure development**

**53. When can cable television be supplied?**

**At the time of infrastructure development**

---

## **Environmental Health; Public Safety**

**54. What is the property's level of danger from mine subsidence? (Use the Dames & Moore study for reference. It is available at the City's Planning Department.)**

**No**

**55. If subsidence problems exist, how will they be mitigated?**

**No**

**56. If your project is large enough to require dust control measures during construction, have you researched what is required?**

YES

NO

57. Do you know of any other environmental safety factors that should be addressed?

YES

NO

a. If yes, what are your plans for them?

58. What is the estimated fire response time to the property?

3.2 miles - 6-7 minutes

59. Do you intend to meet with the Crime Prevention Officer?

YES

NO

a. If yes, when?

---

## Wildlife and Wildlife Habitat

60. Does your site contain any wildlife or wildlife habitat areas?

YES

NO

61. How will you protect the buffer sensitive or important habitat areas?

Wildlife is associated with the ditches which will be maintained as open space whether the ditches remain as is or are piped.

62. Is it possible to link undeveloped open space or habitat areas on your property with similar areas on adjacent land?

The ditches tie into open lands to the east and west of the site

63. What measures will you take to protect wildlife and wildlife habitat on your property and adjacent land during development?

The wildlife is associated with the cover of the trees. The trees will be protected via fencing during construction

64. What provision have been made for preserving or enhancing native vegetation?

Irrigation will be provided to the healthy native trees if the ditches are piped. Protective fencing will be provided around the trees during construction. The ditch corridors are being maintained as open space.

65. Are you willing to let the public access natural areas, undeveloped areas, or recreational amenities such as trails on the property? Yes

66. Are you willing to close selected parts of the property to all access, including by residents/employees, to protect sensitive wildlife species and habitat?

Yes, the ditches will not be open to the public.

67. For a proposed residential development that abuts wildlife habitat; what provision have you made for containing pets, including cats?

The CC&Rs will restrict pets without a leash. Fencing will be required if necessary. The applicant will consult with a wildlife specialist to define habitat areas and how to protect them.

68. What measures are you taking to minimize light pollution?

All lighting will be full cut-off and down cast.

---

## **Financing**

**69. Have you made arrangements for financing this project?**

- YES  
 NO

**70. Have you ever financed or been involved in a project of this size?**

- YES  
 NO

a. If so, what is the location and name of your contact in the approving government(s)?

[City of Denver - Olga Mikhailova tel:\(720\)-865-2935](#)

**71. Are you aware of the City of Lafayette's Letter of Credit policy at the final plat?**

- YES  
 NO

**72. Do you currently own the land?**

- YES  
 NO

a. If not, when do you plan to close?

[After receipt of infrastructure permits from the City of Lafayette](#)

**73. What other developments have you been involved with?**

[FWD Cherry Creek, The Cassidy, Hutchinson Corner, The Walcott, Terrace South, Holland Hill, Broadlands](#)

a. In what capacity?

[Investor, Developer, Builder](#)

b. Where are they located?

[Denver, Arvada, Louisville, Broomfield, Westminster](#)

**74. Will the City recoup any prior financial investment, e.g., reimbursements of signal lights or utility line extensions?**

- YES  
 NO

## LEVEN SUBDIVISION

## SIGN IN SHEET

## Neighborhood Meeting 10-4-17

| Name                 | Address                             | Phone        | Email                         |
|----------------------|-------------------------------------|--------------|-------------------------------|
| John Guinther        | 2263 Cliffrose                      | 303-895-5928 | JPGU12263@comcast.net         |
| Barbara Pederson     | 2297 Cliffrose Lane                 | 303-726-4804 | LPPederson@comcast.com        |
| Pat Heinenhey        | 183 Monarch, Louisville             | 210-275-3122 | Patheinenhey@gmail.com        |
| Lise Goedert         | 3555 Nyland Way                     | 303-332-1615 | lisamohler@hotmail.com        |
| Ann Conffin          | 35550 n                             | 720 532 2925 | annlaceygriffen@gmail.com     |
| Sophie Seltzer       | 625 Snow Peak                       | 303 530 7224 | mgdcogtucy@earthlink.net      |
| Hané Marie Colangelo | 2317 Eagles Nest                    | 303 955-8234 | hanemarie.colangelo@gmail.com |
| Dawn Reinfeld        | 7872 Scenic Dr.                     | 303-588-2470 | dawnreinfeld@yahoo.com        |
| Shelli Gentry        | 3574 N Lydia Dr.                    | 720 561 7061 | Sheilacalygentry@gmail.com    |
| Marilyn Braud        | 8897 Baseline Rd.                   | 303-494-5585 | Marilynbraud@comcast.net      |
| John Pendleton       | 3559 North Franklin Ave, Broomfield | 303 263 2852 | john_pendleton@yahoo.com      |
| Tom Dunn             | 106 Monroe St, Broomfield           | 918 7831     | ajbuni@msn.com                |
| Connie Juksebraun    | 2071 S. Folky Dr.                   | 3-258 3948   | nederfly@col.com              |
| Mike & Karen Echey   | 2701 Cliffrose Ln, Englewood        | 303-817-3818 | mecraft@comcast.net           |
| Lindsey Randal       | 2305 Cliffrose Ln                   | 720-537-0802 | lindseyrandol@gmail.com       |
| Rachel Morrison      | 8761 Baseline Rd                    | 303-494-1816 | rnewson@gmail.com             |
| James Jarvis         | 2277 Denebwood Dr, LSV              | 303-710-5485 | jamesmjarvis10@gmail.com      |

**LEVEN SUBDIVISION  
SIGN IN SHEET**

**Neighborhood Meeting 10-4-17**

| Name                 | Address            | Phone         | Email                                       |
|----------------------|--------------------|---------------|---|
| David Ruline         | 3594 Nyland Way    | 303-859-3281  | davidruline@gmail.com                       |
| David Schneider      | 3530 Nyland Way    | 303-898-6446  | dschneider@gmail.com                        |
| Brenda Beeley        | 3551 Nyland Way    | 520-904-1924  | brennyb6@gmail.com                          |
| Lina Daniels         | 3502 Nyland Way    | 505 410 8997  | zDanielle@gmail.com                         |
| Debra Kloor          | 3591 Nyland Way    | 303-332-2563  | debrakloor@gmail.com                        |
| Kiki Chandlers       | 3578 Nyland Way    | 303-554-5724  | kiki@chandlers.com                          |
| Cong Chandlers       | "                  | "             | covy@chandlers.com                          |
| Jasey Chandlers      | "                  | "             | jasey@chandlers.com                         |
| Marcia Politovich    | 8758 Elgin Dr      | —             | marpol2000@comcast.net                      |
| Dan Glick            | 3558 Nyland Way    | 303 842 6102  | danielglick.net                             |
| Michael Meints       | 679 Snow Peas Lane | —             | meintsm@coloradolandmark.com                |
| Scott Riemerster     | 869 Bluebird Ln    | 970-708-0444  | sr1pmaster@coloradolandmark.com             |
| Tracy Schooli        | 2335 Dogwood       | 303 920 4260  | franick8@comcast.net                        |
| Joy Cleary           | 3554 Nyland Way    | 303-521-0115  | joyclear1@gmail.com                         |
| Sheree Harbin        | 8743 Baseline Rd   | 303-494-0181  | sharbison@comcast.net                       |
| Gayle Angus-Harrison | "                  | "             | gaya@chartermail.comcast.net                |
| Sandy Mc Gregor      | 5812 Elm Drive     | 720.252.2888  | \$15 3333@aol.com                           |
| Jesse Dorn           | 3573 Nyland Way    | 720.212.6597  | jesse@datthi.org                            |
| Jean Leonard         | 3505 Nyland Way    | 303 868 -5881 | Jeanlynnqqq@yahoo.com                       |
| Janet L. Irwin       | 3514 Nyland Way    | 303 499 1234  | JanetL.Irwin.12@behaviorcenteredtherapy.com |

## LEVEN SUBDIVISION

## SIGN IN SHEET

## Neighborhood Meeting 10-4-17

| Name                   | Address           | Phone               | Email                      |
|------------------------|-------------------|---------------------|----------------------------|
| Lori Streim            | 3594 Nyland Way   | 720 539-1807        | lisestreim@gmail.com       |
| TERESA BARRETT BUDERED | 303-4665-8919     | TERESA786@gmail.com |                            |
| Marian Dins            | 3595 Nyland Way   | 303-494-3770        | mardins2@aol.com           |
| Susan Townsend         | 3518 Nyland Way   |                     | shedsasure@gnicid.com      |
| Jeanne Christensen     | 3595 Nyland Way   | 303-494-3770        | christusnjeead.com         |
| Jeff Baron             | 417 Ord Dr.       | 303-818-5055        | febaron30@gmail.com        |
| Deletta Bruegel        | 3547 Nyland Way   | 303-199-3423        | debruegel@aol.com          |
| Kastin Bruegel         | 3577 Nyland Way   | 303-499-3923        | Trojzzyr09@aol.com         |
| Oliver Goedert         | 3555 Nyland Way   | 720-404-1230        | o.goedert@gmail.com        |
| Tim Edwards            | 3583 Nyland Way   | 720 3081967         | timands.jim@gmail.com      |
| Jeff Nettleton         | 3518 Nyland Way   | 303-494-37664       | jeff.nettleton@outlook.com |
| Lorah Lucius           | 3514 Nyland Way   | 303 499 1254        | lorah.lucius@gmail.com     |
| Jolee Ljungerson       | 3509 Nyland Way   | 720-304-7522        | joleewing@earthlink.net    |
| Kristen Knudsen        | 2233 Cliffrise Ln | 720-234-5324        | Kristen.mcglaugh@gmail.com |
| Leslie Brown           | 3534 Nyland Way   | 435-753-0217        | leslie.ida.brown@gmail.com |
| Suzanne LeClerc        | 3584 Nyland Way   |                     | siledair@hotmail.com       |
| Laura Rogers-Wagner    | 2265 Cuffrosclane | 720-501-8070        | lauraramyers07@gmail.com   |
| Matt Nathan            | 3510 Nyland Way   | 303-868-5109        | matt.nathan2@gmail.com     |

## LEVEN SUBDIVISION

## SIGN IN SHEET

## Neighborhood Meeting 10-4-17

| Name                 | Address                          | Phone              | Email  |
|----------------------|----------------------------------|--------------------|--|
| Robert Bruegel       | 3577 Nyland Way<br>Lafayette, Co | 303 499-3923       | m1bluegel@prodigy.com  |
| Loren Miller         | 3535 Nylandway                   | 704-201-5853       | birthmannmac.com   |
| Angie Hawer          | 2144 Dogwood Cir                 |                    |  |
| Bob Hawer            | 2144 Dogwood Cir                 | 720 287 3138       | Bobhawer@yahoo.com   |
| Liz Christ           | 8147 Baseline St                 | 303 817-6488       | LizChrist@gmail.com  |
| Marilyn Gandy        | 3557 Nyland                      | 303 499-5196       | ang.mari.youngd@comcast.net                                    |
| TIL MICHAEL          | 3514 Nyland way                  | 303 884 7431       | trt@downing-rockwells.com                                      |
| Zach Meints          | 679 Snow Park Ln                 | n/a                | Zacharymeints@gmail.com  |
| Jim Beckmeyer        | 3535 Nyland Way                  | 415 676 8700       | jamesbeckmeyer@outlook.com                                     |
| Ben Weiss            | 2555 Dogwood Cir                 | 303-709-2489       | ben@klausphotos.com  |
| Ch. P. Morette       | 785 Bluebird                     | 3/494-7909         | c.l.p.morette@comcast.net                                      |
| Neal Conner          | 35413 Nyland Way                 | 720 209 3119       | neal.conner@intouch.com  |
| Mike Echerry         | 2301 Cliffsrose Ln               | 80027 303-817-3818 | mechery@comvergent.com   |
| Lisa Guimber         | 2263 Cliffrose 80027             | 303-665-8131       | 4352263@comcast.net  |
| LISA CALZAGNO        | 3509 NYLAND WAY                  | 303-746-7219       | lmcalcagno@gmail.com   |
| Myrtie Veluz         | 3587 Nyland Way                  | 303 579 1434       | travels61@smail.com  |
| Steve, Donna Gethman | 6635 Baseline                    | 303-968-9451       | <del>steve</del><br><del>donna</del><br>getman.steve@gmail.com |

## LEVEN SUBDIVISION

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Neighborhood Meeting January 24, 2018

| Name             | Address                                 | Phone                   | Email                           |
|------------------|---|-------------------------|---------------------------------|
| Dorothy H Beard  | 457 Indian Peaks Trail                  | 303-661-0001            | or / a                          |
| William E Beard  | 457 Indian Peaks Trail                  | 303-661-0001            | n/a                             |
| Robert Bruegel   | 3577 Nyland Way                         | 303-499-3923            |                                 |
| Karl in Bruegel  | 3577 Nyland Way                         | 303-499-3923            |                                 |
| Laur Miller      | 3535 Nyland Way                         | 701-201-5853            | —                               |
| Frank Thom       | 881 Rockway Pl                          | 303-927-9971            | —                               |
| N. Todd Midtlien | 3595 Nyland Way                         | 303-499-2669            | tothrum@earthlink.net           |
| Matty Fausch     | 421 Indians Park Dr. W.                 | 303-718-1463            | On the Fausch name or something |
| GERALD TEGUSSON  | 1791 TYLER AVE LOUIS<br>BOUCER CO 80303 | 215-666-2911            | —                               |
| STUART ULLMANN   | 495 INCA PARKWAY<br>303 517-3071        | ULLMANNSTUART@GMAIL.COM |                                 |

## LEVEN SUBDIVISION

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# Neighborhood Meeting January 24, 2018

| Name                 | Address                  | Phone          | Email                      |
|----------------------|--------------------------|----------------|----------------------------|
| D. Nauclay           | 2333 Dogwood             | 303 665 8045   | N/A                        |
| D. Nauclay           | "                        | "              | "                          |
| Leslie Brown         | 3534 Nyland Way          | 435 753 0217   |                            |
| Steve & Donna German | 8635 Baseline Rd         | 303 968 9451   | german.steve@gmail.com     |
| Mike Ecker           | 2301 Cliffside 80027     | 3 - 617 - 3818 | mecchery@commercenet.com   |
| Karen Chen           | "                        | "              | Karenchen@yahoo.com        |
| Michael Meints       | 679 Snow Peak Lane       | 303-917-3455   | midiculations@uac.com      |
| Marian Dines         | 3595 Nyland Ln           |                |                            |
| Kathy Wolf           | 2170 Dogwood Ct Lakewood | 303-717-1330   | kathy.wolf.build@gmail.com |
| Leslie Potter        | 3546 Nyland way          | 303-708-6507   | leslie.potter@gmail.com    |
| Barry Ryan           | 3591 Nyland Way          | 303-246-2521   |                            |
| Scan Tornell         | 3518 Nyland Way          |                | shedreasur@gmail.com       |
| Ron Cason            | 2311 Dogwood Crt         | 970 769 6922   | NA                         |

## LEVEN SUBDIVISION

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## Neighborhood Meeting January 24, 2018

| Name                  | Address             | Phone            | Email                      |
|-----------------------|---------------------|------------------|----------------------------|
| Lisa Gunther          | 2263 Chiffrose Lsvl | 303-645-8131     | LJG2263@comcast.net.       |
| Sayle Flynn           | Chiffrose Lane      |                  | Gaylelynn18@gmail.com      |
| Rein Sutton           | Cliffrose Lane      |                  | Ken52sutton52@gmail.com    |
| Santa Banjeva         | 8445 Baseline Rd.   |                  | santabaney272@gmail.com    |
| Z. meadows            | 679 Snow Park Ln    | n/a              | Zechariameadows2@gmail.com |
| Betty Janis           | 2277 Diamond Cr.    |                  | janesbetsyco@gmail.com     |
| Jeanne Jones          | 2277 Dogwood        |                  | "                          |
| Debra Klouw           | 3501 Nyland Way     |                  | debraklour@gmail.com       |
| Rina Daniels          | 3502 Nyland way     |                  | zdaniels@gmail.sdu.edu     |
| Loretta Luchau        | 3514 Nyland NY      | 303 499 1234     | LorettaLuchau@gmail.com    |
| Aveca Van Aarsen      | 3518 Nyland Dr      |                  | avaca.vanarsen@utdelft.nl  |
| Karlin Druegel        | 3577 Nyland Way     | 303 499 3923     |                            |
| age 16 Jasey Chandens | 3578 Nyland way     |                  |                            |
| Sundien Richmond      | 2390 McKinley Ave   | 303 - 929 - 9264 | richmond@comcast.net       |
| Christie Shearer      | 2343 Rimrock Dr     |                  | tina@masui-shearer.com     |

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**Neighborhood Meeting January 24, 2018**

| Name        | Address             | Louisville     | Phone | Email                       |
|-------------|---------------------|----------------|-------|-----------------------------|
| Ann Gollin  | 523 W Cactus Ct     | 303-661-9367   |       | ann.gollin.1951@gmail.com   |
| Tom Brown   | Louisville St.      | 303 661-9367   |       | (Family is 1951e@gmail.com) |
| Jim Beckner | 5235 Nyland Way     | 415 676 8070   |       | jcb757nept@gmail.com        |
| Mark Kram   | 412 Blue Lake Trl   | (314) 504-8158 |       | drkram@earthlink.net        |
| Jim Edwards | 3583 My Land Way    | 720 308 1911   |       | edwards.jim@gmail.com       |
| J. McNamee  | 541 W (Chair)       | 303 362 0173   |       | jimchmara@gmail.com         |
| Fred Berne  | 850 Old Wagon Trail | 303-589-3013   |       | FredBerne@gmail.com         |

## LEVEN SUBDIVISION

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## Neighborhood Meeting January 24, 2018

| Name            | Address                       | Phone        | Email                      |
|-----------------|-------------------------------|--------------|----------------------------|
| Jim Jr. Inc     |                               |              |                            |
| David Rubine    | 3594 Nyland Wy                | 303-855-3281 | claudrujine@qwest.net      |
| Sarah Keane     | 3437 N Franklin<br>Louisville | 619.992.9619 | Sarahmaria@gmail.com       |
| Jeff Redal      | 1030-69th St                  | 303 555 2689 | leifredal@gmail.com        |
| Bonita Kelly    | 910 Harrison Dr. Jeffco       |              | Dashelly@yahoo.com         |
| Kiki Chanderes  | 3578 Nyland Wy                | 720-938-2101 | kiki@chandlers.com         |
| Maryson Bridges | 3570 Nyland Way               | 720-491-8139 | GKbridge776@gmail.com      |
| Madison Dowd    | 3573 Nyland Way               | 720-850-0030 | mddowd01@bliss.org         |
| Jeff Thibeler   | 442 Blue Lagoon Ter           | 720-938-1132 | jeff@fourstarrealty.com    |
| Sandra McRae    | Citled Sunnyside Dr           | 303-596-7190 | Sandy.mcrae@comcast.net    |
| Karen LeCroy    | 2826 Twin Lakes Cr            | 703-963-1362 | Klecyer@road.com           |
| Jack LeCroy     | 2826 Twin Lakes Cr            | 703-298-6712 | jalecroyer@aol.com         |
| JEFF JONES      | 3537 Nyland Way               | 720 314 3543 | sjeffjones@me.com          |
| Tami Meintis    | 2138 Charles Ln               | 303-638-9561 | swm012@gmail.com           |
| Dawn Ruhfeld    | 7872 Scenic Dr.               | 303-588-2470 | dawnreinholt@yahoo.com     |
| Matt Nathan     | 3510 Nyland Way               | 303-868-5109 | mattnathan2@gmail.com      |
| Greg Boardelman | 2352 Paramount Ct             | 720-862-8320 | gregboardelman@hotmail.com |

**LEVEN SUBDIVISION  
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**Neighborhood Meeting January 24, 2018**

| Name                 | Address                 | Phone         | Email                                   |
|----------------------|-------------------------|---------------|---|
| Mitchell C. Hargrave | 904 W. 2nd Dr.          | 919-391-0958  | Mitchell.Coxhargrave@gmail.com          |
| Jesse Dow            | 3573 Nyland way         | 720-212-6597  | jesse@att.net; 55917ysestrein@gmail.com |
| Jlyse Strein         | 3594 Nyland Way         | 720-539-1807  |   |
| Lynn & Tom McNamara  | 1000 Phillips Rd. lotf. |               |   |
| Max Mints            | 674 Snow Park Ln        | 303 304 0772  | Max.Mints@gmail.com                     |
| Michael Schall       | Cassville Co            |               | m.schallff@comcast.net                  |
| Coy CHANDERS         | 3578 Nyland way         | 303-960-7065  | Coy@Chandlers.com                       |
| Fair deer            | 3573 Nyland way         | 303-554-0008  | Fair.deer.10@gmail.com                  |
| Al & Jeanne Collins  | 4446 Blk Lakes          |               | al.colfins@colorado.edu                 |
| Rick Miller          | 2974 Shoshone Tr        | 303 4178-7037 | redleader.miller@gmail.com              |
| Hilsm Smith          | 2971 Thunderlala Circle | 7203291727    | Aliison@fourstarrealty.com              |
| Frances Stanko       | 8790 Elgin Drive Lf. co | 303-579-1245  | FrancesStanko@comcast.net               |
| Bob Stanko           | 8790 Elgin Drive Lf. co | 303 579 1160  | bstanko@comcast.net                     |
| Maria Mellizo        | 2424 Evans Ave Lev      | 720-352-5757  | marisamelliizue@yahoo.com               |
| Lindsey Randal       | 2305 Clifrose Lane      | 720-537-0802  | Indseyrandol@gmail.com                  |
| Dan Mahle            | " "                     | 720-541-0269  | mahe.dan@gmail.com                      |
| Carol Osborne        | 2225 Cliffrose Ln       |               | carol.osborne@colorado.edu              |
| Kelly Bartell        | 563 W. Cedar PL         | 720 237 4755  | Soulbird13@gmail.com                    |
| JEFF REGIER          | 244 MATCHLESS ST        | 303-241-6223  | REGIEREFF@gmail.com                     |

## LEVEN SUBDIVISION

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## Neighborhood Meeting January 24, 2018

| Name           | Address               | Phone        | Email                     |
|----------------|-----------------------|--------------|---------------------------|
| John Guistino  | 2263 Cliffrose        | 303-395-5928 | JPGUIZ2263@comcast.net    |
| Julia DeSelle  | 378 Fern Lake Ct      | 309-912-8899 | jaspindello@gmail.com     |
| Donne Grinn    | 8201 Franklin         | 3-499-0441   | dgrinn@mail.com           |
| Dean DeSelle   | 1899 Baseline Rd      | 303-494-5434 | DEAN803d3@yahoo.com       |
| Marty Velez    | 3584 Nyland           | 3035791434   | Laveler61@gmail.com       |
| Holly Wilder   | 3542 Nyland Way       | 303-517-4150 | hollywilder23@gmail.com   |
| Marcia Siegel  | 676 Snowpeak LN       | 303 517 4686 | planetseg1@me.com         |
| Glenysy Meintj | 2138 Chardonnay       | 720 427 1881 | glenysy.meritis@gmail.com |
| Marcie Rodger  | 527 W Ash Ct          | 720-985-3423 | marcy.rodney@gmaile.com   |
| San Tinker     | 69553 Fairview Dr.    | 303 494-4748 | Santinur@comcast.net      |
| ANN KRAM       | 412 BLUE LAKE TR      | 314-503-3044 | annkram@gmail.com         |
| Dan Glick      | 3538 Nyland Way       | 303 842 6102 | daniel@danielglick.net    |
| Sheila Gentry  | 3574 Nyland Way       | 303 349 6825 | sheila-gentry@bvsf.org    |
| Christa Wilke  | 8850 Sigin Dr         | 307-690-9420 | hawaii775@gmail.com       |
| MICHAEL GALT   | 12601 THURSTON ST     | —            | —                         |
| Wendy Redal    | 1037 69th St. Boulder | 303-570-1279 | redal@colorado.edu        |
|                |                       |              |                           |
|                |                       |              |                           |
|                |                       |              |                           |

## LEVEN SUBDIVISION

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|------------------------------------|----------------------------|--------------|--------------------------------|---------------------------------------|---------------------|--------------|-------------------------|
| Name                               | Address                    | Phone        | Email                          | Name                                  | Address             | Phone        | Email                   |
| Denise Weller                      | 3551 Mulford               | N/A          |                                | Steve Gefur                           | 8635 Baseline       | 303-465-7788 | getintu4steve@gmail.com |
| Ashley Echery                      | 2301 Cliffrose n.          | 303-817-5688 | N/A                            | Karen Echery                          | 2301 CliffroseLn    | 303-817-8688 | Kcooper@yahoo.com       |
| Janne Christensen                  | 3595 Nyland Way, Lafayette | 303-494-3770 | christnje@adl.com              | Debra Rederson                        | 2297 Cliffrose Ln   | 303-665-2734 | RedersonD@msn.com       |
| Bruce Buchanan                     | 2189 Cliffrose Ln          | 303 947 7808 | fractman1D@netzero.com         | Bernice Casen                         | 2317 Eagle Nest Dr  |              | Bernice.Casen@gmail.com |
| Marilyn Goss                       | 3559 Mayfield Dr.          | 3034995196   | grey.marilyn.jaguer1@gmail.com | Brad + Sam Pugh                       | 2523 N Franklin Ave | 303-819-4232 | boghr1@gmail.com        |
| Donald Zink                        | 2853 Shoshone Trl          | 303-926-6804 | dfwunz@Aoe.com                 |                                       |                     |              |                         |

**LEVEN SUBDIVISION  
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Neighborhood Meeting January 24, 2018

| Name               | Address                        | Phone        | Email                    |
|--------------------|--------------------------------|--------------|--------------------------|
| Jean Leonard       | 3505 Nyland Way                | 303-868-5881 |                          |
| TERENCE KEANE      | 2437 N FRANKLIN AVE, WILLOW    | 303-653-5533 | 303KEANE@GMAIL.COM       |
| Fe Baran           | 617 Ord Dr 80303               | 303-818-5055 | febaran3@gmail.com       |
| Hanna Pederson     | 2297 Cliffs at Lone Rock 80027 | 303-665-2734 | HPederson@comcast.net    |
| Georgia Bentz      | 8724 Elgin Hwy                 | 303-406-1530 | Benedictgrmge@at&t.com   |
| HEDGER MCGAHEY     | 2348 S ENTHROP ST LOVELAND     | 303-604-0774 | HEDGERMCGAHEY2@GMAIL.COM |
| Tristan Cook       |                                | 303-668-3454 |                          |
| Charmaine Cook     |                                | 303-805-9527 |                          |
| Till Hansen        | 8613 Big Oak Lake Dr           | 925-200-4571 | 111bhansen57@1mi.com     |
| Mike Lawaski       | 2564 N. Franklin, Englewood    | 970-302-8013 | mzawaski@hotmail.com     |
| Sam Kohn-Bardelman | 2352 Paramount Ct              | 510-355-2973 | Samhope77@Live.com       |
| LISA CALAGNO       | 3509 NYLAND WAY                | 303-746-7219 | lmcalagno@gmail.com      |

## LEVEN SUBDIVISION SIGN IN SHEFT

Neighborhood Meeting January 24, 2018

Neighborhood Meeting | January 24, 2018

| Name             | Address               | Phone             | Email                   |
|------------------|-----------------------|-------------------|-------------------------|
| Michael Romere   | 320 Carioufass Street | 3-517-8464        | Mbullsj230@gmail.com    |
| James Damman     | 33358 Nyland Way      | 8026 970-689-5926 | jameodamman50@gmail.com |
| Carthy Kovatski  | 2583 N. Franklin Ave  | 320-323-6315      | Charytsia@yahoo.com     |
| Steve Kovatsky   | 2553 N. Franklin Ave  | 3/666-9446        | SKovatsky@yahoo.com     |
| Kristin McLean   | 3513 Nyland Way       | 800-316-41-8901   | Kristinson33@gmail.com  |
| Tedath chanders  | 3578 Nyland Way       | 800-420           |                         |
| Heidi Henrichsen | 3843 Nyland Way       | 428-327-4592      |                         |

## LEVEN SUBDIVISION

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Neighborhood Meeting January 24, 2018

| Name             | Address                      | Phone        | Email                         |
|------------------|------------------------------|--------------|-------------------------------|
| Shila Schreiber  | 3530 Nyland Way              |              | sheila.guin@comcast.net       |
| Carroll Steeboos | 501 Cisnaberry Dr.           |              | carrie@comcast.net            |
| Stephen Neegan   | " "                          |              |                               |
| Michael Williams | 2309 Diffuse Lane Louisville |              | michael-p-williams@yahoo.com  |
| Phil Harris      | 2632 Holly RockFETTE         |              | phil.harris.boulder@gmail.com |
| TIL Lucian       | 3514 Highland LAFAYETTE      | 303-499-8811 | til@advanced-pain.org         |
| Adam Weidin      | 108 Monarch St. Louisville   |              | adam.weidin@gmail.com         |
| Astrid Melchart  | " "                          |              | amelchart@hotmail.com         |
| Nick Schwolfsky  | 2409 Wauhbra Lake Tr.        |              | rick.schwolfsky@gmail.com     |
| Neal Conner      | 35443 Nyland Way             |              | neal.conner@intsalgo.com      |

## LEVEN SUBDIVISION

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Neighborhood Meeting January 24, 2018

| Name              | Address                  | Phone | Email                     |
|-------------------|--------------------------|-------|---------------------------|
| Michelle Stephens | 331 Indian Peaks Trail W |       | michelle-s-10@yahoo.com   |
| Drew Bailey       | 4500 Baseline Rd.        |       | renjhomes11p@gmail.com    |
| Alexander Bracken | 125 Brittham Ln.         |       | alexander_bracken@uic.edu |
| Andy Dorsey       | 2279 Cliffrose Ln        |       | andydorsey@msn.com        |
| Diane Greenlee    | 150 Birch Harry Lane     |       | RGreenLee9231@R%          |
| Tracy Ostrom      | 1150 Ridge Valley        |       | tracystrom@landstones.org |
| Mandy Lee         | 2099 N. Park, baton      |       | MandyLee@yahoo.com        |

**LEVEN SUBDIVISION  
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Neighborhood Meeting January 24, 2018

| Neighborhood Meeting January 24, 2018 |                                     |              |                           |
|---------------------------------------|-------------------------------------|--------------|---------------------------|
| Name                                  | Address                             | Phone        | Email                     |
| Suzanne Plant                         | 3510 Yellow My                      | 303.669.3282 | plantsu@yahoo.com         |
| Stefanie Selden                       | 625 Snow Park                       | 303.530.7224 | stefanie.selden@gmail.com |
| Leoward Hohle                         | "                                   | "            | "                         |
| Rosemary Williams                     | 2345 Dogwood Circle<br>house #80027 | 303-919-7575 | rosemary@wiisdomworks     |



1/24/18

Leven  
Development  
public meeting

Matt Nathan 303-  
3510 Nyland Way 868-  
5109

You held a similar meeting previously,  
and received overwhelmingly negative  
feedback from the surrounding community  
with a clear focus: <sup>this site is inappropriate for</sup> ~~we don't want~~ density!

Then you come back with a proposal  
for far GREATER density. That is  
evidence that you are in bad faith —  
ignoring feedback. Thus, you have  
shown you are not a suitable partner for our city!

1/24/18 mtg w Reid Phillips

His plan includes only some internal open space; nothing dedicated to Laf

His plan relies on Nyland Way as an access. Nyland Way has a blind curve.  
Additional traffic on Nyland will pose a safety risk.

This is way too much density for what is essentially a rural area. Both  
Nyland & Snow Peak donated ~~over~~ substantial acreage to open space as well  
as keeping considerable open space within their developments.

Already way too much traffic on Baseline.

No benefit to Lafayette.

This is a wildlife corridor. We routinely see coyotes, occasionally foxes,  
lots of birds, owls, eagles.

PLEASE DENY ANNEXATION!

Thank you. Mariah Dines 3595 Nyland Way

I hate this proposal. Traffic will be a nightmare & our children at Nyland at risk. Mr. Phillips has been disingenuous at this meeting, claiming he doesn't know how much homes will cost. I don't trust him. The project is out of keeping w/ surrounding ~~area~~ existing homes. We could support a proposal of 6-10 geothermal, solar homes + lots of open space around them.

303-517-4180 Holly Wilder 3542 Nyland Way, Lafayette

I oppose the proposed development for several reasons, including:

- 1) It will change the semi-rural character of the area, which is now ~~and~~ surrounded by open space. There is already enough development at 45th + Baseline - don't need anymore!
- 2) The increase in traffic on Baseline that the proposed development will generate is completely unacceptable. The current traffic on Baseline during rush hours is bad. And this proposed development will add approx. 400 - 500 more vehicle trips/day. That can't happen without a decrease in public safety and a significant increase in travel times. The county/city would need to add lanes to Baseline.

BARRY EYAN  
359 NYLAND WAY, LAFAYETTE, CO.

I am fundamentally and completely opposed to this development at 8600 Baseline.

This housing, <sup>consisting of</sup> high-end expensive homes, are not needed in Lafayette. They are not compatible with the surrounding area. It destroys wild life habitat. It destroys separation between Boulder and Lafayette.

Baseline Road is already over-used. It is incredibly difficult to make turns out of Nyland Way and other cross streets. It is inconceivable to add the traffic from 87 additional homes.

This is an enormous safety issue. It is already extremely hard for the Nyland kids to cross Nyland to catch the bus.

This will be an enormous strain on the City of Lafayette in terms of providing emergency services. And maintaining the geothermal system. Please consider building 10-12 "architecturally →

This project is damaging to the local populace, both human and animal. The project does not seem to account for the surrounding community. The cost will be unaffordable to most. Please do not approve this annexation.

Comment

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PUD Criteria - Sec 26-18-5

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Criteria (b)-5 specifies Economy of Services

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The cost of services that this community will require from the City of Lafayette will ~~not~~ be offset by the revenues by a long shot. This will cost the City of Lafayette significantly.

---

## Comment

This development has no good

reason why it should be done +

take the place of the open space + does all sort of other issues

- 1) it takes away open space -
- 2) that renews on Lafayette's commitment to  
keep buffer zone
- 3) there are other locations in Lafayette where those  
houses could be built instead of taking open space
- 4) the "greenhouse" - the solar heated streets - air community  
stolen are completely unproven
- 5) as per the developer we have to ask City of Lafayette why  
it is good for them + no financial models have been completed

Opposed to Density.

Opposed to Impact on Open Spaces / Wildlife.

Concerned about Impact on Traffic on Baseline.

Sir Gunther

We want an environmental impact study.

We DO NOT want this development.

We would accept 10-12 homes

being built on this acre.

Marilyn Guy

3559 Nyland W.

I am absolutely opposed to this development based on density, cost of houses, and lack of communal resources. The presentation I heard the first time showed a lack of informed thinking as related to Lafayette and its needs.

A 'rural' feel to this development is not 80 houses. It would be fast less.

\$700,000 even \$500,000 is not affordable. The project does not align w/ Lafayette plans.

I question the effectiveness of the  
proposed Geothermal system  
and the environmental impact of the  
Central G.T. system

Carroll Meekan  
Lowville

Also the density of homes proposed is  
absurd - extremely high - not compatible  
with surrounding area  
10 to 12 homes seems appropriate

We are 100% opposed to this development,  
and will not rest until this project is  
cancelled. No one wants this development  
to proceed, there is tremendous energy  
and dedication to this fight.

Get out now, we will not let this happen.

Laura & Pete Pederson

Rosemary Williams

2345 Dogwood Circle  
Louisville, CO 80027  
3-919-7575

I am deeply concerned about the impact of any development on this property. Children may be put at risk as they try to come to & from school or go over to walk their dog / play in the open space.

There are great horned owls, coyotes (used to be) deer, etc. (and many small! creatures) on / on / around the open space & in the area. How will they be impacted? Protected?

We (my family + I) love our residential rural neighborhood (I live at Nyland Co-housing on Nyland Way). We love the quiet, the wildlife along the ditches and in the open space. How does an 88 townhome / family home serve to keep Lafayette rural residential?

How will 88 x (2 or 3) Cars per home keep our neighborhood safe with all the increased traffic on an already crowded Baseline corridor?

How will wildlife - deer, raptors, owls, coyote, eagles - fare with the development running through their corridor.

We DO NOT WANT urban sprawl from Lafayette to Boulder.

We are wholly opposed to this development. It does not fit the open space / rural feel of this land.

Thank you for HEARING this.  
Tyle Streim (720) 534-1807

This property is surrounded by beautiful open space. This property is an existing + vital wildlife corridor. Please establish firm guidelines that insure this land remains open.

Dan J Rubine

Issues I have w/ this proposal -

Too much additional traffic  
on Baseline — dangerous

Interference w/ animal <sup>and</sup> bird  
corridor.

Does not profit in any way  
City of Lafayette

Development not consistent with surrounding  
area and not coinciding with  
Lafayette's Smart plan

- increased strain on traffic's service infrastructure
- strain on wildlife in open space  
corridors and buffers

I am opposed to this project. I also feel like my voice to express ~~desent~~ has been taken away by this meeting format with multiple stations. I will work to make sure this development doesn't go through.

Increased strain on traffic

Strain on wildlife & open space

Too much development

We are totally against this development

I'm 11 years old, and a resident of NYland, I do not want this happening; it would get rid of my favorite hiking paths and hiking paths, I like NYland because its a small peaceful place where I'm accepted, if this happens, my life will be one big ~~#~~ hectic mess, and I cannot accept that as a reality.

I do not believe this proposed development fits into the open space area that is adjoining the property. City or County should ~~not~~ purchase this ~~far~~ property for open space.

Traffic will, as always, be a major concern.

Developer appears to be unaware of the environment & trying to fit in with our cities philosophies.

Dickson does not seem interested in completely proper studies: traffic, environmental impact

No affordable housing is planned. I thought that was a requirement for all new housing.

Increased traffic congestion on Baseline Rd.

Not fitting into Plan of Lafayette's smart development  
loss of rural feel or open

My Main concern is increased traffic on an  
already congested 2 lane Rd.

Concern 1: Baseline had traffic. Don't believe that  
High density units can be supported in  
this area

Concern 2: This is a Rural Area and would like  
it to remain this way

Sandy McLean  
1860 Fairview Dr  
303-596-7190

~~Open Space taking environment away from~~  
wild life & too dense - too many  
people - ~~sewer, electric, other utility~~  
~~Surrounding areas not compatible with~~  
~~impost negative to surrounding areas~~

I am concerned about increased traffic on  
Baseline Rd

Besides increased tax revenue, is there any benefit  
to the city of Lafayette?

James Demron  
3558 Nyland Way

Can you address the loss of open space?

Please Consider working with Louisville  
& Boulder County to purchase this  
as open space

Dary Fauquhar  
421 Indians Peaks Tr. W.

**CITY OF LAFAYETTE**

**RESOLUTION NO. 2012-21**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE,  
COLORADO, ADOPTING MANDATORY AND ASPIRATIONAL STANDARDS  
FOR RESIDENTIAL PROJECTS PURSUANT TO LAFAYETTE CODE  
SECTION 26-18-5.**

**WHEREAS**, by Code § 26-18-5, the Lafayette City Council established review criteria for residential planned unit development projects; and

**WHEREAS**, it was the intent of Code § 26-18-5 that the review criteria set forth therein should govern the City's approval of residential planned unit development projects within the City of Lafayette; and

**WHEREAS**, said Code section provides that, upon recommendation of the Planning Commission, the City Council shall adopt, by resolution, both mandatory and aspirational standards by which a proposed residential planned unit development's ability to fulfill the criteria set forth in the Code shall be measured; and

**WHEREAS**, since the adoption of Code § 26-18-5, the citizens of the City of Lafayette adopted Section 6.10 of the City's Charter, limiting the residential growth within the City at least through the year 2007; and

**WHEREAS**, adoption of that Charter provision, coupled with the City's pre-existing growth management ordinance, limits the City's ability to approve residential housing applications; where the demand for approval exceeds the City's ability to provide approval, the City Council wishes to have the discretion to approve those proposed residential developments that most address the goals of the City, rather than merely approving all residential developments on a first-come, first-approved basis; and

**WHEREAS**, the City Council wishes to adopt additional standards to guide the exercise of its discretion in approving or denying proposed residential developments; and

**WHEREAS**, the Planning Commission has recommended adoption of the following standards; and

**WHEREAS**, in adopting such standards, the City Council has endeavored to recognize and incorporate those standards that the City has been using since the adoption of section 26-18-5 including standards and goals in the Comprehensive Plan, to judge proposed developments' compliance with the criteria set forth in said section; and

**WHEREAS**, staff will work with all applicants applying for Planned Unit Developments to insure that the applicant is aware of and understands how important

both the mandatory and aspirational standards, as specified in this resolution, are to the City of Lafayette; and

**WHEREAS**, on June 3, 2001, the City Council approved Ordinance 14, Series 2003 adopting inclusionary zoning; and

**WHEREAS**, on February 21, 2006 the City Council approved Ordinance 01, Series 2006 amending the formula for measuring building height; and

**WHEREAS**, on November 21, 2006 the City Council approved amendments to the aspirational standards for energy efficiency; and

**WHEREAS**, on January 3, 2012 the City Council approved amendments to the Community Housing Program eliminating the requirement for Permanently Affordable dwelling units; and

**WHEREAS**, the City Council has therefore determined that it is necessary and appropriate to adopt the mandatory and aspirational standards set forth below.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AS FOLLOWS:**

Section 1.0 Water and Sewer. Code Section 26-18-5(b)(1) provides that "the City shall have a projected capacity to serve fully all subdivided lots with water and sewer."

1.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

1.1.1 The resolution approved by the City Council in accordance with Section 30-271 of the Code of Ordinances of the City of Lafayette allows that the proposed number of residential units can be adequately served.

1.1.2 It is reasonably likely that, taking into account Charter Section 6.10, the proposed development will be able to begin receiving building permits within two years after the final plan is approved.

1.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(1).

1.2.1 Reserved for future use.

Section 2.0 Other utilities. Code Section 26-18-5(b)(2) provides that "the City shall receive adequate assurance from all nonmunicipal service providers of adequate, imminent service for all subdivided lots."

2.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

2.1.1 All companies supplying utilities other than water and sewer can supply the proposed development with service upon the date of expected occupancy.

2.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(2).

2.2.1 Reserved for future use.

Section 3.0 Public safety. Code Section 26-18-5(b)(3) provides that "the City shall have the capacity to provide an appropriate level of fire and police protection to all subdivided lots."

3.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

3.1.1 The development does not materially interfere with the Lafayette Fire Department's Five Year Plan to achieve a six (6) minute average response time.

3.1.2 The development complies with all adopted Building and Fire Codes.

3.1.3 If, in order to provide adequate public safety protection or response, specialized equipment is needed, and there is no reasonable alternative, the development shall bear the cost of that specialized equipment.

3.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may

be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(3).

3.2.1 The proposed development supports the fire and/or police departments through the dedication of a site or facility needed for public safety use.

3.2.2 The design of the proposed development incorporates the police department's standards for Crime Prevention through Environmental Design.

3.2.3 The proposed development will participate in the Neighborhood Watch Program.

3.2.4 The response time of the fire department to the proposed development shall not be longer than six (6) minutes.

3.2.5 In light of the City's current land use mix, the number of police officers per 1000 residents shall not fall below 1.5.

Section 4.0 Recreation. Code Section 26-18-5(b)(4) provides that "the City shall ensure sufficient recreational opportunities for all of its current residents and the future residents of the proposed subdivision."

4.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

4.1.1 Public park areas shall be a minimum of three acres in size, unless otherwise approved by the Parks and Recreation Director.

4.1.2 All parks and trail facilities in the proposed plan comply with the adopted Parks and Recreation Master Plan.

4.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(4).

4.2.1 The proposed development provides recreational amenities with the project design that conform to the needs identified in the Parks and Recreation Master Plan.

4.2.2 The proposed development is linked by a pedestrian/bicycle trail to a City or County recreation facility, bicycle path, school, library, or other public facilities.

4.2.3 The proposed design includes access for residents to nearby open space and public park areas.

Section 5.0 Economy of service. Code Section 26-18-5(b)(5) provides that "City services shall be provided in the most efficient manner practicable."

5.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

5.1.1 No sewer lift stations will be permitted unless they will serve an area consisting of more than one square mile.

5.1.2 The proposed development does not create a significantly disproportionate liability risk to the City in accepting and maintaining the public improvements associated therewith.

5.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(5).

5.2.1 The proposed utility plan does not place a significantly disproportionate burden on the City maintenance function.

5.2.2 The proposed transportation plan does not place a significantly disproportionate burden on the City maintenance function.

5.2.3 Infill residential projects will be encouraged.

Section 6.0 Schools. Code Section 26-18-5(b)(1) provides that "the City shall support and encourage the best quality education for Lafayette children."

6.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

6.1.1 Based upon the City's own information and experience, the City determines that all public schools expected to serve the proposed

development have sufficient--current and projected--capacity to accept the children expected to live in the development--taking into consideration both the children expected to live in the proposed development, and children expected to live in other previously approved developments which are not yet built out.

6.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(6).

6.2.1 All children expected to live in the proposed development will have the opportunity to attend neighborhood schools.

6.2.2 School impacts are mitigated by means of a school site dedication.

6.2.3 The proposed development contributes a substantial element which complements or supplements education within the community.

Section 7.0 Prior agreements. Code Section 26-18-5(b)(7) provides that "to the extent any prior development and/or annexation agreements do not conflict with the provisions of this ordinance, the City shall consider any prior commitments made in such agreements in reviewing a PUD."

7.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

7.1.1 City approval of the proposed development shall be consistent with any and all prior City of Lafayette contractual obligations.

7.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(7).

7.2.1 Reserved for Future use.

Section 8.0 Community housing needs. Code Section 26-18-5(b)(8) provides that "the City shall promote a variety of housing types, prices, and ownership forms to satisfy the needs of all segments of the community."

8.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

8.1.1 Allocation of any of the 50 permits made available by Section 6.10 of the City Charter shall be allocated only to projects that provide units in conformance to the Community Housing Guidelines, i.e. are priced to be affordable to households with annual incomes of 80% of the area median income, as calculated by HUD.

8.1.3 The location of units made available by any of the 50 permits provided by Section 6.10 of the City Charter will not be grouped in such a way as to cause excessive economic division within the neighborhood.

8.1.4 The exterior appearance of units made available by any of the 50 permits provided by Section 6.10 of the City Charter will be substantially similar in appearance to other units in terms of quality.

8.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(8).

8.2.1 The City's prior approvals for new housing projects will be considered when granting any approvals so that, to the best of the City's ability, the public is provided choices in type of housing, including single family, duplex and multi-family, ownership and rental units, as well as a full price range of housing.

Section 9.0 Developer's ability to complete construction of the PUD. Code Section 26-18-5(b)(9) provides that "the City will commit City resources only to developments that are likely to be completed as proposed."

9.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

9.1.1 The developer shall be free of any past or present material breaches of development contracts with the City and/or County governments within the last five (5) years.

9.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(9).

9.2.1 Reserved for future use.

Section 10.0 Build-out rate. Code Section 26-18-5(b)(10) provides that "in order to manage residential growth in accordance with the City's ability to provide services and to allow a variety of housing developments to be completed, the City shall encourage building to occur subject to an agreed upon time schedule and build-out rate."

10.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

10.1.1 Each proposed development will submit its projected requirements for the issuance of building permits with the preliminary plan submittal. The development can be approved only if this level of service can be met under the City's growth cap, as set in compliance with Section 30-269 et. seq. of the City's Code of Ordinances.

10.1.2 The applicant should present sufficient information to demonstrate that the development has a reasonable likelihood of completion, given the requested building permit schedule.

10.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(10).

10.2.1 Reserved for future use.

Section 11.0 Community amenities. Code Section 26-18-5(b)(11) provides that "the City shall encourage residential developments that contribute significant amenities to the development itself, and to the community at large."

11.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

11.1.1 Reserved for future use.

11.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(11).

11.2.1 The proposed development will include some community amenities, including, but not limited to: an appropriately-located park site (above the minimum requirement), private funding of park construction, a site for a public school, fire station, or police substation, an historic marker or instructional facility, a city identification sign and/or sign location, wildlife preservation, heavily landscaped streetscape (in excess of the minimum requirements) which improves the public image of the City.

Section 12.0 Goal fulfillment. Code Section 26-18-5(b)(12) provides that "the City shall encourage residential developments that fulfill specific Comprehensive Plan or City Council goals."

12.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

12.1.1 Reserved for future use.

12.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(12).

12.2.1 The proposed project fulfills a specific City Council, Downtown Plan, or Comprehensive Plan goal.

Section 13.0 City's financial ability to serve. Code Section 26-18-5(b)(13) provides that "the City shall demonstrate that it is financially able to provide general municipal services to all new residential development."

13.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

13.1.1 The project is presumed to meet this criteria unless the City demonstrates it is not financially able to serve the development.

13.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(13).

13.2.2 Reserved for future use.

Section 14.0 Transportation. Code Section 26-18-5(b)(14) provides that "the City shall encourage an efficient and environmentally sound transportation system."

14.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

14.1.1 Unless there is no practical alternative, every proposed development over 50 units shall include more than one access point to an arterial or major collector street, regardless of whether an individual cul-de-sac or street within said development or portion thereof is less than 500 feet in length..

14.1.2 Where practical, neighborhoods shall be interconnected to provide vehicular, pedestrian, bicycle and similar access between neighborhoods.

14.1.3 Adequate parking will be supplied.

14.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(14).

14.2.1 Private streets are discouraged.

14.2.2 The proposed development contributes to the efficient and effective operation of the Regional Transportation District by providing facilities or enhancements to the system such as bus shelters at bus stops adjacent to or within the development.

14.2.3 The City will favor those developments that provide for and encourage transportation modes alternative to the automobile.

Section 15.0 Environment. Code Section 26-18-5(b)(15) provides that "the natural environment assets of a property shall be preserved to the extent practicable."

15.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

15.1.1 The proposed development design recognizes and mitigates impacts on wildlife areas as defined on the Division of Wildlife's map provided to the City and filed with the Planning Department.

15.1.2 The developer will survey the property to identify any endangered plant or animal species and all wetland areas, both according to federal and state standards, and shall comply with any applicable federal and state standards relating to endangered species and wetlands.

15.1.3 No structures will be approved without full compliance with Lafayette's Flood Plain Standards.

15.1.4 Abatement techniques for mine shafts and slopes shall be required of developers and no undeveloped land overlying high risk subsidence zones will be developed unless the design is approved by the State Geologist's office.

15.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(15).

15.2.1 The proposed development will enhance and/or expand the City's and County's recycling program.

15.2.2 Existing healthy trees will be preserved whenever possible.

15.2.3 To the extent reasonably practicable, the proposed development will be designed to utilize the natural topography of the site and to preserve natural grades.

15.2.4 Prairie dog colonies will be humanely removed or relocated prior to the start of construction.

15.2.5 The proposed development promotes and incorporates energy and water conservation measures. Such energy conservation measures may include, but are not limited to, the following:

- Energy efficient construction or use of energy efficient components such as, but not limited to, low-E windows, higher than normal R-values for insulation, highly efficient heating ventilation and air conditioning systems (HVAC), efficient lighting systems, etc;
- Passive solar design;
- Solar hot water heating; or
- Photovoltaic solar panels;

Such water conservation measures may include measures that are over and above the minimum existing standards for landscape irrigation, plumbing fixture usage, etc.

Section 16.0 Cultural. Code Section 26-18-5(b)(16) provides that "the City values its existing historical and/or cultural facilities, including its library, theater, etc.

16.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

16.1.1 Reserved for future use.

16.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(16).

16.2.1 The proposed development provides a means for cultural enrichment of the community, such as providing public visual art or providing opportunities for the performing arts.

16.2.2 The proposed development contributes in a material way to the City's existing cultural resources, such as a site for public art.

16.2.3 The proposed development preserves an element of historical interest on the site.

Section 17.0 Strong homeowners associations. Code Section 26-18-5(b)(17) provides that "the City shall encourage the development of strong homeowners associations to promote a sense of community and to ensure the continued existence of a viable entity responsible for maintenance of private open space and other similar duties."

17.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

17.1.1 The following elements are included within the homeowner's documents:

- a. Covenants, Conditions and Restrictions, providing for a homeowners' association and architectural control committee.
- b. Articles of incorporation of the homeowners' association.
- c. Bylaws for the homeowners' association.
- d. Provision for automatic renewal of the covenants without a vote of the property owners.
- e. Provision for mandatory dues or other funding mechanism.
- f. If the association will be responsible for a master water meter, provision to allow the City to charge association members their pro-rata share of the water bill, in the event that the association does not make timely payments.
- g. Provision for adequate authority to enforce the covenants.
- h. Provision for the architectural control committee to meet regularly.

17.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(17).

17.2.1 The following elements are included within the homeowners' documents:

- a. Overall design guidelines.

- b. Provisions stating the substance of C.R.S. § 38-33.3-313(1)-(4), concerning the insurance policies that may or must be maintained by the association (property and commercial general liability ins. on common elements), to provide guidance to owners/associations after the developer has completed the project and withdrawn from the association.
- c. Provision requiring that when an owner or employee of an association controls or disburses association funds, the association must maintain fidelity insurance coverage of an amount not less than the aggregate of two months assessments plus reserves, as set forth in C.R.S. § 38-33.3-313(10).
- d. If the association will have 30 or more units, provisions comply with C.R.S. § 38-33.3-306(3)(a) by requiring that when the association delegates power to a managing agent, the agent must (I) maintain fidelity insurance in an amount no less than \$50,000 or such greater amount as the association may require; (ii) maintain association funds in an account separate from other associations, and maintain association operating funds in an account separate from association reserve funds; and (iii) present an annual accounting and financial statement to the association.
- e. Provision for regular audits of the association's finances, at least once every five years, at the association's expense, or more often if a member requests and agrees to pay for it.

Section 18.0 Diversity and quality of development. Code Section 26-18-5(b)(18) provides that "the City shall encourage residential developments that present a diversity of design, a feeling of spaciousness, and an enhanced quality of life."

18.1 The following mandatory standards shall be met by all residential PUDs. Failure of any proposed PUD to meet the following mandatory standards shall constitute grounds for denying sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

18.1.1 Reserved for future use.

18.2 The following standards are aspirational only. However, the degree to which a proposed residential development meets these aspirational standards may be considered by the Planning Commission and City Council in determining whether the proposal meets the PUD approval criteria found in Section 26-18-5(b)(18).

18.2.1 The project will include a mix of residential densities, building types, and price levels. Innovative housing that reflects community values and preserves environmental assets will be encouraged.

Section 19.0 Failure of a residential development to meet at least one or more of the foregoing aspirational criteria may constitute grounds to deny sketch plan, preliminary plan, final plan, site plan or architectural review approval, as the case may be.

Section 20.0 This resolution shall be effective upon its adoption.

**RESOLVED AND PASSED** this 3RD day of APRIL, 2012.

**CITY OF LAFAYETTE, COLORADO**

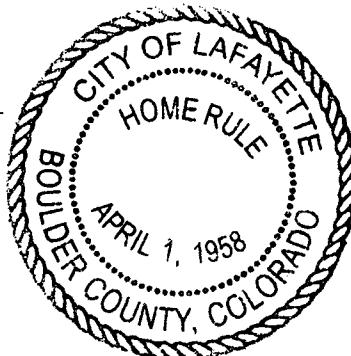
*Carolyn D. Cutler*  
Carolyn D. Cutler, Mayor

**ATTEST:**

*Susan Koster*  
\_\_\_\_\_  
Susan Koster, CMC  
City Clerk

**APPROVED AS TO FORM:**

*David Williamson*  
\_\_\_\_\_  
David Williamson, City Attorney



To: Brian Wong, Chairman and Commissions of the City of Lafayette Planning Commission

From: Rusty White

RE: 8600 BASELINE ROAD – LEVEN ANNEXATION

April 17, 2018

My name is Rusty White. I live at 1687 Westward Drive in Lafayette, Colorado. I also own 601 Snow Peak Lane which abuts the subject of this proposed annexation.

The proposed annexation seems to lack three fundamental needs for annexation:

*- Community housing needs. The city shall promote a variety of housing types, prices, and ownership forms to satisfy the needs of all segments of the community.*

*-Community amenities. The city shall encourage residential developments that contribute significant amenities to the development itself, and to the community at large.*

*-Goal fulfillment. The city shall encourage residential developments that fulfill specific Comprehensive Plan or city council goals.*

I would argue this proposal does not offer any type of housing that the City doesn't already have. It does not contribute significant amenities to the community at large. And, it does not fulfil any specific Comprehensive Plan or city council goals.

The City of Lafayette has limited annexation areas remaining. You have the right and obligation to assure the residents of Lafayette that the remaining annexations will make the City better and improve the quality of life in Lafayette.

If approved, this annexation would take away one of the last pieces of rural property located within the Lafayette Planning area. It seems to me the City has the time to wait for a future option which would give all of the residents of the City something they do not already have.

## **Paul Rayl**

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**From:** mssusie7 <mssusie7@gmail.com>  
**Sent:** Thursday, April 19, 2018 2:59 PM  
**To:** Paul Rayl  
**Subject:** Housing development

Dear City of Lafayette Planning Commission,

We are deeply concerned about the proposed development of the rural Boulder County horse farm at 8600 Baseline of 87 homes for a number of reasons:

1. This area is surrounded by Open Space and has two active ditches that run through or adjacent to it. This makes it part of a wildlife corridor and the green space between the cities of Boulder, Lafayette and Louisville. I live nearby and have witnessed many animals using the land, ditches and trees: prairie dogs, nesting bobolinks, bald eagles, red tail hawks, cooper's hawks, great horned owls, skunks, coyotes, mountain lions, many, many songbirds, deer, foxes, magpies, kestrels, geese, bees, bull snakes, mice, tiger salamanders and toads. Saving small chunks of land for nature is helpful, but doesn't serve the many animals who need large, uninterrupted space in order to survive. This proposal does not respect the wildlife corridor that forms the green space between our cities.
2. The greater area around this property is rural Boulder County homes on multiple acres and Nyland Cohousing, which has tightly clustered its homes in order to leave the majority of its property in meadows that are being restored to native prairie. Nyland and the Snowy Peaks homes, the two immediate neighbors, have donated 24 acres together to add to the Open Space corridor. This new development does not propose to save ANY land for nature, nor to preserve the rural feel of the pre-existing homes. This is an incongruous proposal for this site.
3. Baseline Road is the designated bike route between Boulder and Lafayette, and from what I understand, it is not slated to ever be widened. The commuter traffic is already quite heavy and scary when biking, crossing to catch the bus or trying to turn onto the road. When Nyland was built in 1992, they instigated the 225 bus line on Baseline and also were instrumental in starting the neighborhood Ecopass program, which they continue to contribute several thousand dollars to each year to give everyone in the community a bus pass. The developer of 8600 Baseline has made no effort to address the additional traffic his proposal will add to the already too crowded road.
4. While the world is coming to terms with a more and more desperate need for clean energy, sustainability, nature conservation, community building and affordable housing, this proposal has weak plans to address any of these issues in a forward-thinking manner. Lafayette (and the rest of the world) does not need 87 more traditional homes.

Please consider the above issues as you review this development proposal. This is a chance to make a strong statement about what we want our future to look like for ourselves and our children. As leaders for our town, I trust you will make a decision that takes all beings and our planet into respectful consideration.

On behalf of all the creatures, plants and humans who need this place, thank you.

Jack and Sue Surface

## **Paul Rayl**

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**From:** Stefanie Maravegias <SMaravegias@catorruma.com> on behalf of Michael Meints <mmeints@catorruma.com>  
**Sent:** Thursday, April 19, 2018 1:39 PM  
**To:** Paul Rayl  
**Subject:** Leven Annexation and Subdivision

Dear Mr. Rayl,

My name is Michael Meints and my wife and I live at 679 Snowpeak Lane. Our residence is directly east of the proposed Leven subdivision.

As a licensed mechanical engineer who owns and operates a large consulting engineering firm which has completed thousands of project across the Midwest, I feel I have an expertise to address a specific element in the Leven development proposal relative to their claim that the subdivision will approach "net zero". Although this is only one of a multitude of misleading statements within the proposal, if it is directly related to the City of Lafayette and the Zoning Board's evaluation towards the "benefit or impact of each proposal on the entire community". Without question, the community has the potential to be negatively impacted by the systems proposed.

I will briefly delineate those elements which require consideration by the City of Lafayette and/or further detail from the Leven Development team:

- 1) The system proposed is a centralized geothermal system, utilizing the street as a heat sink. There are many institutions within the state and around the country which utilize centralized distribution HVAC systems; specifically, CU Boulder and CSU which are both in our backyard. As my firm is responsible for design and routine upgrade of many of these systems, I am quite familiar with the intricacies. These are complex systems which require advanced controls and day-to-day routine maintenance, and it is not something a common residential owner is typically capable of supporting. Who will "own" these systems - the City of Lafayette (since it is the City's street), the HOA, or the individual homeowners?
- 2) Obtaining "net zero" in a residence is a lofty and potentially unrealistic goal, if the desire is to maintain a competitive price point for the properties. Coincidentally enough, the most recent ASHRAE (American Society of Heating, Refrigerating and Air-Conditioning Engineers) magazine addressed a "prototype" net zero residence which has been developed by NIST (National Institute of Standards and Technology). The fact that NIST is just in the development phase should give some idea of how unique and uncommon a net zero residence actually is.
- 3) Of particular importance to the City of Lafayette, while specifically addressing the "impact of each proposal on the entire community", is the intention of the developer to utilize the street as a heat sink. Who will own the piping buried in the City's street? Who will tear the street up to repair the inevitable leaks? Who will replace the piping at the end of its useful life? Etc. Who will develop the City Standards for a system of this nature?
- 4) We have investigated the proposed vendor of the geothermal system and it appears they are a startup company who has never done this type of install. The developer readily admitted at the neighborhood meeting that this would be "the first of a kind" for a community. There's a reason this has never been done before.
- 5) The developer has stated that the system could be utilized to melt snow on the street; however, these geothermal systems are typically buried 5' – 6' deep in an area where the earth temperature is stable. This is counter to a snowmelt system, which is 6"-8" below the street. A snowmelt system would also cause premature street failure due to the expansion and contraction.

- 6) Of concern to the homes off Snowpeak Lane is the proposed location of the centralized pumping plant. This plant would need to be sized to support anywhere from 250-350 tons of cooling and associated heating - the equivalent need of a 150,000 SF office building! The obvious concerns of aesthetics, and most importantly sound, will need to be addressed by the developer. This plant should be moved to the center of his development where he can ensure the neighboring properties are not adversely affected.
- 7) I question the validity of the statement of how the developer will actually achieve net zero without adding a substantial photovoltaic array, as the necessary square footage cannot be achieved by simply adding PV panels on the roof of each home. Once again, the controls and the coordination required with Xcel Energy would be unwieldy and complex.

The comments above are just a few of the many issues which could be misinterpreted by an individual who is not well-versed in this type of system. As a minimum, we believe the City of Lafayette should require extensive and specific details on how the developer intends to accomplish this system. Additionally, these details and plans should address how the entire community would benefit. I believe it would be valuable to include the entire Community, the Planning Board, the City Council, the Developer, and an independent third party in a high-level design charrette to discuss these very technical issues. I would be happy to represent the community to facilitate this discussion.

Thank you for your time.

Sincerely,

Michael A. Meints, P.E.  
Chief Executive Officer



Cator, Ruma & Associates, Co.  
Colorado | Wyoming | Idaho  
896 Tabor Street, Lakewood, CO 80401  
P (303) 232-6200  
C (303) 917-3455  
[www.catorruma.com](http://www.catorruma.com)



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## **Paul Rayl**

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**From:** carrie dalton <csd55@yahoo.com>  
**Sent:** Thursday, April 19, 2018 12:58 PM  
**To:** Paul Rayl  
**Subject:** Fw: [8600baseline]

Dear Paul,

I have nothing against housing, everyone needs a place to live, but I would beg that it not be housing for the wealthy alone. This area lack diversity already and I think we're just squeezing out low income families more and more every year.

I am also interested how much Lafayette stands to gain financially on this as it seems quite eager to add 87 more rich families to its rooster..yet won't feel the impact since it's not really Lafayette, geographically.

Please let me know,  
Carrie dalton  
8721 elgin dr  
Lafayette

Sent from Yahoo Mail on Android

----- Forwarded Message -----

**From:** "Marina M Daniels" <ZDaniels@salud.unm.edu>  
**To:** "8600baseline@googlegroups.com" <8600baseline@googlegroups.com>  
**Sent:** Wed, Apr 18, 2018 at 8:38 PM  
**Subject:** [8600baseline] Last Minute Alert

THIS IS THE LAST DAY TO SEND COMMENTS, Wednesday 4/18/18, to the Lafayette Planning Commission re the proposed Leven Subdivision, to be discussed 4/24/18. Be sure to send comments to Paul Rayl at paulr@cityoflafayette.com re the proposal for inclusion in the Planning Commission's packet.

apologies for the late notice. If you miss this deadline, come to the meeting, and send your comments anyway!

Thank you.

--  
To join, leave or ask questions about this list, please see our website at: [www.8600baseline.org](http://www.8600baseline.org)

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You received this message because you are subscribed to the Google Groups "8600Baseline" group.  
To unsubscribe from this group and stop receiving emails from it, send an email to  
[8600baseline+unsubscribe@googlegroups.com](mailto:8600baseline+unsubscribe@googlegroups.com).  
For more options, visit <https://groups.google.com/d/optout>.

## **Paul Rayl**

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**From:** Bevin Gumm <bevingumm@hotmail.com>  
**Sent:** Thursday, April 19, 2018 2:25 PM  
**To:** Paul Rayl  
**Cc:** Bevin Gumm  
**Subject:** 8600 Baseline concern

Dear City of Lafayette Planning Commission,

I am deeply concerned about the proposed development of the rural Boulder County horse farm at 8600 Baseline of 87 homes for a number of reasons:

There is so many proposed building sites on Baseline Road. I drive everyday past this area of Baseline and there are always a few days when an accident happens a year I wait in this area until all emergency vehicles have helped the vehicles in an accident.

The road is narrow here and this can cause great distress for the commuters if we are now adding many more drivers in this area of Baseline.

The commuter traffic is already quite heavy and scary when biking, crossing to catch the bus or trying to turn onto the road.

I am hoping that the city planners, city council and all people who are in the position to evaluate these proposed developments realize that as a current citizen of our community there is great concern for the safety of all people and wildlife who already live in these areas.

I truly believe there needs to be a new traffic study for Baseline and some major funding for underpasses in our community specifically on Baseline.

Thank you!  
Best,  
Bevin Gumm  
Lafayette resident

## **Paul Rayl**

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**From:** Jim Beckmeyer <jcbeckmeyer@gmail.com>  
**Sent:** Thursday, April 19, 2018 10:09 AM  
**To:** Paul Rayl  
**Subject:** Leven Subdivision comments

Dear Mr. Rayl,

I am writing to submit comments about the proposed Leven Subdivision development.

As a resident and owner at Nyland Cohousing, development of the adjacent property is of great interest to me.

Of course, I would prefer that the property at 8600 Baseline not be "developed" at all. Given the general direction of development in Boulder county (which is more building into the foreseeable future) it seems wise to avoid filling in all the remaining undeveloped land with housing. I understand that it certainly is profitable for developers and will bring in more tax revenue, but is infinite growth really a priority for Boulder County? I would urge you and the rest of the members of the Commission to look into alternate uses such as open space, parkland, etc. Shouldn't Boulder County have more parks and open space to serve the already increased number of residents? If so, we're rapidly running out of potential land for that purpose. Also, given the increased traffic congestion I've seen over the last 5 years, will the surrounding roads support all these new residents?

If the development is approved, I must say that even though it technically adheres to the proposed zoning changes, in practice it would be completely incongruent with the surrounding neighborhoods: the housing density would be almost double of what surrounds it. If you and the Lafayette City Council decide this development is in the best interests of the county and the city, I would strongly urge that the development plans be redrawn to have much less impact on the surrounding residents.

As an example, I would point to Nyland Cohousing. We have 42 units on 40 acres, which are built in such a way as to have little to no visibility to any of the surrounding neighbors. At least half of Nyland's acreage has been left undeveloped and the rural feel of the land has been kept intact. It would only require some thought and creativity on Reid Phillips' part to accomplish the same.

Thanks for reading!

--  
James Beckmeyer  
3535 Nyland Way  
Lafayette, CO 80026  
415-676-8700

## **Paul Rayl**

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**From:** Turie Norman <turienorman@gmail.com>  
**Sent:** Thursday, April 19, 2018 9:43 AM  
**To:** Paul Rayl  
**Subject:** new proposed development

Hello,

I am against the proposed development of 8600 Basemine for the following reasons; it is detrimental to the environment and openspace corridor of land. This harms wildlife and biodiversity and our esthetics of natural beauty.

Most the school aged children will not be attending Lafayette schools they will go to the better schools Platt and Douglas which creates more traffic with parents driving kids to school going West on Baseline Rd.

thankyou

Anna Norman

7856 Baseline Rd

Sent from my iPhone

## **Paul Rayl**

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**From:** Sally Harris <sallyjharris@hotmail.com>  
**Sent:** Thursday, April 19, 2018 9:08 AM  
**To:** Paul Rayl  
**Subject:** Development at 8600 Baseline

Dear City of Lafayette Planning Commission, I am concerned about the proposed development of the rural Boulder County horse farm at 8600 Baseline. We are truly overdeveloping our city, taking away the rural feel that so many of us value.

We are taking away habitat and corridors for all the native animals, which we profess to value. The proposal, as it stands, does not propose to preserve or dedicate any land for nature, nor preserve the existing rural environment that matches the existing homes adjacent at Nyland and Snowy Peaks.

Baseline Road is a narrow, two lane road, and congestion will increase with this large development, creating an even more dangerous commute than that which currently exists.

I ask that the Commission please consider how valuable our rural nature in this corridor is, and how much a large, dense development will change that nature forever. We cannot profess to support caring for our environment, whilst overdeveloping the land.

Thank you,

Sally Harris  
3014 Thunder Lake Cir  
Lafayette CO 80026  
720-443-2155

## **Paul Rayl**

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**From:** Sarah Keane <sarahmaria@gmail.com>  
**Sent:** Wednesday, April 18, 2018 9:06 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

Mr. Rayl and Planning Commission members,

I only just discovered this evening that tonight is the deadline for submitting written comments in advance of next week's Planning Commission meeting. Accordingly, my comments are not as detailed or thorough as they might have been, but I look forward to offering oral comments at the meeting and submitting additional written comments at later stages of the project consideration, if it moves forward.

I am strongly opposed to the proposed development at 8600 Baseline for numerous reasons, including (but certainly not limited to):

- The proposed density of development is strongly out of character with the surrounding land uses -- which is mostly open space and a small, conscientious development. Although the developer makes a claim that the total number of acres divided by the total number of homes means that it will be "low density", this is misleading, at best. There is simply nothing "low density" about a townhome development.
- Although I strongly believe in using alternative sources of energy to power our homes and communities, an untested geothermal technology should NOT be used for the first time in a greenfield development. All new technologies have unintended consequences, and the City should not allow this beautiful, nearly untouched land to learn first hand what those consequences are. We simply don't know enough to feel confident that the ditch and surrounding wildlife will be sufficiently protected by introduction of the novel technology.
- The developer has not been forthcoming, honest, or polite to concerned neighbors. For example, I witnessed first hand at the last community meeting the developer answer questions with statements that were not true, or were deeply scornful of the community's heartfelt concerns.
- The surrounding area is a very special, and very sensitive, habitat. By undergrounding much of the ditch and developing over the remaining private property, the quality of habitat of the surrounding open spaces will be greatly diminished -- which will be a true (and irrecoverable) loss for the City and the surrounding communities. Additionally, I have heard that there are some endangered species and protected migratory birds that have habitat in and around the proposed development. Will the City ensure that the Endangered Species Act and Migratory Bird Treaty Act requirements are satisfied?
- The development will exacerbate the unsafe traffic conditions along Baseline Road, and the developer's proposal to mitigate this seems woefully insufficient.

Please REJECT this site plan.

In addition, I believe that the development is not an appropriate candidate for annexation into the City of Lafayette. Although the developer has cherry-picked sections of the City's Master Plan to argue that it the

development will support the City's goals, there are several other aspects of the Plan that run directly counter to this sort of development. The most concerning of these to me is the City's goals to maintain buffers between Lafayette, Louisville and Boulder County. A project like this will erode any sense of separation between these jurisdictions in this area, and indeed will result in greater impacts to Louisville and County residents than it will to Lafayette's. Additionally, this proposal flies in the face of the City's goal to promote in-fill development. The 8600 Baseline development would be far removed from the heart of Lafayette and would result in suburban sprawl, with devastating consequences to neighbors and everyone who enjoys the nearby open space.

Thank you for your consideration.

Sarah Keane

## **Paul Rayl**

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**From:** modines@aol.com  
**Sent:** Wednesday, April 18, 2018 9:57 PM  
**To:** Paul Rayl  
**Subject:** Leven Development

**To:** Lafayette Planning Commission  
**From:** Marian Dines, 3595 Nyland Way, Lafayette, CO 80026  
**Date:** April 18, 2018  
**Re:** Proposed Leven Development at 8600 & 8602 Baseline

Dear Planning Commission Members:

I am writing you to persuade you to stop the proposed development at 8600 & 8602 Baseline from going any further. In informal conversations with people on the advisory boards of the various Open Space jurisdictions that own Open Space adjacent to this parcel, I am encouraged to think we can put together a proposal that would include the joint purchase of this property by these various jurisdictions.

### I. There is no automatic right to be annexed

The development must prove that it adds to Lafayette in a positive way. *Sec. 26-18-1. - Intent. It is the intent that planned unit developments (P.U.D.) promote the most beneficial and creative development of land within the City of Lafayette.*

Mr. Phillips believes his use of geothermal will be beneficial and creative, but he admitted at the neighborhood meeting that the technology has never been used before in a residential development.

### II. Review Criteria (Sec. 26-18-5)

There are many Review Criteria the proposed development does not meet.

*(8) Community housing needs. The city shall promote a variety of housing types, prices, and ownership forms to satisfy the needs of all segments of the community.*

No home prices are included in this plan, but we know from the first plan Mr. Phillips proposed last fall that he was contemplating million-dollar homes. He has added 41 townhomes to this plan which his assistant said were to be priced at \$700,000-800,000. There is demand in Lafayette for affordable housing. It is not clear that there is demand for either million-dollar homes or \$750k townhomes, but if there were, that demand might be in an urban location, not at the far western edge of Lafayette.

His offer to pay double the affordable housing fee to proceed with this development does not address the need.

*(9) Developer's ability to complete construction of the P.U.D. The city will commit city resources only to developments that are likely to be completed as proposed.*

At the Oct 4, 2017 meeting with nearby homeowners, Mr. Phillips was asked whether he had any prior experience building a rural development. His answer was vague and evasive enough to give the impression he had none. His experience is in urban in-fill in Denver. A brief google search yielded negative press about shoddy construction at a development of his in Westminster.

Geothermal only showed up in his second plan. Not only does he have no experience with geothermal, but also it is untested technology.

*(11) Community amenities. The city shall encourage residential developments that contribute significant amenities to the development itself, and to the community at large.*

The proposed Leven Development includes no amenities whatsoever, to either the development itself or to the community at large. All it has to offer is proximity to open space, the closest being open space that the Nyland Cohousing Community donated to the City of Lafayette when it was annexed to Lafayette in 1992.

Mr. Phillips has no plans to donate any of the 35 acres to open space. He trumpets that he is keeping one-quarter of the development as open space, but closer inspection reveals that half of that “open space” is simply bringing the single-family lots #23-45 to the edge of the property.

*(14) Transportation. The city shall encourage an efficient and environmentally sound transportation system.*

The homeowners of these proposed 87 houses will greatly exacerbate existing traffic on Baseline, a major artery that is already overburdened.

*(15) Environment. The natural environment assets of a property shall be preserved to the extent practicable.*

From the “Statement of Intent”: “Native trees along the ditches have not been surveyed given the uncertain status of the ditches. If the ditches are piped, the trees will be evaluated by an arborist for health and safety conditions. Irrigation will be provided to the trees which are recommended for preservation by the arborist.”

To me that sounds as if many of the cottonwoods along the two ditches could be cut down. What about wildlife? Please look at the map entitled “Leven proposed annexation area” on the opening page of this proposal. You can see that this parcel sits right in the middle of open space. Please look at the two ditches that cross this property. His plan calls for 130’ open space along the ditches, but “that may need to be revised.” He has townhomes to the north and the larger single-family homes to the south of the ditches. Piping the ditches would guarantee that wildlife would no longer frequent these ditches.

Mr. Phillips is disingenuous regarding water usage in this proposal. His Water Budget Chart shows low expected water usage. Closer examination of this page reveals that he has not included any landscaping around the single-family dwellings because they are responsible for their own irrigation. He has included only landscaping around the townhomes. Single-family homes easily occupy three-quarters of the proposed subdivision. The landscape plan indicates lots of trees, but no water is allotted for their maintenance, again saying the trees will be the responsibility of the homeowners.

*(17) Strong homeowner associations. The city shall encourage the development of strong homeowner associations to promote a sense of community and to ensure the continued existence of a viable entity responsible for maintenance of open space, open areas and other similar duties.*

Mr. Phillips does include 1.52 acres of open space in and around the townhouses, but he makes no mention of any plans for any kind of community association, no common buildings, or gathering areas.

### III. Why further residential development may not help Lafayette

- The Gallagher Amendment, passed in 1982, states that 45% of property taxes collected in Colorado must be residential and 55% commercial. One unintended result of this amendment is that the assessment rate on residential property is only about one-quarter that on commercial property. Even though residential property today makes up 75% of Colorado’s total property values, the property tax collected on residential property is only 45% of the total property tax collected. \*
- Half of the city of Lafayette’s revenue comes from sales tax, which was \$9M in 2017 vs \$3.6 M from property tax. Of the property tax collected, 60% goes to fund K-12 education.
- The new Meadowlark school in Erie cost \$41.6 M.

- You can never know how much sales tax revenue the people who might buy homes in the proposed Leven development might generate for Lafayette. They could be working in Boulder, Louisville, or Denver. They might do much of their shopping near where they work, get their hair cut, have the oil changed, eat out for lunch, etc. Their sales tax dollars would be collected near their place of employment not by Lafayette. Lafayette would still have to pay to provide services for them.
- A development such as this one would contribute nothing to the fabric of Lafayette and instead exacerbate an existing problem of too much traffic trying to get into Boulder from the outlying communities.

#### IV. Conclusion

Please deny this development now. Denying the development would allow Mr. Phillips to get out of this contract without penalty. Then we can put together a proposal with the different Open Space entities that we can submit to the owner. We are currently caught in limbo since the property is under contract. Thank you for taking the time to read and consider my arguments.

\*<https://www.cde.state.co.us/sites/default/files/documents/cdelib/librarydevelopment/publiclibraries/librarydistrictinformation/download/pdf/gallagheramendmentquestions.pdf>

Verbatim quotes from the above link regarding the Gallagher amendment:

- The assessment rate (sometimes called the assessment ratio) is the percentage of the property's assessed value that is taxed. For example, under Gallagher, the assessment rate for nonresidential property is fixed at 29%. That means that of the total market value of the property, 29% is subject to taxation. The residential property assessment rate floats each year to meet the 45/55 split mandated by Gallagher. Because of rapidly increasing residential property values, the residential assessment rate has sunk from approximately 21% in 1982 to around 7.9% today.
- In the twenty years since Gallagher passed, increases in residential property values have significantly outpaced the increases in the value of commercial property. In fact, residential property, which made up only 45% of the state's total property value in 1982, today accounts for 75% of the state's total property value. However, due to the Gallagher Amendment, residential property is only responsible for 45% of the state's total property tax burden. Conversely, commercial property, which now accounts for only 25% of total property value in the state, is still responsible for 55% of the state's total tax burden.

## **Paul Rayl**

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**From:** J.S. McNamara <jsmcnamara@gmail.com>  
**Sent:** Thursday, April 19, 2018 5:17 AM  
**To:** Paul Rayl  
**Subject:** Planning Permission - Leven Subdivision

Dear Mr Rayl,

As a Boulder native now living on the North Open Space and having lived on three continents as a finance professional over the years, I know exactly how special life in Boulder County really is. We are lucky people to be able to live where we live.

Let's not ruin the balance of nature and urban sprawl that Boulder County has managed so well since the Danish laws were put in place in 1976 when I was born here.

I understand the need for more affordable housing in Lafayette, I own another home on Phillips Road, but, the plan for Leven sub division isn't congruent with anything that exists on the North Open Space today and should not be approved as is.

I would like to see the farm remain and there be zero development, but, I appreciate the need for more housing and more tax revenue for the city of Lafayette so please create a plan that keeps the open space as is and limits the development to a reasonable number of residential buildings - like 25. That would be 25x more than what's there now and a good compromise to the current plan.

Thank you,  
Shea

## **Paul Rayl**

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**From:** Wendy W Redal <wendy.redal@colorado.edu>  
**Sent:** Thursday, April 19, 2018 12:50 AM  
**To:** Paul Rayl  
**Subject:** Leven subdivision at 8600 Baseline

Dear Mr. Rayl and Lafayette Planning Commission:

We are writing to express our opposition to the proposed Leven Subdivision at 8600 Baseline Road. We beseech the City of Lafayette not to annex this land in order to facilitate a development that is out of scale and character for this important parcel of open land.

We live west on Baseline from the site, in unincorporated Boulder County, and we can't imagine the impact on traffic on this already taxed artery connecting Boulder and Lafayette. This development is way out of scale for the area, which retains a rural character with open land that serves as a buffer between two growing cities amid ever-expanding sprawl in east Boulder County.

To put 87 housing units onto this parcel would create a drastic impact on the area. In addition to hundreds more vehicle trips each day, the landscape would be marred visually, wildlife corridors interrupted, light and noise increased, and water resources taxed. Furthermore, this proposal is not going to create affordable new housing -- these are higher-end homes and townhomes that will do nothing but extend sprawl while bringing no benefit to this serene setting -- instead destroying its character forever.

We know Boulder County is growing, and Lafayette wants to grow. But it makes much more sense to create density where housing already exists and to put new developments in areas that are already suburban in character, rather than sticking this many units into an area that is farmland -- and pushing all those cars onto a two-lane road.

This proposed development does not suit the parcel or the area, and we strongly ask you to reject the annexation that would support it.

Sincerely,

Wendy & Leif Redal  
1037 69th St.  
Boulder, CO 80303

## **Paul Rayl**

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**From:** Nancy MacLean <blacktiepiano@hotmail.com>  
**Sent:** Wednesday, April 18, 2018 10:59 PM  
**To:** Paul Rayl  
**Subject:** Proposed Leven subdivision development, 8600 Baseline

Dear Mr. Rayl,

I am writing to voice my opposition to the Leven subdivision in Lafayette. As a longtime resident of Boulder County and Lafayette, I have seen plenty of development and growth. Some of it has been healthy, and I am not opposed to reasonable growth. However, this proposal is NOT a healthy or positive subdivision for our community for the following reasons:

1. TRAFFIC: We are already experiencing increasingly congested roads due to development over the past few years. I live in Indian Peaks, and the traffic around 95th Street, Baseline, Arapahoe, and Hwy. 287 is getting increasingly dangerous and difficult to navigate. Accidents along 95th and feeder roads have become a daily occurrence. The last thing we need are more cars on Baseline and 95th, especially during "rush hours" which are ever longer, or when at a complete standstill from increased train traffic. The Leven proposal will add many more cars to an already frustrating commute.
2. DETERIORATING QUALITY OF LIFE/OPEN SPACE: Our family has used the Callahan open space for years, as well as connecting trails to Louisville and Fairview Estates. This proposed development is a blight on an otherwise beautiful piece of property and view, and will only take away from the purpose of having open spaces in the first place. Every area around these open spaces has been built up, reducing any chance of safe riding/walking on the surrounding roads.
3. WATER: Colorado is experiencing unprecedeted development state-wide that is putting an enormous strain on our resources. Where are we going to get the water to continue to support this kind of excessive development? Why would the City of Lafayette and Lafayette Planning Commission cause further harm to our already populated area and environment?

My question for the Lafayette Planning Commission is, **when is all of this development enough? DO WE REALLY NEED MORE UPSCALE HOMES AND PEOPLE???** Must we take every piece of beautiful land and develop it, with no consideration for future generations? There have been countless new residences, commercial buildings and subsequent commerce in Lafayette over the past decade. I implore you and the Planning Commission to improve the quality of life for our residents in more meaningful ways and not give in to the lure of increased revenues.

Sincerely,

Nancy MacLean  
2522 Ravenwood Lane  
Lafayette, CO 80026

## **Paul Rayl**

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**From:** David Rubine <davidrubine@gmail.com>  
**Sent:** Wednesday, April 18, 2018 10:55 PM  
**To:** Paul Rayl  
**Subject:** Re. 8600/Leven Annexation

To: Paul Rayl

City of Lafayette

Re. 8600/Leven Annexation

Dear Mr. Rayl,

We writing to you regarding the proposed annexation, zoning and development plan of the 35-acre property at 8600 Baseline Road (aka Leven Subdivision). A developer has submitted a plan to build 87 homes on the property, which adjoins the City of Lafayette, City of Louisville and Callahan Open Spaces.

We are opposed to this development because of the following major concerns:

- The proposed development is profoundly incongruent with the lands surrounding it and the ethic of low density development and feel of surrounding neighborhoods.
- Impact on the adjacent open spaces, which provides much needed habitat for wildlife, and on the wildlife corridor that is now provided through this property and adjacent ditches.
- Increased service cost to the City of Lafayette with no indication that adequate revenue will be created to offset it. The proposed development provides no clear benefit to the City.
- Increased traffic congestion and safety issues for children, pedestrians, cyclists and vehicles on Baseline Road between Boulder and Lafayette.
- Residents have moved to this area in large part to escape the congestion, noise, traffic, etc. of a larger city. Quality of life has huge importance. The proposed change is immensely out of character with the current quiet and natural setting of the area and will have a cost that cannot be evaluated in monetary terms, although it should be.
- At some point development needs to be slowed to keep pace with the development of the underlying infrastructure that can support it. If we have not met this point, we are very close.

Because of the above reasons, We request you to deny the Leven subdivision proposal and the request to annex this property.

Thank you,

## **Paul Rayl**

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**From:** Stacy Wolff <stacy\_wolff2@yahoo.com>  
**Sent:** Wednesday, April 18, 2018 10:56 PM  
**To:** Paul Rayl  
**Cc:** Mike Zawaski  
**Subject:** Letter in opposition to development of 8600 Baseline (RE: the proposal for inclusion in the Planning Commission's packet)

Dear Paul Rayl,

We are writing this letter in opposition to the proposed annexation of the 8600 Baseline property. Unfortunately, we have a prior work event that prevents us from attending the Lafayette Planning Commission public hearing on April 24.

We think the development is not in Lafayette's and Boulder County's best interest for a variety of reasons. We have attended community meetings and it is clear that Mr. Reid Phillips was dishonest with his response to questions. As an example, when asked for specific numbers of size and cost of each home, he replied that he did not know. It is challenging to think that a developer would be this far into a project and not have run simple numbers to determine economic feasibility of a project. He has a record in the Denver area of conducting business to maximize profit at the expense of meeting the needs of a community and the home owners who purchase his properties. Documentation of this exists and can be found from links under the Developer tab on the website, [www.8600baseline.org](http://www.8600baseline.org)

We own a home in the northern most part of Louisville, adjacent to Callahan Open Space. We find inherent value in the preservation of native habitats and open spaces for both humans and non-human animals. One of the reasons we purchased this home was the access to bike trails, quiet serenity of the surrounding land, and the general agricultural and natural qualities. To say we were thrilled when we heard a pack of coyotes and a pair of Great Horned Owls from the Open Space is an understatement.

Since the purchase of our home in 2016, the land on the southwest corner of 95th and Baseline has been developed. We are concerned that as development continues, the wildlife will no longer have the resources they need to maintain healthy populations.

We were impressed when we read the City of Lafayette's Open Space and Trails Master Plan from March 2005. Two components that stood out to us were,

- "The Southeast Subregional element directs new development towards existing Community Service Areas (including the City of Lafayette), and seeks to protect existing agricultural land use as the dominant land use outside of the Community Service Areas"
- The creation of Intergovernmental Agreements (IGAs) between Lafayette and other areas to limit urban development.

We read the IGA created between Lafayette and Louisville on August 15, 1996 and the proposed annexation for 8600 Baseline directly conflicts with the intentionality set forth by the IGA. Instead of annexing and developing the land you can be a leader and leave a legacy by preserving the agricultural land or reestablishing a native ecosystem. You have an opportunity to make a lasting difference for current and future generations that will call Boulder County their home, and for the wildlife that will hopefully continue to live in our area.

Respectfully,

## **Paul Rayl**

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**From:** Lauren Barthen <lauren.barthen@gmail.com>  
**Sent:** Wednesday, April 18, 2018 10:46 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

Dear City of Lafayette Planning Commission, I am deeply concerned about the proposed development of the rural Boulder County horse farm at 8600 Baseline of 87 homes for a number of reasons: 1. This area is surrounded by rural residences, Open Space and has two active ditches that run through or adjacent to it. This makes it part of a wildlife corridor and the green space between the cities of Boulder, Lafayette and Louisville. I live nearby with my two small children and we love to use the paths in the area. This proposal does not respect the wildlife corridor that forms the green space between our cities. I can only imagine what so many homes will do. We have already seen tremendous impact from Steel Ranch. Do we really need another development? 2. The greater area around this property is rural Boulder County homes. This is why many people have moved to the area, including us. The chance to have an acre of land yet be convenient to the cities of Louisville, Lafayette, and Boulder. This development is just another development of tons of homes shoved into a tiny, piece of land. Much like nearby developments, which we have plenty of, this new development does not propose to save ANY land for nature, nor to preserve the rural feel of the pre-existing homes. We moved here 3 years ago from Arvada, a city which is suffering from over development and over crowding in schools and roads. We watched this happen over the past 15 years. 3. Baseline road is already crowded. Between commuters and residents from Lafayette, Louisville and now Erie, it is a crowded and busy road. We see this development as only worsening this problem. Again, we saw this repeatedly in Arvada and Candelas. Further congestion of roads will only exacerbate frustration and safety issues among Baseline. Please consider the above issues as you review this development proposal. Thank you in advance for your consideration,

Lauren Barthen  
9164 Davidson Way  
Lafayette, CO 80026

## **Paul Rayl**

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**From:** Susan Mercier <susan.c.mercier@gmail.com>  
**Sent:** Wednesday, April 18, 2018 9:20 PM  
**To:** Paul Rayl  
**Subject:** No to new home development in Lafayette

Dear City of Lafayette Planning Commission,

I am deeply concerned about the proposed development of the rural Boulder County horse farm at 8600 Baseline of 87 homes for a number of reasons:

1. This area is surrounded by Open Space and has two active ditches that run through or adjacent to it. This makes it part of a wildlife corridor and the green space between the cities of Boulder, Lafayette and Louisville. I live nearby and have witnessed many animals using the land, ditches and trees: prairie dogs, nesting bobolinks, bald eagles, red tail hawks, cooper's hawks, great horned owls, skunks, coyotes, mountain lions, many, many songbirds, deer, foxes, magpies, kestrels, geese, bees, bull snakes, mice, tiger salamanders and toads. Saving small chunks of land for nature is helpful, but doesn't serve the many animals who need large, uninterrupted space in order to survive. This proposal does not respect the wildlife corridor that forms the green space between our cities.
2. The greater area around this property is rural Boulder County homes on multiple acres and Nyland Co-housing, which has tightly clustered its homes in order to leave the majority of its property in meadows that are being restored to native prairie. Nyland and the Snowy Peaks homes, the two immediate neighbors, have donated 24 acres together to add to the Open Space corridor. This new development does not propose to save ANY land for nature, nor to preserve the rural feel of the pre-existing homes. This is an incongruous proposal for this site.
3. Baseline Road is the designated bike route between Boulder and Lafayette, and from what I understand, it is not slated to ever be widened. The commuter traffic is already quite heavy and scary when biking, crossing to catch the bus or trying to turn onto the road. When Nyland was built in 1992, they instigated the 225 bus line on Baseline and also were instrumental in starting the neighborhood Ecopass program, which they continue to contribute several thousand dollars to each year to give everyone in the community a bus pass. The developer of 8600 Baseline has made no effort to address the additional traffic his proposal will add to the already too crowded road.
4. While the world is coming to terms with a more and more desperate need for clean energy, sustainability, nature conservation, community building and affordable housing, this proposal has weak plans to address any of these issues in a forward-thinking manner. Lafayette (and the rest of the world) does not need 87 more traditional homes.

Thank you for considering my opposing viewpoint to this development,  
Susan Mercier  
3026 Thunder Lake Circle  
Lafayette, CO 80026

## **Paul Rayl**

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**From:** Bryan Mahler <bryan.mahler@gmail.com>  
**Sent:** Wednesday, April 18, 2018 9:13 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline Development Plan

Hi Paul,

I'm writing to oppose the proposed development plan at 8600 Baseline Rd. I am a resident of Louisville in the adjoining neighborhood, and have lived in the area for over a decade. The plan is not in keeping with the current environment or community and a significant disruption to the existing Louisville and Lafayette neighborhoods.

Thank you,

Bryan Mahler  
150 Monarch Street  
Louisville, CO 80027  
303.499.2051  
bryan.mahler@gmail.com

## **Paul Rayl**

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**From:** adam.neidig@gmail.com  
**Sent:** Wednesday, April 18, 2018 9:04 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

Dear Paul,

My family and I are adamantly opposed to the proposed development on 8600 Baseline. Our home backs up to the open space and we live 300 meters from the proposed development. We, along with our entire community feel it would negatively impact our community. It simply doesn't conform with the character of the community. We are also greatly concerned with the increase in traffic to an already congested area. Please do not approve of moving forward with this project. Far more people object to this than support.

Adam Neidig

Sent from my iPad

## **Paul Rayl**

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**From:** Dawn Reinfeld <dawnreinfeld@yahoo.com>  
**Sent:** Wednesday, April 18, 2018 8:59 PM  
**To:** Paul Rayl  
**Cc:** DAWN REINFELD  
**Subject:** Levin Sub-division

Hi Paul,

I wanted to reach out to share with you my deep concern about the proposed Levin sub-division. I live at 7872 Scenic Dr. Boulder. A little west of the proposed development. I have been to both meetings with the developer and I am very, very concerned. First of all, the developer is planning to develop this land NOT in accordance with the surrounding area. We moved out east here to get away from the congestion of Boulder. We love the rural feel of the area. We drive Baseline multiple times a day to take our kids to school and to work. The road is already incredibly congested. How will a giant sub-division change that? It will feel like Arapahoe at rush hour.

At each meeting between the community and the developer, residents complained about the amount of units and the cost of the proposed homes. After hearing from the community after the first meeting, the developer came back with EVEN MORE homes, not less. The residents at the meetings have been very angry about how the developer had not taken any of our concerns into consideration. Additionally, the developer seems to be solely focused on making lots of money and building very expensive homes. It is amazing how many homes they want to put on this acreage. I have not met anyone who wants this development. This development will radically destroy the country feel out hear in East Boulder.

Don't we have enough very large sub-divisions? Isn't the undeveloped land becoming a precious commodity? Can't we find a way to buy this land and make it Open Space?

The only people this proposed development will benefit is th developer and their investors and the very wealthy people who will buy these homes. For all of the rest of us, it will destroy what we love most about the area. Please DO NOT approve this. The entire surrounding area is against this. We will continue to speak up, attend meetings and fight the unnecessary development of a beautiful parcel of land.

I urge you NOT to approve this project and seek out a way to preserve this land.

Thank you for taking th time to read my email. I'll see you at the planning meeting on April, 24.

Sincerely,  
Dawn Reinfeld

## **Paul Rayl**

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**From:** Terence Keane <303keane@gmail.com>  
**Sent:** Wednesday, April 18, 2018 8:56 PM  
**To:** Paul Rayl  
**Subject:** Opposition to Leven development

Dear Mr Rayl and members of the Lafayette Planning Commision:

I will be attending the next planning meeting to express my fervid opposition to the proposed annexation and associated Leven development.

I only just learned that comments are requested in advance and that today is the deadline. So I am unable to fully express the reasons for my opposition on short notice.

However, I believe it is utterly out of character with the city, its goals, and the neighboring communities and open spaces. I urge you to reject the proposed site plan or any other mayor development on this property.

Thank you kindly,  
Terence Keane

## **Paul Rayl**

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**From:** Leslie Potter <lesliekpotter@gmail.com>  
**Sent:** Wednesday, April 18, 2018 8:51 PM  
**To:** Paul Rayl  
**Subject:** Comments on 8600 Baseline

Hi Paul,

I wanted to reach out and add my reasons for not annexing the 8600 Baseline property for a large development. Our way of life is simple and respectful of ourselves and the creatures around us. The animals who we share the land with have lived here in peace a lot longer than we have. Adding a large development and more "humans" to the area seems disrespectful of their territory and gives them the message that our "human" needs are MORE important than theirs. Listening to the owls most early mornings around 2am has become a ritual for me. They live behind my house and I give thanks to them each time they hoot. Most nights I hear the coyotes howling letting me know we share the space and they are dependent on us "humans" to protect their lands. We live peacefully together and yet adding so many more homes will threaten their peace and make it hard to live together.

Please consider this as I ask from my heart and do my best to speak for those who have no voice.

Thank you,

Leslie Potter  
3546 Nyland Way  
Lafayette, CO. 80026



Leslie Potter

Phone 303-668-6507  
Email lesliekpotter@gmail.com

## **Paul Rayl**

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**From:** Dave <daveko503@gmail.com>  
**Sent:** Wednesday, April 18, 2018 8:48 PM  
**To:** Paul Rayl  
**Subject:** Leven subdivision.

Please take the following into consideration when reviewing the leaven subdivision.

The wildlife

The increased traffic

Existing two-lane road that won't support additional traffic.

How many new homes have already being built in the last 2 years. And how it has changed our city.

How a new development which change the rural feel and beauty of that area.

I strongly oppose this development.

David Bobko  
549 hoyt lane  
Lafayette co  
80026

## **Paul Rayl**

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**From:** CoxHager, Michelle < michelle.coxhager@coloradolhomes.com>  
**Sent:** Thursday, April 19, 2018 7:01 AM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline proposal

Dear City of Lafayette Planning Commission, I am deeply concerned about the proposed development of the rural Boulder County horse farm at 8600 Baseline of 87 homes for a number of reasons: 1. This area is surrounded by Open Space and has two active ditches that run through or adjacent to it. This makes it part of a wildlife corridor and the green space between the cities of Boulder, Lafayette and Louisville. I live nearby and have witnessed many animals using the land, ditches and trees: prairie dogs, nesting bobolinks, bald eagles, red tail hawks, cooper's hawks, great horned owls, skunks, coyotes, mountain lions, many, many songbirds, deer, foxes, magpies, kestrels, geese, bees, bull snakes, mice, tiger salamanders and toads. Saving small chunks of land for nature is helpful, but doesn't serve the many animals who need large, uninterrupted space in order to survive. This proposal does not respect the wildlife corridor that forms the green space between our cities. 2. The greater area around this property is rural Boulder County homes on multiple acres and Nyland Cohousing, which has tightly clustered its homes in order to leave the majority of its property in meadows that are being restored to native prairie. Nyland and the Snowy Peaks homes, the two immediate neighbors, have donated 24 acres together to add to the Open Space corridor. This new development does not propose to save ANY land for nature, nor to preserve the rural feel of the pre-existing homes. This is an incongruous proposal for this site. 3. Baseline Road is the designated bike route between Boulder and Lafayette, and from what I understand, it is not slated to ever be widened. The commuter traffic is already quite heavy and scary when biking, crossing to catch the bus or trying to turn onto the road. When Nyland was built in 1992, they instigated the 225 bus line on Baseline and also were instrumental in starting the neighborhood Ecopass program, which they continue to contribute several thousand dollars to each year to give everyone in the community a bus pass. The developer of 8600 Baseline has made no effort to address the additional traffic his proposal will add to the already too crowded road. 4. While the world is coming to terms with a more and more desperate need for clean energy, sustainability, nature conservation, community building and affordable housing, this proposal has weak plans to address any of these issues in a forward-thinking manner. Lafayette (and the rest of the world) does not need 87 more traditional homes. Please consider the above issues as you review this development proposal. This is a chance to make a strong statement about what we want our future to look like for ourselves and our children. As leaders for our town, I trust you will make a decision that takes all beings and our planet into respectful consideration. On behalf of all the creatures, plants and humans who need this place, thank you

Michelle Cox Hager

*Associate Broker*

**Coldwell Banker Residential Brokerage**

p: 303.449.5000 m: 919.949.0058

a: 2700 Canyon Blvd., Boulder, CO 80302

w: Coxhagerrealestate.com e: Michelle.coxhager@coloradolhomes.com



\*Wire Fraud is Real\*. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions. Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication.

## **Paul Rayl**

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**From:** Kyle Heckman <kyleheckman@gmail.com>  
**Sent:** Thursday, April 19, 2018 6:55 AM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

Dear City of Lafayette Planning Commission,

I am deeply concerned about the proposed development of the rural Boulder County horse farm at 8600 Baseline of 87 homes for a number of reasons:

1. This area is surrounded by Open Space and has two active ditches that run through or adjacent to it. This makes it part of a wildlife corridor and the green space between the cities of Boulder, Lafayette and Louisville. I live nearby and have witnessed many animals using the land, ditches and trees: prairie dogs, nesting bobolinks, bald eagles, red tail hawks, cooper's hawks, great horned owls, skunks, coyotes, mountain lions, many, many songbirds, deer, foxes, magpies, kestrels, geese, bees, bull snakes, mice, tiger salamanders and toads. Saving small chunks of land for nature is helpful, but doesn't serve the many animals who need large, uninterrupted space in order to survive. This proposal does not respect the wildlife corridor that forms the green space between our cities.
2. The greater area around this property is rural Boulder County homes on multiple acres and Nyland Cohousing, which has tightly clustered its homes in order to leave the majority of its property in meadows that are being restored to native prairie. Nyland and the Snowy Peaks homes, the two immediate neighbors, have donated 24 acres together to add to the Open Space corridor. This new development does not propose to save ANY land for nature, nor to preserve the rural feel of the pre-existing homes. This is an incongruous proposal for this site.
3. Baseline Road is the designated bike route between Boulder and Lafayette, and from what I understand, it is not slated to ever be widened. The commuter traffic is already quite heavy and scary when biking, crossing to catch the bus or trying to turn onto the road. When Nyland was built in 1992, they instigated the 225 bus line on Baseline and also were instrumental in starting the neighborhood Ecopass program, which they continue to contribute several thousand dollars to each year to give everyone in the community a bus pass. The developer of 8600 Baseline has made no effort to address the additional traffic his proposal will add to the already too crowded road.
4. While the world is coming to terms with a more and more desperate need for clean energy, sustainability, nature conservation, community building and affordable housing, this proposal has weak plans to address any of these issues in a forward-thinking manner. Lafayette (and the rest of the world) does not need 87 more traditional homes.

Please consider the above issues as you review this development proposal. This is a chance to make a strong statement about what we want our future to look like for ourselves and our children. As leaders for our town, I trust you will make a decision that takes all beings and our planet into respectful consideration.

On behalf of all the creatures, plants and humans who need this place, thank you.

Sent from my mobile device

## **Paul Rayl**

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**From:** Jasey Chanders <Jasey@Chanders.com>  
**Sent:** Wednesday, April 18, 2018 12:30 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline Proposal Concerns

Dear Lafayette Planning Commission,

I am very concerned about the proposed development at 8600 Baseline, which is to have 87 homes on less than 35 acres. This property is connected to Open Space on two sides and to rural homes and the Water Treatment Plant on the other sides. It is currently considered unincorporated Boulder County and is part of the undeveloped land buffer between the cities of Boulder, Louisville and Lafayette. I live next to it in Nyland Cohousing.

I am writing on behalf of all the creatures who use this land: the Great Horned Owls who frequent the Davidson Ditch, the coyotes who roam the Open Space, the mice that feed the coyotes, the grasses that feed the mice, the 50 or more species of birds I have tracked on our neighboring land, the Killdeer nest I found last year, the Red-tailed Hawks that nested in the cottonwoods in the GoodHue Ditch, the eagles who hunt in the open fields and all the other creatures I cannot even begin to list who live on this land.

During summer of 2015 my family visited Costa Rica. In Costa Rica, the land has been cut up into pieces, much like we have here, leaving small wildlife sanctuaries for animals. In the past few years they have realized that animals need large spaces to roam and connected habitat. They have started massive projects to connect their natural land in what they call "wildlife corridors" and it has proved to be extremely effective. What is the point of Open Space if animals can't get to it? Here the Davidson and GoodHue ditches are our wildlife corridors and I believe that this is why we are blessed with so many animals here at Nyland. This proposed development is going to severely compromise that corridor. So I end this with a plea on behalf of the animals and to quote the Lorax, "I speak for the trees (and the animals and the birds) for the trees have no tongues." I ask on their behalf that this land be turned into Open Space to save this essential habitat.

At Nyland, we have worked hard to be good neighbors to the wild creatures and to preserve this corridor: we donated 7 acres to Open Space, we clustered our homes on a small section of the land in order to leave large areas open, we are re-establishing the native grasses in the meadows, we only use organic methods for weed control, we are striving to be energy neutral by using solar and wind, we have a car share program and participate in the RTD Ecopass Program.

Thank you for anything you can do to join us and help save this land as part of our ever shrinking wildlife corridor.

Sincerely,

Jasey Chanders, age 16  
Nyland Cohousing  
3578 Nyland Way  
Lafayette, Colorado 80026

## **Paul Rayl**

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**From:** JamesOrBetsy Jarvis <jamesnbetsyco@gmail.com>  
**Sent:** Wednesday, April 18, 2018 12:32 PM  
**To:** Paul Rayl; Christine Berg; Gustavo Reyna; Chelsea Behanna  
**Cc:** Jamie Harkins; Alexandra Lynch; Merrily Mazza; Stephanie Walton; Greg Thompson; vjannatpour@bouldercounty.org; Council@louisvilleco.gov; emberb@louisvilleco.gov; Rob Burdine; Lipton@louisvilleco.gov  
**Subject:** Opposition to the proposed Leven Development at 8600 Baseline Rd in Lafayette

Hello,

We, as owners of homes nearby, are vehemently opposed to the proposed Leven Development at 8600 Baseline Rd. in Lafayette.

Here are some of our major concerns:

- Increased traffic congestion and safety issues of children, pedestrians, cyclists and vehicles on Baseline Rd artery into Boulder and Lafayette, as well as increased traffic (and gridlock during rush hours) on 95<sup>th</sup> St. We have read studies on Baseline Rd and know that they cannot widen the area near the water treatment facility right near this proposed property.
- This proposed development is very incongruent with surrounding neighborhoods and open space. It will be crowded and unsightly, to say the least, and will create a large amount of light pollution.
- Based on the location of this proposed development, there is an obvious disconnect on where the owners of these homes will be shopping and spending their \$\$ - Boulder or Louisville and very unlikely in Lafayette
- Open Space loss to housing development, and loss of critical habitat for local species who rely on the area for their survival. Loss of views of the foothills which brought many of us here in the first place.
- Urban sprawl causing Lafayette and Boulder to grow together
- Loss of the rural feel of the area separating Boulder, Louisville and Lafayette
- Based on all the above concerns and facts, there does not seem to be any reason to develop this area with 88 homes.

We are greatly concerned about the impact this will have on our beloved open space, the wildlife, the traffic and the change in character and atmosphere of the area. The quality of life that we enjoy due to proximity to open space cannot be measured. It cannot be evaluated with a price tag. It is what enriches our lives and makes living in Louisville, Lafayette and Boulder such a special place. We must do everything possible to protect and preserve the integrity of the remaining open space and rural areas that still exist in Boulder County.

We request that you please deny this proposal.

Thank you

Betsy and James Jarvis

2277 Dogwood Circle, Louisville

**Paul Rayl**

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**From:** Jane Angulo <angulojane@gmail.com>  
**Sent:** Wednesday, April 18, 2018 12:41 PM  
**To:** Paul Rayl  
**Subject:** Proposed development

I would like to register my opposition to the proposed addition of approx 47 new homes on Baseline Road next to the Znyland Community. As you are aware, this is only a 2 lane which already experiences heavy traffic. The density proposed on this property will be a traffic hazard for all involved. Boulder County is already congested. More high density development outside if Boulder city limits will only exacerbate the problem.

The City of Lafayette will not gain considerably with property tax revenues commensurate with the damage done to roads, etc.

Please consider refusing to allow this development to go forward.

Thank you,

Jane Angulo

869 Dearborn Pl. Boulder 80303

Sent from my iPhone

## **Paul Rayl**

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**From:** Brad Pugh <bpugh1@gmail.com>  
**Sent:** Wednesday, April 18, 2018 2:06 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline - Leven Subdivision

To Whom it May Concern,

I am writing to express my strong opposition to the proposed Leven Subdivision at 8600 Baseline Road. As currently proposed, this development is irresponsible and will do nothing but create new problems for the area and/or make existing problems significantly worse, for reasons I will list below.

1. 87 units on a lot this size would destroy the rural feel of this area. How can this type of density be allowed when the neighbouring subdivisions are significantly less dense? Isn't it important to maintain a natural buffer between Lafayette and Boulder and maintain the character of the area?
2. As proposed, this subdivision will do significant and irreversible damage to the quality and feel of the adjacent open space (North Open Space and Callahan Open Space). This affects not only residents of Lafayette, but also other stakeholders who enjoy this land, many of whom reside in Louisville and Boulder.
3. A development of this size will put an estimated 800-1000 additional car trips on to Baseline Road daily. This alone is reason enough to deny this project. Anyone who travels on Baseline Road (and the surrounding roads) knows that the current congestion is unsafe and at times unbearable. Adding to this already untenable situation is completely irresponsible.

My hope is that this lot will be purchased by the City of Lafayette, Boulder County, or some combination of municipalities so the rural nature of this land and the adjacent open space will be preserved for future generations. If it is going to be developed, at the very least the number of units and homes needs to be reduced dramatically and the setback and buffer between the subdivision and the adjacent open space need to be increased significantly.

Sincerely,

Brad Pugh

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Brad Pugh  
303.819.4232

## **Paul Rayl**

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**From:** Frank Hodge <hodjelodje@comcast.net>  
**Sent:** Wednesday, April 18, 2018 3:03 PM  
**To:** Paul Rayl  
**Cc:** Frank Hodge  
**Subject:** Leven annexation

Hello Paul,

My name is Frank Hodge, residing at 8881 Elgin Drive, Lafayette, 80026. I received your letter concerning the Leven Annexation and I appreciate the opportunity to share my comments.

I am apposed to any building of homes of this magnitude at this address, 8600 W. Baseline Road. In my mind, 87 units equates to a minimum of approximately 174 additional vehicles in the vicinity. If you consider each home will house 2 plus adults, each having a vehicle, that would add a lot more traffic to Baseline Road. Is Baseline road going to be widened in the area between 75th street and 95th street. Currently, it is very difficult to get onto Baseline Road certain times of the day if you are coming from Elgin, Nyland Way, or Bluebird st. Does the City of Lafayette plan to increase their police force? I have called the Lafayette police a couple of times over the last few years to report speeders, and illegal passing on Baseline Road. I was told by the police department that they do not currently have the resources to have more officers patrolling Baseline Road than what is already assigned. I have concern that adding more vehicles, and possibly bicycles to this area, will significantly increase the hazards to current drivers and bicyclists and decrease the safety of all Baseline Road users. Thank you for your time and consideration.

Frank Hodge

**Paul Rayl**

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**From:** Leonard Hortick <lh@lionprop.com>  
**Sent:** Wednesday, April 18, 2018 3:48 PM  
**To:** Paul Rayl  
**Subject:** Leven Annexation

Dear City of Lafayette Planning Commission,

I reside on Snow Peak Lane in unincorporated Boulder County, immediately to the west of the proposed Leven Subdivision. As you can image there is significant opposition to this annexation and change of zoning. The opposition is strong enough that we assume it is very likely that this decision will end up as a referendum for all the voters of Lafayette, should your City approve this subdivision.

Our neighborhood, from the railroad tracks to Brittany Lane is rural residential and contains 4 subdivisions. Snow Peak Lane gave about 75% of its land to Open Space and the remaining density is one unit per four acres. Brittany Lane has an average lot size of 3.15 acres, net of roads and open space. Nyland, a multifamily project, was developed at a density of one per acre. Lark Meadows north of Baseline has an average lot size of 1.5 acres, so the development is approximately one unit per 2 gross acres. The average density in our 4 subdivisions is one unit per 2.75 acres. Comprehensive Plan Goal D policy D 1.1 states that the "scale and appearance of the proposed development ... responds appropriately to adjacent development." The Leven Subdivision is 87 units on 34.4 acres. If it were the average density of the neighborhood it would be a total of 12 unit. The proposed density is so out of character with the neighborhood, we consider it an assault on our way of life, in a highly visible entrance to Lafayette.

Traffic, especially during rush hour is already significant. Assuming half of the 870 car trips a day, that this proposal will generate, turns left, traffic will be very significantly backed up. Many in these traffic jams will be residents of Lafayette. The main entrance on Baseline is very close to Nyland Way causing further traffic issues.

The geothermal plant is proposed right next to my backyard. No other house in Lafayette has to listen to noise pollution coming from the heating system of a neighbor. Please be sure that the onus is on the developer to insure zero noise pollution.

As this is an annexation, the property owner has no underlying property rights in Lafayette. Boulder County would never allow this property owner to develop 87 units.

Our goal is to keep the character of our neighborhood as it is. I hope you see the reasonableness of that goal and reject this proposal.

Sincerely,  
Leonard Hortick

## **Paul Rayl**

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**From:** Kiki Chanders <kikichanders@gmail.com>  
**Sent:** Wednesday, April 18, 2018 11:56 AM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline Proposal

Dear City of Lafayette Planning Commission,

I am deeply concerned about the proposed development of the rural Boulder County horse farm at 8600 Baseline of 87 homes for a number of reasons:

1. This area is surrounded by Open Space and has two active ditches that run through or adjacent to it. This makes it part of a wildlife corridor and the green space between the cities of Boulder, Lafayette and Louisville. I live nearby and have witnessed many animals using the land, ditches and trees: prairie dogs, nesting bobolinks, bald eagles, red tail hawks, cooper's hawks, great horned owls, skunks, coyotes, mountain lions, many, many songbirds, deer, foxes, magpies, kestrels, geese, bees, bull snakes, mice, tiger salamanders and toads. Saving small chunks of land for nature is helpful, but doesn't serve the many animals who need large, uninterrupted space in order to survive. This proposal does not respect the wildlife corridor that forms the green space between our cities.
2. The greater area around this property is rural Boulder County homes on multiple acres and Nyland Cohousing, which has tightly clustered its homes in order to leave the majority of its property in meadows that are being restored to native prairie. Nyland and the Snowy Peaks homes, the two immediate neighbors, have donated 24 acres together to add to the Open Space corridor. This new development does not propose to save ANY land for nature, nor to preserve the rural feel of the pre-existing homes. This is an incongruous proposal for this site.
3. Baseline Road is the designated bike route between Boulder and Lafayette, and from what I understand, it is not slated to ever be widened. The commuter traffic is already quite heavy and scary when biking, crossing to catch the bus or trying to turn onto the road. When Nyland was built in 1992, they instigated the 225 bus line on Baseline and also were instrumental in starting the neighborhood Ecopass program, which they continue to contribute several thousand dollars to each year to give everyone in the community a bus pass. The developer of 8600 Baseline has made no effort to address the additional traffic his proposal will add to the already too crowded road.
4. While the world is coming to terms with a more and more desperate need for clean energy, sustainability, nature conservation, community building and affordable housing, this proposal has weak plans to address any of these issues in a forward-thinking manner. Lafayette (and the rest of the world) does not need 87 more million dollar traditional homes.

Please consider the above issues as you review this development proposal. This is a chance to make a strong statement about what we want our future to look like for ourselves and our children. As leaders for our town, I trust you will make a decision that takes all beings and our planet into respectful consideration.

On behalf of all the creatures, plants and humans who need this place, thank you.

Sincerely,

Kiki Chanders  
3578 Nyland Way  
Lafayette, CO 80026  
720-938-2101

Dear Lafayette Planning Commission,

I am a resident of Lafayette and am writing because I am very concerned about the proposed development at 8600 Baseline known as the Leven subdivision. I've attended a meetings held by the developer on Oct. 4 and Jan. 24 and my concerns are as follows:

1. The annexation petition states that the Petitioner alleges that "the said area is urban or will be urbanized in the near future." On the contrary, the land surrounding this site has a distinctly rural feel. It is currently zoned rural residential. Surrounding properties are not developed nearly as densely as the proposed development. Viewing a map of the area with the planned development inserted, the Leven proposal sticks out like a sore thumb.
2. In consideration of the above, the proposed development is incongruous with the surrounding area. From the Lafayette comprehensive Plan:  
Goal D.1: Ensure that new development and redevelopment is integrated and compatible with existing and planned adjacent development, and that it provides quality design that contributes to Lafayette's community image and character.  
Policy D.1.1: Ensure that both the scale and appearance of proposed development and redevelopment responds appropriately to adjacent development and provides a compatible transition to existing neighborhoods  
Policy D.1.3: Cluster development within parcels to increase open areas and public access  
Policy C.3.7: Review the architectural design of proposed new residences within existing neighborhoods to address issues of compatibility
3. Safety issues: The developer has said that they will be "encouraging" development residents to use direct access to Baseline rather than access through Nyland Way. However, looking at the plan, it appears that access through Nyland Way would be more convenient for most residents. There are over 40 children living at Nyland. Children cross Baseline at Nyland Way to and from the 225 busline. Adding additional traffic to Nyland Way would make this not only difficult for residents already trying to turn onto Baseline, but a hazardous situation for young (and older) pedestrians. Baseline is also used as a bike thoroughfare. It is already fairly unsafe for bicyclists. While going the speed limit, I have been passed many times by cars going over the double yellow line on Baseline towards 75th street. This is also unsafe.  
Goal C.3: Ensure that Lafayette continues to develop as a community of safe, interactive and cohesive neighborhoods that contribute to the community's overall character and image.
4. The proposed development does not hold benefit to the City of Lafayette. At the January meeting, Mr. Reid would not disclose the expected cost of the housing he is developing. However, my hunch is that it is fairly high end.  
a) From the Comprehensive Plan: Policy C.3.1: Encourage new residential development to provide a variety of housing densities, styles, and price ranges.

- b) Because of the location, which is closer to the town of Louisville than the town of Lafayette, most sales taxes from residents will most likely be spent in Louisville.
  - c) The development will impact traffic on Baseline Road, which (hopefully) will require upgrade to handle the excessive traffic as well as increased police protection to prevent speeding and illegal passing.
5. The ditch that runs between Nyland and the proposed development, as well as the ditch that runs through the proposed development are important wildlife corridors. Coyotes and owls live there, as well as birds, rabbits, foxes and other creatures. The proposed development extends right to the boundary of the ditch to the west and incorporates one ditch. There is no plan for some open land with trees and grasses to buffer the impact of people and houses and noise and lighting in this area. This is incompatible with Lafayette's stated goal of sustainability and resource protection.  
Goal I.1: Conserve environmental resources to insure the most efficient use of such resource to advance a sustainable community.

Policy I.1.2: Encourage infill development over green-field development.

Thank you for considering my comments. I appreciate your service to the City,

Z. Marina Daniels

## **Paul Rayl**

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**From:** Scott Lilleston <scottlilleston@hotmail.com>  
**Sent:** Wednesday, April 18, 2018 11:19 AM  
**To:** Paul Rayl  
**Subject:** My opposition to proposed development at 8600 Baseline Rd in Lafayette

Dear Paul,

I am writing to you regarding the proposed development of the 35-acre property at 8600 Baseline Road (aka Leven Subdivision). A developer has submitted a plan to build 87 homes on the property, which adjoins the City of Lafayette, City of Louisville and Callahan Open Spaces.

Although there are many more, the following list summarizes the major concerns I have and why I am strongly opposed to this proposed development:

- Increased traffic congestion and safety issues for children, pedestrians, cyclists and vehicles on Baseline Road between Boulder and Lafayette. It is already an issue and adding 87 homes will increase dramatically.
- Residents have moved to this area in large part to escape the congestion, noise, traffic, etc. of a larger city. Quality of life has immense value. The proposed change in character and quiet of the area has a cost that cannot be evaluated in monetary terms, although it should be.
- Impact on the adjoining open spaces, which provides much needed habitat for wildlife, and on the wildlife corridor that is now provided through this property and adjacent ditches.
- Greater service cost to the City of Lafayette with no evidence that sufficient revenue will be generated to offset it.
- The development is very incongruent with the lands surrounding it and the ethic and feel of surrounding neighborhoods.
- The plan for this development is to build 46 single family and 41 townhomes. **This plan does not appear to be in keeping with Lafayette's Comprehensive Plan, or with Lafayette's, Louisville's, and Boulder County's long-term vision for growth.**
- At some point development needs to be slowed to keep pace with the development of the underlying infrastructure that can support it. If we have not met this point, we are very close.

For the above reasons, I ask that the Lafayette Planning Commission reject the Leven subdivision proposal and the request to annex this property.

Sincerely,  
Scott Lilleston  
3502 Nyland Way  
Lafayette, CO 80026

## **Paul Rayl**

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**From:** Holly Wilder <hollywilder23@gmail.com>  
**Sent:** Wednesday, April 18, 2018 8:28 AM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

I am writing because one of my neighbors here at Nyland Cohousing mentioned that you are seeking input by today on the proposed project at 8600 Baseline. I am still in strong opposition to this project. I have written before and all of my previous input still holds true.

In short, the area cannot handle the kind of traffic that this many units will bring - up from 66 to 87 now, so even worse than what he proposed before. The proposal is totally out of keeping the current housing and we strongly oppose that kind of density here. Reid Phillips has been dishonest and caught in lies at the public meeting he held, and we don't trust him. My greatest concern is the safety of our children, many of whom have to cross Baseline to get to the bus stop, already a pretty dangerous endeavor. This proposal will also spill traffic onto Nyland Way, which cannot handle the load, and again, poses great danger to our kids. Another 87 units equates to another 870 trips per day coming and going from the property next door, currently occupied by a single woman (Tina) and her horses. We'd like it to stay that way!

While we'd all love to see no development at all next door, I could live with Tina selling off a few acres along Baseline where 3 or 4 nice homes might be built. That would be more in keeping with the feel of this area. I know that Tina herself would actually love to get out of this current deal and do just that!

The proposed project would be a disaster for this neighborhood, as would anything like it.

Thank you.

Sincerely,  
Holly Wilder  
3542 Nyland Way  
Lafayette, CO 80026  
(303) 517-4180

## **Paul Rayl**

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**From:** traveler61 <traveler61@gmail.com>  
**Sent:** Tuesday, April 17, 2018 10:17 PM  
**To:** Paul Rayl  
**Subject:** Leven Subdivision

Greetings Paul:

My name is Myrta Velez and i live at 3587 Nyland Way and i am vehemently OPPOSED to the Leven Subdivision.

Not only does this monstrosity not fit in the neighborhood, but it will end up costing Lafayette more than it will reap in benefits. It's not just 87 people, it's 87 homes with 3-6 people in each which amounts to 400 plus additional people coming and going not just on Baseline but on Nyland Way as well. And since you can't widen Nyland Way or Baseline at this intersection we are looking at a huge mess.

And that's not to speak of the traffic problems that already exist on Baseline Rd during both rush hours. I find myself having to go in the opposite direction, in order to get to my destination. So not only will this add more traffic to Baseline, but also to Arapahoe and SoBoRd. You literally cannot turn from Nyland onto Baseline west in the morning or east or west in the afternoon rush. This is an absolute nightmare in the making. Just think about how this subdivision will compound the problem.

The noise pollution, light pollution and just general human impact on this area will be disastrous to the high traffic wildlife corridor that exists here; think coyotes, foxes, deer, raccoons, skunks, bunnies, and all the other small critters that we don't even see, such as snakes and rodents.

They deserve a place to live without the hundreds of additional humans they will have to try to share their home with.

The trails south, east and west of Nyland get used extensively; I can't imagine adding that many more visitors.

Remember the shared vision of sustainability that Open Space planners have put forth in their long range plans for the area.

So, Paul, please encourage the Planning and Building Commission to say NO to the Leven Subdivision.  
In appreciation for all that you do for our community,

Sincerely, Myrta

## **Paul Rayl**

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**From:** Laura Parks Pederson <lpederson@comcast.net>  
**Sent:** Tuesday, April 17, 2018 3:29 PM  
**To:** Christine Berg; Gustavo Reyna; Chelsea Behanna; Jamie Harkins; Alexandra Lynch; Stephanie Walton; Greg Thompson; Paul Rayl; vjannatpour@bouldercounty.org; Council@louisvilleco.gov; emberb@Louisvilleco.gov; Rob Burdine; Lipton@LouisvilleCO.gov; BobM@LouisvilleCO.gov  
**Subject:** We are Opposed to the proposed Leven development at 8600 Baseline Rd in Lafayette

Hello,

We are vehemently opposed to the proposed Leven development at 8600 Baseline Rd. in Lafayette.

Here are some of our major concerns:

- Increased traffic congestion and safety issues of children, pedestrians, cyclists and vehicles on Baseline Rd artery into Boulder and Lafayette, as well as increased traffic (and gridlock during rush hours) on 95<sup>th</sup> St.
- This proposed development is very incongruent with surrounding neighborhoods and open space
- Open Space loss to housing development, and loss of critical habitat for local species who rely on the area for their survival
- Urban sprawl causing Lafayette and Boulder to grow together
- Loss of the rural feel of the area separating Boulder and Lafayette

We are greatly concerned about the impact this will have on our beloved open space, the wildlife, the traffic and the change in character and atmosphere of the area. The quality of life that we enjoy due to proximity to open space cannot be measured. It cannot be evaluated with a price tag. It is what enriches our lives and makes living in Louisville, Lafayette and Boulder such a special place. We must do everything possible to protect and preserve the integrity of the remaining open space and rural areas that still exist in Boulder County.

Please deny this proposal.

Sincerely,

Laura and Pete Pederson

2297 Cliffrose Lane

Louisville, Co. 80027

## **Paul Rayl**

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**From:** Fiona Garvin <garvinf177@gmail.com>  
**Sent:** Tuesday, April 17, 2018 1:29 PM  
**To:** Paul Rayl  
**Subject:** Leven Annexation & Subdivision Plan

Hi Paul,

I live in Louisville (Monarch Ct, near Keith Helart Park) and am also on the Louisville Open Space Advisory Board.

Speaking as a neighbor of the proposed subdivision, I am strongly against the currently proposed development. By no stretch of the imagination could this plan be described as "Low Density Residential", and it's wildly out of place in this rural area. In addition, I feel compelled to speak for the ecosystem organisms living in this area (who can't speak for themselves). For example, there is a pair of great horned owls raising owlets in a long-existing nest in a cottonwood tree near the ditch. Red Tailed Hawks have nested here in the past. I know that neither of these birds is endangered, but it's unlikely that they will remain if housing is built so close to their home. Their presence adds immeasurably to the enjoyment we get from living near their habitat. I object to the monetary desires of the property owner and potential developer taking precedence over the quality of life for current residents and neighbors.

I have learned during my time as an Open Space Advisory Board member how valuable these spaces are for the health and happiness of city residents. It seems to me that a smaller development bordering Baseline and transfer of lands bordering existing County and Louisville Open Space to Lafayette OS would be a much more sensible option.

Thank you for your time,

Fiona Garvin  
City of Louisville Open Space Advisory Board  
cell: 720-201-3164

## **Paul Rayl**

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**From:** Mike Echery <mechery@commercemtg.com>  
**Sent:** Tuesday, April 17, 2018 1:22 PM  
**To:** Paul Rayl; Greg Thompson  
**Cc:** Rob Burdine; emberb@Louisvilleco.gov; Council@louisvilleco.gov; Christine Berg; Gustavo Reyna; Chelsea Behanna; Jamie Harkins; Alexandra Lynch; Merrily Mazza; Stephanie Walton  
**Subject:** Concerns and opposition to proposed Leven subdivision at 8600 W. Baseline Road not fitting into Lafayette's smart development plan  
**Importance:** High

Hello Paul,

I just received the letter regarding the proposed annexation of 8600 W. Baseline Rd into Lafayette for the proposed 87 home Leven Development.

As a neighbor directly backing to City of Louisville open space and adjoined to City of Lafayette Open Space, and Boulder County Open Space, we are STRONGLY in opposition of this project and request the annexation be denied.

1. First and foremost, this project doesn't fit with the City of Lafayette's Community Development Mission "to make Lafayette the most livable, dynamic, and attractive city that it can be while retaining its small town livability. To accomplish this goal, the department promotes the development of livable communities and an enhanced quality of life through a framework of managing growth and development in an environmentally sensitive, economically responsible, and socially robust way, preserving our past while planning for our future."

My understanding from this mission, is helping build and support communities that are more supportive of the infrastructure, local tax base and business, and a walkable community that further supports the residents.

- This community is not positioned where it meets any of these needs and actually will turn to be an expense to the City with increased services, infrastructure costs, and bleeding of tax dollars to the closer areas of Louisville and Boulder.
  - Would it not be better suited to find a way to do a Transfer of Development Rights (TDR) to a property in Lafayette that will better meet your mission and support the tax base? (i.e. 287, South Boulder/South Public.....)
1. Second, this property is bordering City of Lafayette Open Space, City of Louisville Open Space, and Boulder County Open Space and would jeopardize the continuity and current

use of this much needed buffer area for all to enjoy including the nesting raptors and wildlife who call this home.

This is a very prized location that we as residents find great joy in using and the view and area truly is amazing. If you have not done so, I highly encourage you to take the time to slowly walk and enjoy this area.

This buffer helps make the area unique and developing would create further sprawl and would not be congruent or supportive of the area. This is not its highest and best use.

2. The addition of this many homes to the small rural area of Baseline will create potentially 300+ additional car trips to an area already strained with congestion and safety issues for children, cyclists, and first responders.

Please do not annex this property for development of a housing development that will cost more to the city of Lafayette, eliminate the rural feel and forever change the landscape, increase urban sprawl, and create further congestion and safety issues to the residents of the area.

Can we find a solution of perhaps transferring these development rights to something better suited to meet your mission, or find a way to acquire and use this property to provide a greater utility to the area like growth of open space corridor?

Thanks for your consideration. I look forward to working with you all.

Best,

Mike and Karen Echery  
2301 Cliffrose Lane  
Louisville, CO 80027

Mike Echery  
Sr. Mortgage Advisor  
1637 Pearl St, Suite 203  
Boulder, CO 80302  
tel 303-385-1121 | cell 303-817-3818  
fax 303-385-1127 | nmls #242463  
[mechery@commercemtg.com](mailto:mechery@commercemtg.com) | APPLY



[CLICK HERE TO SECURELY UPLOAD DOCUMENTS](#)

Dear Mr. Rayl and others,

I live near the proposed 87-home “Leven Annexation & Subdivision” development on 8600 and 8602 W. Baseline Road. I am vehemently opposed to the proposed annexation, rezoning, and development of this parcel by the City of Lafayette. My outrage is shared with many others who live near the proposed development. This letter is to make you aware of the concerns I have with this plan, and ask that you do what you can to help us stop it in its tracks.

The parcels in question are currently in unincorporated Boulder County. The immediate neighborhood includes open space belonging to the City of Lafayette, the City of Boulder, and the City of Louisville. If all three entities have expressed a goal to ensure “smart” development that still allows for the character of each municipality to shine, then this proposal would undermine that goal.

I know this developer has made a few attempts already to get approval on development plans for this property. My chief concern is the incompatibility of this kind of development, not just with the shared vision of sustainability that Open Space planners have detailed in their long-range planning, but also with our larger neighborhood’s ethic, culture, and feel. It would certainly be appreciated to have the opportunity to show any City or County official just how incongruous this proposal is to any person who takes a short stroll or drive around the extended neighborhood.

I understand that at some point, both Boulder County and the City of Lafayette have considered this property to be compatible with “low-density” residential development. However, this current proposal hardly fits into the culture of its surroundings and will have a dramatic negative impact on Baseline Rd traffic congestion, as well as the adjacent open space degradation. Traffic on Baseline Road is already a hazard and a regular nuisance. I am certain that approving this development will significantly add to the problems on a road that was never intended to carry this much traffic.

With this letter, I ask you to consider the bigger picture that affects multiple jurisdictions. I am grateful that many city and county planners are seeking thoughtful ways to live cooperatively and as sustainably as possible on this beautiful swath of land. Cramming 87 homes on this parcel will, with absolute certainty, not help any of us achieve those aspirations. I am greatly concerned about the impact this will have on our precious open space, the wildlife, the traffic and the change in character and quiet of the area.

We’d appreciate your help and advice in stopping the approval of this development. Thank you.

Respectfully,

Tracy Scholl (Louisville resident living adjacent to this property)

## **Paul Rayl**

---

**From:** Jim Edwards <edwards.jim@gmail.com>  
**Sent:** Monday, April 16, 2018 5:08 PM  
**To:** Paul Rayl  
**Subject:** Leven Annexation & Subdivision

Hi Paul,

I am a neighbor of the proposed Leven development at 8600 baseline. I have attended all of the developers meetings regarding this property. Unfortunately I will be out of town and unable to attend the Planning Commision hearing on 4/24.

I hope that you will consider these written comments in making your decision on the proposal.

I am opposed to the development as planned. It is extremely dense and thus incongruent with the surrounding neighborhoods. I am concerned about the traffic impact on Baseline Ave and Nyland Way which is already difficult to navigate during morning and evening rush hours. I am concerned that the "geo-thermal" portion of the plan is a boondoggle which will leave the city burdened with a high maintenance or replacement cost since it is unproven technology and I don't believe that the developer has properly considered the long term maintenance of this aspect of the project.

Regards,

--  
Jim Edwards

## **Paul Rayl**

---

**From:** Zachary Meints <zacharymeints@gmail.com>  
**Sent:** Wednesday, April 11, 2018 5:29 PM  
**To:** Paul Rayl  
**Subject:** Re: Leven Annexation

Hi Paul,

Thank you for this information. Much appreciated.

Speaking on behalf of the members of Snow Peak Lane, one of our first goals through this process will be to investigate challenging the legality of adding our properties (along with the Leven property) into the comprehensive plan for the City. We are also concerned whether proper notification was given when adopting the plan, along with the technical update.

Are you able to convey this to the Planning Commission and the City Council?

Thanks again for the information on the application process.

Zach

Zach Meints

Business Operations



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On Wed, Apr 11, 2018 at 4:57 PM, Paul Rayl <[paulr@cityoflafayette.com](mailto:paulr@cityoflafayette.com)> wrote:

Good afternoon again. Please see the link to the annexation page on the City website.  
<http://www.cityoflafayette.com/2143/8600-Baseline-Rd> One minor change has been made. As I am going to be out of town on the 19<sup>th</sup> we will be doing the eligibility public hearing and the public hearing for the annexation and zoning ordinance on June 5<sup>th</sup>. Also this might make it easier for the public than coming 2 nights in June. Hopefully then we have a final answer by June 5<sup>th</sup>. Sorry about the confusion, hopefully we have it settled now. Let me know if you have any questions.

Paul

---

**From:** Paul Rayl  
**Sent:** Tuesday, April 10, 2018 5:49 PM  
**To:** 'Zachary Meints' <[zacharymeints@gmail.com](mailto:zacharymeints@gmail.com)>; 'Daniel Glick' <[daniel@danielglick.net](mailto:daniel@danielglick.net)>  
**Subject:** Leven Annexation  
**Importance:** High

Good afternoon. Wanted to send you the link to the City development project webpage for the Leven Annexation. <http://www.cityoflafayette.com/2143/8600-Baseline-Rd>

We had to get a review by the City Attorney as we are required to follow State Statutes regarding annexations and all the different steps that a municipality must take. When you review the flowchart you will see 4 different hearing dates related to the annexation procedures. I will try to summarize here as best I can.

- April 17, 2018 – City Council consideration of a resolution accepting the annexation petition and setting the public hearing on the eligibility of the property for annexation. This is a requirement of State Statutes that basically indicates the annexation petition is complete and that the City Council will consider eligibility of the annexation (per State Statutes 31-12-104) at a future public hearing. Per State law the eligibility public hearing may not be less than 30 days nor more than 60 days from the effective date of the resolution accepting the annexation petition. The first City Council meeting date that meets this criteria is June 5, 2018.
- April 24, 2018 – Planning Commission public hearing on the annexation, rezoning and sketch plan. Planning Commission makes a recommendation to City Council based on findings of the public hearing for the annexation and rezoning. The Planning Commission is the final stop for the sketch plan. They may approve, approve with conditions, or deny the sketch plan. The PC decision on the sketch plan can be appealed to the City Council.
- June 5, 2018 – City Council public hearing on the eligibility of the property for annexation (CRS 31-12-104).
- June 19, 2018 – City Council public hearing on the annexation and rezoning ordinance.

It is a lot of bureaucratic red tape from the State level but we are trying to be real careful we don't miss a step in this process. Please let me know if you have any questions and feel free to share with your respective community groups. Have a nice evening.

Kind Regards,

Paul

*Paul Rayl, AICP*  
Planning and Building Director

303-661-1269 - Direct

[paulr@cityoflafayette.com](mailto:paulr@cityoflafayette.com)



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## **Paul Rayl**

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**From:** Jean L <jeanlyoga@yahoo.com>  
**Sent:** Thursday, March 29, 2018 3:09 PM  
**To:** Paul Rayl  
**Subject:** Opposing the proposed Leven Subdivision at 8600 Baseline

Jean Leonard  
3505 Nyland Way  
Lafayette, CO 80026  
March 28, 2018

Paul Rayl  
Planning Manager and Staff Liaison  
Lafayette Planning Commission  
Lafayette, CO 80026

Dear Mr. Rayl,

I live at Nyland Co-housing, on the property directly to the west of the proposed Leven Subdivision. I am writing today to express my opposition to this proposal. I recognize that this parcel of land is designated on the Lafayette development plan for low-density residential, but this is not the right proposal for this special piece of land. My primary concerns are threefold.

First, Mr. Phillips sketch plan for a proposed 87 residences is dramatically inconsistent with the surrounding neighborhoods. This parcel is in an area that is currently surrounded by open space, or sparsely populated residential. Nyland, to the west, has 42 homes clustered on 9.5 acres with the majority of our land preserved as open meadows. The property to the east has 3 homes on it. To the east and the south the property is bordered by Lafayette and Louisville open spaces. Mr. Phillip's original plan proposed 66 single-family homes. His new plan increased the density to 87, with 46 single-family homes and 41 "town homes." Mr. Phillips claimed this modification to his original plan was in response to input he received from both the city of Lafayette and those who attended his original community meeting on 10/4/17. I was at that meeting and approximately 70 attendees strongly opposed the proposal. One of the primary concerns expressed at that time was the density of homes he was proposing. The increase of density, does not address any of the concerns of the community, further articulated below. Furthermore, these townhomes are proposed to sell for \$700,000-\$800,000 each and the single-family homes to sell at \$1.3 million or more each. The median home price in Lafayette is around \$450,000, which the majority of our population cannot afford. Homes in this price range do not address the housing needs of those who live in Lafayette, but rather make us simply more of a bedroom community for the rich Google executives moving to Boulder.

Second, in addition to being surrounded by rural and open space lands, this parcel is bordered by the Davidson and Goodhue ditches. It would be a terrible shame to diminish the visionary collaborative efforts of Boulder County, and the cities of Lafayette and Louisville to acquire an expanse of open space that runs through this area by annexing this land for the proposed Leven Subdivision. This open space is enjoyed by residents in the surrounding neighborhoods in Lafayette, Louisville and unincorporated Boulder County. Given the confluence of two ditches, the piece of property at 8600 Baseline is a particularly rich wildlife habitat. Last night I fell asleep to the sound of coyotes and woke to the sound of owls before dawn. This parcel of land is home to a wide variety of raptors, including a bald eagle who is seen several times a week, fox, deer, raccoons, and even the occasional bear and mountain lion. As a resident of the area I would request that a comprehensive environmental impact study be done before any development proposal proceeds. Mr. Phillips stated that he is donating 9.2 acres of land to open space in his revised plan. When one looks at the specifics of his plan, all the open space is being offered in small strips around the edge of the property, sometimes as narrow as 30 feet wide. As a community member who will be greatly impacted by this development, this does not feel like a particularly meaningful open space contribution that might enhance the public resources available to those of us living nearby. And is in stark contrast to the substantial donations of land to open space that were made by both Nyland and the Snow Peak neighborhood.

Third, I am concerned that there is not sufficient infrastructure along baseline to support a new development of this density. Traffic along baseline has greatly increased over the last 8.5 years that I have lived at Nyland and it currently can take more than 20 minutes to make a left turn onto Baseline at peak times off of Nyland Way. Mr. Phillips proposes to use Nyland Way as a secondary access for his development and is estimating 2 cars per the 46 single-family homes and up to 3 cars per the 41 condos. This could add up to 215 cars trying to exit onto Baseline from this location. This is not a realistic scenario. And given that Nyland residents live tucked back farther along Nyland Way than the Leven Subdivision we would feel the brunt of this added traffic burden even more intensely. As an extension of this concern about traffic, I have safety concerns – for both vehicles and pedestrians. I now pass accidents rather frequently on Baseline. In January, I was stuck in a long line of traffic for the better part of an hour as numerous

emergency vehicles cleared a serious accident just west of Nyland. Furthermore, our community children feel they are taking their lives into their hands as they are dashing across Baseline to get to the bus stop.

Finally, I have grave concerns about the integrity of Mr. Phillips and his team. I have attended two community meetings regarding the Leven Subdivision with Reid Phillips and associates, on 10/4/17 and 1/24/18. The January "community meeting" was initially set up with 3 "stations" where the public was free to view the drawings and to ask Mr. Phillips and his associates questions. Mr. Phillips refused to engage the group of 150 people who were in attendance as a whole or to offer a clear presentation of his revised plan. The set-up felt evasive and disrespectful. It felt like he was just going through the required motions and actually had very little interest in listening to the community's concerns. He did finally answer questions proposed by the whole group when we located a microphone and urged him to use it so everyone present could hear the same information. As with his October meeting, most of his answers were vague and seemed uninformed. I witnessed him being dismissive of many people's questions, even laughing at one person's sincere concern about traffic safety. His most common response was "we are early in the process and we don't know that yet." It seems incredible to me that he is planning to invest in a project of this scale and has no idea of the details of what he will be building or the impact on the community. To me, Mr. Phillips does not represent the kind of investment I want to see in our wonderful city of Lafayette.

I know that Mr. Phillips gathered community input to share with the city. Frankly, I, and I believe many of those in attendance at the meetings, do not trust Mr. Phillips and his team to convey our concerns to you accurately, which is part of why I am writing to you today. I urge you to encourage smart development for Lafayette, and to not approve Mr. Phillips annexation request for the Leven Development. Lafayette deserves better – a plan that considers affordability, natural habitat, and community benefit.

Sincerely,  
Jean Leonard, Ph.D.

## **Paul Rayl**

---

**From:** Fe Baran <febaran3@gmail.com>  
**Sent:** Thursday, March 29, 2018 7:42 AM  
**To:** Paul Rayl  
**Subject:** Re: 8600 Baseline Rd.

Hi Paul,

I understand the developer has resubmitted his application. I would like to reiterate that I'm STRONGLY OPPOSED to this project. Baseline Road cannot handle traffic for the number of homes he's proposing, and the density he has planned does NOT fit in with our existing community. Please reject this plan.

See you at the April 24 meeting.

Thanks,

Fe Baran

Sent from my iPhone

> On Feb 5, 2018, at 8:27 AM, Paul Rayl <paulr@cityoflafayette.com> wrote:

>

> Good morning. The application was withdrawn for the February Planning Commission agenda. The last I heard it will be resubmitted for the March Planning Commission agenda. You may also go the City website, [www.cityoflafayette.com](http://www.cityoflafayette.com) and click on the development projects page. It will be updated with the latest submittals around the first week of each month.

>

> Paul

>

> -----Original Message-----

> From: Fe Baran [mailto:[febaran3@gmail.com](mailto:febaran3@gmail.com)]

> Sent: Sunday, February 4, 2018 5:30 PM

> To: Paul Rayl <[paulr@cityoflafayette.com](mailto:paulr@cityoflafayette.com)>

> Subject: Re: 8600 Baseline Rd.

>

> Hi again,

> Any applications on this project yet? My family is vehemently opposed.

> Thanks!

> Fe Baran

>

> Sent from my iPhone

>

>> On Jan 25, 2018, at 10:34 AM, Paul Rayl <[paulr@cityoflafayette.com](mailto:paulr@cityoflafayette.com)> wrote:

>>

>> No there has not.

>>

>> -----Original Message-----

>> From: Fe Baran [mailto:[febaran3@gmail.com](mailto:febaran3@gmail.com)]

>> Sent: Wednesday, January 24, 2018 7:26 PM

>> To: Paul Rayl <[paulr@cityoflafayette.com](mailto:paulr@cityoflafayette.com)>

>> Subject: 8600 Baseline Rd.

>>

>> Hi Paul,

>> Has an annexation request been submitted for this property? I am strongly opposed to the development that is being proposed for this site. The density is unacceptable, and incongruous with the surrounding neighborhoods.

>> Thank you.

>> Fe Baran

>> 617 Ord Drive

>>

>> Sent from my iPhone

## **Paul Rayl**

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**From:** Holly Wilder <hollywilder23@gmail.com>  
**Sent:** Monday, February 12, 2018 3:04 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

Pardon me if this is redundant, but I don't want to take a chance that my previous email or the comment card that I filled out at the recent public meeting may have gone astray, so just a quick note to express my utter loathing of the proposed project for this address.

Reid Phillips has been evasive and deceitful, and his project is not in keeping with the feel of the surrounding area. I am a resident owner at adjacent Nyland Cohousing, and I'm sure you've heard from MANY of my neighbors both within my community and in the nearby neighborhoods. We do not feel there is a need for this project (and the annexation required), and feel certain that it would increase traffic on Baseline unreasonably and needlessly. We are told that Baseline cannot be widened here because of the water treatment plant, and traffic during commuter times is already challenging. We have many children in our community who need to cross Baseline to get to the RTD stop and we would strongly prefer that they not be crushed by freshly relocated Google employees in their minivans. or anyone else for that matter.

This property is also a wild life corridor, I am told, and would disrupt critters of all kinds who make their homes here (including a recently-spotted bald eagle) and pass through from the surrounding Open Space. And speaking of that, when Reid Phillips referred to little 20-30 foot swathes around the proposed project as "open space" we all had to wonder if he was being intentionally deceptive or just incredibly ignorant. Teeny tiny green bits on his map are NOT what we call open space.

I could go on and on, but I'll wrap up to save decision-makers some reading time. Please nix this proposal. We don't need it. We don't want it.

Thank you,  
Holly Wilder  
303-517-4180

## **Paul Rayl**

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**From:** Debra Kloor <debrakloor@gmail.com>  
**Sent:** Friday, February 9, 2018 10:43 AM  
**To:** Paul Rayl  
**Subject:** Reid Phillip's Proposed Development on Baseline

Greetings Paul,

This is Debra Kloor from Nyland. We have spoken in the past. I would like to get my objections to the proposed development in writing, for the record.

There are many objections which have been communicated. I reiterate.

- \* This subdivision would bring a substantial increase in traffic which is already untenable at certain times of day, for Nyland Way and other neighborhoods whose streets intersect with Baseline. It is my understanding that the road cannot be widened here because of the location of the underground water tanks belonging to the City of Lafayette.
- \* With increased traffic brings increased safety concerns for children catching the bus, for pedestrians in general, for cyclists and motorists.
- \* The development would be completely and utterly incongruous with all that surrounds this 35 acre parcel of land.
- \* A development of such density would serve to destroy the rural feel which still exists between Boulder and Lafayette, making it more urban sprawl of the two cities running together.
- \* This 35 acres is an important wildlife corridor. The developer to date shows no sensitivity or desire to preserve it as such.
- \* With this many new residents, there would be an enormous negative impact on the open space land to the south and east of this development.

I cannot honestly see any reason the City of Lafayette would want to annex this land and approve Phillips' development of trophy homes and townhomes. You have stated so yourself.

I question the burden such a development would put on the city's infrastructure and ability to provide services to these homes, first responder services as one example.

What the city does need is affordable housing in the city center, close to city services. My understanding is that this is the position of our city leaders.

I urge you, Paul, in any and all of your capacities, to reject this proposal and lay it to bed for good.

Respectfully yours,  
Debra Kloor

--  
**DEBRA KLOOR**

## **Paul Rayl**

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**From:** Stefanie M. Selden <[stef@sseldenlaw.com](mailto:stef@sseldenlaw.com)>  
**Sent:** Monday, February 5, 2018 4:20 PM  
**To:** Paul Rayl  
**Subject:** Levin subdivision

Dear Mr. Rayl,

I am writing in opposition to the proposed 87 home subdivision at 8600 Baseline. I reside at 625 Snow Peak Lane, which is next door to the proposed subdivision. I oppose the subdivision for several reasons:

1. This proposed use is out of character with the neighborhood. Snow Peak Farms has one house per 4 acres. The residences across the street have one house per one acre or more. This will bring suburban sprawl to the rural neighborhood.
2. 87 homes will mean an additional 870 car trips in and out of the subdivision. This will increase the traffic on Baseline. The Nylands housing co-op has numerous young children and students and there will be an increase danger of accidents with the increase in traffic.
3. This is a designated agricultural corridor and there are numerous species of animals that live in and around the current horse property and open space. We have great horned owls, coyotes, deer, fox, and other animals, whose habitat will be threatened by the 87 home subdivision.
4. The proposed geothermal installation is untested and presents unknown environmental hazards. Also unknown is the level of noise this energy source will create, which could disrupt the rural neighborhood and the resident animals.
5. There is no benefit to the city of Lafayette to add 87 homes on the far outskirts of the city. The new residents will probably not frequent the shops and restaurants in Lafayette as Louisville is closer.
6. This proposed subdivision does not provide needed affordable housing to the community.

Thank you for your consideration of my objections.

Stefanie M. Selden  
Selden Law, P.C.  
1650 38<sup>th</sup> Street Suite 104 W  
Boulder, CO 80301  
P: 303-444-8686  
F 720-403-9841  
[stef@sseldenlaw.com](mailto:stef@sseldenlaw.com)

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## **Paul Rayl**

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**From:** Fe Baran <febaran3@gmail.com>  
**Sent:** Sunday, February 4, 2018 5:30 PM  
**To:** Paul Rayl  
**Subject:** Re: 8600 Baseline Rd.

Hi again,  
Any applications on this project yet? My family is vehemently opposed.  
Thanks!  
Fe Baran

Sent from my iPhone

> On Jan 25, 2018, at 10:34 AM, Paul Rayl <paulr@cityoflafayette.com> wrote:  
>  
> No there has not.  
>  
> -----Original Message-----  
> From: Fe Baran [mailto:febaran3@gmail.com]  
> Sent: Wednesday, January 24, 2018 7:26 PM  
> To: Paul Rayl <paulr@cityoflafayette.com>  
> Subject: 8600 Baseline Rd.  
>  
> Hi Paul,  
> Has an annexation request been submitted for this property? I am strongly opposed to the development that is being proposed for this site. The density is unacceptable, and incongruous with the surrounding neighborhoods.  
> Thank you.  
> Fe Baran  
> 617 Ord Drive  
>  
> Sent from my iPhone

## **Paul Rayl**

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**From:** Kathy Small <kathy.small.boulder@gmail.com>  
**Sent:** Sunday, February 4, 2018 8:40 AM  
**To:** Paul Rayl  
**Subject:** Proposed Leven Development at the horse farm at 6800 Baseline

Dear Mr. Rayl and the members of the Lafayette Planning Commission,

I attended the developer's meeting for the horse farm at 6800 Baseline Rd. on Jan. 24. While I am not opposed to the horse farm owner selling her property, in my opinion this is absolutely the wrong re-use of that incredible land.

It was very disappointing to hear that the developer increased the density of the development significantly. It's like he didn't hear us at all the first time. He said that the City of Lafayette wants him to increase the density. And he boasted about the "open space" that he has incorporated into his plan, though he's proposing only 30 feet of buffer along some edges. That's completely incompatible with the surrounding open space.

The farm and open space are loved by everyone who knows the area, and I tell everybody! It's so much bigger than I had expected. (So *that's* why there are no roads between Baseline and South Boulder from 76th St. to 95 St.!) The entire area has a rural feel, including the Nyland neighborhood, which is separated from the open space by a big ditch, and they grouped the homes to leave much of the property undeveloped, which was great planning.

I'm deeply concerned about the impact of the proposed development on the habitat for the area's wildlife. I see coyotes, foxes, raptors such as eagles and hawks, and on two occasions, even deer. They use these ditches to navigate between the clumps of woods scattered throughout east county. It is important to keep those ditches "wild," with plenty of cottonwood trees and shrub cover. The developer's plan to place a plant to convert energy next to the ditches is very concerning!

I'm also concerned about the impact on traffic of so many proposed homes on this piece of land. I lived in the Indian Peaks neighborhood for almost 20 years, and traveled Baseline Road from Lafayette to Boulder daily. It used to be a lonely country road, but it's heavily traveled now. I'm very concerned about the safety of the children who must cross Baseline to get to school.

Please help the citizens of east Boulder County preserve the rural nature of this area. Thank you for your time and consideration.

Kathy Small

## **Paul Rayl**

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**From:** A JOHN BURI <ajburi@msn.com>  
**Sent:** Wednesday, January 31, 2018 11:05 AM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline Proposed Development

Mr. Paul Rayl,

I have lived in north Louisville at 186 Monarch Court next to Keith Helart Park for thirty years. I helped redirect a proposed development many years ago on Callahan Open Space where there are 3 houses on Snow Peak Lane adjacent to the 8600 Baseline site. I sure hope something similar can be worked out where a few houses are developed north of the ditch and the existing house and open horse pasture that are south of the ditch are kept on place. The area is certainly NOT conducive to 80 units of any type. Traffic onto Baseline Rd would be terribly increased, making a left turn to go west would be dangerous and impossible during high traffic volume times of day. Baseline is now a major bike route into Boulder and I bike commute every morning. Please rally the City of Louisville, Boulder County and the City of Lafayette to preserve as much as possible of this site as "open space" similar to what was done on the Callahan Open Space parcel. Drive up to Monarch Court and take a walk into this unique area so you will know what is at stake. Thanks for your service, John Buri and family, 186 Monarch Court, Louisville, CO

## **Paul Rayl**

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**From:** Joy Herbers <joyherbers@hotmail.com>  
**Sent:** Tuesday, January 30, 2018 11:04 PM  
**To:** Paul Rayl  
**Subject:** Protest to development of 8600 Baseline

Dear Paul,

I've lived at 2215 Cliffrose Lane in Louisville for almost 20 years. The open space behind my house is the crown jewel of my dinky, beloved property. I've voted for every ballot measure to protect it and other open space throughout Boulder County, believing that open space is one of the defining and most beloved attributes of the Boulder Valley.

The 35-acre horse property at 8600 Baseline Road (aka Leven Subdivision) is a bucolic boundary for the Davidson Ditch open space that hugs my house. It's a refuge for nesting raptors and other wildlife; it's a picturesque buffer between Boulder and two of her "L" sister cities; and it brings character and value to the long-standing communities that flank it.

I understand that developers are interested in tearing down the horse property and building 80-plus homes on the small lot. My response to this initiative goes beyond an "I was here first," "not in my backyard" protest. The area is too small for luxury homes; it has only one main artery for transportation; it connects multiuse and frequently enjoyed trails; and it's a major player in a well-established ecosystem. Development would bring traffic, congestion, pollution, overcrowding, environmental abuse, dangerous conditions for pedestrians and cyclists; and property devaluation.

I'm on a mission to protect and preserve the integrity of the wild open spaces and rural areas that still exist in Boulder County. Insensitive, undisciplined, avarice-driven development is not the right path for Louisville or Lafayette. Here, we put community first. This proposal undercuts our most basic values.

Please decline Mr. Phillips's application to develop the property, and let's agree on a more thoughtful solution.

Very best,  
Joy Herbers  
joyherbers@hotmail.com  
303-664-1188

## **Paul Rayl**

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**From:** Jeff Regier <regierjeff@gmail.com>  
**Sent:** Tuesday, January 30, 2018 8:23 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

Mr. Rayl,

When it's gone, it's gone forever.

As a native of Colorado and a 18 year resident of Louisville I have witnessed a lot of change and development. Some for the better and some, not so much. With the recent boom we've been experiencing growth has run rampant. In Louisville hundreds of units have been built in just the last few years. Steel Ranch (west of 95th between Baseline and S. Boulder Rd.) went from a quiet rural corner to a very dense housing development. Growth is inevitable. How responsibly we grow is up to all of us.

I am writing to you regarding the proposed development of the 35-acre property at 8600 Baseline Road (aka Leven Subdivision). A developer is advancing a plan to build 87 homes/townhomes on the property, which adjoins the City of Lafayette, City of Louisville and Callahan Open Spaces.

I am opposed to this development because of the following major concerns:

- Greater service cost to the City of Lafayette with no evidence that sufficient revenue will be generated to offset it. The proposed development provides no evident benefit to the City.
  - Increased traffic congestion and safety issues for children, pedestrians, cyclists and vehicles on Baseline Road between Boulder and Lafayette.
  - The development is very incongruent with the lands surrounding it and the ethic and feel of surrounding neighborhoods
  - Impact on the adjoining open spaces, which provides much needed habitat for wildlife, and on the wildlife corridor that is now provided through this property and adjacent ditches.
  - The plan for this development is to build 66, 1 million-dollar-plus custom homes. This does not appear to be in keeping with Lafayette's, Louisville's, and Boulder County's long-term vision for growth.
  - *Residents have moved to this area in large part to escape the congestion, noise, traffic, etc. of a larger city.*
- Quality of life has immense value. The proposed change in character and quiet of the area has a cost that cannot be evaluated in monetary terms, although it should be.***

For the above reasons, I ask you to reject the Leven subdivision proposal and the request to annex this property.

Sincerely,  
Jeff Regier  
294 Matchless St.  
Louisville, CO 80027

P.S. - I sent this letter out to open space managers in Boulder, Lafayette and Louisville on 11/1/17. I would like to see the City of Lafayette propose to Boulder County that the property be acquired for open space to maintain the congruency of the surrounding properties and enlarge the adjacent open space to meet the needs of the growing population. Perhaps a joint effort with the City of Louisville, similar to the purchase of the Mayhoffer property last fall could be worked out. It would be unfortunate to let an opportunity to add to the open space legacy pass by.

Once again, thank you for your time,

Jeff Regier

Christie Dudley

2339 DOGWOOD CIRCLE \* LOUISVILLE, CO 80027 \* 303-204-4399

January 29, 2018

City of Lafayette Planning Commission  
ATTN: Jon Hoffman  
1290 S. Public Road  
Lafayette, CO 80026

**RE: HORSE PROPERTY 8600 BASELINE**

Dear Jon, Ladies and Gentlemen of the Planning Commission,

I am one of many Hunter Ridge residents vehemently opposed to the proposed horse property sale to developers trying to annex this property into Lafayette in order to build many residential units off Baseline between 95<sup>th</sup> and 75<sup>th</sup> Avenue. The proposed number of units continues to increase-last reported was 88 residential units. I have attended most of the Lafayette Planning Commission meetings; I was relatively up to date on this project, however, I missed the most recent meeting on January 24, 2018. So, I went to the City of Lafayette/Planning Commission and spoke with Jon, thank you for your time today, to learn what I had missed and to learn the best/most effective process of dispute. He advised to center on real issues, rather than, sentiments like "an interrupted view". I am not certain of absolute language or terms; however I now understand the developers are proposing the site to be annexed into Lafayette for resources-water etc. I have lived in this Lafayette-Louisville community since 1975. The charm of this area is remarkable. Growth is inevitable and it is hopeful to have a positive impact. The obvious changes that would occur if this annexation/project is allowed would truly compromise all the residences on Baseline Road: the immediate construction equipment and chaos then the eventual increase in traffic due to many new families. This would all lead to compromising bike riders, walkers and young childrens' play. Baseline is a twisting country road with several residences and blind driveways. I suspect it would affect the Lafayette school system for years, as well.

The "growth" on 8600 Baseline does not need to be inevitable! I will work with my neighbors and in accordance to ideas brought forth from the cities to keep the Louisville-Lafayette area as country as we can; the charm of Lafayette and Louisville are worth saving. The quality of life and the quality of our rural homes are becoming values of the past. For the sake of real value and equity I join my neighbors in protesting this project. This property backs to many Louisville residents though it is in Lafayette territory which is complicated in itself! The impact to the surrounding community will be unfavorable, hard to describe and certainly hard to justify... the country life-style, the small town affect will all be altered by these real issues. Resources will be depleted. CNN/Money magazine has consistently listed Louisville as one of the 100 best places to live in the US-2007, 2009, 2011, 2013, 2015, and 2017-I hope we can maintain this compliment for our community.

## **Paul Rayl**

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**From:** Greg Thompson  
**Sent:** Monday, January 29, 2018 8:33 AM  
**To:** Paul Rayl  
**Subject:** FW: 8600 Basline proposal

-----Original Message-----

From: bill ross [mailto:[rossres@comcast.net](mailto:rossres@comcast.net)]  
Sent: Saturday, January 27, 2018 1:37 PM  
To: Greg Thompson <[greg.thompson@cityoflafayette.com](mailto:greg.thompson@cityoflafayette.com)>  
Subject: 8600 Basline proposal

To the Lafayette planning staff,

I hope I'm emailing the right person and my email will get to those on the planning staff.

I live in Louisville near the new housing development proposal.

I want to express my feelings about this project proposal.

1. Why does this developer get to break the rules when others haven't been able to?

Just east of this area is 3 houses which were a compromise for another development proposal.

These 3 houses are part of Lafayette now and are surrounded by open space.

2. The city of Lafayette now has a moratorium on new building permits within the downtown area.

It does not seem fair that you can't do any work in the city proper but will allow other rules to be changed for this developer?

3. If you grant this project, that opens the door for many other pieces of land which could also be developed.

There are many pieces of property around this one which will also want the same special treatment.

4. If this project goes through where will the kids go to school?

Because of the location many won't go to Lafayette schools.

Then the project would enroll kids in other city or county schools unfairly.

5. Just because a developer thinks it's a good idea, you will find most over in this area don't.

Do you side with the 1 or do you listen to the majority.

Thank you for reading this, obviously I'm not for this project.

Bill Ross  
217 Centennial Dr. Louisville

## **Paul Rayl**

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**From:** barry ryan <ryanbarrybruce@aol.com>  
**Sent:** Saturday, January 27, 2018 12:54 PM  
**To:** Paul Rayl  
**Cc:** Deb Kloof; ryan barry  
**Subject:** Proposed Leven Subdivision

Mr. Rayl,

I write to you, in your capacity as a representative of the City of Lafayette Planning Department, concerning the neighborhood meeting on February 24th, 2018, at the Lafayette library, regarding the proposed Leven subdivision development at 8600 Baseline Rd.

I question - and i ask you to consider - whether that meeting adequately complied with the letter, much less the spirit, of section 26-16-3 of the City's Code. (***And, if not, what will the City do about it?***)

Section 26-16-3 requires the developer to allow meeting attendees to "provide input regarding the proposed development", and in a way that then allows the developer to "develop strategies in a revised plan submittal to address that input" (*my paraphrasing*).

Generally, the process for both "providing input" and "addressing input" at the February 24th meeting was chaotic, at best. And it was difficult for attendees to hear some of the questions and answers.

Around 150 neighbors showed up for the meeting to see/hear from the developer about the proposal and to express their concerns/ideas. The developer stated that his approach would be to respond only to each questioner personally, on a one-to-one basis, in a conversational tone (*which made it impossible for most others in the room to know what had been asked and answered*), rather than to engage the attendees collectively in a voice loud enough that all could hear each question&answer.

The developer seemed to be merely going through the motions of a meeting, without any honest intention to truly engage the community, or even allow the community to engage itself, on the proposal. Only after many loud objections to this approach did the developer accept a hand-held microphone, which then allowed his answers (*but still not some of the questions*) to be heard by all.

Also, some of the substance of the developer's presentation at the meeting was less than responsive to public input. For example, the developer presented a new plan that ignored concerns and input provided by neighbors at the previous neighborhood meeting, to the effect that the proposed number of housing units was too dense for the space. But instead of taking those concerns into account, the new plan actually increased the number of units. (*So much for the "address community input" provision of section 26-16-3.*)

Further, the developer gave vague answers to specific questions about the proposal, including regarding: a) water usage; b) preservation of the natural habitat and contiguous Open Space

land; c) cost of units; and d) improvements needed to Baseline Rd., and to Nyland Way, to accommodate increased vehicle traffic.

Such ambiguous behavior does not engender the trusting communication and understanding that section 26-16-3 is intended to promote, i.e., that the developer can/will work with the community and its concerns.

**What is my main take-away from the meeting?** It is that if the developer manages the proposed subdivision development in the same disorganized and unresponsive way he conducted this neighborhood meeting, then that only adds to my existing concerns about the proposal, including: a) whether any real benefits to the public and the City would result; and, b) whether the developer has the competence and resources to successfully perform. As Shakespeare said, "What's past is prologue".

Thank you for considering this matter.

barry ryan  
3591 Nyland Way  
Lafayette, Co. 80026  
303-246-2501

## **Paul Rayl**

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**From:** adam.neidig@gmail.com  
**Sent:** Saturday, January 27, 2018 9:58 AM  
**To:** Paul Rayl  
**Cc:** Astrid Melchart  
**Subject:** Opposition: 8600 Baseline Development

Dear Mr. Rayl,

My name is Adam Neidig and I live within several hundred yards of the proposed development on 8600 Baseline. I, like a vast majority of people I know in my neighborhood and in Lafayette, am adamantly opposed to this new development for a variety of reasons. This development would significantly reduce the amount habitat that the great diversity of wildlife has access to. The proposed development would encroach right to the edge of the open space and the proposed plans indicate it will have a negative impact on the character of this very special place. The increase in people will create additional traffic congestion to an already congested area. Thanks you for hearing me out.

-Adam Neidig  
Director of Operations  
Community Food Share

## **Paul Rayl**

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**From:** Laura Parks Pederson <lpederson@comcast.net>  
**Sent:** Friday, January 26, 2018 6:06 PM  
**To:** Paul Rayl  
**Cc:** Pete  
**Subject:** 8600 Baseline Annexation and Development Plan

Dear Paul,

We are Louisville residents who live right by the 8600 Baseline horse property that is being considered for annexation and development. We are strongly opposed to the proposed development.

It would have very harmful environmental impacts. It is presently a wildlife corridor and habitat that is under extreme stress from all the other recent development around it: Indian Peaks North, Steel Ranch, etc. It is home to bald and golden eagles, hawks, foxes, deer, and we have even observed an elk in the area.

The current traffic congestion on Baseline Road and on 95th Street is miserable already, I can not even imagine how much worse this development would make it.

Please make every effort to defeat this proposed annexation and development. It is out of character with the surrounding area and is in opposition to what makes Boulder County such a great place to live.

Regards,

Laura and Pete Pederson

2297 Cliffrose Lane

Louisville, Co. 80027

**Paul Rayl**

---

**From:** Leonard Hortick <lh@lionprop.com>  
**Sent:** Friday, January 26, 2018 4:27 PM  
**To:** Paul Rayl  
**Subject:** Proposed Leven Subdivision

Paul,

The proposed Leven subdivision is completely disrespectful to our neighborhood based on its extreme density. Between the railroad tracts to the east and Brittany Lane to the west the area currently has a rural residential quality. Our street Snow Peak Lane has one house per four acres after the developer donated the majority of the land for open space. Brittany Lane has an average net density of one unit for 3.15 acres after open space, roads, etc. are subtracted out. Nylands Cohousing is a multifamily development that was built at one unit per acre. The lot size in Lark Meadows averages approximately one and a half acres, again after subtracting for roads, open space, etc. The Leven Subdivision proposes to build 87 units on what I believe is approximately 30 gross acres. I subtracted out the lot with the existing house.

Traffic is already a significant problem on Baseline so why add 870 car trips a day? I am very concerned about the noise from the proposed geo thermal system. It shouldn't be located next to my property but near Baseline away from the neighbors.

This area is an important and very visible entrance to the City of Lafayette. Why would Lafayette want to destroy its unique quality with the Leven Subdivision? At the neighborhood meeting on Wednesday night there were approximately 150 upset neighbors who took the time to turn out. What is the benefit to the City of Lafayette in approving the Leven subdivision?

Sincerely,

Leonard Hortick

## **Paul Rayl**

---

**From:** Lydia Ferrante-Roseberry <uulydiafr@gmail.com>  
**Sent:** Friday, January 26, 2018 1:40 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

Dear Paul,

I add my name to the chorus of voices opposed to the development at 8600 Baseline.

The design just doesn't match the character of the housing & open space surrounding it & will adversely impact wild life & the community. Please do not approve this design, it just doesn't make sense.

Sincerely,

Rev. Lydia Ferrante-Roseberry  
3517 Nyland Way  
Lafayette

--  
Lydia Ferrante-Roseberry  
cell: 720-272-8284

Please feel free to text me if your email is time-sensitive.

Live freely, Love boldly, Tread softly.

## **Paul Rayl**

---

**From:** sheilaealy@cs.com  
**Sent:** Friday, January 26, 2018 12:25 PM  
**To:** Paul Rayl  
**Subject:** Reid Philips Development at 8600 Baseline Rd. Lafayette

Dear Paul,

I live in the neighborhood affected by the proposed subdivision - and have attended both public meetings regarding it in January and October.

It is an unnecessary development of 87 (was 66) homes where owls, coyotes, and humans currently coexist in tranquility.

We asked him to build 10-15 homes on that property at the first and second public meetings - to no avail.

Traffic would negatively impact -in a HUGE way- all residents around that area if more dwellings than that are built.

At a time when middle income families are being forced out of the area, this is a highly IRRESPONSIBLE money-making endeavor on his part.

The city council and development commission will, I beseech those in power, act responsibly in DENYING his annexation.

Thank you for your time.

Sheila 😊  
sheilaealy@cs.com

## **Paul Rayl**

---

**From:** Debbie Wilmot  
**Sent:** Friday, January 26, 2018 10:43 AM  
**To:** 'pamelahmiller8@gmail.com'  
**Subject:** 012518\_8600 Baseline property

Hi Pamela –

Thank you for taking the time to share this with Council and the Planning Department. They have received your comments.

Debbie Wilmot  
Public Information Officer  
City of Lafayette  
(303) 661-1225  
[www.cityoflafayette.com](http://www.cityoflafayette.com)



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**From:** noreply@civicplus.com [mailto:noreply@civicplus.com]  
**Sent:** Thursday, January 25, 2018 7:11 AM  
**Subject:** Online Form Submittal: Contact Us

### Contact Us

Complete the form below to submit your questions / comments.

*PLEASE NOTE: Messages from this form are received during normal business hours. If you have an emergency or need immediate assistance, dial 911 (emergency) or 303-441-4444 (police non-emergency).*

*Correspondence shared with City Council or City staff may be subject to open records requests.*

|               |  |
|---------------|--|
| First Name    | Pamela H   |
| Last Name     | Miller   |
| Zip Code      | 80026  |
| Email Address | <a href="mailto:pamelahmiller8@gmail.com">pamelahmiller8@gmail.com</a> |
| Phone Number  | 3039469377   |

Whom would you like to contact? **City Council, Planning and Building**

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Please leave your comments or questions below.

I miss the public meeting with Reed Phillips company last night at the Louisville public library 1/24/2018. Therefore I sent the following email to them. I would like you also to have a copy of it. I have many concerns. "I'm sorry I missed the meeting at the Lafayette public library last night. Unfortunately I just found out about it and I had another commitment anyway. I am very interested in learning more about: 1. The location where your development would be. 2. What property/how much would need to be annexed by Lafayette. 3. Why there is an increase of more than 40% in your proposal (from 66 to 87)sites to developed. 4. what impact that will have on our city and our traffic. 5. Do we have the necessary infrastructure? What will your company be responsible for and what cost will be relayed to the rest of the citizens? Boulder county is growing at an unprecedented rate. We are busting at our seams. The cost of housing keep skyrocketing. We need to be careful in our city planning. Our small town feel is in jeopardy and now our traffic problems are getting as bad as a big city.

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Select Submit below to send your inquiry. Thank you.

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Email not displaying correctly? [View it in your browser.](#)

## **Paul Rayl**

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**From:** Debbie Wilmot  
**Sent:** Friday, January 26, 2018 10:57 AM  
**To:** City Council  
**Cc:** Paul Rayl  
**Subject:** 012518\_8600 Baseline proposed annexation

Council –

Ms. Gumm sent this to me separately yesterday afternoon, below was my response.

**From:** Debbie Wilmot  
**Sent:** Thursday, January 25, 2018 4:42 PM  
**To:** 'Bevin Gumm' <bevingumm@hotmail.com>  
**Subject:** RE: Leven Development

Hi Bevin –

Thanks for the comments. We have not yet received a formal application for this property.

**From:** Bevin Gumm [mailto:[bevingumm@hotmail.com](mailto:bevingumm@hotmail.com)]  
**Sent:** Thursday, January 25, 2018 3:57 PM  
**To:** Debbie Wilmot <[debbiew@cityoflafayette.com](mailto:debbiew@cityoflafayette.com)>  
**Subject:** Leven Development

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**From:** noreply@civicplus.com [mailto:[noreply@civicplus.com](mailto:noreply@civicplus.com)]  
**Sent:** Thursday, January 25, 2018 3:54 PM  
**To:** Debbie Wilmot <[debbiew@cityoflafayette.com](mailto:debbiew@cityoflafayette.com)>; City Council <[council@cityoflafayette.com](mailto:council@cityoflafayette.com)>; Debbie Wilmot <[debbiew@cityoflafayette.com](mailto:debbiew@cityoflafayette.com)>  
**Subject:** Online Form Submittal: Contact Us

### Contact Us

Complete the form below to submit your questions / comments.

*PLEASE NOTE: Messages from this form are received during normal business hours. If you have an emergency or need immediate assistance, dial 911 (emergency) or 303-441-4444 (police non-emergency).*

*Correspondence shared with City Council or City staff may be subject to open records requests.*

|            |       |
|------------|-------|
| First Name | Bevin |
| Last Name  | Gumm  |
| Zip Code   | 80026 |

|  |  |
|--|--|
| Email Address                                  | <u>bevingumm@hotmail.com</u>   |
| Phone Number                                   | 7206260206   |
| Whom would you like to contact?                | City Council   |
| Please leave your comments or questions below. | I am writing with traffic concerns on Baseline with all the added developments in this small area of Lafayette. According to the comprehensive plan, Baseline is not even a congested road. Yes, this area of Baseline proposed is right near a railroad track where buses both public and school buses have to stop and there is only one way traffic on both sides of this proposed development. I am concerned and hope that the city looks at all of the potential developments in this small area of the city and researches the traffic mitigation solutions. How can Baseline handle this traffic???? How can the current residents of Lafayette not be concerned who travel daily on Baseline? What are the potential ways the city and its current residents can work together to solve Baseline traffic and congestion and increase safety. There are also no bike lanes on Baseline in this area and many school children do wait for the public bus and also school buses pick up on these roads. Bikers often can be found riding very close to the cars. Safety seems to be a huge concern in this area of Baseline for all. Best, Bevin Gumm Lafayette Resident |

Select Submit below to send your inquiry. Thank you.

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## **Paul Rayl**

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**From:** Sue Haupt <haupt@ucar.edu>  
**Sent:** Thursday, January 25, 2018 8:32 PM  
**To:** Paul Rayl  
**Cc:** Randy Haupt  
**Subject:** 8600 Baseline`

To City of Lafayette -

We are deeply concerned about the plan to build a large number of homes on the property to the east of the water treatment plant.

This area is currently open and we value it for its beauty and rural feel. We frequently run and ride our bikes in this area and really appreciate the openness. All the nearby homes have sufficient property to feel open.

In addition, we are concerned about adding congestion on the roadways. Baseline in that area is becoming very crowded now and adding density will increase that problem and require widening the road. Already, we often have to wait a long period of time to be able to pull out of our driveway in the morning.

We are also concerned that adding density will decrease the value of adjacent properties, including our own.

We respectfully request that you reject the Leven subdivision proposal and the request to annex this property.

Sincerely,  
Randy and Sue Ellen Haupt  
8493 Baseline Road

Dr. Sue Ellen Haupt, Senior Scientist  
Director, Weather Systems & Assessment Program  
Research Applications Laboratory  
National Center for Atmospheric Research  
3450 Mitchell Lane, Boulder, CO 80301  
haupt@ucar.edu; 303-497-2763

## **Paul Rayl**

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**From:** modines@aol.com  
**Sent:** Thursday, January 25, 2018 4:53 PM  
**To:** Paul Rayl  
**Subject:** Just say no to Reid Phillips

Dear Mr. Rayl,

Please deny the proposal by Reid Phillips to even be considered for annexation by the city Of Lafayette. His behavior at the meeting he held last night at the Lafayette library was unacceptable. The doors were locked until 6:30, causing a massive buildup of people on the stairs and the lobby. He had posted copies of the proposed site plan in three places around the room. He hoped to be able to speak one-on-one with people, an unrealistic expectation with 150-200 people showing up to hear about his plans. Audience members set up all the available stacked chairs that we found in the closet. His colleague Karen Henry finally provided him with a microphone.

Over the next hour, Reid Phillips gave some information and evaded many questions. At the meeting October 4, 2017, he had proposed 66 homes costing \$1M each. 64 of the 67 people at that meeting opposed his plan, and 3 said they needed more information. His new plan calls for even more houses, showing that he paid no attention to the feedback he received at the first meeting. Last night, he characterized his new plan as state-of-the-art/untested geothermal, but what he described seems more like road solar. He also described his new plan as affordable housing. He refused to give the pricing of the homes, but an associate of his said the townhomes would be selling for \$700,000-800,000. After repeated questioning, Phillips finally acknowledged that the "affordable" component of his plan is to give double the required amount to the affordable housing fund.

It is hard not to think that he's touting his proposal as affordable and environmentally friendly just to win points. Reid Phillips has no experience with a rural development. He is ignoring the rural nature of the neighborhood. Lafayette has nothing to gain from this development. Please just say no.

Many thanks,  
Marian Dines

3595 Nyland Way

January 25, 2018

To: Mrs. Mayor Christine Berg, Mr. Paul Rayl, Members of the City of Lafayette Planning Commission, Members of the City Council of the City of Lafayette

Dear Mayor Berg, Councilors and Planning Commission Members:

Last night (1/24/18), Mr. Reid Phillips held his second Community Meeting regarding his proposed Leven Subdivision development at 8600 Baseline Road.

For a recap of the Community Meeting last night, please see the attached meeting notes we have provided. In short, approximately 150 members of the community were in attendance. The most profound impact from the original meeting on October 4<sup>th</sup>, is the Developer elected to grow the Development from 66 units to 87 units. After polling the room, every single person in attendance from the Community was heavily in opposition to the subdivision.

It should be noted that the City of Lafayette's intention for requiring this meeting was for the Developer to listen to community feedback and concerns, so they can make adjustments accordingly. This meeting was held just 2 days before the Developer stated he would submit his plan to the City. This left the many Community members with the feeling that Mr. Phillips has no intention of listening to concerns or adopting them to his plan.

In a previous letter (sent on 10/11/17, see attached), the Community outlined 9 major areas of concern with the proposed development and offered several alternative solutions. While all of these areas of concern still remain un-answered, several new, additional concerns arose last night. They are as follows:

1. **Impact Studies** - Several times, throughout both Community Meetings, Mr. Phillips presented very deceptive and/or misleading information (See the attached meeting notes for further information). Due to this, it would be in the best interest of the public (specifically the City of Lafayette) to require the Developer to contract for extensive, third-party studies. As a minimum, the Community would like the following studies to be required:
  - a. **Traffic Impact Study** – A full study should be done to investigate the impact of additional car trips onto an already burdened Baseline Road. It should be noted that the location of the City's large, underground water storage tanks would preclude the opportunity to widen Baseline Road.
  - b. **Energy Impact Study** – Mr. Phillips stated in the meeting that the new development would be “as close to net-zero as humanly possible” by the use of a new, never before used on this scale “Geo-Thermal System”. We would request that the City require an in-depth energy study by a qualified and licensed professional engineer to determine if the system is reliable, effective and truly net-zero. Further, we would ask that the City consider requiring the Developer, the Engineer, and the Architect to carry project level

professional liability insurance for ten years to cover the replacement cost of both the system and the road, as this is system is truly “bleeding edge” and has no proven track record.

- c. **Environmental Impact Study** – We request that a full, detailed study be conducted to determine the impact on the surrounding environment, as it is currently a thriving wildlife corridor for Bald Eagles, the Great Horned Owl, Coyotes, Fox, Deer, insects and the endangered Preble’s Jumping Field Mouse; all of which have been active and habituate in this area.
  - d. **Emergency Services** – The City Council has stated that a “strain” has already been placed on our emergency services. As such, we would request that a full study be completed to investigate the impact the proposed development would have on emergency services in the surrounding area.
  - e. **Child Safety Study** – As the main access points for the proposed development is situated off of both Nyland Way and Baseline Road, we request a full study be done to investigate how the proposed development will impact the many children who walk down Nyland Way and across Baseline Road; Specifically, the dangers associated with crossing Baseline Road during rush hour.
  - f. **Sound Study** – Sound studies to determine the impact of the mechanical systems associated with the “Geo-Thermal System” on the surrounding area should be conducted.
2. **Density** – The Community is very concerned about the density of Mr. Phillips proposal. He stated that the City’s Comprehensive Plan allows for 3-6 units per acre, however the Comprehensive Plan states that its goal is to “Ensure that both the scale and appearance of proposed development and redevelopment responds appropriately to adjacent development and provides a compatible transition to existing neighborhoods”. The proposed development certainly does not meet this goal. The proposed development is adjacent to, or contiguous with Open Space parcels from four different governmental agencies (City of Lafayette, City of Louisville, City of Boulder, County of Boulder).
  3. **Metropolitan District** – The Developer stated last night that he is strongly considering applying for a special Metropolitan District for the proposed development. The apparent negative social, economic, and political impacts this would create would make this ill advised.
  4. **Developers Past Projects** – The past track record of Mr. Phillips’ large development projects are a comedy of errors. Mr. Phillips projects seem to all have been significantly delayed and/or plagued by defects. In fact, KCI General Contractors have filed liens on properties in the Bradburn Development, stating that Mr. Phillips did not pay for their work. It should also be noted that Mr. Phillips has never taken part in a large-scale project in Boulder County.
  5. **Legality of City’s Comprehensive Plan** – As stated in our previous letter, we do not believe that legal due process was followed when completing the original Comprehensive Plan in 2003, along with its technical update in 2013. Our records indicate that neither members of Snow Peak Lane nor the Nyland community were given formal notification of hearings regarding this matter. The Community recognizes that the current administration was not involved in the implementation of the initial Comprehensive Plan, however they/we would

challenge that proper notification was given to the Community. Further, the Community would challenge the legality of the process.

As we stated in our last letter, we believe that before the City considers annexation and rezoning of this property, it would be prudent to fully investigate the impacts this development would have on the surrounding area, along with all alternative options that would allow for additional open space. These options could potentially be accomplished through **private investors** that would donate the land to open space, a **special improvement tax district**, or through a **bond issue**.

The Community would like you to know that we are fully committed to opposing this subdivision vigorously. We will attend any and all Planning Commission Meetings in large numbers, along with any subsequent City Council meetings. We understand that based on Section 6.11. of the Code of Ordinances for the City of Lafayette, we can force this issue to a public vote through a referendum by obtaining signatures of just 3% of registered voters from this past election. We estimate that this is less than 500 signatures. We will not hesitate to obtain these signatures quickly.

Thank you for your consideration on these issues.

\*\*Please also see the attached meeting notes from 1/24/18 and our previous letter from 10/11/17

## Meeting Minutes from Leven Subdivision Community Meeting

**Meeting Location:** Lafayette Public Library, Lower Level Meeting Room

**Meeting Date and Time:** Wednesday, January 24, 2017 from 6:30pm – 8:00pm

**Presentation by:** Reid Phillips (Leven Development and Nest Home Company) and Karen Henry (The Henry Design Group)



(This picture was taken before the meeting as Community Members were still entering)

### General Overview:

1. Approximately 150 community members were in attendance.
2. Room was initially “Standing Room Only”, as the Developer anticipated an “Open House” style presentation with individuals asking individual questions at three “stations” set up around the room. However once the room filled, the community preferred to hear one voice and listen to other people’s questions, to ensure that everybody heard the same answers. The developer resisted the request to speak to the attendees as a group for the approximately 10 minutes, until attendees insisted he answer questions to the group.
3. The Developer noted that the only information that would be submitted to the City of Lafayette would be from comment cards that were filled out.
4. Attendees were very concerned as to why the number of units was increased from 66 to 87.
  - a. It should be noted that the main area of concern at the previous community meeting on 10/4 was the quantity of units/density of development. Several community members felt offended and disrespected that the Developer increased the unit count after the previous meeting after hearing people’s concerns about density.
  - b. The developer’s reasoning for increasing the number of units was “this is what the City came to us and asked for.” Later in the meeting, however, he admitted that he

- just found this in the City's Comprehensive Plan. It should be noted that many Community Members stated this was very deceptive on the Developers behalf.
5. The Developer told the Community that he "has no idea how much these units will cost" and that he "hasn't looked into it yet".
    - a. It should be noted that another member of the Developer's team stated they anticipate the lowest end units to be priced from \$700,000-\$800,000 earlier in the night. It should be noted that the Community Members found this discrepancy to be very deceptive, and the developer's answers to be consistently evasive.
  6. The Developer explicitly stated that this development would be "as close to net-zero as humanly possible" in its energy use, by utilizing a "Geo-Thermal System."
    - a. The developer stated this system has NEVER been used in an application of this magnitude.
    - b. Many Community Members found the use of the term "Geo-Thermal" deceptive, as one Community Member defined the term "Geo-Thermal" and pointed out that the system described by the Developer as a "Water Source Heat Pump System".
    - c. The developer could not identify the cost impact of the system an on individual dwelling, nor the life-cycle cost.
    - d. The developer was asked about the sound impact of the system, and did not respond with any detail.
    - e. The developer was asked about the long-term maintenance of the system, since it would be placed underneath city-owned roads. He did not offer a clear reply.
  7. The developer stated that he would be donating 22 shares of the Davidson Ditch to the City of Lafayette. We are aware that the ditch share price is currently at about \$500/share. We are also aware that the ditch runs sporadically and inconsistently, with some years when it barely runs at all (such as 2012, when it only ran for three days). Developer did not explain where other water for the needs of these 87 households would come from, and who would pay for it.
  8. The developer stated that they "are a huge proponent of affordable housing" and because of that, they would be making a contribution to Lafayette's Affordable Housing Program. He stated that he would be required to donate 30 cents for every square foot of finished space, but declined to state how many square feet the units would be. He noted that he would "voluntarily" exceed the donation by two and a half times.
  9. Attendees asked the developer about many goals directly quoted from the City's Comprehensive Plan that the proposed development did not meet.
    - a. The Developer did not address any goals of the Comprehensive Plan other than density.
  10. Many community Members re-stated the many concerns on the traffic impact this development would have. These included safety, capacity of Baseline Road, and impact on ingress and egress to Nyland Way, among others concerns.
    - a. The developer did not share any new proposals on how to address these issues, with the exception of the idea that "they might add a sidewalk along Baseline Road" and they will also run traffic studies once they are "much further down the road." We wonder: which road is he referring to?

- b. When asked why he didn't further address the community's concerns regarding traffic, the Developer continually stated that he "doesn't own Baseline Road, so that would be an issue for the City."
- 11. The developer stated he did not know the size of each unit, but did note that on the sketch plan, each single-family unit had a footprint of approximately 1,500 SF and an above-grade square footage in the 2,000-square foot range. He was non-committal about the size of any of the units.
- 12. The Developer noted that they are strongly considering applying for a "Metropolitan District" for the development, primarily due to the complex nature of the "Geo-Thermal System," which would be beyond the technical capabilities of most HOA's.
- 13. When asked about the impacts on the City's infrastructure, the Developer "dodged the question" by stating "I don't know about that" and quickly moved on.
- 14. The environmental impact on the area is a great concern for the community. The developer stated that he didn't think he would be required to run an environmental impact study. The Community noted that this is important wildlife habitat, and the Goodhue Ditch is a wildlife corridor, home to Bald Eagles, Great Horned Owls and many other animals. It is adjacent to or contiguous with Open Space parcels from four different governmental agencies (City of Lafayette, City of Louisville, City of Boulder, County of Boulder), and attendees expressed concern that the impacts on these environmental assets will not be mitigated in any way, and in fact will be adversely affected by a development of this magnitude.
- 15. One community member brought up the strain that this will have on first responders in the area. The Developer could not address this concern.
- 16. The Developer included new 9.21 acres of "Open Space Buffers" in this plan as a transition from "manicured lots". It was pointed out that this was different from "Open Space" that is accessible to the general public and intended for public use and enjoyment. It was noted in the previous meeting that both Nyland and Snow Peak owners made donations of large chunks of their property to Open Space.

**General Observations by the Attendees:**

1. It should be noted that the developer showed either real or feigned ignorance of many questions, and stated patently misleading or ignorant responses to questions, such as when he mentioned there would be "passive PV" solar. There is no such thing as "passive photovoltaic" solar systems. This and other responses gave the attendees the impression that the developer was not to be trusted, that he would say anything to get approval, and that he did not know or would not share important elements of his plan.
2. It should also be noted that the developer held this meeting just two days before he said he was going to file his application for annexation. This news left many in the room with the impression that he had no intention whatsoever in listening to neighborhood concerns and adopting them into his plan.
3. A poll was taken during the meeting. Of the approximately 150 attendees, EVERY individual was against the Development and was committed to vigorously oppose it.

Dear Mayor Berg, Councilors and Planning Commission Members,

Please let this letter serve as our initial notification relative to the proposed Leven Subdivision. There are many areas of concern which we would like to point out. The 9 outlined below should be addressed by both the City and the Developer during the annexation application process. They are as follows:

1. **City and Property Owner Action:** There is major concern that legal due process was not followed when completing the Comprehensive Plan in 2003, along with its technical update in 2013. Our records indicate that neither members of Snow Peak Lane or the Nyland community were not given formal notification of hearings regarding this matter. The Community recognizes that the current administration was not involved in the implementation of the initial Comprehensive Plan, however they/we would challenge that proper notification was given to the Community. Further, the Community and specifically out property would challenge the legality of the process.
2. **Developer Action:** Without question, the entire community who utilizes Baseline Road have great concern over the safety due to increased congestion on Baseline Road and Nyland Way. Many residents of Lafayette use Baseline Road every day. During the morning and evening rush hour, traffic jams in this rural portion on this rural stretch of road have grown to up to 30. It is anticipated that the proposed development would only compound this problem. The impact on Elgin Road, Nyland and Snow Peak Lane would virtually preclude the ability to turn against traffic during these busy times.

Studies show that each additional home would account for 10 trips a day on Baseline Road (660 additional total trips/day if the proposed development is approved). The Developer may not be aware that the water treatment facility owned by the City of Lafayette was strategically placed to preclude the widening of Baseline Road and to push traffic to Arapaho Road and South Boulder Road. Any widening of Baseline Road would require the underground water tanks to be repositioned, presumably costing the city tens of millions of dollars.

It is the expectation of the Community that extensive traffic studies would be completed to determine the impact on Baseline Road, Nyland Way, Snow Peak Lane, Elgin Drive and Brittney Lane. Additionally, the impacts of such a development on Arapaho Road, 76<sup>th</sup> Street, 75<sup>th</sup> Street, Highway 42 and South Boulder Road should be studied.

3. **Developer and City Action:** The Community would like the City and the Developer to account for the environmental impact the proposed development would have on the surrounding area. Specifically, the endangered Preble's Meadow Jumping Mouse which may be in the area needs to be addressed. According to the Boulder County Land Use Department, "Activities occurring on either public or private lands in which Preble's mice may live are prohibited from harming, harassing, or killing a mouse or damaging its habitat. Generally, if the activity involves new construction, significant changes of

surface landscaping, or increased usage by humans or domestic animals it could be in violation of the Endangered Species Act."

Additionally, owls, foxes, coyotes, deer, raccoon, and skunks flourish in this area. The Community would ask for appropriate studies on how wildlife in the area would be impacted by the proposed Development.

4. **City Action:** The Community has concerns about the fiscal responsibility of allowing the proposed subdivision to be built. Many scholarly studies, including one performed by Purdue University conclude that "single-family houses do not generate sufficient revenue to pay for the local governmental services needed to serve them". This will be further compounded by the fact that the residents will most likely be shopping in Louisville (not Lafayette) due to its close proximity, causing the increased sales tax from the proposed development to be negligible. The Community would question the motivation for the proposed development.
5. **Developer Action:** During the community meeting, the Developer indicated that he is environmentally conscious and anticipates the infrastructure of the proposed development will have net-zero energy impact (without the use of PV (Photovoltaic; commonly referred to as solar Panels). Being that the City of Lafayette is environmentally conscious, the Community believes that appropriate energy studies should be required of the Developer to substantiate this claim.
6. **Developer and City Action:** The Community is concerned that none of the homes in the proposed Development include affordable/attainable housing options. According to the 'Livable Lafayette Task Force', created by Councilors Lynch and Walton, "Even those earning the median income in Lafayette cannot afford a median priced home (\$483,500)". Adding 66 \$1M+ homes will only compound this problem.
7. **Developer Action:** The Developer was quite misleading with his proposed home density. 1.88 homes per acre was stated during the community meeting. Currently there is one home that sits on approximately 4.25 acres with approximately 30.75 acres of vacant land surrounding. 66 new homes on these 30.75 acres would be a density of 2.15 homes per acre. The Community is concerned about the what other misrepresentations the Developer has made to both the City and the Community.
8. **Developer Action:** There is a lateral irrigation ditch which spawns off the Davidson Ditch that services the Snow Peak Lane properties that cuts through the proposed subdivision (see attachment for picture of this). Per conversations with Brad Dallum with the City of Lafayette (this past spring), it is anticipated that the Snow Peak Lane Properties will be using the water from this irrigation ditch in the very near future. The Community believes this needs to be accounted for when considering the lot density and layout of the proposed development.

9. **Developer Action:** In 1993 when the Nyland community was developed and in 1997 when the Snow Peak community was developed, significant parcels of land were donated as open space to maintained the character of the rural neighborhood (7 acres from Nyland and 17 acres from Snow Peak). It would not be unreasonable to expect that this precedent is maintained for the proposed development and the City of Lafayette requires up to 17 acres be donated to open space.

Before the City considers annexation and re-zoning of this property to allow for a dense housing development, it would be prudent to fully investigate all alternative options that would allow for additional open space. These options could potentially be accomplished through **private investors** that would donate the land to open space, a **special improvement tax district**, or through a **bond issue**.

Thank you for your consideration on these issues.

Sincerely,

The Members of the Community Opposing the Leven Subdivision

## **Paul Rayl**

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**Sent:** Wednesday, January 24, 2018 10:58 AM  
**To:** Paul Rayl  
**Subject:** FW: Online Form Submittal: Contact Us

**From:** noreply@civicplus.com [mailto:noreply@civicplus.com]  
**Sent:** Wednesday, January 24, 2018 10:47 AM  
**To:** Debbie Wilmot <debbiew@cityoflafayette.com>; City Council <council@cityoflafayette.com>; Debbie Wilmot <debbiew@cityoflafayette.com>  
**Subject:** Online Form Submittal: Contact Us

### Contact Us

Complete the form below to submit your questions / comments.

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*Correspondence shared with City Council or City staff may be subject to open records requests.*

|  |   |
|--|---|
| First Name                                     | Connie  |
| Last Name                                      | Buxenbaum   |
| Zip Code                                       | 80026   |
| Email Address                                  | <u>Nederfly@aol.com</u>   |
| Phone Number                                   | <i>Field not completed.</i>   |
| Whom would you like to contact?                | City Council, Planning and Building, Urban Renewal Executive Director   |
| Please leave your comments or questions below. | I am writing to express my concerns for proposed development at 8600 Baseline rd. In Lafayette. The proposal to annex the open space and then sell for development is slowly eroding open space in East Boulder county. The plan is not even close to comparable homes in the area. The homes area not in line with the area in Lafayette, and in my opinion shouldn't become that line. Let's keep the growth in line with what our community can handle. The developer has stated in pre-emptive meetings that he's building these large homes so |

friends of his can have million dollar homes because they can't get what they want in the city of Boulder. I don't think the wishes of a few should dictate what happens to a community, and planning shouldn't be based on that. I hope you will make these requests by the developer known to Community and have consideration for the exciting people in the neighborhood and surrounding area. Strain on the town's services is already an issue, and this kind of a project would increase that strain considerably. Thank you

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Select Submit below to send your inquiry. Thank you.

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## **Paul Rayl**

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**From:** Greg Thompson  
**Sent:** Thursday, November 9, 2017 4:03 PM  
**To:** Paul Rayl  
**Subject:** FW: Concerns regarding the proposed 35 acre horse property Leven Subdivision development of 66 homes

**From:** Polarpal [mailto:[polarpal@gmail.com](mailto:polarpal@gmail.com)]  
**Sent:** Sunday, October 8, 2017 9:14 PM  
**To:** Greg Thompson <[greg.thompson@cityoflafayette.com](mailto:greg.thompson@cityoflafayette.com)>  
**Subject:** Concerns regarding the proposed 35 acre horse property Leven Subdivision development of 66 homes

Dear Greg,

This email is regarding the proposed development of the 35 acre horse property at 8600 Baseline Road (aka Leven Subdivision). A developer is advancing a plan to build 66 homes on the property, which adjoins the Louisville North and Callahan Open Spaces.

We strongly feel that this proposed development is not consistent with the area, poses a threat to nesting raptors and other wildlife, greatly affects our open space, poses great traffic, safety and congestion problems as well as changing the character and nature of the property and neighborhood.

We also oppose it since it will inevitably result in traffic congestion along 95<sup>th</sup> Street, Baseline Road, and surrounding roads, and the safety concerns that go along with too many cars competing with cyclists, pedestrians, etc.

We are greatly concerned about the impact this will have on our precious open space, the wildlife, the traffic and the change in character and quiet of the area.

The quality of life that we enjoy due to proximity to open space cannot be measured. It cannot be evaluated with a price tag. It is what enriches our lives and makes living in Louisville such a special place. We must do everything possible to protect and preserve the integrity of the precious open space and rural areas that still exist in Boulder County. Please help us to defeat this proposal.

Best Regards,  
Divyesh Patel, Manisha Pandit & Medha Patel,  
2250 Cliffrose Lane, Louisville, CO 80027  
Ph: 1 303 664 1452

## **Paul Rayl**

---

**From:** Greg Thompson  
**Sent:** Tuesday, November 7, 2017 9:22 AM  
**To:** Paul Rayl  
**Subject:** FW: Open space

**From:** Sarah Giliberti [mailto:[skressyg@gmail.com](mailto:skressyg@gmail.com)]  
**Sent:** Tuesday, November 7, 2017 9:21 AM  
**To:** council@louisvilleco.gov; [vjannatpour@bouldercounty.org](mailto:vjannatpour@bouldercounty.org); Greg Thompson <[greg.thompson@cityoflafayette.com](mailto:greg.thompson@cityoflafayette.com)>  
**Subject:** Open space

Dear Sir or Madam:

I'm a registered voter residing in Louisville, Colorado, contacting you out of concern for the proposed housing development at 8600 Baseline Road.

I moved to Colorado 17 years ago, and one of the things that drew me to this magnificent state was the negative space. Gazing into the open space, I felt that I could breathe. Louisville, in particular, has a wonderful amount of treasures where there's space to rest ones eyes and minds. Or at least it did.

Cookie cutter houses have sprung up around our town like cancers, metastasizing into every last inch of land where fields have been scraped and flattened, demolishing ecosystems and displacing local species. Roads are congested, schools are over-crowded, and the summer street faire isn't even worth going to because of the mobs of people and impossible parking.

I gazed at my ballot a long time this morning, thinking about the proposal to use taxes to preserve the historical quality of Louisville. With this new housing development and the countless other homes the city has allowed to be built, is there any history left?

It seems to me those taxes would be better spent on the cessation of development. Please consider measures to stop this construction. It's a small remaining space where we walk, run, or even ski without the noise of an interrupted skyline. It's where we can breathe.

Thanks so much for your time.

Take care,  
Sarah Giliberti  
627 W Hawthorn Street  
Louisville, CO 80027

Until we make it a priority to schedule a few moments of negative space in our day, our brains will not have the space to process the gravity of the important moments. --Rebecca Moran

## **Paul Rayl**

---

**From:** Greg Thompson  
**Sent:** Thursday, October 26, 2017 9:41 AM  
**To:** Paul Rayl  
**Subject:** FW: Objection to proposed development at 8600 Baseline Road

**From:** Scott Miller [mailto:[scottmiller28@gmail.com](mailto:scottmiller28@gmail.com)]  
**Sent:** Wednesday, October 25, 2017 8:27 PM  
**To:** Greg Thompson <[greg.thompson@cityoflafayette.com](mailto:greg.thompson@cityoflafayette.com)>  
**Subject:** Objection to proposed development at 8600 Baseline Road

Greg - I drive Baseline to work every day, and the amount of congestion (both vehicles and cyclists) would be directly impacted. Specifically, because of the location and the number of homes, and the value of those homes, I believe that a traffic light would ultimately be installed to serve these high-dollar homes. Regardless, I love driving Baseline into Boulder because of the open spaces. The open spaces make the drive enjoyable. The views (while keeping my eyes on the road =^)), are gorgeous. Please consider how to protect our open spaces, and manage growth in this area. I ask for your support in defeating the proposed development at 8600 Baseline Road.

Thank you,  
Scott Miller  
2831 Twin Lakes Circle, Lafayette, CO 80026

## **Paul Rayl**

---

**From:** Susan Koster  
**Sent:** Tuesday, October 24, 2017 8:19 AM  
**To:** Paul Rayl  
**Subject:** FW: Online Form Submittal: Contact All City Council

**From:** noreply@civicplus.com [mailto:noreply@civicplus.com]  
**Sent:** Monday, October 23, 2017 11:37 PM  
**To:** City Council <Council@cityoflafayette.com>; Debbie Wilmot <debbiew@cityoflafayette.com>  
**Subject:** Online Form Submittal: Contact All City Council

### **Contact All City Council**

Complete the form below to email your questions or comments.

*Correspondence shared with City Council or staff may be subject to open records requests.*

|  |  |
|--|--|
| First Name                                     | Ilyse  |
| Last Name                                      | Streim   |
| Zip Code                                       | 80026  |
| Email Address                                  | <a href="mailto:ilysestreim@gmail.com">ilysestreim@gmail.com</a>   |
| Phone Number                                   | (720) 539-1807   |
| Whom would you like to contact?                | All City Council members   |
| Please leave your comments or questions below. | October 23, 2017 Dear Lafayette City Council Member, We live at 3594 Nyland Way, Lafayette, CO 80026 just west of the proposed 66-home "Leven Subdivision" development on 8600 and 8602 W. Baseline Rd. We are writing to you in urgent opposition to the proposed annexation, rezoning, and development of this parcel of unincorporated Boulder County into the City of Lafayette. We live in a beautiful co-housing neighborhood called Nyland which clusters its 42 homes on just ten acres of land leaving the remaining 25 acres as open space. Each home has solar panels, we share resources and tools, and have a thriving organic farm. The adjacent parcels currently have one house on approximately 35 acres, with a horse pasture and an open space corridor used by both neighbors and wildlife. The developer, Reid Phillips, proposes packing 66 houses, projected to cost upwards of \$1 million |

apiece, into our semi-rural block. From what we have heard from the developer's meeting last week at the Lafayette Library and a neighborhood meeting last night there seems to be almost unanimous opposition from the entire extended neighborhood. Our main concern, which we shared with Mr. Phillips at the meeting, is the incompatibility of this kind of development with our larger neighborhood's sustainable ethic and rural character as well as the vision of sustainability that Open Space planners have promoted in their long-range planning. Humans and wildlife need these open space corridors to thrive. These parcels are home to fox, coyote, and countless species of birds. We are extremely concerned about safety as the traffic on Baseline Road is already a hazard and a nuisance. The 66 homes will compound the problem exponentially and will increase the danger to our children and adults during the morning and afternoon school/work commute. We are also worried about noise pollution (especially during the proposed construction period) and light pollution. We ask that you do anything in your power to help us stop this unsuitable and ill-conceived 66-home project and deny the developer's request to annex this property. Respectfully, Ilyse Streim and David Rubine 3594 Nyland Way Lafayette, CO 80026 Ilyse Streim(720) 539-1807 David Rubine (303) 859-3281

---

Use the "SUBMIT" button below to send your email. Thank you!

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Email not displaying correctly? [View it in your browser.](#)

## **Paul Rayl**

---

**From:** Michelle Verostko  
**Sent:** Tuesday, October 24, 2017 10:44 AM  
**To:** Paul Rayl  
**Subject:** FW: 8600 Baseline

-----Original Message-----

From: Kiki Chanders [mailto:kikichanders@gmail.com]  
Sent: Tuesday, October 24, 2017 10:37 AM  
To: planning <planning@cityoflafayette.com>  
Subject: 8600 Baseline

Dear Lafayette Planning Folks,

I am deeply concerned about the proposed development at 8600 Baseline of 66 homes for a number of reasons:

1. This area is surrounded by Open Space and has two active ditches that run through or adjacent to it. This makes it part of a wildlife corridor and the green space between the cities of Boulder, Lafayette and Louisville. I live nearby and have witnessed many animals using the land, ditches and trees: prairie dogs, nesting bobolinks, bald eagles, red tail hawks, cooper's hawks, great horned owls, skunks, coyotes, mountain lions, many, many songbirds, deer, foxes, magpies, kestrels, geese, bees, bull snakes, mice, tiger salamanders and toads. Saving small chunks of land for nature is helpful, but doesn't serve the many animals who need large, uninterrupted space in order to survive. This proposal does not respect the wildlife corridor that forms the green space between our cities.
2. The greater area around this property is rural Boulder County homes and Nyland Cohousing, which has tightly clustered its homes in order to leave the majority of its property in meadows that are being restored to native prairie. Nyland and the Snowy Peaks homes, the two immediate neighbors, have donated 24 acres together to add to the Open Space corridor. This new development does not propose to save ANY land for nature, nor to preserve the rural feel of the pre-existing homes. This is an incongruous proposal for this site.
3. Baseline Road is the designated bike route between Boulder and Lafayette, and from what I understand, it is not slated to ever be widened. The commuter traffic is already quite heavy and scary when biking, crossing to catch the bus or trying to turn onto the road. When Nyland was built in 1992, they instigated the 225 bus line on Baseline and also were instrumental in starting the neighborhood Ecopass program, which they continue to contribute several thousand dollars to each year to give everyone in the community a bus pass. The developer of 8600 Baseline has made no effort to address the additional traffic his proposal will add to the already too crowded road.
4. While the world is coming to terms with a more and more desperate need for clean energy, sustainability, nature conservation, community building and affordable housing, this proposal has no concrete plans to address any of these issues in a forward-thinking manner. Lafayette (and the rest of the world) does not need 66 more million dollar traditional homes.

Please consider the above issues as you review this development proposal. This is a chance to make a strong statement about what we want our future to look like for ourselves and our children. As leaders for our town, I trust you will make a decision that takes all beings and our planet into respectful consideration.

On behalf of all the creatures, plants and humans who need this place, thank you.

Sincerely,      Kiki Chanders  
                  3578 Nyland Way  
                  Lafayette, CO 80026  
                  720-938-2101

## **Paul Rayl**

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**From:** Jasey Chanders <Jasey@chanders.com>  
**Sent:** Monday, October 23, 2017 5:25 PM  
**To:** Paul Rayl  
**Subject:** 8600 Baseline

Dear Paul,

I wanted to make sure you are aware of the proposed development at 8600 Baseline, which is to have 66 homes of about million dollar each. This property is connected to Open Space on two sides and to rural homes and the Water Treatment Plant on the other sides. It is currently considered unincorporated Boulder County and is part of the undeveloped land buffer between the cities of Boulder, Louisville and Lafayette. I live next to it in Nyland Cohousing.

I am writing on behalf of all the creatures who use this land: the Great Horned Owls who frequent the Davidson Ditch, the coyotes who roam the Open Space, the mice that feed the coyotes, the grasses that feed the mice, the 50 or more species of birds I have tracked on our neighboring land, the Killdeer nest I found last year, the Red-tailed Hawks that nested in the cottonwoods in the GoodHue Ditch, the eagles who hunt in the open fields and all the other creatures I cannot even begin to list who live on this land.

During summer of 2015 my family visited Costa Rica. In Costa Rica, the land has been cut up into pieces, much like we have here, leaving small wildlife sanctuaries for animals. In the past few years they have realized that animals need large spaces to roam and connected habitat. They have started massive projects to connect their natural land in what they call "wildlife corridors" and it has proved to be extremely effective. What is the point of Open Space if animals can't get to it? Here the Davidson and GoodHue ditches are our wildlife corridors and I believe that this is why we are blessed with so many animals here at Nyland. This proposed development is going to severely compromise that corridor. So I end this with a plea on behalf of the animals and to quote the Lorax, "I speak for the trees (and the animals and the birds) for the trees have no tongues." I ask on their behalf that this land be turned into Open Space to save this essential habitat.

At Nyland, we have worked hard to be good neighbors to the wild creatures and to preserve this corridor: we donated 7 acres to Open Space, we clustered our homes on a small section of the land in order to leave large areas open, we are re-establishing the native grasses in the meadows, we only use organic methods for weed control, we are striving to be energy neutral by using solar and wind, we have a car share program and participate in the RTD Ecopass program.

Thank you for anything you can do to join us and help save this land as part of our ever shrinking wildlife corridor.

Sincerely,  
Jasey Chanders, age 16  
Nyland Cohousing  
3578 Nyland Way  
Lafayette, Colorado 80026

## **Paul Rayl**

---

**From:** Greg Thompson  
**Sent:** Monday, October 23, 2017 8:41 AM  
**To:** Paul Rayl  
**Subject:** FW: Proposed Leven Development, 8600 Baseline

**From:** Kathy Small [mailto:[kathy.small.boulder@gmail.com](mailto:kathy.small.boulder@gmail.com)]  
**Sent:** Sunday, October 22, 2017 7:43 PM  
**To:** Greg Thompson <[greg.thompson@cityoflafayette.com](mailto:greg.thompson@cityoflafayette.com)>  
**Subject:** Proposed Leven Development, 8600 Baseline

Dear Mr. Thompson,

I am writing about the proposed development at 8600 Baseline Road. I understand that a developer would like to convert the low-impact Leven horse farm to a development with 66 large, luxury homes.

The Leven property is a treasure. It is bordered on two sides by Open Space properties managed by the City of Lafayette, City of Louisville and Boulder County. Two ditches run through this natural area, which enables our local wildlife to travel through the area. There are trails stretching from nearly 76th St. to 95th St, with no roads encroaching upon this amazing natural area.

I live in a nearby neighborhood and have “adopted” the west end of the North Open Space. I adore seeing coyote, foxes, countless birds, and even deer on this land. There are several wooded areas near the ditches, so the animals are able to wander freely.

I am very concerned about the impact of building 66 homes where a quiet farm now exists. I have no objection to a well-planned development on the north end of the property, between Baseline Road and the ditch. However, it would be very detrimental to the free movement of our local wildlife if the ditch and south end of the Leven property were developed.

I am also concerned about the increased traffic on Baseline Road and 95th Street, both of which are clogged with traffic during rush hour already. And I’m concerned about allowing a development sporting luxury homes in the middle of an area that has a very rural feel. Developments of this type promote urban sprawl, which our eastern Boulder County cities are trying to avoid.

Lafayette, Louisville, and Boulder County place a high value on open space, as evidenced by the fact that so many properties have been protected from future development and so many trails have been built to allow their citizens to enjoy these natural areas. Please help us preserve the open space and rural areas that still exist in Boulder County, and say no to the Leven development.

Thank you for your consideration.

Kathy Small  
303-717-1336  
[kathy.small.boulder@gmail.com](mailto:kathy.small.boulder@gmail.com)

## **Paul Rayl**

---

**From:** Greg Thompson  
**Sent:** Friday, October 20, 2017 11:06 AM  
**To:** Paul Rayl  
**Subject:** FW: I oppose the proposed Leven Subdivision

-----Original Message-----

From: Bonnie Bry Schwab [mailto:[bonnieschwab@gmail.com](mailto:bonnieschwab@gmail.com)]  
Sent: Tuesday, October 17, 2017 3:18 PM  
Subject: I oppose the proposed Leven Subdivision

I oppose the proposed Leven Subdivision for the following reasons:

1. City and Property Owner Action: There is major concern that legal due process was not followed when completing the Comprehensive Plan in 2003, along with its technical update in 2013. Our records indicate that neither members of Snow Peak Lane or the Nyland community were not given formal notification of hearings regarding this matter. The Community recognizes that the current administration was not involved in the implementation of the initial Comprehensive Plan, however they/we would challenge that proper notification was given to the Community. Further, the Community and specifically our property would challenge the legality of the process.

2. Developer Action: Without question, the entire community who utilizes Baseline Road have great concern over the safety due to increased congestion on Baseline Road and Nyland Way. Many residents of Lafayette use Baseline Road every day. During the morning and evening rush hour, traffic jams in this rural portion on this rural stretch of road have grown to up to 30. It is anticipated that the proposed development would only compound this problem. The impact on Elgin Road, Nyland and Snow Peak Lane would virtually preclude the ability to turn against traffic during these busy times.

Studies show that each additional home would account for 10 trips a day on Baseline Road (660 additional total trips/day if the proposed development is approved). The Developer may not be aware that the water treatment facility owned by the City of Lafayette was strategically placed to preclude the widening of Baseline Road and to push traffic to Arapaho Road and South Boulder Road. Any widening of Baseline Road would require the underground water tanks to be repositioned, presumably costing the city tens of millions of dollars.

It is the expectation of the Community that extensive traffic studies would be completed to determine the impact on Baseline Road, Nyland Way, Snow Peak Lane, Elgin Drive and Brittney Lane. Additionally, the impacts of such a development on Arapaho Road, 76th Street, 75th Street, Highway 42 and South Boulder Road should be studied.

3. Developer and City Action: The Community would like the City and the Developer to account for the environmental impact the proposed development would have on the surrounding area. Specifically, the endangered Preble's Meadow Jumping Mouse which may be in the area needs to be addressed. According to the Boulder County Land Use Department, "Activities occurring on either public or private lands in which Preble's mice may live are prohibited from harming, harassing, or killing a mouse or damaging its habitat. Generally, if the activity involves new construction, significant changes of surface landscaping, or increased usage by humans or domestic animals it could be in violation of the Endangered Species Act."

Additionally, owls, foxes, coyotes, deer, raccoon, and skunks flourish in this area. The Community would ask for appropriate studies on how wildlife in the area would be impacted by the proposed Development.

4. City Action: The Community has concerns about the fiscal responsibility of allowing the proposed subdivision to be built. Many scholarly studies, including one performed by Purdue University conclude that "single-family houses do not generate sufficient revenue to pay for the local governmental services needed to serve them". This will be further compounded by the fact that the residents will most likely be shopping in Louisville (not Lafayette) due to its close proximity, causing the increased sales tax from the proposed development to be negligible. The Community would question the motivation for the proposed development.

5. Developer Action: During the community meeting, the Developer indicated that he is environmentally conscious and anticipates the infrastructure of the proposed development will have net-zero energy impact (without the use of PV (Photovoltaic; commonly referred to as solar Panels). Being that the City of Lafayette is environmentally conscious, the Community believes that appropriate energy studies should be required of the Developer to substantiate this claim.

6. Developer and City Action: The Community is concerned that none of the homes in the proposed Development include affordable/attainable housing options. According to the 'Livable Lafayette Task Force', created by Councilors Lynch and Walton, "Even those earning the median income in Lafayette cannot afford a median priced home (\$483,500)". Adding 66 \$1M+ homes will only compound this problem.

7. Developer Action: The Developer was quite misleading with his proposed home density.

1.88 homes per acre was stated during the community meeting. Currently there is one home that sits on approximately 4.25 acres with approximately 30.75 acres of vacant land surrounding. 66 new homes on these 30.75 acres would be a density of 2.15 homes per acre. The Community is concerned about the what other misrepresentations the Developer has made to both the City and the Community.

8. Developer Action: There is a lateral irrigation ditch which spawns off the Davidson Ditch that services the Snow Peak Lane properties that cuts through the proposed subdivision (see attachment for picture of this). Per conversations with Brad Dallum with the City of Lafayette (this past spring), it is anticipated that the Snow Peak Lane Properties will be using the water from this irrigation ditch in the very near future. The Community believes this needs to be accounted for when considering the lot density and layout of the proposed development.

9. Developer Action: In 1993 when the Nyland community was developed and in 1997 when the Snow Peak community was developed, significant parcels of land were donated as open space to maintained the character of the rural neighborhood (7 acres from Nyland and 17 acres from Snow Peak). It would not be unreasonable to expect that this precedent is maintained for the proposed development and the City of Lafayette requires up to 17 acres be donated to open space.

Before the City considers annexation and re-zoning of this property to allow for a dense housing development, it would be prudent to fully investigate all alternative options that would allow for additional open space. These options could potentially be accomplished through private investors that would donate the land to open space, a special improvement tax district, or through a bond issue.

Thank you for your consideration on these issues.

Sincerely,

Bonnie Schwab  
825 Beauprez  
Lafayette 80026

## **Paul Rayl**

---

**From:** Susan Koster  
**Sent:** Friday, October 20, 2017 8:10 AM  
**To:** Paul Rayl  
**Subject:** FW: Online Form Submittal: Contact All City Council

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**From:** noreply@civicplus.com [mailto:noreply@civicplus.com]  
**Sent:** Thursday, October 19, 2017 4:20 PM  
**To:** City Council <Council@cityoflafayette.com>; Debbie Wilmot <debbiew@cityoflafayette.com>  
**Subject:** Online Form Submittal: Contact All City Council

### **Contact All City Council**

Complete the form below to email your questions or comments.

*Correspondence shared with City Council or staff may be subject to open records requests.*

|  |  |
|--|--|
| First Name                                     | Jeanne and Allan   |
| Last Name                                      | Collins  |
| Zip Code                                       | 80026  |
| Email Address                                  | <u>jeannewehner@mac.com</u>  |
| Phone Number                                   | 303-666-8379   |
| Whom would you like to contact?                | All City Council members   |
| Please leave your comments or questions below. | We are writing to express our deep concern over the possibility that a high density neighborhood could be built at 8600 Baseline Rd called the Levin Subdivision. It has come to our attention that annexation of that land would be required and that land would become part of Lafayette. We live in Indian Peaks filing 15. We therefore experience the daily traffic jams on Baseline Rd. We know that addition building of 66 homes will only make the traffic problem worse. Moreover, the proposed neighborhood will impact the open space area and trails. We have seen their use grow over the 9 years that we have lived here. Increasing use of that open space will have serious negative impact on all forms of wild life in that corridor. The whole annexation is being rushed by the developer without any thought given to the rural nature of that area. Lafayette also has many commitments already to new construction . The |

city does not need to take care of an additional neighborhood and the expenses that would accompany another new development. Please keep the Baseline corridor safe for the people who live in the existing neighborhoods. Thank you.

---

Use the "SUBMIT" button below to send your email. Thank you!

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Email not displaying correctly? [View it in your browser.](#)

## ANNEXATION MAP

## LEVEN ANNEXATION

A TRACT OF LAND LOCATED IN THE E1/2 OF THE NE1/4 OF SECTION 6, T1S, R69W OF THE 6TH P.M., CITY OF LAFAYETTE, COUNTY OF BOULDER, STATE OF COLORADO.

## LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE E1/2 OF THE NE1/4 OF SECTION 6, T1S, R69W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6 AS HISTORICALLY MONUMENTED, FROM WHICH THE E1/4 CORNER OF SAID SECTION 6 BEARS S00°1'00"W, 2182.16 FEET (BASIS OF MARING) FROM SECTION LINE 32, T1S, R69W; AND THENCE ALONG THE NORTHERLY WESTERLY LINE OF THAT TRACT OF LAND CONVEYED TO TINA BROIDA AS DESCRIBED IN GENERAL WARRANTY DEED RECORDED JUNE 5, 2009, AS RECEIPT NO. 3004713, OF THE RECORDS OF BOULDER COUNTY, COLORADO, AND THE POINT OF BEGINNING, ALSO BEING A POINT ALONG THE EASTERN LINE OF NYLAND-WATER PLANT ANNEXATION NO. 2, AN ANNEXATION TO THE CITY OF LAFAYETTE RECORDED FEBRUARY 16, 1990, AS RECEIPT NO. 1028654, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE S03°24'36"E, 677.79 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO AN ANGLE POINT THEREOF;

THENCE S00°11'10"W, 456.67 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO AN ANGLE POINT THEREOF;

THENCE N89°58'52"E, 832.81 FEET ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE NORTHERLY LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO THE EAST LINE OF THE NE1/4 OF SAID SECTION 6;

THENCE N00°10'00"E, 1765.38 FEET ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 6 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF BASELINE ROAD AND THE SOUTHERLY LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2;

THENCE S80°55'44"W, 863.03 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BASELINE ROAD AND ALONG THE SOUTHERLY LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713, ALSO BEING THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2;

THENCE S01°48'27"E, 183.81 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO AN ANGLE POINT THEREOF;

THENCE S00°44'52"E, 145.34 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO AN ANGLE POINT THEREOF;

THENCE S05°30'07"W, 305.47 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO THE POINT OF BEGINNING.

AREA = 34.402 ACRES, MORE OR LESS.

## ANNEXATION PETITION ACKNOWLEDGEMENT

KNOW ALL MEN BY THESE PRESENTS THAT TINA G. BROIDA, TRUSTEE OF THE T.G. BROIDA LIVING TRUST DATED DECEMBER 1, 2009, BEING THE OWNER OF THAT PARCEL OF LAND SHOWN AS DESCRIBED HEREIN, HAS MADE THIS ANNEXATION PETITION TO THE CITY OF LAFAYETTE, COLORADO, FOR ANNEXATION OF SAID PARCEL TO SAID CITY OF LAFAYETTE, AND DO HEREBY ACKNOWLEDGE SAID PETITION FOR ANNEXATION THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_ A.D.

TINA G. BROIDA

## ACKNOWLEDGEMENT

STATE OF COLORADO )  
COUNTY OF BOULDER ) SS  
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_

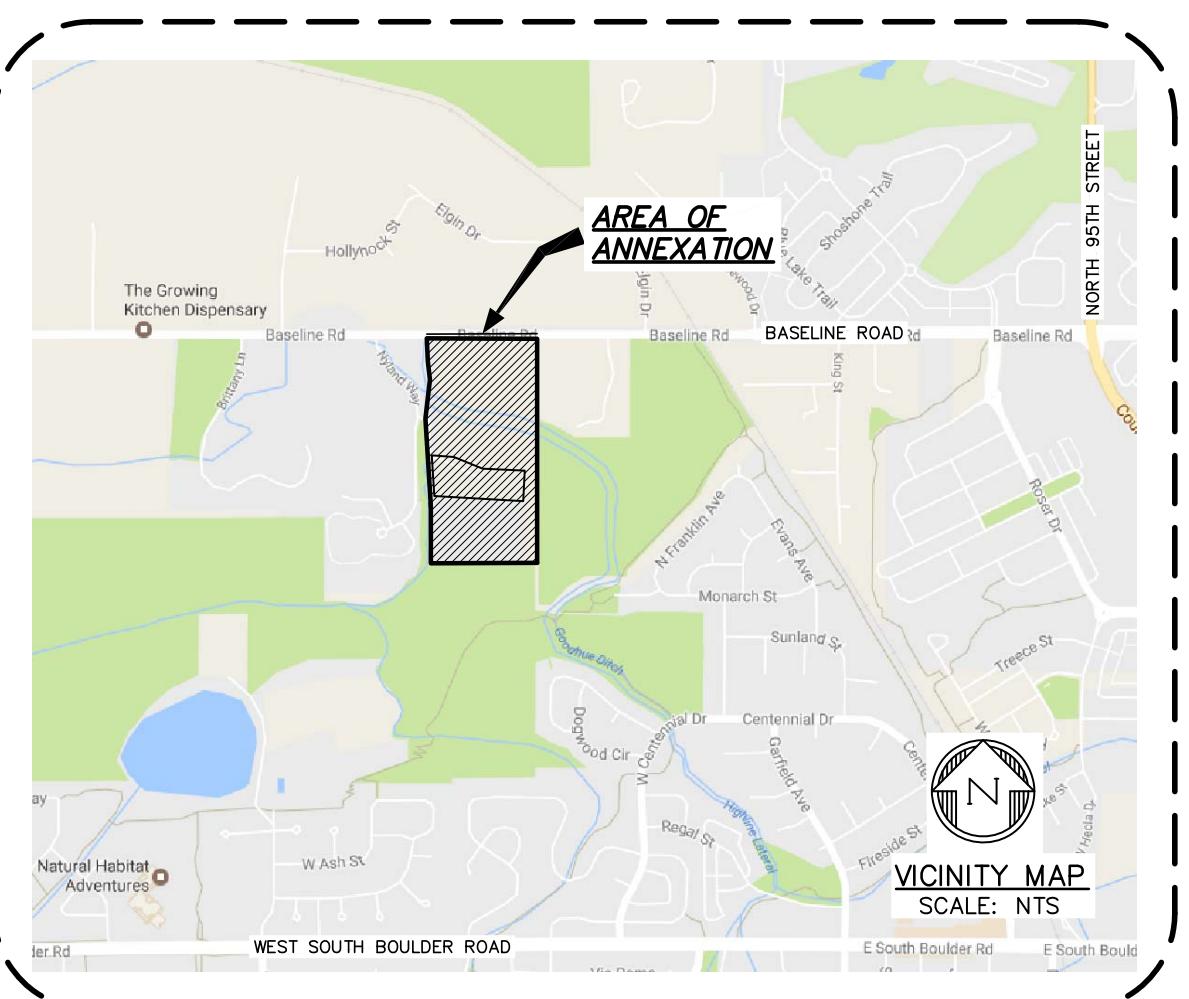
20\_\_\_\_, A.D., BY TINA G. BROIDA, AS

TRUSTEE OF THE T.G. BROIDA LIVING TRUST DATED DECEMBER 1, 1990, OF THE PROPERTY DESCRIBED HEREON.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC



## NOTES

- BEARINGS SHOWN ON THIS MAP ARE BASED ON THE ASSUMPTION THAT THE EAST LINE OF THE NE1/4 OF SECTION 6, T1S, R69W OF THE 6TH P.M., BEARS S00°1'00"W AS MONUMENTED AND SHOWN HEREON.
- THIS MAP WAS PREPARED EXCLUSIVELY FOR ANNEXATION PURPOSES AND IS NOT A LAND SURVEY PLAT ACCORDING TO COLORADO STATUTES.
- THE POSITION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BASELINE ROAD IS 30 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES FROM AND PARALLEL WITH, THE STANDARD PARALLEL, THE SOUTH LINE OF THE SW1/4 OF SECTION 32, T1S, R69W.
- LINEAR UNITS SHOWN ON THIS MAP ARE U.S. SURVEY FEET.
- LEGAL DESCRIPTION PREPARED BY FRANK N. DREXEL, 1500 KANSAS AVE., SUITE 2-E, LONGMONT, COLORADO, 80501 (CRS 38-35-106.5).

| LEGEND                     |  |
|----------------------------|--|
| MISC.                      |  |
| AC                         | ACRES  |
| ALUM                       | ALUMINUM   |
| APN                        | ASSESSOR PARCEL NUMBER   |
| ASPH                       | ASPHALT  |
| BK                         | BOOK   |
| CONC                       | CONCRETE   |
| COR                        | CORNER   |
| MKD                        | MARKED   |
| ±                          | MORE OR LESS   |
| ORD                        | ORDINANCE  |
| PG                         | PAGE   |
| REC                        | RECEPTION NO.  |
| ROW                        | RIGHT-OF-WAY   |
| SF                         | SQUARE FEET  |
| SPL                        | SPECIAL  |
| FEATURES                   |  |
| X-X                        | FENCE  |
| [Asphalt pattern]          | ASPHALT  |
| [Concrete pattern]         | CONCRETE   |
| [Gravel pattern]           | GRAVEL   |
| [Annexation corner symbol] | ANNEXATION CORNER  |
| [Found rebar symbol]       | FOUND 24" LONG #5 REBAR W/ 2" ALUM, CAP MKD, "CIVILARTS PLS 24305" FLUSH W/ GROUND LEVEL |
| [City boundary symbol]     | CITY OF LAFAYETTE CORPORATE BOUNDARY   |

## CITY COUNCIL CERTIFICATE

THIS ANNEXATION MAP IS APPROVED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_ A.D., AND MAY BE FILED WITH THE CLERK AND RECORDER OF BOULDER COUNTY AND SUBJECT TO THE PROVISION THAT APPROVAL IN NO WAY ALLEGES THE CITY OF LAFAYETTE FOR THE FINANCING OR CONSTRUCTING OF IMPROVEMENTS ON LAND OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS SPECIFICALLY AGREED TO BY THE CITY COUNCIL.

MAYOR  
WITNESS MY HAND AND OFFICIAL SEAL OF THE CITY OF LAFAYETTE

ATTEST: CITY CLERK

## CITY ADMINISTRATOR CERTIFICATE

I, GARY KLAFAKE, CITY ADMINISTRATOR OF THE CITY OF LAFAYETTE, COLORADO, HEREBY CERTIFY THAT I HAVE EXAMINED THE ANNEXATION AND IT APPEARS TO BE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY AND THAT A DEVELOPMENT AGREEMENT HAS BEEN EXECUTED BY THE DEVELOPER AND ACCEPTED BY THE CITY.

CITY ADMINISTRATOR

ATTEST: CITY CLERK

## CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT \_\_\_\_ O'CLOCK \_\_\_\_ M., THIS \_\_\_\_ DAY OF \_\_\_\_ , 20\_\_\_\_, AND IS RECORDED UNDER RECEIPT #\_\_\_\_\_, FEES PAID \$\_\_\_\_\_.

CLERK AND RECORDER DEPUTY CLERK AND RECORDER

## CERTIFICATION DEFINED

THE USE OF THE WORDS "CERTIFY" AND/OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION; WAS PERFORMED BY OR UNDER THE REGISTERED PROFESSIONAL LAND SURVEYOR IN RESPONSIBLE CHARGE; IS BASED ON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE; AND DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. (RULE 6.2.2 THE BYLAWS AND RULES OF THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS)

## NOTICE

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

## SURVEYOR'S CERTIFICATE

I, FRANK N. DREXEL, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, CERTIFY THAT THE MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT AT LEAST ONE-SIXTH (1/6) OF THE PERIPHERAL BOUNDARY OF THE PARCELS SHOWN HEREON IS CONTIGUOUS THE PRESENT BOUNDARY OF THE CITY OF LAFAYETTE, AND THAT THIS PLAT COMPLIES WITH SECTION 31-12-107(d), COLORADO REVISED STATUTES, CONCERNING ANNEXATION PLATS.



DATE: \_\_\_\_\_

## EXISTING ZONING

BOULDER COUNTY: RR (RURAL RESIDENTIAL)

## PROPOSED ZONING

CITY OF LAFAYETTE: DR (DEVELOPING RESOURCE)

## OWNER

NEST HOME COMPANY, LLC  
111 WEST CANNON STREET  
LAFAYETTE, CO 80026  
719-510-1360  
ATTN: REID PHILLIPS

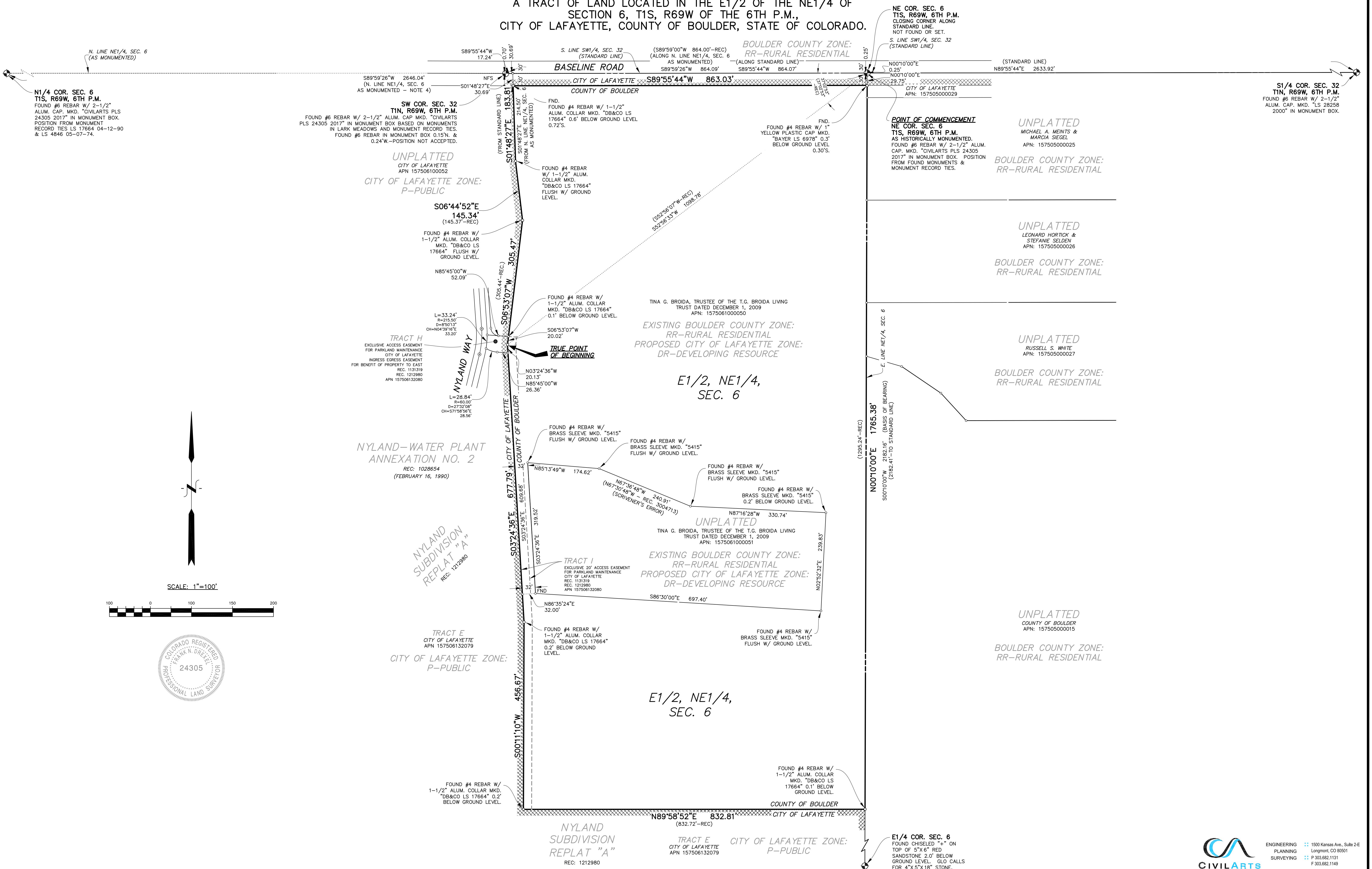
## PLANNER

THE HENRY DESIGN GROUP  
1501 WAZER STREET, SUITE 1-C  
DOWNTOWN, 80202  
303-446-2368  
ATTN: KAREN HENRY, PLA

## ANNEXATION MAP

## LEVEN ANNEXATION

A TRACT OF LAND LOCATED IN THE E1/2 OF THE NE1/4 OF SECTION 6, T1S, R69W OF THE 6TH P.M., CITY OF LAFAYETTE, COUNTY OF BOULDER, STATE OF COLORADO.



REZONING MAP

# LEVEN REZONING

A TRACT OF LAND LOCATED IN THE E1/2 OF THE NE1/4 OF SECTION 6, T1S, R69W OF THE 6TH P.M., CITY OF LAFAYETTE, COUNTY OF BOULDER, STATE OF COLORADO.

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE E1/2 OF THE NE1/4 OF SECTION 6, T1S, R69W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6 AS HISTORICALLY MONUMENTED, FROM WHICH THE E1/4 CORNER OF SAID SECTION 6 BEARS S00°10'00"W, 2182.16 FEET (BASIS OF MEASURE) FROM SECTION LINE 32, T1N, R69W; AND THENCE ALONG THE NESTERLY LINE OF THAT TRACT OF LAND CONVEYED TO TINA BRODIA AS DESCRIBED IN GENERAL WARRANTY DEED RECORDED JUNE 5, 2009, AS RECEIPT NO. 3004713, OF THE RECORDS OF BOULDER COUNTY, COLORADO, AND THE POINT OF BEGINNING, ALSO BEING A POINT ALONG THE EASTERN LINE OF NYLAND-WATER PLANT ANNEXATION NO. 2, AN ANNEXATION TO THE CITY OF LAFAYETTE RECORDED FEBRUARY 16, 1990, AS RECEIPT NO. 1028654, OF THE RECORDS OF BOULDER COUNTY, COLORADO;

THENCE S032°43'36"E, 677.79 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO AN ANGLE POINT THEREOF;

THENCE S00°11'10"W, 456.67 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO AN ANGLE POINT THEREOF;

THENCE N89°58'52"E, 832.81 FEET ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE NORTHERLY LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO THE EAST LINE OF THE NE1/4 OF SAID SECTION 6;

THENCE N00°10'00"E, 1765.38 FEET ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 6 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF BASELINE ROAD AND THE SOUTHERLY LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2;

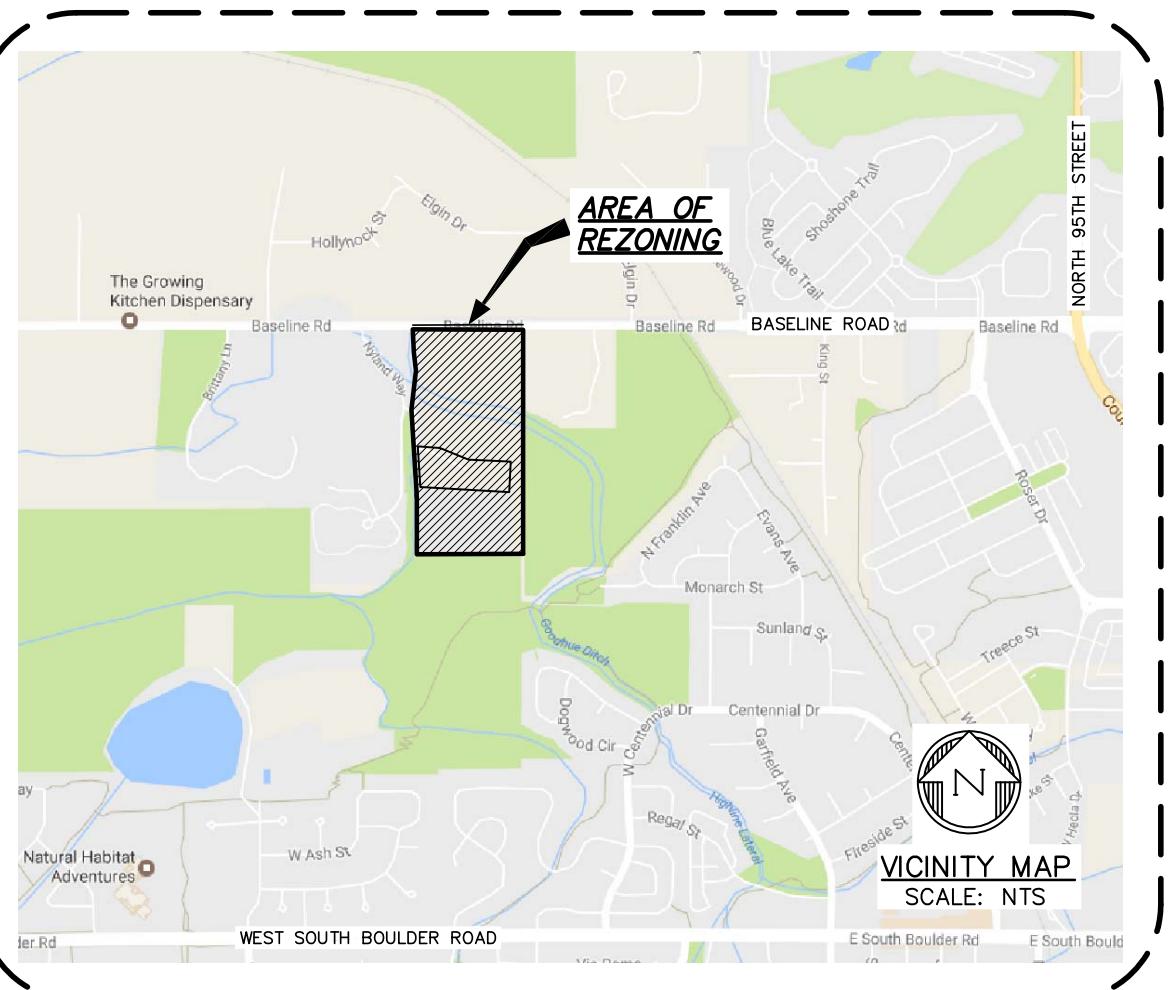
THENCE S08°55'44"W, 863.03 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID BASELINE ROAD AND ALONG THE SOUTHERLY LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713, ALSO BEING THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2;

THENCE S01°48'27"E, 183.81 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO AN ANGLE POINT THEREOF;

THENCE S06°44'52"E, 145.34 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE OF SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO AN ANGLE POINT THEREOF;

THENCE S06°53'07"W, 305.47 FEET ALONG THE WESTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED AS SAID RECEIPT NO. 3004713 AND ALONG THE EASTERN LINE SAID NYLAND-WATER PLANT ANNEXATION NO. 2 TO THE POINT OF BEGINNING.

AREA = 34.402 ACRES, MORE OR LESS.

NOTES

- BEARINGS SHOWN ON THIS MAP ARE BASED ON THE ASSUMPTION THAT THE EAST LINE OF THE NE1/4 OF SECTION 6, T1S, R69W OF THE 6TH P.M., BEARS S00°10'00"W AS MONUMENTED AND SHOWN HEREON.
- THIS MAP WAS PREPARED EXCLUSIVELY FOR REZONING PURPOSES AND IS NOT A LAND SURVEY PLAT ACCORDING TO COLORADO STATUTES.
- THE POSITION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BASELINE ROAD IS 30 FEET SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES FROM AND PARALLEL WITH, THE STANDARD PARALLEL, THE SOUTH LINE OF THE SW1/4 OF SECTION 32, T1N, R69W.
- LINEAR UNITS SHOWN ON THIS MAP ARE U.S. SURVEY FEET.
- LEGAL DESCRIPTION PREPARED BY FRANK N. DREXEL, 1500 KANSAS AVE., SUITE 2-E, LONGMONT, COLORADO, 80501 (CRS 38-35-106.5).

DEVELOPER

NEST HOME COMPANY, LLC  
111 WEST CANNON STREET  
LAFAYETTE, CO 80026  
719-510-1360  
ATTN: REID PHILLIPS

SURVEYOR

CIVILARTS, INC.  
1500 KANSAS AVENUE, SUITE 2-E  
LONGMONT, CO 80501  
303-682-1131  
ATTN: FRANK N. DREXEL, PLS

OWNER

TINA G. BRODIA, TRUSTEE OF THE T.G. BRODIA  
LIVING TRUST, DATED DECEMBER 1, 2009  
C/O NEST HOME COMPANY, LLC.  
111 WEST CANNON STREET  
LAFAYETTE, CO 80026  
719-510-1360  
ATTN: REID PHILLIPS

PLANNER

THE HENRY DESIGN GROUP  
1501 WADSWORTH BLVD, SUITE 1-C  
DENVER, CO 80202  
303-446-2368  
ATTN: KAREN HENRY, PLA

| LEGEND   |  |
|----------|--|
| MISC.    |  |
| AC       | ACRES  |
| ALUM     | ALUMINUM   |
| APN      | ASSESSOR PARCEL NUMBER   |
| ASPH     | ASPHALT  |
| BK       | BOOK   |
| CONC     | CONCRETE   |
| COR      | CORNER   |
| MKD      | MARKED   |
| ±        | MORE OR LESS   |
| ORD      | ORDINANCE  |
| PG       | PAGE   |
| REC      | RECEPTION NO.  |
| ROW      | RIGHT-OF-WAY   |
| SF       | SQUARE FEET  |
| SPL      | SPECIAL  |
| FEATURES |  |
| X-X      | FENCE  |
|          | ASPHALT  |
|          | CONCRETE   |
|          | GRAVEL   |
| —        | ANNEXATION CORNER  |
| FND      | FOUND 24" LONG #5 REBAR W/ 2" ALUM, CAP MKD, "CIVILARTS PLS 24305" FLUSH W/ GROUND LEVEL |
|          | CITY OF LAFAYETTE CORPORATE BOUNDARY   |

CITY COUNCIL CERTIFICATE

THIS REZONING MAP IS APPROVED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, THIS 20 DAY OF JUNE, 2010, AND MAY BE FILED WITH THE CLERK AND RECORDER OF BOULDER COUNTY AND SUBJECT TO THE PROVISION THAT APPROVAL IN NO WAY ALLEGES THE CITY OF LAFAYETTE FOR THE FINANCING OR CONSTRUCTING OF IMPROVEMENTS ON LAND OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS SPECIFICALLY AGREED TO BY THE CITY COUNCIL.

MAYOR

WITNESS MY HAND AND OFFICIAL SEAL OF THE CITY OF LAFAYETTE

ATTEST: CITY CLERK

CITY ADMINISTRATOR CERTIFICATE

I, GARY KLAPEAKE, CITY ADMINISTRATOR OF THE CITY OF LAFAYETTE, COLORADO, HEREBY CERTIFY THAT I HAVE EXAMINED THE REZONING AND IT APPEARS TO BE IN COMPLIANCE WITH ALL APPLICABLE ORDINANCES OF THE CITY AND THAT A DEVELOPMENT AGREEMENT HAS BEEN EXECUTED BY THE DEVELOPER AND ACCEPTED BY THE CITY.

CITY ADMINISTRATOR

ATTEST: CITY CLERK

CLERK AND RECORDER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND IS RECORDED UNDER RECEIPT #\_\_\_\_\_ . FEES PAID \$\_\_\_\_\_ .

CLERK AND RECORDER DEPUTY CLERK AND RECORDER

CERTIFICATION DEFINED

THE USE OF THE WORDS "CERTIFY" AND/OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS AND FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION; WAS PERFORMED BY OR UNDER THE REGISTERED PROFESSIONAL LAND SURVEYOR IN RESPONSIBLE CHARGE; IS BASED ON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE; AND DOES NOT CONSTITUTE A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED. (RULE 6.2.2 OF THE BYLAWS AND RULES OF THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS.)

NOTICE

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SURVEYOR'S CERTIFICATE

I, FRANK N. DREXEL, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS REZONING MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

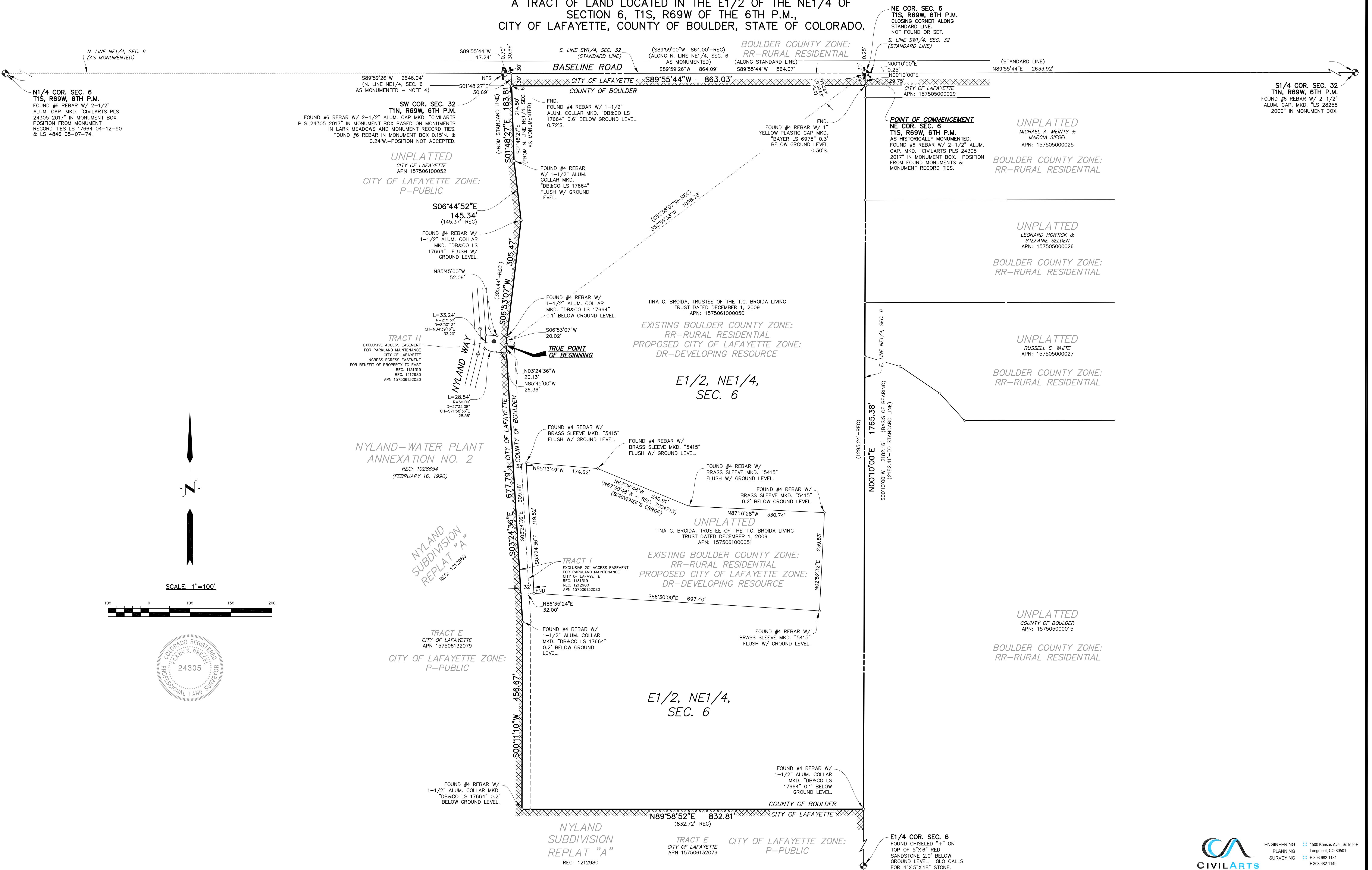
FRANK N. DREXEL  
COLORADO REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 24305

DATE: \_\_\_\_\_

## REZONING MAP

## LEVEN REZONING

A TRACT OF LAND LOCATED IN THE E1/2 OF THE NE1/4 OF SECTION 6, T1S, R69W OF THE 6TH P.M., CITY OF LAFAYETTE, COUNTY OF BOULDER, STATE OF COLORADO.



# LEVEN SUBDIVISION

## SKETCH PLAN

LOCATED IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 1 SOUTH,  
RANGE 69 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO

### LEGAL DESCRIPTION

#### PARCEL A (8602 BASELINE):

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6, FROM WHICH THE EAST 1/4 CORNER OF SAID SECTION BEARS SOUTH 00°10'00" WEST; THENCE SOUTH 52°56'07" WEST, 1098.78 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 03°24'36" EAST 677.79 FEET; THENCE SOUTH 00°11'10" WEST, 456.67 FEET; THENCE NORTH 89°58'52" EAST, 832.72 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE NORTH 00°10'00" EAST, 1795.24 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE SOUTH 89°59'00" WEST, 864.00 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6; THENCE SOUTH 01°48'27" EAST, 214.56 FEET; THENCE SOUTH 06°44'52" EAST, 145.37 FEET TO A POINT THAT BEARS NORTH 06°53'07" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 06°53'07" WEST, 305.44 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT:

A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF BOULDER, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6, FROM WHICH THE EAST 1/4 CORNER OF SAID SECTION 6 BEARS SOUTH 00°10'00" WEST; THENCE SOUTH 52°56'07" WEST, 1098.78 FEET; THENCE SOUTH 03°24'36" EAST 609.68 FEET; THENCE NORTH 89°35'24" EAST, 32.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°30'00" EAST, 697.40 FEET; THENCE NORTH 02°52'32" EAST, 239.63 FEET; THENCE NORTH 87°16'28" WEST, 330.74 FEET; THENCE NORTH 67°36'48" WEST, 240.91 FEET; THENCE NORTH 85°13'49" WEST, 174.62 FEET; THENCE SOUTH 03°24'36" EAST, 319.52 FEET TO THE TRUE POINT OF BEGINNING.

#### PARCEL B (8600 BASELINE):

PARCEL I:  
A TRACT OF LAND LOCATED IN THE NORTHEAST 1/4 OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF BOULDER, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6, FROM WHICH THE EAST 1/4 CORNER OF SAID SECTION 6 BEARS SOUTH 00°10'00" WEST; THENCE SOUTH 52°56'07" WEST, 1098.78 FEET; THENCE SOUTH 03°24'36" EAST 609.68 FEET; THENCE NORTH 86°35'24" EAST, 32.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 86°30'00" EAST, 697.40 FEET; THENCE NORTH 02°52'32" EAST, 239.63 FEET; THENCE NORTH 87°16'28" WEST, 330.74 FEET; THENCE NORTH 67°36'48" WEST, 240.91 FEET; THENCE NORTH 85°13'49" WEST, 174.62 FEET; THENCE SOUTH 03°24'36" EAST, 319.52 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL II:  
AN EXCLUSIVE EASEMENT FOR INGRESS/EGRESS OVER TRACT H, NYLAND SUBDIVISION REPLAT "A," COUNTY OF BOULDER, STATE OF COLORADO.

### LAND USE SUMMARY

| USE                             | ACRES        | DWELLING UNITS | GROSS DENSITY     | % OF SITE   |
|---------------------------------|--------------|----------------|-------------------|-------------|
| SINGLE FAMILY (R-1-PUD)         | 27.51        | 46             | 1.57              | 80.0        |
| TOWNHOMES (R-3-PUD)             | 4.51         | 41             | 9.09              | 13.1        |
| BASELINE ROAD R.O.W. DEDICATION | 0.59         |                |                   | 1.7         |
| DETENTION                       | 1.79         |                |                   | 5.2         |
| <b>TOTAL</b>                    | <b>34.40</b> | <b>87</b>      | <b>2.53 DU/AC</b> | <b>100%</b> |

### OPEN SPACE SUMMARY

| USE                               | ACRES       | % OF SITE    |
|-----------------------------------|-------------|--------------|
| COMMON OPEN SPACE (SINGLE FAMILY) | 4.74        | 13.8         |
| COMMON OPEN SPACE (TOWNHOME)      | 1.52        | 4.4          |
| GOODHUE DITCH & DAVIDSON DITCH    | 2.95        | 8.6          |
| <b>TOTAL</b>                      | <b>9.21</b> | <b>26.8%</b> |

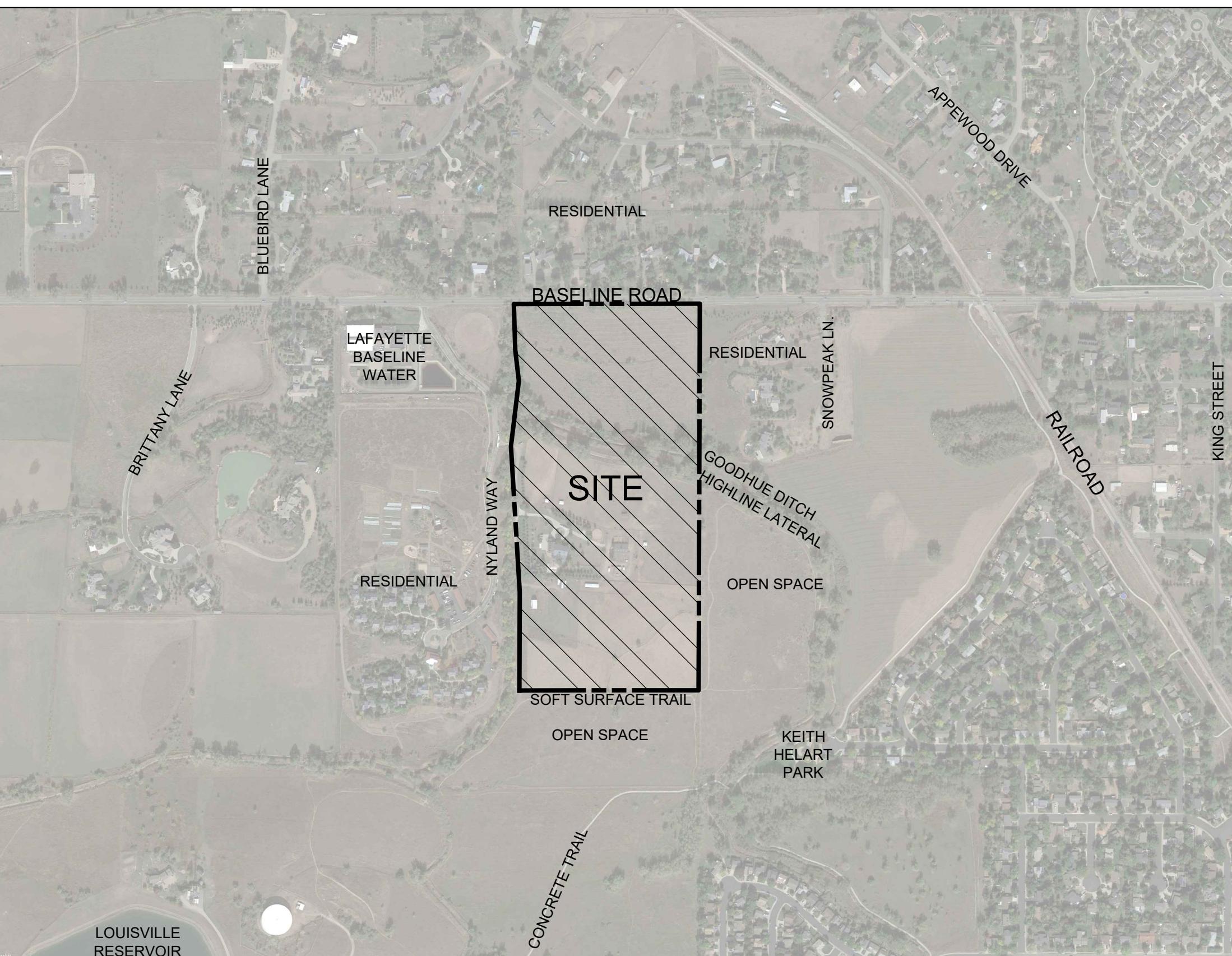
\* REQUIRED OPEN SPACE: 15% OF LAND AREA = 5.16 ACRES

### PARKING SUMMARY

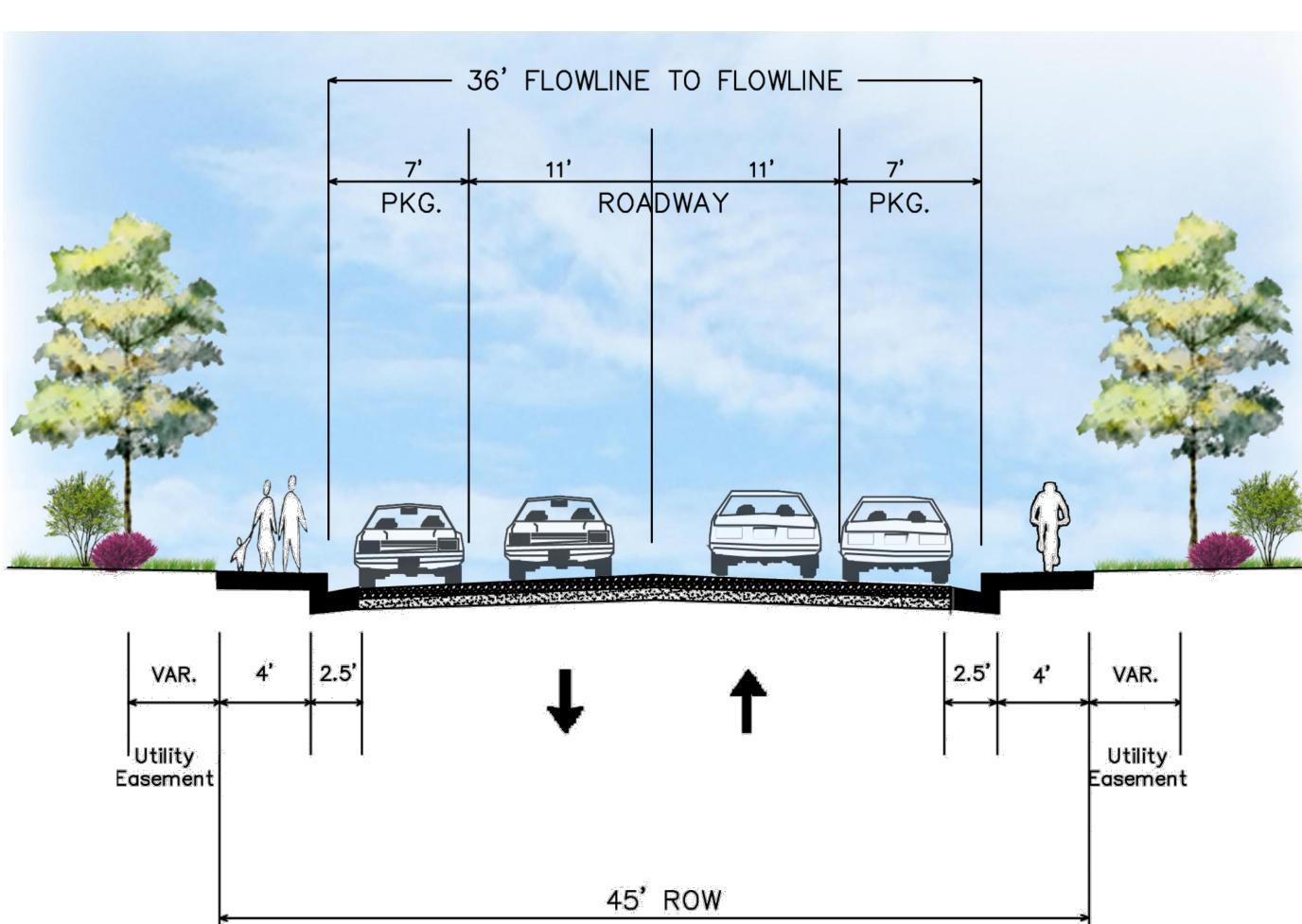
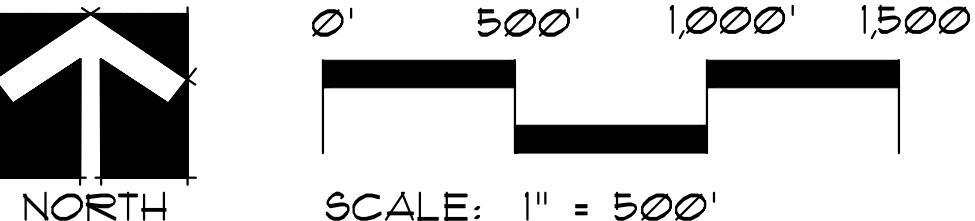
| LOCATION                   | REQUIRED           | PROVIDED                  |
|----------------------------|--------------------|---------------------------|
| OFF-STREET (SINGLE FAMILY) | 92 (2 PER UNIT)    | 92 GARAGE + 92 DRIVEWAY   |
| OFF-STREET (TOWNHOME)      | 103 (2.5 PER UNIT) | 82 GARAGE + 39 OFF-STREET |
| <b>TOTAL</b>               | <b>195</b>         | <b>266</b>                |

NOTE:

1. TOWNHOME UNITS ARE 2 BEDROOMS WITH 3RD BEDROOM OPTION.
2. GUEST PARKING PROVIDED WITHIN INTERNAL LOCAL PUBLIC STREETS.



### VICINITY MAP



### LOCAL - STREET SECTION

NOT TO SCALE

| SHEET INDEX |                |
|-------------|----------------|
| 1           | COVER SHEET    |
| 2           | SKETCH PLAN    |
| 3           | LANDSCAPE PLAN |

DR. AY CH. KH  
COVER

SHEET NO.

ILLUSTRATIVE PURPOSES ONLY

LEVEN SUBDIVISION  
LAFAYETTE, COLORADO

CIVIL ENGINEER  
CIVIL ARTS  
1500 KANSAS AVE, SUITE 2-E  
LONGMONT, CO 80501  
303-682-1131

THE HENRY DESIGN GROUP  
LANDPLANNING, LANDSCAPE ARCHITECTURE & DESIGN  
1501 W 17TH STREET, SUITE C  
DENVER, COLORADO 80202  
719-510-1360  
Phone: 303-446-2365 Fax: 303-446-2953

DATE

1st SUBMITTAL 1-29-2018

DR. AY CH. KH

COVER

SHEET NO.

1 of 3

