

APPROVED AS CORRECTED ON APRIL 4, 2006

Legend: ■ Inserted Language  
— Deleted Language

MINUTES OF PROCEEDINGS

LITTLETON CITY COUNCIL

March 21, 2006

The Littleton City Council met in regular session on Tuesday, March 21, 2006, in the Council Chambers of the Littleton Center, 2255 West Berry Avenue. The regular meeting convened at 7:00 p.m.

**THOSE PRESENT:** JAMES A. TAYLOR  
Mayor  
DOUG CLARK  
Council Member  
AMY S. CONKLIN  
Council Member  
PAT CRONENBERGER  
Council Member  
TOM MULVEY  
Council Member  
JOHN OSTERMILLER  
Council Member

**THOSE ABSENT:** REBECCA KAST  
Mayor Pro Tem

**ALSO PRESENT:** Jim Woods  
City Manager  
Larry Berkowitz  
City Attorney  
Julie K. Bower  
City Clerk

1. **ROLL CALL**

Upon a call of the roll, six members were present. Mayor Pro Tem Kast was absent. The following business was transacted.

2. **PLEDGE OF ALLEGIANCE**

3. **AGENDA**  
**ACTION: APPROVED**

4. **(a) MINUTES - MINUTES OF REGULAR MEETING MARCH 7, 2006**

**ACTION: APPROVED**

4. **(b) MINUTES - MINUTES OF SPECIAL MEETING MARCH 14, 2006**

**ACTION: APPROVED**

5. **INTRODUCE NEW CITY EMPLOYEES – None**

6. **(a) CITIZEN APPEARANCES – GUEST CITIZENS – None**

6. **(b) CITIZEN APPEARANCES - SCHEDULED PUBLIC APPEARANCES – None**

6. **(c) CITIZEN APPEARANCES – UNSCHEDULED PUBLIC APPEARANCES –**

VAUGHN GARDINIER  
6127 S. LAKEVIEW  
BOARD MEMBER  
INTERFAITH COMMUNITY SERVICES

Mr. Gardinier thanked Council for its financial support of Interfaith and Mayor Taylor for hosting a fundraiser in December. He also thanked Phil Cortese, Deputy City Manager, for his assistance.

Mr. Gardinier had heard that when a crabapple tree died it would not be replaced by the city. He knew that crabapples were not considered a good “street tree” but they were very popular and he asked Council to reconsider that decision.

LYNN PEACH  
2251 W. DRY CREEK RD.

Ms. Peach distributed a press release from Littleton Public Schools along with an invitation for Council to attend an assembly at Heritage High School on Friday morning. Heritage had won, through school secretary Kathy Smith, the assembly from Ace Hardware. The school would also be receiving \$5,000.

JIM DUBOSE  
6877 S. PRINCE CIR.

Mr. DuBose invited everyone to the Greater Littleton Youth Initiative fundraiser on April 5<sup>th</sup> at the Fox & Hound.

7. **CONSENT AGENDA - (ordinances and resolutions read by title) –  
ACTION: APPROVED - ITEM 7(A)**

- (a) Ordinance on first reading designating the Louthan House as an Historic Landmark (**Public hearing April 4, 2006**)
- (b) Motion approving mutual fire aid agreement with Lockheed Martin and Littleton Fire Protection District (**Pulled by Council Member Conklin**)

It was moved by COUNCIL MEMBER OSTERMILLER and seconded by COUNCIL MEMBER CRONENBERGER TO APPROVE CONSENT AGENDA ITEM 7(A).

Ayes: Council Members Mulvey, Conklin, Taylor, Cronenberger, Ostermiller and Clark.

Nays: None.

Absent: Mayor Pro Tem Kast.

MOTION CARRIED: 6 to 0

7. **CONSENT AGENDA - MOTION APPROVING MUTUAL FIRE AID AGREEMENT WITH LOCKHEED MARTIN AND LITTLETON FIRE PROTECTION DISTRICT**

**ACTION: APPROVED**

Council Member Conklin supported the motion and commented that during the last election, charges were made that Council did not care about the response times at TrailMark. That was not true. The agreement was in negotiations at the time of the election but Lockheed Martin was distracted when their facilities were hit by Hurricane Katrina. She congratulated staff for persevering with the negotiations and for alleviating concerns at TrailMark.

Council Member Clark asked for an explanation of the agreement.

Fire Chief Mullen said the agreement with Lockheed Martin would expand the response area into TrailMark. It would provide a twelve minute response time during those times when Stations 13 and 16 were out of service or out of position. A response from Lockheed Martin would prevent the 16 to 20 minute response times that occasionally occurred.

Council Member Clark asked if Lockheed Martin was trained in advanced life support?

Chief Mullen said Lockheed Martin would not be able to provide advanced life support but had been trained in CPR and advanced first aid. Lockheed Martin would render aid until the Littleton Fire Rescue units arrived.

It was moved by COUNCIL MEMBER CONKLIN and seconded by COUNCIL MEMBER CLARK THAT AN AUTOMATIC AID AGREEMENT WITH LITTLETON FIRE RESCUE AND LOCKHEED MARTIN FOR THE RESPONSE INTO THE TRAILMARK SUBDIVISION ENTITIES BE APPROVED AND THE COUNCIL PRESIDENT BE AUTHORIZED TO AFFIX HIS SIGNATURE THERETO.

Ayes: Council Members Mulvey, Conklin, Taylor, Cronenberger, Ostermiller and Clark.

Nays: None.

Absent: Mayor Pro Tem Kast.

MOTION CARRIED: 6 to 0

**8. (a) SECOND AND FINAL READING ON ORDINANCES AND PUBLIC HEARINGS – ORDINANCE ON SECOND READING APPROVING LITTLETON VILLAGE REZONING AND GENERAL PD PLAN**

**ACTION: ORDINANCE NO. 2, SERIES OF 2006**

Mr. Berkowitz read the ordinance by title.

Jan Dickinson, Senior Planner, entered the following exhibits into the record:

- Exhibit A - Staff report and attachments
- Exhibit B - Application and attachments
- Exhibit C - Area reference map
- Exhibit D - COMPLAN – South Neighborhood Plan and Broadway Corridor Plan (by reference)
- Exhibit E - Zoning Ordinance (by reference)
- Exhibit F - Official Zoning Maps (by reference)
- Exhibit G - Proof of posting
- Exhibit H - Proof of publication
- Exhibit I - Public hearing roster
- Exhibit J - Eleven letters and emails from concerned residents

Ms. Dickinson explained the applicant, Littleton Village, LLC, was requesting to rezone property located at 7400 South Broadway. The property was approximately 77 acres and was presently zoned STP, Scientific Technological Park. The proposal was to rezone the property to PD-R, Planned Development Residential and PD-C, Planned Development Commercial allowing a mixed use development for 250,000 square feet of commercial/retail floor area and 900 residential units. Approximately 17 acres of open space was proposed.

The proposed commercial development would occupy primarily 34 acres on the westerly side of the property. Development was proposed to orient around a "Main Street" which would connect the intersections of East Dry Creek Road and South Grant Street on the south side of Broadway and West Fremont Avenue on the north side. Sites developed along the west side of "Main Street" would be comprised of retail and commercial uses and mixed use development comprising of retail/commercial and high density residential uses on the east side.

The easterly 43 acres of the site would be devoted to a variety of residential housing types with densities averaging around 12 to 16 dwelling units per acre with the lowest density of 7 dwelling units per acre along the easterly boundary of the site. Two linear neighborhood parks would provide views to the west as well as open space and recreational opportunities for the residents. Another park along the northerly boundary would serve as a storm water detention area and buffer to the existing residents north of the site.

The Planning Commission considered the proposal on February 27, 2006 and voted 6 to 1 to forward a favorable recommendation to Council with the following conditions:

- The width of tree lawns should be shown on the PD Plan to range in size from 6 feet to 8 feet
- The maximum building height shall be measured to the top of the roof including all mechanical equipment and screening

If the rezoning of the property was approved, the next step in the process would be the consideration and approval of one or more subdivision plats. Platting would establish lots, easements and street alignments. Technical issues such as drainage, grading, utilities and street improvements were dealt with at that stage in the development process. The final subdivision plat was approved with civil construction plans of the onsite and offsite infrastructure and the execution of a subdivider's improvement agreement and financial guarantee to assure the completion of the required improvements.

ALAN COLUSSY  
KLIPP ARCHITECTS  
1512 LARIMER ST.  
DENVER, CO

Mr. Colussy entered Applicant's Exhibit 1, a model/map of the property, into the record. He also entered a visual presentation on a compact disk, as Applicant's Exhibit 2.

Mr. Colussy said the idea was to create a rational plan that would be a great addition to the city as a whole. Different types of housing would be blended together to create a comprehensive neighborhood. A key feature was a "main street" which would allow a shortcut for traffic and promote successful retail. Street level spaces would be used for retail and upper stories for residential and office. The fundamental idea was to have people drive by the retail to create vibrancy and meaningful public gathering spaces.

A sound street grid framework would be created with 12-foot wide commercial streets, on-street parking, pedestrian oriented sidewalks and street trees. The boulevard streets would be one-way. Neighborhood streets would be 10-foot wide with on-street parking, pedestrian oriented sidewalks and detached tree lawns. A pedestrian connection to Mark Hopkins Elementary School would be achieved by the purchase of a property along Geddes for a pocket park with a pedestrian connection to the school.

TODD FRISBIE  
TRAFFIC ENGINEER  
FELSBURG, HOLT & ULLEVIG  
6300 S. SYRACUSE WAY

Mr. Frisbie's animated traffic presentation illustrated existing traffic at the Broadway and Dry Creek intersection and the proposed improvements. He said the improvements would more than offset the impacts of the development.

Mr. Colussy said the property had numerous points of access and would allow many options for people entering and exiting the property.

Mr. Colussy addressed the drainage situation. He said the natural ridgeline which was the approximate location of the "main street" and drainage was directed in two directions. The northeast portion of the site drained to Little's Creek and the southwest portion drained to Lee Gulch. The drainage would remain the same. The open space would reinforce the drainage patterns and would provide a storm water filter.

Mr. Colussy said the open spaces would include a water feature at the entrance, wide sidewalks and street trees, a central park, boulevard parks, and a north boundary park. The residential character of the development would be varied with a range of density and heights and a variety of housing styles. Several view corridors had been identified and the public spaces within the site would allow the views to be enjoyed by residents and visitors.

Mr. Colussy said the applicant had engaged several very successful retail leasing agents to create an interest for the project. The illustrative plan represented approximately 200,000 square feet of commercial retail. The expectations regarding gross sales revenue was approximately \$40 - \$45 million annually.

Mr. Colussy said the Colorado Health Department had sent a letter in late November, indicating the property had received a clean bill of health with regard to any type of contamination.

Mr. Colussy entered Applicant's Exhibit 3, a letter requesting clarification of the Planning Commission's recommendation regarding the measurement of building heights. The applicant would like the restrictions to apply to any buildings over 60 feet in height and allow all other buildings to adhere to the Zoning Ordinance for height of structure.

Mr. Colussy said the applicant had put a lot of effort into the community meeting process and was asking for approval, not of the particular illustrative, but the proposed zoning.

Council Member Clark said the applicant had done a good job with the public meetings. He asked, with regard to the illustrative plan, where was the single-family residential located?

Mr. Colussy said anyone of the lots in the eastern portion of the property could support single-family homes.

Council Member Clark asked how close was the illustrative plan to the requested zoning?

Mr. Colussy said there had been "test fits" with different home builders and each one had come back with a different illustrative. The illustrative was attempting to show an average case scenario. There were plans showing a third of the development as single family but they wanted to provide plenty of options for the housing market.

Council Member Conklin asked if the finished development might be less dense than what was being requested.

Mr. Colussy said that was correct.

Council Member Conklin asked if mini-mobile storage units and RV storage had been addressed?

Mr. Colussy hoped that those issues had been addressed, but if not, an addendum would be appropriate.

Council Member Conklin asked who would be maintaining the water quality structures and if the street would be private?

Mr. Colussy said the structure for a metro improvement district was in place and the district would be funded by assessments on the commercial property and homeowners associations. The streets would be dedicated to the city.

Council Member Ostermiller asked if there were any options for apartment units?

Mr. Colussy said there were options for apartments in the mixed use blocks abutting the "main street."

Council Member Ostermiller said Littleton was above the average for number of rental units and it was not something Council Member Ostermiller would like to see increased.

Mr. Colussy said most of the discussion had all been about for-sale products. There had not been any discussion regarding apartments.

Council Member Mulvey said the proposed development that was denied two years ago, had estimated 105 students would attend Hopkins Elementary, 53 attending Euclid and 53 would attend Heritage. With the 900 homes proposed in this development, the numbers would be 3 ½ times that estimate. Council Member Mulvey suggested, rather than a pedestrian access to Geddes, a vehicle access would be better.

Mr. Colussy said, based on the hesitancy by the neighborhood to the north about what an vehicle connection might do, only a pedestrian access had been proposed.

Council Member Mulvey said the applicant had received a letter, dated December 20, 2005, from Colorado Geological Survey, strongly recommending that an environmental site assessment be performed to determine whether site soils and groundwater had been contaminated, the extent of contamination and to evaluate potential health hazards and the need for remediation before residential development was considered.

Ms. Dickinson said the assessment had been done and accepted by the Colorado Department of Health. She spoke with the geologist and the letter was based on an inspection performed a few years ago and a current inspection had not done after the voluntary clean-up. She said the State Geologist would be reviewing the subdivision plat application and had recommended that new soil testing be conducted.

Council Member Mulvey asked if the storage tanks and utilities had been removed?

Ms. Dickinson said they had been removed by Marathon Oil prior to the sale of the property.

Council Member Mulvey wanted written confirmation that the tanks had been removed and an assessment had been performed. He did not want to risk people's health.

Mr. Colussy said the applicant had no hesitation in doing whatever was necessary. The purchase had been contingent upon a clean site ready for residential occupancy.

Council Member Mulvey wanted an environmental site assessment conducted.

Council Member Cronenberger asked for an explanation of the current zoning and what height was allowed and how it compared to the proposal.

Ms. Dickinson said with the current STP zoning, there was no limit on height. The maximum floor-to-lot area ratio was 2 to 1 and a minimum 50-foot setback.

Council Member Cronenberger said the new project on Littleton Boulevard, called Littleton Station, was a mixed use development. The owner was restricting the amount of investor-owned property as a way to foster home ownership. She asked if that type of restriction was something that could be entertained for the proposed development.

Mr. Colussy could not commit to it at this time. The applicant was dealing with multiple home builders meeting different market demands. It was prudent to do that but he was not able to make that commitment without the builders' feedback.

Council Member Clark said the drainage plan was to take part of the storm water and run it under Broadway north to Little's Creek. He asked what kind of structure would be required at the park?

Bob Deeds, City Engineer, had not looked into the details of the discharge into Little's Creek pond. There was a new 48" storm sewer pipe in Sterne Parkway. The thought was to carry the proposed storm sewer down to the existing 48" storm sewer. He would have to look at the system. If the pipe was overloaded, the water would bubble up into the park. If it was discharged into the park pond, the energy-dissipater structure would be underground and would discharge into the water level rather than on top of the water level.

Mayor Taylor opened the public hearing.

SCAMPY RAMSEY  
7000 S. GALLUP

Ms. Ramsey entered Opponent's Exhibit A, a letter from Stephen R. Stine, P.E. and Exhibit B, three photographs. Ms. Ramsey had Mr. Stine review the drainage study provided by Charlie Blosten. Ms. Ramsey said there was already a flooding problem in Lee Gulch. She said she had been given three different numbers of acres to the west. She urged Council to vote no until the flooding problems were addressed.

PAT PLATH  
854 W. FREMONT COURT

Ms. Plath opposed the ordinance. When she moved into her home 30 years ago, the water in Lee Gulch was running 8 feet wide and was now running over 100 feet wide and 8 feet deep. The drainage was not adequate. Before approving the application, Council members should walk all the way down Lee Gulch from Broadway to the river and see the erosion. She said what was currently in place was not adequate.

CARRIE CILIBERTO  
ATTORNEY  
1660 LINCOLN ST.  
DENVER, CO

Ms. Ciliberto advised Council that Colorado law was clear that a landowner had an obligation not to further burden other landowners with water. There was obviously an existing flooding problem and the property was going from a 29% impervious surface to a 92% impervious surface. In Mr. Stine's review, he estimated it to be 2.5 times the 10-year and 100-year flood rate. Ms. Ciliberto submitted a letter as Opponent's Exhibit C.

SUSAN THORNTON  
474 W. EASTER AVE.

Ms. Thornton believed the development was significantly better than the previous proposal. She reminded the current Centennial residents that when their homes were built, it affected people's views and added to the traffic and downstream storm water runoff. She said the development would have a profound effect on Littleton's future and she urged Council's support of the ordinance.

JANISE DAYLIN  
7298 S. LOGAN ST.

Ms. Daylin had just moved into her home and had just heard about the development. She was happy about the mixed use but was shocked about the height of some of the buildings. She said a building, 100 feet away and four times the height of her home would rob the neighborhood of quiet and privacy.

DAVID RINO  
7691 S. LOGAN DR.  
OAKBROOK HOA PRESIDENT

Mr. Rino was concerned about traffic. He offered a map as Opponent's Exhibit D. He said due to the density and mixed use, there would be an increased traffic flow on Dry Creek. The grid system did not allow for the traffic to move eastbound on Dry Creek. Traffic would cut through on Logan Drive to Mineral. The applicant had not addressed the traffic flow through Oakbrook.

ROGER BARRINGER  
7805 S. LOGAN ST.

Mr. Barringer entered Opponent's Exhibits E and F into the record. Exhibit E was the projected traffic count at Logan and eastbound Dry Creek for Littleton Village and Exhibit F was the traffic count for the previous proposed development. The percentages were very similar. The retail development was less than the previous proposal but the residential was substantially more. He found it odd that the traffic increases were almost identical for the two proposals.

PAUL MILLER  
7811 S. LOGAN ST.

Mr. Miller was opposed to the ordinance. He would like Council to consider what the 75-foot and 100-foot buildings would look like and the affect it would have on the project. He would like the height limit lowered.

GLEN BAUMAN

7385 S. WASHINGTON ST.

Mr. Bauman thanked the applicant for being so open. He was enthused about the project. He was concerned about 62-foot setback along parcel T. Mr. Bauman asked that the current proposal be amended to require a 75-foot setback for parcel T. He said there would be increased traffic and urged cooperation with the city of Centennial on traffic calming and that it be made part of the proposal.

JOAN MEISTER  
506 W. FREMONT DR.

Ms. Meister said there were so many questions that had not been addressed. Why must there be 225,000 square feet of retail/commercial at the busiest intersection in Littleton? How could the traffic increase be estimated when no one had disclosed what retail was going to go in there? How many semi-trucks would there be? The city did not need more office buildings or retail space. The 900 residential units was outrageous. She was also concerned about drainage problems.

MARY SHULZ  
710 E. GEDDES AVE.

Ms. Shulz said there was no need for a median at Geddes and Broadway. She had no problem with the pedestrian access for students to Mark Hopkins but was very opposed to vehicle access. It would impact the quiet residential streets and there was no need for it. She was very worried about the density of the residential area and would like it decreased and asked if ranch-style houses could be considered along the north side. Ms. Shulz did support the concept.

SUSAN GEE  
62 W. FREMONT

Ms. Gee was concerned about the increased traffic and the density of the housing and the traffic that would be created. She was concerned that the applicant had not addressed the specifics of the housing density.

TOM KRAEGER  
306 W. DAVIES AVE.

Mr. Kraeger was concerned that the density was too high and the height of the structures was too much.

PAM CIRBO  
7100 S. WINDERMERE

Ms. Cirbo said change was difficult. The applicant was only asking to change the zoning and Council was not being asked to figure out the details on traffic or building height.

The sales tax was needed and enrollment in the Littleton Public Schools was declining and the children were needed. She said having flexibility in the kinds of homes offered would help the city.

NATE BUSHMILL  
7175 S. GRANT ST.

Mr. Bushmill said the buildings would obscure 90% of the views. The development would cause destruction in the value of existing homes.

PAUL SCHWARZWELLER  
7085 S. PENROSE CT.

Mr. Schwarzweller was opposed to the proposal because it did not benefit him or the community.

MARY COCKSHOOT  
7345 S. WASHINGTON ST.

Ms. Cockshoot said the developer should give more thought to density and height and a larger setback.

TOM KRISTOPEIT  
714 W. ELATI CIR.

Mr. Kristopeit said the development would provide housing, to a large extent, for older residents and he was in favor of the plan. It was a step into the 21<sup>st</sup> century and he hoped that the city would move forward with this type of housing.

ELWOOD JOHNSEN  
721 W. FREMONT AVE.

Mr. Johnsen asked how many openings there would be onto Dry Creek and how many lanes onto Fremont Avenue.

JIM MARTIN  
7355 S. WASHINGTON ST.

Mr. Martin urged Council to monitor the change and consider that there was a real traffic problem on Washington Street.

TOM ROUNDS  
CITY OF CENTENNIAL

Mr. Rounds said the city of Centennial was supportive of the project however the city did wish to maintain involvement in the platting process if the zoning was approved.

EVELYN HAGEDORN  
210 E. GEDDES AVE.

Ms. Hagedorn was concerned about how far the road and open area was from existing residents and the height of the buildings. She wanted to know what kind of drainage ponds there would be and was concerned about the high density.

ED REINHARDT  
621 E. FREMONT AVE.

Mr. Reinhardt asked that Council consider conducting an appraisal of properties on Geddes Street to determine the amount of reduction in property value if the project went forward.

DIANE RAPUE  
130 E. GEDDES AVE.

Ms. RaPue said the biggest issues for residents were the density of the residential area and the building heights. Residents had not received specific information on the density and heights until the night of the Planning Commission meeting. She asked that the item be put on hold until residents could review the specifics.

RITA HYLAND  
7272 S. SHERMAN

Ms. Hyland said the change in housing density would increase the traffic, lighting and noise pollution. She asked that Council delay a vote so that residents could investigate the changes.

ROBERT HOFFMAN  
610 E. GEDDES

Mr. Hoffman said key information had always been missing until just before the Planning Commission meeting. He asked that the height of structures along the northern boundary be limited to 36 feet. He was concerned about traffic noise and lights from cars and asked that a 5 to 6 foot berm be required. Mr. Hoffman was concerned about the high density and the number of vehicles trips per day that would be generated.

CYNTHIA SCHALLENMULLER  
7148 S. GRANT ST.

Ms. Schallenmuller was shocked at the density and building height allowed. The plan was not acceptable and asked Council not to approve the rezoning request.

RICK DINGINGER

7413 S. MARION  
CENTENNIAL CITY COUNCIL MEMBER

Mr. Dinginger said the consensus of support was for a pedestrian access to Mark Hopkins Elementary School not a vehicular access. There were serious concerns about the residential density, the height of the buildings and the setbacks.

JIM DUBOSE  
6877 S. PRINCE CIR.

Mr. DuBose was concerned about the traffic that would be generated by the residential density. He said the traffic analysis only addressed the property and not how the increased traffic would affect intersections further along on Broadway.

PETER COONEY  
7235 S. PENNSYLVANIA

Mr. Cooney entered Opponent's Exhibit G – Resolutions for Littleton Village. He asked Council to consider the following resolutions: 1) Limit heights along the northern border to 35 feet; 2) The road running the length of the north boundary park should be buffered with an earthen berm or a stone or brick wall; 3) All cooling and heating systems used on any building along the northern or eastern boundary must be positioned at interior locations; and 4) All street lights along the new road and parking lots along the northern boundary must be positioned so that existing residents cannot look up into the light generating elements.

PAUL WELLS  
7852 S. OGDEN CT.

Mr. Wells asked that the design be consistent with the suburban lifestyle. He entered Opponent's Exhibits H & I – photographs taken from Puma Park. The photographs demonstrated the visual impact of a 90-foot building. He asked Council to reject the proposal.

RAY KOERNIG  
7 MEADOWBROOK CIR.

Mr. Koernig was very excited about the plan. He said the density was not excessive. He said the average dwelling units per acre was 4.2 in the Denver area which is why there was sprawl. It was a good project and it was something that was needed and the city could be proud of it.

CARLE ZIMMERMAN  
2539 RIDGE CT.

Mr. Zimmerman said the real question was - sprawl or not. He said there was a need to densify and the project made a lot of sense. The elements seemed to relate to each other and the rezoning should be approved.

JENNIE STARITZKY  
312 W. DAVIES AVE.

Ms. Staritzky said it truly was a mixed use however it had some serious flaws: too dense, too tall and too greedy. She said the project would not always be new and would age. She did not think it would age well and she urged Council to amend it.

MARTY BRZECZEK  
2000 W. ARAPAHOE RD.

Mr. Brzeczek's house backed up to Lee Gulch and he agreed with Ms. Ramsey and her legal counsel. He strongly urged Council to look at the drainage numbers and finalize the numbers before going forward.

DORIS HULSE  
6903 S. PRINCE CIR.

Ms. Hulse asked what was the anticipated price range of the housing?

Mr. Colussy addressed some of the issues raised. He said the development matrix had called for 10 to 20 dwelling units per acre (du/ac) and what was proposed was 20 du/ac. The average backyard of all of the abutting residences had a 50-foot depth. If that was added to the 90 feet of open space plus the 50 feet of right-of-way space plus the 20 feet to the front door of the new homes, there was 200 feet of distance. There would be landscaping and/or some type of wall treatment to achieve the appropriate privacy. With regard to traffic short-cutting through the Oakbrook neighborhood, there would be multiple access points onto Dry Creek. More options were better in terms of distributing the traffic. A dangerous condition existed at the intersection of Geddes and Broadway and the applicant was working to address the condition. The ponds would hold the storm water for an appropriate amount of time until it was appropriate to disperse it. He said regarding surrounding property values - typically surrounding properties had increased in value after similar developments. Any development would obscure some of the views but with the right design, views would be preserved.

BOB FELSBURG  
TRAFFIC ENGINEER  
FELSBURG, HOLT & ULLEVIG  
6300 S. SYRACUSE WAY

Mr. Felsburg said the traffic analysis was conducted using the city's traffic study guidelines. It was safe to say that trip generation rates for this proposal came from the exact same place as the previous study, the Institute of Transportation Engineers Trip

Generation Manual. The proposed improvements to Dry Creek, Broadway and Fremont would help to eliminate the inadequacies that existed currently. The access plan proposed four residential access points onto Dry Creek. The median suggested at the Broadway/Geddes intersection was a safety enhancement but there were alternatives. There were a lot of details in the access plan that would alleviate many of the concerns.

Council Member Ostermiller asked how far east would the eastbound and westbound lanes extend?

Mr. Felsburg said the lanes would extend all the way to the Mineral intersection.

GREGG EELLS  
REGISTERED PROFESSIONAL ENGINEER  
J. F. SATO & ASSOCIATES  
5898 S. RAPP ST.

Mr. Eells said with regard to the drainage issues, he pointed out that the proposal actually reduced the historic acreage going to the south. By law, as an engineer, he was not allowed to release drainage at more than the historic rate. The maximum amount that could be released at a peak value was one cubic foot per second per acre. The peak flow allowed was 16.4 cubic feet per second. The extra water would be detained and released at 16.4 cubic feet per second.

Mayor Taylor said the streets surrounding the boulevard were not shown as one-way streets on the diagrams.

Mr. Colussy said it was the applicant's preference to design the streets as one-way around the boulevard, but certain widths were being required by the Water Department and the Fire Department. The city had agreed to work with the applicant to allow one-way streets.

Mayor Taylor asked for a clarification of the project timeline.

Mr. Colussy said the applicant would be putting together platting documents in a timely manner. There were engineers lined up to start the process. The applicant would like to start the improvements before the end of the year.

It was moved by COUNCIL MEMBER CLARK and seconded by COUNCIL MEMBER OSTERMILLER TO CLOSE THE PUBLIC HEARING.

Ayes: Council Members Mulvey, Conklin, Taylor, Cronenberger, Ostermiller and Clark.

Nays: None.

Absent: Mayor Pro Tem Kast.

MOTION CARRIED: 6 to 0

It was moved by COUNCIL MEMBER CRONENBERGER and seconded by COUNCIL MEMBER OSTERMILLER THAT THE ORDINANCE REZONING PROPERTY LOCATED AT 7400 SOUTH BROADWAY FROM STP, SCIENTIFIC TECHNOLOGICAL PARK TO PD-C, PLANNED DEVELOPMENT COMMERCIAL DISTRICT AND PD-R, PLANNED DEVELOPMENT RESIDENTIAL DISTRICT AND APPROVING THE GENERAL PLANNED DEVELOPMENT PLAN FOR LITTLETON VILLAGE BE APPROVED WITH THE FOLLOWING CONDITIONS:

- A. THE WIDTH OF TREE LAWNS SHALL BE SHOWN ON THE PD PLAN TO RANGE IN SIZE FROM 6 FEET TO 8 FEET
- B. THE MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED TO THE TOP OF THE ROOF INCLUDING ALL MECHANICAL EQUIPMENT AND SCREENING;

THAT THE ORDINANCE BE PUBLISHED IN FULL; AND THAT THE COUNCIL PRESIDENT BE AUTHORIZED TO AFFIX HIS SIGNATURE TO THE ORDINANCE AND THE GENERAL PLANNED DEVELOPMENT PLAN.

It was moved by COUNCIL MEMBER CONKLIN and seconded by COUNCIL MEMBER CRONENBERGER TO AMEND THE MOTION BY ADDING: THAT THE REZONE WAS JUSTIFIED DUE TO CHANGING CONDITIONS IN THE AREA; IT ENCOURAGED EFFECTIVE USE OF LAND AND SERVICES; ENCOURAGED INNOVATION AND EFFICIENCY IN RESIDENTIAL DEVELOPMENT TO MEET THE GROWING DEMANDS FOR HOUSING OF ALL TYPES AND DESIGNS FOR PERSONS OF ANY SOCIAL OR ECONOMIC STATUS; PROVIDED FOR A MIXED-USE DEVELOPMENT AND WOULD RELATE THE DESIGN AND DEVELOPMENT OF THE SITE TO THE PARTICULAR CHARACTERISTICS OF THE SITE; FURTHERMORE, THE NATURE AND INTENSITY OF THE PROPOSED DEVELOPMENT WOULD BE SUPPORTED BY ADEQUATE UTILITIES, A TRANSPORTATION NETWORK, DRAINAGE SYSTEMS AND OPEN SPACE, WHICH WOULD MINIMIZE IMPACTS ON ADJACENT EXISTING AND FUTURE DEVELOPMENT.

Council Member Conklin said the purpose of the amendment was to make clear what the main motion was based upon.

Council Member Clark said there had been no evidence presented of changing conditions. If that was the basis of making the rezone, he would have to vote against the motion.

Council Member Cronenberger said there was an emotional bond between the Centennial residents at this location and the city. Staff had worked hard with the Centennial

residents regarding the development. She was encouraged and delighted that the city of Centennial supported a pedestrian connection to the north. It was very wise to pursue the connection. With regard to the density issue, Council Member Cronenberger was one of two members who voted for the prior proposal in 2004, but did not do so happily. There was a lot of concern about the quality of that previous proposal. The quality of this proposal was incomparable to the previous proposal. The Planning Commission went back to the drawing board to come up with a sound quality design and did an excellent job. It provided a lot of guidance to the current applicant. Council Member Cronenberger said the city should be proud to have such a high quality development. She would enthusiastically support the motion.

Council Member Conklin had spent a number of years as a member of the Planning Commission and had never seen a development this good. A lot had been said about density and it looked pretty scary but by the year 2050, there would be 400 million people in the United States. The difference in developing more densely, like Littleton Village versus sprawl, was 5 million acres of development versus 18 million acres of development. Only 23% of homebuyers were families with children. There were more single women homebuyers. A third of people's lives would be spent in retirement and the development was designed to let people live without cars. Cities were in a desperate struggle to get retail sales tax to fund services provided to citizens and that was why she would vote for the proposal.

Council Member Ostermiller had also served a number of years on the Planning Commission and agreed that the proposal was top quality. It was smart growth and took care of what the market wanted. The housing market was no longer four houses to the acre. People wanted to live in an area where services were within walking distance. The developers had listened to staff and came up with a project that tied in to the whole community and was more urbanized. The Streets of Southglenn proposal was 74 acres and proposed 1.1 million square feet of retail, 100,000 square feet of office space and 350 residential units. This was a much less intense project than Southglenn on the same amount of land. With regard to changing conditions, this used to be a scientific and technology park. It was no longer a scientific and technology park. Marathon had moved out and could not sell the property to a similar user. It was a parcel of land zoned for a use no one wanted and that was the changing use associated with the property. It was the only parcel in the city zoned that way and if there was a demand for that use, someone would have bought the parcel. It would be a great place to live for years to come and he would vote in favor of the proposal.

Council Member Mulvey referred to the letter from the State of Colorado Geologist, indicating an environmental site assessment was needed. He was still worried about the environmental site assessment and drainage and until he had more proof and information on that, he would have to vote no.

Council Member Clark said the applicant had done a fabulous design job. He had two issues with the development. The zoning changes being made were delineated on the PD Plan. What was delineated allowed 900 units and of those, 540 units were called out on

the traffic plan to be rental units. The city did not need or could not tolerate a substantial increase in rental units. He said the ownership of the property could change and what the city ended up with was what was on the zoning document. Whether the city became urbanized or stayed as a suburban community was up to Council. The COMPLAN was clear and the project did not comply with the vision in the COMPLAN. This was clearly not an employment center and the new development was not consistent with existing development. It did not match to the fundamental policies of the COMPLAN as well as the rental versus purchase problem. Council Member Clark would vote no.

Council Member Cronenberger said it was her understanding that the property had a complete bill of health on the environmental issue. Council Member Mulvey's implication was that there was some sort of problem.

Ms. Dickinson said the letter from the Colorado Department of Health gave the property a clean bill of health. The City Code did not require an environmental assessment at the zoning stage. An assessment would be required during the platting process and this property would probably require a Phase II study.

Mr. Berkowitz said the city was concerned only with property that would be conveyed to the city. The city was not in a position nor was it appropriate for the city to say it was a completely clean site. The developers would want to have their own assurances but the Code did not require it.

Council Member Cronenberger said there was a lot of detail on the PD Plan about how the development would look. So the ownership could change, but the document was very detailed about the project. There were design guidelines and how the whole project would be developed. She asked about the applicant's request regarding the height limitations.

Ms. Dickinson said the applicant wanted the height measurement definition regarding mechanical equipment and screening to apply only to buildings that were 60 feet or higher and that the City Code definition be used for all other buildings.

**COUNCIL MEMBER CRONENBERGER RESTATED SECTION (B) OF THE MAIN MOTION AS FOLLOWED:**

- B. THE MAXIMUM BUILDING HEIGHTS SHALL BE MEASURED TO THE TOP OF THE ROOF INCLUDING ALL MECHANICAL EQUIPMENT AND SCREENING ON ANY PARCEL WITH AN ACTUAL BUILDING HEIGHT LIMIT OF SIXTY FEET OR GREATER AND ALLOW ALL OTHER PARCELS TO ADHERE TO THE CITY OF LITTLETON ZONING ORDINANCE FOR HEIGHT OF STRUCTURE.**

**THE RESTATEMENT WAS APPROVED BY THE SECOND, COUNCIL MEMBER OSTERMILLER.**

The vote on the amendment was:

Ayes: Council Members Mulvey, Conklin, Taylor, Cronenberger and Ostermiller.

Nays: Council Member Clark.

Absent: Mayor Pro Tem Kast.

MOTION CARRIED: 5 to 1

The vote on the main motion as amended was:

Ayes: Council Members Conklin, Taylor, Cronenberger and Ostermiller.

Nays: Council Members Mulvey and Clark.

Absent: Mayor Pro Tem Kast.

MOTION CARRIED: 4 to 2

9. **(a) GENERAL BUSINESS** – None

10. **(a) CONSIDERATION OF COMMITTEE, COMMISSIONS AND BOARD MATTERS** – MOTION APPROVING APPOINTMENTS TO CITIZEN ADVISORY COMMITTEE

**ACTION: APPROVED**

It was moved by COUNCIL MEMBER OSTERMILLER and seconded by COUNCIL MEMBER CONKLIN THAT THE SLATE OF CANDIDATES FOR THE COMPREHENSIVE PLAN UPDATE CITIZEN ADVISORY COMMITTEE APPROVED BY THE PLANNING COMMISSION ON MARCH 13, 2006, BE RATIFIED.

Council Member Clark said it was an unbelievably bad selection of candidates. What was being picked was a pretty exclusive club that would basically function as a cheerleading section rather than a group of citizens that would provide advice on the Comprehensive Plan revision. The candidates included four former council members, a spouse of a current member and one candidate had said publicly that they were opposed to change to the Comprehensive Plan. If Council was truly trying to solicit citizens' input, much better picks could be made than the seventeen candidates where a quarter of them were former council members and a spouse.

Mayor Taylor said the Planning Commission based their selection on the applicant's answers to the questionnaire. The people were selected because of their involvement with the city and for what they could bring to the table.

Council Member Conklin said the Planning Commission had left open some slots, so that if there were groups identified that had not been represented, additional appointments could be made.

Council Member Clark said the citizens giving input to the Comprehensive Plan, were saying what their vision for the city was and Council should be striving to get as different and wide ranging group of people as possible and not experts, or planners or former council members. Council needed to get average citizens to tell Council what they wanted done.

Council Member Mulvey thought that the plan was for the Planning Commission to pick 15 to 20 people and then after the Littleton Leadership Retreat, five additional people would be included. He did not understand why 23 people were being appointed.

Council Member Ostermiller had been involved in city government for 26 years and had lived in Littleton for 28 years and of the 23 people nominated, there were 15 people on the list he did not know. So obviously, Council was getting people who had not been involved in the community before or at least the planning process. The Citizens Advisory Committee was set up to get input from the citizens and would not be making the decision.

Dennis Swain, Long Range Planner, said the Planning Commission was overwhelmed by 70 amazing applications. The Planning Commission had anticipated nominating 15 to 18 people originally but ended up with 23, looking for diversity of interest. The goal was to get as much public involvement as possible.

The vote on the motion was:

Ayes: Council Members, Conklin, Taylor, Cronenberger and Ostermiller.

Nays: Council Members Mulvey and Clark.

Absent: Mayor Pro Tem Kast.

MOTION CARRIED: 4 to 2

11. **(a) ORDINANCES ON FIRST READING** – None

12. **(a) RESOLUTIONS** – None

13. **REPORTS** -

(a) **CITY MANAGER** – Mr. Woods reminded Council of the breakfast on Thursday

morning with high school student councils at the Service Center at 7:30 a.m.

Mr. Woods would be out of town March 24<sup>th</sup> through the 28<sup>th</sup> and Mr. Cortese would be handling the study session next Tuesday night.

Mr. Woods said Council had received informational packets regarding dog breeds. It was unsolicited and the sender was unknown. He said if Council had no objection, the information would be included in Thursday's packets.

(b) **CITY ATTORNEY** – None

(c) **COUNCIL MEMBERS** -

**COUNCIL MEMBER CRONENBERGER** – Council Member Cronenberger attended the Historical Preservation Board meeting and said the Board was appreciative of Council's letter to South Suburban regarding the Hudson Gardens renovation of the log building. South Suburban was now consulting experts on the renovation. It was Patty Anderson's last meeting. Ms. Anderson was an original member and would be greatly missed.

**COUNCIL MEMBER OSTERMILLER** – Council Member Ostermiller reported that a presentation was made at the South Metro Economic Development Committee meeting regarding the Sheridan urban renewal project. As part of the project, 1.2 million cubic yards of trash would be removed from the development. It would require 95,000 truck loads. Trucks would be leaving the site every five minutes, twenty hours a day, seven days a week for nine months. A retail entertainment center was planned.

Council Member Ostermiller said the Budget Committee met with Highlands Ranch Metro District and Littleton Fire Protection District representatives to present the study done regarding the allocation of administrative expenses. A deadline of June had been set for a discussion of the fees. The study would go out in Thursday's Council packets.

**COUNCIL MEMBER CLARK**– None

**COUNCIL MEMBER MULVEY** – None

**COUNCIL MEMBER CONKLIN** – Council Member Conklin attended the National League of Cities conference. She said the gist was that local jurisdictions should not expect any financial help from the state or federal government in the foreseeable future.

Council Member Conklin would be participating on an advisory group for a water sufficiency grant program application. The purpose was to evaluate the applicability of cisterns in Colorado.

Council Member Conklin reminded everyone that April 5<sup>th</sup> from 4:00 p.m. to 7:00 p.m. was the Greater Littleton Youth Initiative fundraiser at the Fox and Hound. She also reported there were 95 participants for the Littleton Leadership Retreat.

**MAYOR PRO TEM KAST** – Absent

(d) **MAYOR TAYLOR** – None

(e) **DRCOG** – Council Member Cronenberger attended a briefing on regional and rural transportation authorities. As a result, DRCOG was establishing a subcommittee to look into forming a metro-wide RTA. The elevator inspection program was changing dramatically. It was being brought in-house and away from building officials with a different funding structure.

14. **ADJOURNMENT** - There being no further business, Mayor Taylor adjourned the meeting at 12:09 a.m. on Wednesday, March 22, 2006.

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Julie K. Bower