

February 26th, 2021

City of Littleton City Council
2255 West Berry Avenue
Littleton, CO 80120

Re: Response to RiverPark Planning Commission Conditions of Approval

Dear Littleton City Council,

On behalf of Evergreen-Mineral & Santa Fe, L.L.C., I am pleased to provide the following responses to the six Conditions of Approval that were suggested by the Planning Commission on January 11th, 2021 in preparation of our City Council hearing on April 6th, 2021.

Planning Commission Conditions of Approval:

1. Allowance of assisted living uses are contingent upon approval of a payment in lieu of taxes (PILOT) agreement or equivalent; if no assisted living uses or PILOT is forthcoming, the space designated for Assisted Living shall be redesignated for commercial uses.
 - The allowance of assisted living uses remains in the APDP as we have reached an agreement with the City Economic Development Department on the economic terms of the PILOT and are finalizing the PILOT and associated IGA with the City Attorney so the IGA can be approved at City Council concurrent with the APDP.
2. As part of the Subdivision Improvement Agreement, criteria for concurrent commercial development must be integrated into the agreement based on the following criteria:
 - a. No certificate of occupancy shall be issued for multifamily buildings until certificates of occupancy are issued for not fewer than 6,000 gross square feet of taxable commercial retail space and an assisted living facility, or 15,000 gross square feet of taxable commercial retail space without an assisted living facility;
 - If a Public Improvement Fee (PIF) is included with a city share back for personal services, the required taxable commercial retail space may be altered pending a new economic analysis.
 - We agree to this condition and it has been included in the updated APDP submittal and is listed as Note 1.
3. There shall be a maximum of seven surface parking spaces per 1,000 square feet of gross floor area for commercial development (includes assisted living) and a maximum of 1.5 surface parking spaces per dwelling unit – this limitation shall not apply to surface parking spaces within the future right-of-way reserve area along South Santa Fe Drive.
 - Unfortunately, we cannot accommodate the Planning Commission's request to reduce our parking maximums as these parking reductions would create enormous leasing and operational issues. We stand by our current APDP maximums that were crafted with

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input from staff, end users and our brokers: 5/1000 for retail and 12/1000 for restaurant/fitness/entertainment with no maximum for residential units. These standards allow for an appropriate amount of parking, especially in a restaurant-intensive environment, so end users can be successful and provide the City with much needed sales tax revenues. Insufficient parking = fewer customers = lower sales = lower taxes, especially in RiverPark where there is no overflow parking onto adjacent streets or properties. We must provide a self-contained parking solution for all of our end users and residents.

4. Allowance of the use of city property for storm-water facilities is contingent upon council approval through a separate agreement.
 - We agree to this condition and it has been included in the updated APDP submittal and is listed as Note 2.
5. A future site development plan will provide within the River Planning Area District a designated area for owner/dog exercise and recreation.
 - We agree to this condition and it has been included in the updated APDP submittal and is listed as Note 3. The only modification to Note 3 was to remove the word “owner” to prevent confusion on the intent of this space, which is to be a dog park.
6. There will be a 10-foot-wide multiuse path from South Platte River Parkway eastward to the intersection at Santa Fe/Mineral, adjacent to W. Mineral Avenue.
 - We agree to this condition and have increased the width of the sidewalk along Mineral Avenue east of South Platte River Parkway to 10'. This note was not included on the cover page but in the cross sections and Development Criteria Tables within the APDP, which have been updated to reflect this 10' width.

Please let us know if you have any questions or need additional information.

Thank you,



Tyler Carlson
Managing Principal
Evergreen Devco, Inc.

