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Littleton, Colorado 80122

October 10, 2014

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COMMUNITY DEVELOPMENT

City of Littleton
Department of Community Development
2255 W. Berry Ave.
Littleton, CO 80120
Attn: Andrea Mimnaugh, Senior Planner

Re: Proposed Oakbrook Assisted Living Facility

Dear Ms. Mimnaugh,

First of all, we would like to thank you for your cooperation and professional manner in addressing our prior questions and concerns in regards to this matter.

This letter is written in response to the filing of the Oakbrook Assisted Living Facility Planned Development Amendment by Bonaventure LLC which contemplates a 51' 4-story building to be erected along the extreme eastern boundary of the Oakbrook Shopping Center which borders the Oakbrook Subdivision that was established in 1979. This application asks the City of Littleton to amend the Oakbrook Shopping Center Site Development Plan (FKA Highland Square/Oakbrook Commercial Center Site Development Plan dated August 11, 1983, as recorded in the Real Property Records of Arapahoe County, Colorado in Book 73, Page 65) and further amended by the July 9, 1984 Site Development Plan, as it relates to Parcel 1-B, by increasing the commercial building height limit from 30' to 51' and including a commercial assisting living facility as a permitted use under the existing PD-C Zoning.

It is our opinion, with regards to building height, this application violates i) the terms and conditions of the current Oakbrook Shopping Center Site Development Plan, ii) a significant number of the "Neighborhood Goals" and "Neighborhood Policies" of the South Neighborhood as defined in the Littleton Comprehensive Plan and, iii) a number of Policies described in the City-Wide Plan adopted January 21, 2014. Our opinion is currently shared by 64 homeowners representing 46 homes in the adjacent and contiguous sections of the Oakbrook Neighborhood who have, to date, signed a protest application which formally objects to the Bonaventure application. Prior to the scheduled Planning Board meeting, this protest application will be formally presented to the Planning Department staff and Planning Board members which will include an important number of additional signatures of Oakbrook homeowners.

Based upon proposals made to the neighborhood residents at the applicant's compulsorily meetings, the applicant has ultimately reduced the building height from 53' to 51' citing internal economic issues which restricts the construction of anything less than a 4-story building. We find the reduction of 2' in the building height anything but sincere relative to the height concerns discussed by the neighborhood residents.

The height allowed under the current Oakbrook Shopping Center Site Development Plan for a commercial building is 30'. The height allowed for a 2-story office building under the current Oakbrook Shopping Center Site Development Plan is 36'. The applicant has inappropriately described 36' as its permitted height which only applies to a 2-story office building under the Oakbrook Shopping Center Site Development Plan.

As to the applicant's entitlement to an additional 10' pursuant to the height code, the 10' entitlement assumes an existing grade as depicted on the Site Section located on page 8 of 11 of the Amended General Planned Development Plan as submitted by the applicant. The applicant wants you to believe that the existing grade is that as depicted on the Site Section. However, that grade was reduced by at least 11' during the construction of the Oakbrook Shopping Center in 1984. That significant reduction of grade is evidenced by the Grading and Utility Plan on Page 4 of 11 of the Amended General Planned Development Plan. The steep bank on the eastern, northern and southern portion of Parcel 1-B creates a "hole" in which the 51' building will be located. Based upon my observation, it appears most of that portion of the building that is "pressed into the hillside", as stated in the applicant's Letter of Intent, will actually be surrounded by backfill which does not meet the criteria of the height code for allowing a 10' entitlement. Based upon this important information, the applicant's entitlement to an additional 10' in calculating building height is not warranted or reasonable under the conditions of the height code adopted by the City of Littleton.

As a further comment to the reliability of information, as found on page 5 of the applicant's Letter of Intent, the applicant states that "the top of the proposed building is the same height of the top of the neighboring homes." We direct your attention to page 8 of 11 of the Site Plan of the Amended General Planned Development Plan which describes the height of the applicant's building as 32' 1" above Phillips Avenue and the height of the adjacent 2-story neighborhood residence as no higher than 24' 9" above the same datum.

Relative to this very important issue of height, the South Neighborhood Plan, as defined in the Littleton Comprehensive Plan and the City-Wide Plan, each mandate the importance of adequate buffering between adjacent residential uses from adverse effects of commercial use, and directs the protection of residential areas from negative visual intrusions of commercial development... specifically Goal #1 and Goal #2 of the Neighborhood Goals and Policy #1 under the "Land Use" heading. Policy #3 under the "Land Use" heading further restricts such development by requiring that development be pursued in accordance with "... the detailed plan for each development area [Oakbrook Shopping Center Site Development Plan]". Goal #1, Goal #2, Policy #1 and Policy #3 of the South Neighborhood Plan found in the Littleton Comprehensive Plan and Policy #1.7 and Policy #1.8 found in the City-Wide Plan are in clear conflict with the 4-story 51' building proposed by the applicant.

The other issue that is very important to the Oakbrook neighborhood, is the concern of allowing an assisting living facility as a permitted use under the existing PD-C Zoning. The protest application previously mentioned, specifically addresses this issue also. It is our opinion, with regards to the commercial use of an assisting living facility, this application violates i) the terms

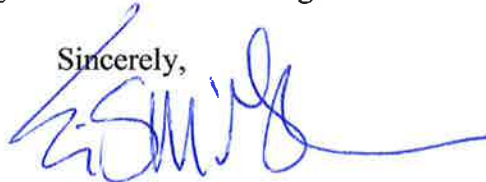
and conditions of the current Oakbrook Shopping Center Site Development Plan, and ii) Policy #1 of "Neighborhood Policies" of the South Neighborhood as defined in the Littleton Comprehensive Plan. The increased commercial traffic will have a substantial impact on the "local" residential streets. As delineated in the applicant's Letter of Intent, this proposed 128 unit facility will have approximately 40-50 employees/contractors, an average of 30 daily visitors and up to 140 residents (includes double occupancy), the vast majority of which will be there 24 hours a day, 7 days a week. The number of employees and customers associated with a use currently permitted under the existing PD-C Zoning for a 30' facility would be significantly less.

In light of the issues touched upon in this letter and other issues that are equally important, we request that we receive an opportunity to formally address the Planning Board at the scheduled meeting for the Oakbrook application either before, during or after the period allocated for the citizens to speak. We would be more than happy to "roll" time of other City of Littleton residents such that our associate would have 15 continuous minutes in which to address the Planning Board and explain why this application does not meet the expectations of the Oakbrook neighbors nor meets a number of goals and policies of the Comprehensive Plan and the City-Wide Plan.

As a further request, we ask that this letter be included as an exhibit in your Staff Report that is to be provided to the Planning Board.

Thank you in advance for your consideration of my comments and your consideration towards a formal presentation of 15 minutes during the scheduled Planning Board meeting.

Sincerely,



Eric S. McGlone



Mary M. McGlone