

**Littleton**

Colorado

**Community Development &
Public Works**2255 West Berry Avenue
Littleton, Colorado 80120
Phone: 303-795-3748www.littletongov.org**Development Application**Form must be complete and accompany
all submittal materials and fees.

Incomplete applications will not be processed.

APPLICANT/MAIN CONTACT: Amy & Kyle Reed

TITLE: owners

SIGNATURE:

COMPANY: The Melting Pot

ADDRESS: 2707 W. Main St., Littleton, CO 80120

SUBMITTAL DATE: 28 JAN 19

EMAIL: kyleandamy@msn.com

PHONE: 303-794-5666

CELL: 303-807-6001

OWNER(S) OF RECORD: Jud Davis

COMPANY: D.L.K.

ADDRESS: PO Box 2354 Centennial, CO 80161

EMAIL: davis1500@msn.com

PHONE: 303-322-1311

Notarized Letter of Authorization
MUST be provided
with this application
at time of submittal

ENGINEERING CONTACT (if any):

n/a

TITLE:

COMPANY:

ADDRESS:

EMAIL:

PHONE:

CELL:

Parcel ID Number

032326824

Parcel Address or Cross Streets:

2707 W. Main St., Littleton, CO 80120

Subdivision Name & Filing No.:

Related Case Numbers: (GDP, Rezoning, and/or Plat)

EXISTING**PROPOSED**

Zoning:

Use:

Project Name:

Site Area (Acres):

Floor Area Ratio (FAR):

Density (Dwelling Units/Acre):

Building Square Footage:

CASE TYPE☐ Site Development Plan☐ General Planned Development
Plan☐ Administrative Plat or Replat for
One or Two Lots☐ Variance: Minor/Major/Sign☐ Site Development Plan Amendment☐ General Planned Development
Plan - Administrative Amendment☐ Preliminary Plat☐ Board of Adjustment Appeal☐ Sketch Plan☐ General Planned Development
Plan - Major Amendment☐ Final Plat☐ Rezoning☐ Conditional Use☐ Planned Development Overlay☐ Floodplain Development
(Use by Special Exception)☒ Other: Requesting modification & update to Conservation Easement

Pre-App Meeting Date:

Pre-App Meeting Planner:

Pre-App Meeting Engineer:

This application shall be submitted with all applicable application fees and submittal requirements. Incomplete applications will not be accepted. Submittal of this application does not establish a vested property right. Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the City of Littleton Municipal Code and operating standards. A neighborhood meeting is required for all applications that require a public hearing. After three (3) months of inactivity, a reminder will be sent to applicants that action is required within the next thirty (30) days. At that time, the case will be closed.

THIS SECTION FOR OFFICE USE ONLY

Date Received:

December 26, 2017

City of Littleton
Community Development & Public Works
2255 West Berry Avenue
Littleton, CO 80120

Re: Development Application Notarized Letter of Authorization – 2707 W. Main Street

To whom it may concern,

Please accept this Notarized Letter of Authorization issued by D.L.K., a Colorado General Partnership in conjunction with our Tenant; Kyle Reed of RMF Acquisition, LLC's application for the approval by the City of Littleton for the replacement of Canopies and Umbrellas on the front patio of the premises we lease to Mr. Reed at 2707 W. Main Street, Littleton, CO 80120 for his restaurant The Melting Pot.

We understand Mr. Reed would like to replace the existing canopies and umbrellas with new canopies and umbrellas that are lower in height as well as being a more neutral color similar to the color of the front of the building.

Mr. Reed has D.L.K.'s authorization for this canopy/umbrella project.

Should you have any questions, feel free to contact me.

Sincerely,



Jud Davis, as agent for the owner; D.L.K.
PO Box 2354
Centennial, CO 80161-2354

303 322 1311
davis1500@msn.com

State of CO
County of Arapahoe

Acknowledged this 26, Dec 2017



MATT PETERSON NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20074037113 MY COMMISSION EXPIRES OCTOBER 4, 2019

January 30, 2019

Littleton City Council

2255 W. Berry Ave.

Littleton, CO 80120

Members of the City Council,

We, Kyle and Amy Reed, bring before you a proposal to revise the existing Conservation Easement that applies to the Carnegie Library Building at 2707 W Main Street, residence to our business, The Melting Pot Restaurant. The purpose of revising the Conservation Easement is to make allowance for providing cover for the tables on the front patio in the form of new pergolas. This is intended to replace the red tents that are used in the winter, as well as the umbrellas used during the summer. At the same time, this will update the Conservation Easement, which lists names of building owners who are now deceased, as well as referencing a set of plans from 1983 for the former Café Khandahar, which show an atrium to the south that does not exist, and umbrella tables and a patio in front of the building that do not coincide with existing conditions.

The eighty-six seats we currently have outside at the tables on the patio account for a full 30% of our yearly business and are therefore crucial to the success of our business. Without the additional space the patio allows, The Melting Pot cannot survive in its current location.

We have explored many options for additional seating over the years, trying to find a good solution to our need for outdoor seating. We first sought to create outdoor seating in the park area to the south of the building. Initially having received encouragement for this idea from the City, we hired a sound engineer to evaluate the traffic noise and give us ideas on making the area conducive to dining. He recommended that we construct sound walls, such as you see adjacent to the interstate. We felt this solution would be neither attractive or affordable, nor well-received by the City.

There is also an ongoing problem with dirt and debris blowing into the park from the heavy traffic on Santa Fe. This is the very reason the City of Littleton ceased use of the fountains that formerly operated in the park. They were constantly getting clogged with dirt and debris, causing them to malfunction and need cleaning and repair. Obviously, this would be a problem for customers dining in this area, as well.

Additionally, we discovered that the land is not owned by the City of Littleton but is in fact is owned by CDOT. We also understand that CDOT does not like to do long leases. Upon learning this, we quickly realized that the probability of being able to recoup our costs before the end of a short lease were unlikely, and there would be no guarantee of the lease being renewed. There also exists a potential problem for the City, as it would likely have triggered a CDOT evaluation of not just the park, but the entire Santa Fe corridor. The long-

term leasing challenges from CDOT due to the impending Preliminary Environmental & Linkage (PEL) study further complicated the possibility of using the area to the south. This PEL study is intended, at least in part, to identify the right-of-way necessary for long term improvements. We believe the outcome of this study will conclude that not only the existing right-of-way, but more are necessary; therefore, leasing from CDOT is not a practical alternative for the long term, nor will it allow us to recoup our investment.

The atrium that is shown on the elevations attached to the Conservation Easement was also something we considered, since it would likely have been approved, but that was not feasible for the same reason; the land belongs to CDOT. For all the above stated reasons, we abandoned any idea of using the park area to the south.

The parking lot to the north is also undesirable for many of the same reasons the park area was problematic. Not only is there a sound and pollution problem, but the western boundary of the parking lot is disputed between CDOT and the City of Littleton. While we have a long-term lease on the parking lot, there are other problems inherent with attempting to use that area. Since it was used as a garbage dump in the past, methane gas exists under the parking lot, which regularly causes sinking and heaving of the asphalt. Not to mention, we use every bit of the parking lot for customer parking.

Since there is no useable space, and hardly enough room even for the sidewalk on the west side of the building, the only other place we could reasonably consider adding outdoor seating is on the east patio in front of the building. We replaced the crumbling patio that was in existence when we moved into the building, removed dying trees, and put in colored and stamped concrete, adding the tables that are there now. We have since had great success with the outdoor seating.

For years, we have received temporary permits for the use of tents on our patio to get us through the months when the weather is cold. The first year we set up tents on the front patio, the Fire Department notified us that the tent on the south end of the patio needed to be taken down, due to obstructing access to the fire valve at the southeast corner of the building. They informed us that if we were to move the fire valve to the front edge of the property, we would be allowed to use a tent there.

At the direction and approval of the Fire Department, we paid to have the fire valve moved to the front edge of the property, at rather significant expense. Since that time, we have been utilizing tents on the patio during the winter months, which allow us use of the patio tables from mid-fall, through the busy holidays, and all the way until the weather warms up in May. We understand that the red tents can be a bit of an eyesore, and we are not in love with them any more than the City is.

For this reason, we have been looking for a more attractive option for years. We believe we now have an option that is far better than anything we've previously explored or tried. We are proposing the installation of commercial grade pergolas over the existing tables on the patio. These are perfect for our needs for a variety of reasons. They are constructed of durable powder-coated aluminum; with mechanical, adjustable louvers across the top which can be closed for rain, snow, or intense sun; they have integrated lighting; and heavy-duty

wind and weather resistant screens built into the structure than can be raised and lowered in seconds with a remote control for protection from the weather. The durability of the materials will make them low maintenance and ensure they will remain attractive for a very long time.

The color is proposed be a beige color to blend, rather than contrast with, the color of the brick and trim on the building. With the ability to raise and lower the perimeter screens with the touch of a button, any time the weather allows, the screens will be raised up, providing a clear view under and through the pergolas to the building.

Since aluminum is a strong material, a minimal number of 6" square posts are needed at ten-foot intervals to hold it up. There is one horizontal member across the top of the posts, which is 8" tall, set at a height of 10 to 12 feet above the ground, with the moveable louvers lining up directly behind it, providing as close to an unobstructed view of the building as possible for anyone passing by either on foot or in a vehicle. The mature trees in front of the building block much more of the building than the pergolas will. The horizontal and vertical members of the proposed pergolas that will line up with the front of the building block less than 10% of the front façade, not counting the visible roof area, which is well above the top of the pergolas.

The pergolas will be completely independent of the building, attached only to the concrete patio for stability and to anchor them. Therefore, they will in no way alter the historic façade, and the ability exists to completely remove them at a future date if they become unnecessary, with no effect whatsoever to the building itself.

One of the ideas we have considered for the drop-down screens, is to have a life size print on the screens facing the street of the portion of the building directly behind the screen, so that from a distance, even with the screen down, you will see a complete impression of the building. This technique is often used on screening covering scaffolding when historic buildings are being restored, so that the public can still see a life size image of what the building looks like. When the screens are raised this won't be an issue, as the building will be very visible, giving a much clearer view than any other option available.

The shape of the pergolas will also help in this regard, because the top is flat, unlike tents or umbrellas which need a pitched angle on top to shed water and snow, resulting in a much higher profile. The strength of the aluminum is rated for snow load, eliminating the need for an angled top. Built-in gutters hidden in the frame eliminate the need to have a slope on top for rain runoff, as well. And since the adjustable louvers lock together when in the closed position, it will provide a sealed roof over the tables that more closely functions as an actual roof, while doing a more thorough job of shading the tables from the intense summer sun than umbrellas are able to do, as well as providing shelter from sudden summer rainstorms.

In the current climate of ever rising costs to run a business, restaurants struggle. At least two formerly popular and successful restaurants on Main Street recently moved or announced an impending move. It is not only in The Melting Pot's best interest for this to be approved, but it is also in the City's best interest to support the viability of the business that

has occupied the Carnegie Library Building since April 1996, longer than any of the previous tenants; thereby keeping one of Littleton's most treasured buildings alive, well cared for, and preserved for many years to come. The Melting Pot, as a special occasion destination restaurant draws customers from all over the metro area, and many people have discovered the charm of downtown Littleton while dining at The Melting Pot.

Additionally, having seating in front of the Carnegie Library Building allows people to observe and appreciate the historic details of the building, such as the intricate frieze along the top of the building that can only be seen and appreciated up close, and is nearly impossible to see while driving past. The more the general public has opportunity to observe and appreciate history, the more likely it is that they will be interested in preserving it for future generations.

In conclusion, the pergolas we are proposing benefit not only The Melting Pot, but also the City of Littleton. The downtown Littleton area has become a vibrant, quaint downtown, made possible by the successful businesses that draw people to Littleton's downtown area. The City of Littleton has been a strong supporter of The Melting Pot and the other businesses that make up downtown Littleton. We ask that you continue to support The Melting Pot by approving the proposed change to the Conservation Easement.

We thank you in advance for your thoughtful consideration of this proposed change to the Conservation Easement. We sincerely believe this to be of benefit to both the City of Littleton, and to The Melting Pot. We respectfully ask that you approve the proposed update to the Conservation Easement.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kyle and Amy Reed', written in a cursive style.

Kyle and Amy Reed, owners of The Melting Pot

With permission from Jud David, as agent for D.L.K, building owner



