

January 15, 2020

Subject: Doggie Day Care facility proposed for Oakbrook Shopping Center.

Dear Mr Mark Rudnick,

My name is Joe Chalupa. I am currently the Vice President of our Oakbrook Home Owners Association. I and my wife have been Home Owners in our Oakbrook, Covenant controlled community for 40 years.

The Doggie daycare facility in the Oakbrook Shopping Center, proposed to be housed in the current "3-Margarita's restaurant" building, and outside on the property, is not a good fit for this Covenant Controlled community. This has been expressed, not only by me, but ~~to~~ me (as the person responsible for enforcement of the covenants, to assure an aesthetically pleasant place to live) by several home owners in this sub division.

There are many areas of concern that are in direct violation of the "Oakbrook Declaration of Covenants, Conditions, and Restrictions". Although we understand that the covenants generally apply specifically to residences, it goes without saying that the "residences" of this community will be affected by such a facility. This is why I feel I would be remiss of my responsibility not to write to you, and ask you to consider our concerns which will negatively affect many, if not the majority of the Oakbrook Homeowners, and/or residents.

The first area of concern is: Section 16. (of our Oakbrook Covenants) Nuisance, which states in part: Nothing shall be done, or permitted upon the properties which may be or become an annoyance to the subdivision, or detract from its value as an attractive residential community. Nor shall any substance, thing or material emit foul or obnoxious odors, or that which will cause any noise that will or might disturb the peace and quiet, comfort or serenity of the occupants of surrounding properties. Habitually barking, howling or yelping pets shall be deemed a nuisance.

Based on this paragraph alone, clearly, the proposed Doggie Day Care business does not fit into Oakbrook neighborhood brand, the very reason Homeowners and residents of this community chose to make this community their home. This facility, which deviates from the original "Planned Community development plan", if approved, will definitely, negatively affect the serenity (peaceful quality of life) of our "Covenant Controlled, Oakbrook community", which will in turn lower the property values of this community.

Other major concerns include, neighborhood traffic through the subdivision, (an increase of 200 to 300 vehicle trips per day) and/or a concern with traffic turning into the subdivision from County Line Road. Getting in and out of this subdivision is becoming more and more dangerous every day, let alone the consideration of increasing this traffic by 200 to 300 vehicle trips per day!

Thank you.

Sincerely,

Joe Chalupa, HOA Vice President  
(303) 246-8267

January 21, 2020

David L. Schwiesow  
8095 South Logan Drive  
Littleton, CO 80122

Littleton City Planner  
Elizabeth Kay Marchetti  
[ekaymarchetti@littletongov.org](mailto:ekaymarchetti@littletongov.org)  
reference: Case #: APD19-0001

Dear Ms. Marchetti:

The purpose of this letter is to provide **public comment against** Highland Square Oakbrook Commercial Center SDP/PD, 2<sup>nd</sup> Amd., Case #: APD19-0001, Amendment to a Site Development Plan/Planned Development.

My family and I have been residents of the City of Littleton since 1991. We moved here from Jefferson County Colorado because of the environment Littleton provides for its citizens. Littleton is a clean city, with quiet surroundings, good schools and a small-town environment to raise a family.

Our Oakbrook subdivision is a beautiful quiet area with many families. Barking dogs are not tolerated. While your noise studies have indicated that the noise from the new facility is tolerable, I will tell you that the noise of one dog barking is not tolerable in Oakbrook. Littleton City Code 6-2-6: NOISE-CREATING CATS OR DOGS PROHIBITED states:

*"It shall be unlawful for any person to keep or harbor any cat or dog which, by loud, frequent, or habitual barking, yelping, yowling, or howling causes a serious annoyance. Any violation of this Section is hereby deemed to be a public nuisance. (Ord. 3, Series of 1983)"*

It doesn't state a number of dogs, a distance, or volume. If Littleton Citizens are being disturbed by a barking dog, no matter how loud or far away, it is a violation of our city code.

Pet odors emitted from the facility should also not be tolerated. The Oakbrook families chose to move into Littleton, not Greeley. Many families enjoy being outside in the spring, summer, and fall evenings. The smell of animal waste will drive families from their yards.

I would like the city to work to increase my property value. I feel that this amendment, if approved, would decrease my property value. The increase in traffic, increase in noise associated with the facility, odors, and interference with the peaceful quality of life in Oakbrook will all impact our community in a negative way. While I am in favor of improvements to our city, I encourage the Littleton Planning Commission to decline request in Case#: APD19-0001. I also request that this letter become a "matter of record" concerning this amendment.

Sincerely,

David L. Schwiesow

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**From:** Mark Rudnicki <[mrudnicki@littletongov.org](mailto:mrudnicki@littletongov.org)>  
**Sent:** Tuesday, January 21, 2020 9:49 AM  
**To:** Jennifer Henninger <[jhenninger@littletongov.org](mailto:jhenninger@littletongov.org)>  
**Subject:** Fw: Oakbrook Shopping Center Hobnob Dog Daycare Proposal

Still another letter for the dog care case.  
Mark

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**From:** Paul Malinowski <[pillarpaul@gmail.com](mailto:pillarpaul@gmail.com)>  
**Sent:** Monday, January 13, 2020 4:44:08 PM  
**To:** David Bolt <[dbolt@littletongov.org](mailto:dbolt@littletongov.org)>; Craig Coronato <[ccoronato@littletongov.org](mailto:ccoronato@littletongov.org)>; Dan Miller <[dmiller@littletongov.org](mailto:dmiller@littletongov.org)>; Jason Reynolds <[jreynolds@littletongov.org](mailto:jreynolds@littletongov.org)>; Mark Rudnicki <[mrudnicki@littletongov.org](mailto:mrudnicki@littletongov.org)>; Robin Swartzbacker <[rswartzbacker@littletongov.org](mailto:rswartzbacker@littletongov.org)>  
**Subject:** Oakbrook Shopping Center Hobnob Dog Daycare Proposal

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings, members of the planning Commission. In the meantime I am writing to you "on the record" to express my concerns to the proposed Hobnob Dog Daycare and Hotel in the Oakbrook Shopping Center. It is my understanding this comes up for a hearing before the Commission on January 27th.

I live about five houses down from the location and because of the way the streets curve I will be almost directly in back of it. First, on a general concern level is the way the shopping center has changed. We have lived in our present location since 1989. The Oakbrook Shopping Center was one of the reasons we chose the house. At the time, it had a Safeway anchoring it and various small-sized neighborhood-friendly commercial tenants/uses. Over the past few years the shopping center's character has changed. There was a gun store for a while that was frequently burglarized. Then a hugely out-of-scale 24-hour veterinary hospital went under construction, ruining possibly the single best view of the Rocky Mountains in the City of Littleton. And now this daycare/hotel is being proposed. I realize the market changes over the years but I don't feel the City needs to approve of any and every business that applies to locate in any particular area. And I believe the slow degradation of the quality of

this shopping center could negatively impact surrounding property values. Obviously there was an original development plan that was approved and even allowing for market changes I don't believe the current and proposed uses are matching the spirit of that original development plan.

My other concerns are more "micro" to the specific proposed use. If the information I have is correct, there will be up to 150 dogs during the day. That is a LOT of dogs at one time that can potentially create a LOT of noise through barking. I also understand there will likely be two sets of "busy hours" each day that will potentially create a significant amount of traffic on neighboring streets. Logan Drive, where I live, is currently in effect a "collector" street where the low-elevation speed humps are often ignored by people taking a shortcut to Mineral Drive from County Line (and vice versa). This will likely exacerbate that situation.

Walking on Phillips Drive had always been a pleasure that many of us from Oakbrook have done over the years. We've lost our view of the mountains now and the noise and potential odors from this proposed use could render Phillips no longer a pedestrian-friendly walk.

Barring anything coming up that night I do plan on attending the Commission hearing on the 27th and express my concerns verbally, too.

I appreciate you taking the time to read this and your service to our community.

Regards,

Paul (and Lynn) Malinowski  
8085 S Logan Dr.  
Littleton, CO 80122

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**From:** Mark Rudnicki <[mrudnicki@littletongov.org](mailto:mrudnicki@littletongov.org)>  
**Sent:** Tuesday, January 21, 2020 9:46 AM  
**To:** Jennifer Henninger <[jhenninger@littletongov.org](mailto:jhenninger@littletongov.org)>  
**Subject:** Fw: Hob Nob Dog Day Care

Another letter.  
Mark

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**From:** Harriette <[harriettew@comcast.net](mailto:harriettew@comcast.net)>  
**Sent:** Monday, January 13, 2020 3:55:34 PM  
**To:** Mark Rudnicki <[mrudnicki@littletongov.org](mailto:mrudnicki@littletongov.org)>  
**Subject:** Hob Nob Dog Day Care

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Attention: mark Rudnick

I have been a resident of Oakbrook since 1986. I have watched the shopping center struggle to keep 100% occupied during the years and I seen many different business models come and go during the past 30 plus years.

I do not see the Three Margaritas Restaurant space as being adequate to house 150 dogs during the day or 70 overnight. I also think having a "Doggie Day Care" in that space would not be an asset to the already existing businesses. I would urge you to study the business plan that Hob Nob has submitted and encourage you to vote no on allowing this business to occupy space in the Oakbrook shopping center.

I do not live close enough that I think this business will have a major effect on me or my household, but I do think it will have a negative effect on the shopping center.

Thank you for your time.

Harriette Woitte

[8237 S Pennsylvania Court](#)

[Littleton, CO 80122.](#)

[303-250-8503](#)