



City Council

September 16, 2025
Packet Addendum #1

**SUBJECT: ORDINANCE NO. 1903, SERIES 2025 – AN ORDINANCE
AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE
CONCERNING DISTANCE RESTRICTIONS FOR NATURAL
MEDICINE BUSINESSES IN THE CITY OF LOUISVILLE – 1ST
READING, SET PUBLIC HEARING**

DATE: SEPTEMBER 16, 2025

PREPARED BY: MATT POST, AICP, SENIOR PLANNER

PRESENTED BY: MATT POST, AICP, SENIOR PLANNER

SUMMARY:

This ordinance update proposes a targeted amendment to the City's Natural Medicine regulations to update the method of measurement for the required 1,000-foot separation between Natural Medicine Businesses and schools and child care facilities. The amendment aligns the City's ordinance with [State law](#) and responds to a request from City Council to update the method of measurement.

This update does not alter the existing 1,000-foot distance requirement itself, nor does it revise zoning allowances, operational limits, or any other provisions of the City's existing Natural Medicine ordinance.

The original staff report and supporting materials that led to the adoption of the City's Natural Medicine regulations in December of 2024, including the ordinance, are available [here](#).

BACKGROUND / PRIOR DISCUSSIONS:

In November 2022, Colorado voters approved Proposition 122, followed by the adoption of SB 23-290, which together established the state framework for Natural Medicine Businesses. The City of Louisville was required to adopt regulations to allow Natural Medicine Businesses by December 31, 2024. These laws provide that local governments may regulate the time, place, and manner of operation of such businesses, including reasonable distance requirements from sensitive uses such as schools and child care facilities.

Natural Medicine includes psilocybin/psilocyn and, if approved by the State under ongoing rulemaking, may also include dimethyltryptamine (DMT), ibogaine, and mescaline.

Natural Medicine Businesses include a Natural Medicine Healing Center, a Natural Medicine Cultivation Facility, a Natural Medicine Products Manufacturer, and a Natural Medicine Testing Facility.

In accordance with State law, Natural Medicine Businesses must be located at least 1,000 feet from licensed child care centers, preschools, elementary, middle, junior, and high schools. The State law indicates that those distances shall be measured by direct measurement from the nearest property line of the land used for a school or childcare facility to the nearest portion of the building in which natural medicine services are provided. The law also states, however, that local jurisdictions may vary those distance restrictions so long as the local jurisdiction does not unreasonably restrict the establishment of Natural Medicine Businesses.

In December of 2024, the City Council considered and adopted [Ordinance 1887, Series 2024](#), coming into compliance with state law and allowing Natural Medicine Businesses in the City of Louisville.

With [Ordinance 1887, Series 2024](#), the City adopted a separation distance rule of measurement that varied from the State's approach, applying a property line-to-property line separation requirement. The 1,000-foot buffer is currently measured from the property line of the school or child care facility to the property line of the Natural Medicine Business. This method was adopted both for ease of administration in reviewing applications and to ensure that the Downtown area, where schools and child care facilities are in close proximity to commercial parcels, would remain subject to use restrictions.

The proposed update will include a method of measurement to establish a separation distance that more closely aligns with the language in the State law. Under the proposed ordinance, separation distance is determined by a direct pedestrian route, as measured from the property line of the school or child care facility to the nearest portion of the building containing the Natural Medicine Business use.

ANALYSIS:**Natural Medicine Healing Centers**

Natural Medicine Healing Centers are licensed facilities that operate in a manner similar to medical or therapy offices. At these centers, trained facilitators administer Natural Medicine in a supervised setting and provide consultation and follow-up sessions with patients. Sessions typically take 4–6 hours, depending on the treatment. Facilitators are state-certified and trained in areas that include best practices, ethics, regulations, drug effects, and trauma-informed care. State law requires that transportation plans be in place for patients who have received Natural Medicine at a Natural Medicine Healing Center, since operating a motor vehicle while under the influence of Natural Medicine remains prohibited.

Staff anticipate that the proposed update will primarily affect the siting of Natural Medicine Healing Centers. These facilities are currently permitted in areas that also contain a relatively high concentration of schools and child care facilities. Under the City's prior property line-to-property line method of measurement, certain areas, particularly within

Downtown Louisville, were not eligible for Natural Medicine Healing Centers. With the adoption of a measurement method based on the direct pedestrian route from property line to nearest portion of the building, it is likely that some areas of Downtown Louisville may become eligible for the establishment of a Natural Medicine Healing Center. Zone districts where Natural Medicine Healing Centers may be established include:

- Administrative Office (A-O)
- Administrative Office-Transition (AO-T)
- Business Office (B-O)
- Commercial Community (C-C)
- Commercial Business (C-B)
- Residential Mixed-Use (MU-R)
- Planned Community Commercial (P-C)
- Permitted with Special Review Use:
 - Commercial Neighborhood (C-N)
 - Industrial (I)

Natural Medicine Cultivation, Products Manufacturing, and Testing Facilities Summary

The cultivation, manufacturing, and testing of Natural Medicine are light industrial activities that require specialized equipment and processes such as air handling systems, lighting, and chemical storage. Given the zoning districts where these uses are permitted, staff do not anticipate that the ordinance update will significantly affect the siting of these facilities, as there are minimal schools or child care facilities in these areas. Natural Medicine Cultivation, Products Manufacturing, and Testing Facilities are currently permitted in the Industrial (I) and Planned Community Industrial (P-I) zoning districts.

Proposal

The updated language will retain the 1,000 foot separation but establish a new rule for how the separation measurement is done based on what is a “direct pedestrian route”. The new language defines a direct pedestrian route as the distance measured along the most direct lawful pedestrian route from the nearest property line of the school or child care facility to the portion of the building or unit where the Natural Medicine Business will be located. The measurement must follow designated pedestrian routes, observe all traffic controls, and exclude trespassing or the use of alleys.

Louisville Municipal Code Sec. 17.16.340.B will be updated as follows. Words to be deleted ~~stricken~~; words to be added underlined:

- B. *Distance from schools*. No natural medicine business may be located within one thousand (1,000) feet of a child care center; preschool, elementary, middle, junior, or high school; or a residential child care facility. The distance shall be ~~determined by a~~

direct measurement from the nearest property line of the land used for a school or for child care to the nearest property line of the site containing the natural medicine business. calculated by measuring the most direct pedestrian route from the nearest property line of the land use to the nearest portion of the building or unit where the natural medicine healing center use will be located. The measurement shall reflect a safe and lawful walking path, without trespassing or use of alleys, and shall follow designated pedestrian routes, and include right-angle crossings while observing all traffic signals and traffic regulations.

2025 COUNCIL WORK PLAN:

The proposed ordinance update, which revises the method of measuring separation distances between schools and natural medicine businesses, supports the Council's Economic Vitality Work Plan goal. By adopting a more permissive and practical approach, the update reflects Louisville's commitment to maintaining a business-friendly code framework.

FISCAL IMPACT:

Budgeted?: **Not Applicable**

ALTERNATIVE(S):

The City Council may elect not to adopt this ordinance, in which case the original ordinance would remain in effect.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission is considering this ordinance amendment on September 11, 2025. Staff will provide the Planning Commission's recommendation at the September 16, 2025 City Council hearing.

RECOMMENDATION:

Staff recommend approval of Ordinance No. 1903, Series 2025 recommending to the City Council approval of an ordinance amending Title 17 of the Louisville Municipal Code to update the method of measuring required separation distances between Natural Medicine Businesses and schools and child care facilities.

ATTACHMENT(S):

1. Ordinance No. 1903, Series 2025
2. Ordinance No. 1887, Series 2024
3. Existing Natural Medicine Buffer Map
4. Proposed Method of Measurement Example
5. Presentation

SUBJECT: ORDINANCE NO. 1903, SERIES 2025

DATE: SEPTEMBER 16, 2025

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CITY COUNCIL COMMUNICATION

**ORDINANCE NO. 1903
SERIES 2025**

**AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE
CONCERNING DISTANCE RESTRICTIONS FOR NATURAL MEDICINE BUSINESSES
IN THE CITY OF LOUISVILLE**

WHEREAS, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”); and

WHEREAS, the People of the State of Colorado approved the citizens’ initiative known as “Proposition 122: Access to Natural Psychedelic Substances,” which is codified in Colo. Rev. Stat. § 12-170-101, et seq. (the “Enabling Act”) in November 2022; and

WHEREAS, the Enabling Act decriminalizes the personal possession, growing, sharing, and use, but not the sale, of natural psychedelic mushrooms (psilocybin and psilocin) and plant-based psychedelic substances (dimethyltryptamine, ibogaine, and mescaline), hereby referred to as Natural Medicine; and

WHEREAS, the Enabling Act allows for the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities; and

WHEREAS, the Enabling Act allows for the cultivation, product manufacture, and testing of Natural Medicine at licensed facilities; and

WHEREAS, the State Legislature enacted Senate Bill 23-290, which is codified in Colo. Rev. Stat. § 44-50-101, et seq. (the “Regulatory Act”), which establishes licensing requirements and regulations for Natural Medicine businesses, including healing centers, cultivation facilities, and products manufacturers; and

WHEREAS, the Regulatory Act prohibits local governments from banning Natural Medicine businesses within their boundaries, but allows them to adopt and enact ordinances governing the time, place, and manner of the operation of licensed businesses and further allows them to vary the distance restrictions imposed by the Regulatory Act; and

WHEREAS, by Ordinance No. 1887, Series 2024, adopted on December 3, 2024, the City Council established regulations, including distance restrictions for natural medicine businesses; and

WHEREAS, after a duly noticed public hearing held on September 11, 2025 where evidence and testimony were entered into the record, including the Louisville Planning Commission Staff Report dated September 11, 2025, the Louisville Planning Commission

has recommended the City Council adopt the amendments to the LMC set forth in this ordinance; and

WHEREAS, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice; and

WHEREAS, City Council desires to enact this ordinance amending its regulation of the time, place, and manner of the operation of licensed Natural Medicine businesses by modifying the manner in which the distance restrictions under the Regulatory Act are computed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Section 17.16.340 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted ~~stricken~~; words to be added underlined):

Sec. 17.16.340 – Natural medicine businesses

- A. *Purpose.* The Colorado Natural Medicine Code, as codified in the Regulatory Act, specifically authorizes the governing body of a municipality to enact an ordinance to regulate the time, place, and manner of the operation of natural medicine businesses.
- B. *Distance from schools.* No natural medicine business may be located within one thousand (1,000) feet of a child care center; preschool, elementary, middle, junior, or high school; or a residential child care facility. The distance shall be ~~determined by a direct measurement from the nearest property line of the land used for a school or for child care to the nearest property line of the site containing the natural medicine business.~~ calculated by measuring the most direct pedestrian route from the nearest property line of the land use to the nearest portion of the building or unit where the natural medicine business will be located. The measurement shall reflect a safe and lawful walking path, without trespassing or use of alleys, and shall follow designated pedestrian routes, and include right-angle crossings while observing all traffic signals and traffic regulations.
- C. *Hours of operation.* The provision of natural medicine services at a natural medicine healing center shall only occur between the hours of 8:00am and 10:00pm.

Section 2. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 3. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this __ day of _____, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

PUBLIC HEARING AND SECOND READING WILL BE THE ____ DAY OF _____, 2025, AT 6:00 P.M. AT LOUISVILLE CITY HALL, 749 MAIN STREET, LOUISVILLE, CO 80027.

PASSED AND ADOPTED ON SECOND AND FINAL READING, this __ day of _____, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

APPROVED AS TO FORM:

Kelly PC, City Attorney

**ORDINANCE NO. 1887
SERIES 2024**

**AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE
CONCERNING THE REGULATION OF NATURAL MEDICINE BUSINESSES IN THE
CITY OF LOUISVILLE AND AMENDING TITLE 9 TO ESTABLISH PENALTIES FOR
UNLAWFUL USE AND CULTIVATION OF NATURAL MEDICINE**

WHEREAS, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”);

WHEREAS, the People of the State of Colorado approved the citizens’ initiative known as “Proposition 122: Access to Natural Psychedelic Substances,” which is codified in Colo. Rev. Stat. § 12-170-101, et seq. (the “Enabling Act”) in November 2022;

WHEREAS, the Enabling Act decriminalizes the personal possession, growing, sharing, and use, but not the sale, of natural psychedelic mushrooms (psilocybin and psilocin) and plant-based psychedelic substances (dimethyltryptamine, ibogaine, and mescaline), hereby referred to as Natural Medicine;

WHEREAS, the Enabling Act allows for the supervised use of psychedelic mushrooms by individuals aged 21 and over at licensed facilities;

WHEREAS, the Enabling Act allows for the cultivation, product manufacture, and testing of Natural Medicine at licensed facilities;

WHEREAS, the State Legislature enacted Senate Bill 23-290, which is codified in Colo. Rev. Stat. § 44-50-101, et seq. (the “Regulatory Act”), which establishes licensing requirements and regulations for Natural Medicine businesses, including healing centers, cultivation facilities, and products manufacturers;

WHEREAS, the Regulatory Act prohibits local governments from banning Natural Medicine businesses within their boundaries, but allows them to adopt and enact ordinances governing the time, place, and manner of the operation of licensed businesses and further allows them to vary the distance restrictions imposed by the Regulatory Act;

WHEREAS, after a duly noticed public hearing held October 10, 2024, where evidence and testimony were entered into the record, including the Louisville Planning Commission Staff Report dated October 10, 2024, the Louisville Planning Commission has recommended the City Council adopt the amendments to the LMC set forth in this ordinance;

WHEREAS, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice;

WHEREAS, City Council desires to enact this ordinance to regulate the time, place, and manner of the operation of licensed Natural Medicine businesses by identifying the appropriate zoning districts in which Natural Medicine businesses may operate, by modifying the manner in which the distance restrictions under the Regulatory Act are computed, and by regulating the hours of operation for Natural Medicine businesses; and

WHEREAS, the City Council further desires to establish penalties for offenses relating to unlawful use and cultivation of natural medicine.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Louisville Municipal Code Chapter 17.08 (Definitions) is hereby amended by the addition of a new Section 17.08.338 and definitions as follows:

Sec. 17.08.338. – Natural medicine.

- A. *Natural medicine* means psilocybin or psilocyn and other substances described in the Regulatory Act as “natural medicine.”
- B. *Natural medicine business* includes a natural medicine healing center, a natural medicine cultivation facility, a natural medicine products manufacturer, or a natural medicine testing facility, or another licensed entity created by the state licensing authority.
- C. *Natural medicine cultivation facility* means a facility engaged in the cultivation of natural medicine.
- D. *Natural medicine healing center* means a facility licensed by the state licensing authority that permits a facilitator to provide and supervise natural medicine services for a participant.
- E. *Natural medicine products manufacturer* means a facility engaged in the manufacturing of natural medicine products.
- F. *Natural medicine testing facility* means a facility engaged in the testing of and research on natural medicine and natural medicine products.
- G. *Regulatory Act* means the Colorado Natural Medicine Code, as codified in Colo. Rev. Stat. § 44-50-101, et seq., as amended.

In addition to the foregoing definitions, other terms used in this title shall have the meanings ascribed to them in the Regulatory Act.

Section 2. Louisville Municipal Code Section 17.12.030 is hereby amended as follows (words to be added are underlined):

Sec. 17.12.030 – Use groups.

Use Groups		Districts																	
		A	A-O	B-O	A-OT	R-RR	SF-R	SF-E	R-R R-E R-L	SF-LD SF-MD SF-HD	R-M	R-H	C-N	C-C	C-B	I	PCZD	MU-R	OS
</																			

Section 3. Louisville Municipal Code Section 17.13.020 in Chapter 17.13 (Administrative office-transition zone district) is hereby amended as follows (words to be added are underlined):

Sec. 17.13.020 – Use groups

No land shall be used or occupied and no structure shall be designed, erected, altered, used, or occupied, except for one or more of the following uses by right, provided that a use by right may be accompanied by lawful accessory uses and buildings:

- A. Professional and business offices;
- B. Medical and dental offices and clinics;
- C. Studios for professional work or teaching (instruction limited to no more than ten students) of any form of fine arts, photography, music, drama, dance but not including a commercial gymnasium.
- D. Natural medicine healing center

Section 4. Louisville Municipal Code Section 17.14.050, Table 1 in Chapter 17.14 (Mixed use zone districts) is hereby amended as follows (words to be added are underlined):

Sec. 17.14.050 – Permitted uses and district specific regulations

* * *

TABLE 1: PRINCIPAL USES ALLOWED IN THE MIXED USE ZONE DISTRICTS		
Yes = Permitted By-Right	No = Not Permitted	
R = Permitted Subject to Special Review		
PRINCIPAL USES	CC	MU-R

* * *

Office Use Group		
Financial institutions—No drive through facility	Yes	Yes
Financial institutions with drive-through facility per CDDSG Section 2.1.2	Yes	No
General research facilities	No	No
Medical and dental clinics	Yes	Yes
Professional and businesses offices	Yes	Yes
Research and development	No	No
Small animal clinics (fully enclosed)	Yes	No
Natural medicine healing center	Yes	Yes

Section 5. Louisville Municipal Code Section 17.16.040 in Chapter 17.16 (General regulations) is hereby amended as follows (words to be added are underlined):

Sec. 17.16.040 – Home occupations

Home occupations shall be allowed as a permitted accessory use governed by the following regulations:

* * *

- H. The following uses, because of their tendency to go beyond the limits permitted for home occupations and thereby impair the use and value of the residential area, shall not be permitted as home occupations: auto repair or motorized implement repair; dance, music or other types of instruction (if more than four students being instructed at one time); dental offices; medical offices; natural medicine businesses; medical marijuana businesses; medical marijuana optional premises cultivation operations; retail marijuana establishments; retail marijuana cultivation facilities; the painting of vehicles, trailers or boats; private schools with organized classes; radio and television repair; barber and/or beauty shop; welding shops; nursing homes; massage therapy by a massage therapist; sexually oriented businesses; and, irrespective of whether the use may be categorized as a sexually oriented business, any retail or wholesale sales to consumers upon the premises of any types of materials specified in this title which describe or depict specified sexual activities or specified anatomical areas.

Section 6. Louisville Municipal Code Chapter 17.16 (General regulations) is hereby amended by the addition of a new Section 17.16.340 as follows:

Sec. 17.16.340 – Natural medicine businesses

- A. *Purpose.* The Colorado Natural Medicine Code, as codified in the Regulatory Act, specifically authorizes the governing body of a municipality to enact an ordinance to regulate the time, place, and manner of the operation of natural medicine businesses.
- B. *Distance from schools.* No natural medicine healing center may be located within one thousand (1,000) feet of a child care center; preschool, elementary, middle, junior, or high school; or a residential child care facility. The distance shall be determined by a direct measurement from the nearest property line of the land used for a school or for child care to the nearest property line of the site containing the natural medicine healing center.
- C. *Hours of operation.* The provision of natural medicine services at a natural medicine healing center shall only occur between the hours of 6:00am and 12:00am.

Section 7. Louisville Municipal Code Title 9 (Public Peace and Welfare) is hereby amended by the addition of a new Chapter 9.42 as follows:

Chapter 9.42 Offenses Relating to Natural Medicine

Sec. 9.42.010. Definitions.

Natural medicine means dimethyltryptamine, mescaline, ibogaine, psilocybin, or psilocyn, or any other substance listed in Colo. Rev. Stat. § 18-18-434, as amended.

Natural medicine product means a product infused with natural medicine that is intended for consumption.

In addition to the foregoing definitions, other terms used in this chapter shall have the meanings ascribed to them in Colo. Rev. Stat. § 18-18-434, as amended.

Sec. 9.42.020. Underage possession of natural medicine.

(a) It is unlawful for a person under the age of twenty-one (21) to knowingly possess or consume natural medicine or a natural medicine product.

(b) A person convicted of violating this section shall be punished by a fine of not more than one hundred dollars (\$100) or not more than four (4) hours of substance abuse education or counseling; except that a second or subsequent conviction is subject to a fine of not more than two hundred dollars (\$200), not more than four (4) hours of substance use education or counseling, and not more than twenty-four (24) hours of useful public service.

Sec. 9.42.030. Unlawful display or consumption of natural medicine.

(a) It is unlawful for a person to openly and publicly display or consume natural medicine or a natural medicine product.

(b) A person convicted of violating this section shall be punished by a fine of not more than one hundred dollars (\$100) and not more than twenty-four (24) hours of useful public service.

Sec. 9.42.040. Unlawful cultivation of natural medicine.

(a) It is unlawful for a person to knowingly cultivate natural medicine that cumulatively exceeds an area of more than twelve (12) feet wide by twelve (12) feet long in one or more cultivation areas on private property, or for a person who owns, occupies, or controls private property to knowingly allow such cultivation.

(b) Except as provided in subsection (c), it is unlawful for any person to knowingly cultivate natural medicine on private property outside of an enclosed or locked space, or for any person who owns, occupies, or controls private property to knowingly allow such cultivation.

(c) It shall not be a violation of subsection (b), if the person cultivating the natural medicine is twenty-one (21) years of age or older, if the cultivation area is located in a dwelling on private property, and:

(1) If a person under the age of twenty-one (21) lives at the dwelling, the cultivation area itself is enclosed and locked; or

(2) If no person under the age of twenty-one (21) lives at the dwelling, the external locks on the dwelling constitute an enclosed and locked space, but if a person under the age of twenty-one (21) enters the dwelling, the person cultivating the natural medicine shall ensure that access to the cultivation area is reasonably restricted while the person under the age of twenty-one (21) is present on the private property.

(d) A person convicted of violating subsection (a) or (b) shall be punished by a fine of not more than one thousand dollars (\$1,000).

Section 8. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 9. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still

remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 10. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED
PUBLISHED** this 11th day of November 2024.



Christopher M. Leh, Mayor

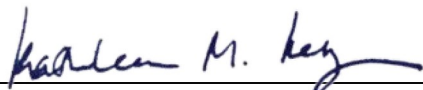
ATTEST:



Genny Kline, Interim City Clerk



APPROVED AS TO FORM:



Kelly PC, City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this 3rd day of December 2024.



Christopher M. Leh, Mayor

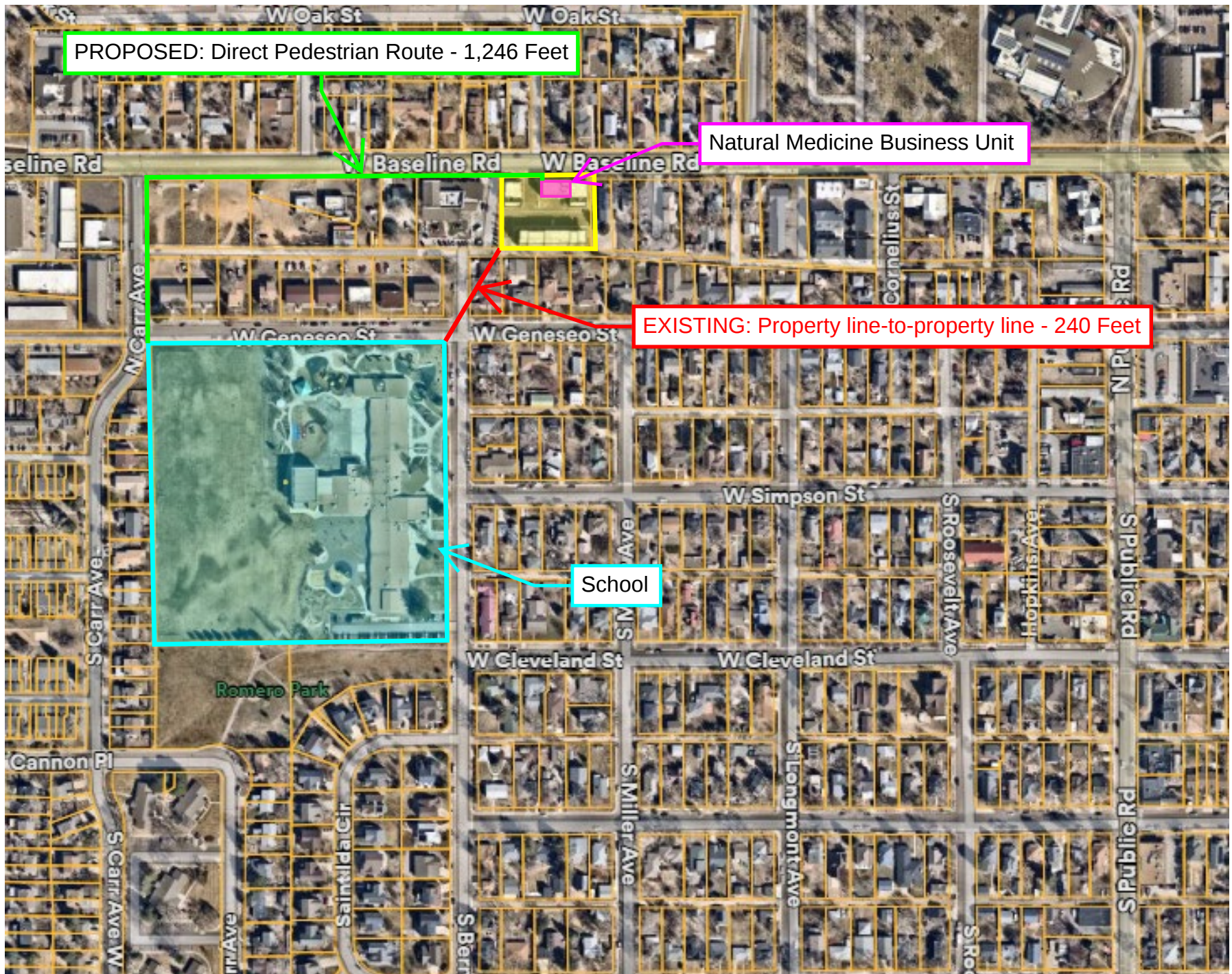
ATTEST:



Genny Kline, Interim City Clerk



**Illustrative Example - Method of Measurement Comparison: Natural Medicine Business
Separation Distance from Schools and Childcare Facilities (Proposed/Existing)**



City Council

September 16, 2025

Ordinance No. 1903 Series 2025, recommending approval of an amendment to Title 17 of the Louisville Municipal Code updating separation distance requirements for Natural Medicine Businesses from schools and childcare facilities

Presented by Matt Post, AICP, Senior Planner



Summary: Natural Medicine Code Update

- Colorado voters passed Proposition 122 in November of 2022
- Decriminalized the possession, cultivation, sharing, and use of psilocybin and other related substances, referred to as “Natural Medicine”
- This State law Permits the supervised use of Natural Medicine and the cultivation, manufacturing, and testing of Natural Medicine at “Natural Medicine Businesses”
- **City Council Adopted Ordinance 1887, Series 2024 in December of 2024, permitting Natural Medicine Businesses in the City of Louisville**



Proposal

- This amendment includes an update to the rule of measurement for the 1,000-foot separation requirement between Natural Medicine Businesses and schools and child care facilities.
- Previous method instituted a property line-to-property line rule of measurement
- Updated rule of measurement proposes and direct pedestrian route, measured from property line of school to nearest portion of building containing a Natural Medicine Business use.

Proposed Language

Distance from schools. No natural medicine business may be located within one thousand (1,000) feet of a child care center; preschool, elementary, middle, junior, or high school; or a residential child care facility. The distance shall be determined by a direct measurement from the nearest property line of the land used for a school or for child care to the nearest property line of the site containing the natural medicine business. calculated by measuring the most direct pedestrian route from the nearest property line of the land use to the nearest portion of the building or unit where the natural medicine healing center use will be located. The measurement shall reflect a safe and lawful walking path, without trespassing or use of alleys, and shall follow designated pedestrian routes, and include right-angle crossings while observing all traffic signals and traffic regulations.

Natural Medicine Healing Centers

- **Natural Medicine Healing Centers**
 - Licensed facilities, similar to medical or therapy offices.
 - Facilitators trained in best practices, ethics, regulations, drug effects, and trauma-informed care.
 - State law requires transportation plans; driving under the influence remains prohibited.
- **Impact of Proposed Update**
 - Update primarily affects siting of Healing Centers.
 - These facilities are allowed in areas with higher concentrations of schools and childcare.
 - Previous property line-to-property line rule limited siting, especially in Downtown Louisville.
 - New pedestrian-route measurement may open eligibility for Downtown locations.

Natural Medicine Business Recommendation

Ordinance No. 1903 Series 2025, recommending approval of an amendment to Title 17 of the Louisville Municipal Code updating separation distance requirements for Natural Medicine Businesses from schools and childcare facilities

Planning Commission is considered this amendment on September 11, 2025

From: [DALE FERGUSON](#)
To: [City Council](#)
Subject: Miner's Field
Date: Wednesday, September 10, 2025 2:38:09 PM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

Dear Council:

Please do not alter the access or parking at Miner's Field. Please review this in great detail, there are better alternatives.

Thank you,
Dale Ferguson
Sent from my iPhone

From: [Michael B. Menaker](#)
To: [City Council](#)
Subject: South Street Underpass
Date: Friday, September 12, 2025 10:15:36 AM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

Mayor and Council,

The South Street underpass is looking more and more like stuffing the ugly stepsister's foot into Cinderella's slipper...
It just doesn't fit.

It has yet to be demonstrated that the underpass would serve neighbors, businesses or the community at large.
Nor generate sufficient pedestrian/bike traffic to justify the immense cost in dollars and staff time.

It's time to abandon this bad idea....before it joins the empty sidewalk along East Arapahoe and the multi-million dollar bikeway along US 36 that has zero impact on traffic as bad ideas that simply refused to die.

Time to stop this waste of time and treasure. Just say "NO!".

Michael

--

Michael B. Menaker
1827 W Choke Cherry Dr
Louisville, CO 80027
303.588.8781

From: [Mike Deborski](#)
To: [City Council](#)
Subject: Highway 42 and South Street Underpass
Date: Friday, September 12, 2025 2:06:48 PM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

I appreciate our City of Louisville Public Works Department's public outreach on the Front and Center project. It seems to have included input from the key stakeholders and residents most affected. We can only wish the same would have been done on the Highway 42 and South Street pedestrian underpass.

I participated in a recent Public Works meeting that was facilitated by the Louisville Chamber of Commerce as a result of concerns expressed by the tenants of Tebo Plaza. All of the existing business owners or operators expressed multiple concerns with the Underpass as it was presented. The greatest, shutting down South Street, customer access, parking and construction related issues.

In that meeting Stephen Tebo announced that he'd be happy to sell a portion of his property to the city to accommodate the underpass and spare the closure of South Street. The meeting closed with an agreement between Tebo's Representative and Public Works to meet again and discuss a purchase option. Everyone seemed to leave satisfied that this option would be explored.

It was shared last week that the City of Louisville has chosen not to honor that meeting. If this information is accurate, it's disappointing that the option and opportunity will not even be explored. I stand very much opposed to the closure of South Street and the removal of ANY of the parking adjacent to Miner's Field. Especially the disabled parking.

For generations, Miner's Field has accommodated not only for the play, but the viewing of Football, Softball, and Baseball by families of our community. It's not uncommon to see the players, their siblings, parents, grandparents and even great grandparents there to view a game. All together as a family focused on one common activity. There are not many family activities that allow for this generational interaction.

According to Jean Morgan, she was contacted some months ago, but felt her concerns for the impact to the Miner's Field Neighborhood fell on deaf ears. Their neighborhood concerns of parking and access are real. The folks at Tebo Plaza stated they were not aware of the proposed closure of South Street until just recently.

I understand that staff is under a timeline constraint of use it, or lose it funding. However, does this give reason to circumvent a true public process? The optics on this are not favorable from both the business and residential community.

The overpass / underpass was conceptualized over 20 years ago to accomodate for the train that never showed. It was initially proposed to connect the train stop proposed behind Tebo Plaza to the new city's ball fields on the east side of HWY 42. The parking West of Tebo was

to also accommodate the rail passengers. This distance fit RTD's magical 1/4 mile walking radius. It was to be located near the Short Street intersection.

Geoff Nettleson came to me within the last two years and asked if the underpass could be located adjacent to my North property line. Unfortunately it would have precluded customer and employee access to my property. That was the communication I have received from the city regarding any plan for an underpass. Thus, it was to my surprise to learn recently that the city was in the final design phase of this project.

I've made multiple requests for a link and or draft of the most recent underpass plan, only to get no response from staff. Finally, I copied Diana and received a response that one would not be available until the Council packet went public. It took me several attempts to locate the attached link below on the City's website. Thus, forgive me if working with dated information. It's all that was made available.

We have spent the last four years trying to undo the damage done by Ashley and Heather. Our Louisville City Hall and Council has worked hard to undo the reputation of railroading projects and policy regardless of public input and opinion. This has caused our Citizens and or business to take on an apathetic attitude, feeling helpless because their voices were ignored for nearly four years.

The public process on this underpass project, as well as City Hall's desire to close down Main Street have the potential to erase that hard work. We have so many other projects with solid community engagement. Let's steer this one back onto the right course.

I humbly request of our city council to open the public process on this project and explore the Tebo land purchase or any other option that could work. To close down South Street is Bad for Business, Miner's Field and the Miner's Field neighborhood.

Respectfully,

Michael Deborski

<https://www.louisvilleco.gov/local-government/government/departments/public-works/engineering-division/south-street-underpass>

From: [Chris Wheeler](#)
To: [City Council](#)
Subject: South St/Highway 42 Underpass
Date: Friday, September 12, 2025 5:03:37 PM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

Dear Members of City Council:

Thanks for all you do for our wonderful city. I'm writing to convey my concern about the impact the proposed non-vehicular underpass on South Street would have on residents and nearby businesses. Losing vehicular access to Highway 42 would have a devastating impact on those living on South Street, one of our city's oldest neighborhoods. The businesses in DELO Plaza, which serve many Louisville residents, would be adversely affected.

I support the idea of a pedestrian underpass under Highway 42. However, I hope that Council can find an alternative site. Please support Option B which requires City Staff to explore other locations for the underpass.

Thank you.

Chris Wheeler
Louisville resident

From: [Justin Livingston](#)
To: [City Council](#)
Cc: [Melissa Livingston](#); [Brittany Bartlett](#); [Denise Kantrowitz](#); [Brendan Gallery](#); [YoGallery Wellness](#); [jburk@silverpeakcorp.com](#); [louisville@moesbagel.com](#); [Rocky Mountain Tap and Garden](#); [mikeal@lashandcompany.com](#); [Peter Sherman](#); [serena@lashandcompany.com](#); [Shannon Scott](#); [William Brookshire](#); [ewood@scenthound.com](#)
Subject: South Street Underpass - Thoughts from Ziggi's Coffee owners
Date: Friday, September 12, 2025 6:06:53 PM
Attachments: [image.png](#)
[image770337.png](#)
[image967393.png](#)
[image586828.png](#)
[image299684.png](#)

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

Dear City Council,

As a long-time business owner, non-profit leader, and proud Louisville community member, I am writing to formally express deep concerns regarding the proposed closure of South Street for a pedestrian underpass. My wife, Melissa, and I own Ziggi's Coffee in the Tebo Plaza on Courtesy off of South Street (I also run a consulting business with an office on Main Street and founded Guys Who Give with events at The Louisville Underground). Ziggi's is a community focused place where people meet with friends, families share a special treat, groups conduct weekly meetings, residents attend Louisville Coffee With a Cop, people come to work, many kids come every late-start Wednesday to interact and enjoy their favorite drinks and food, students study and much more. We love supporting community events like the annual Turkey Trot and events with our neighbors like the Gluten Free Festival as well as giving back to local groups, schools, and community needs like supporting the little league baseball right across the street. This project would directly impact not only our business but also every neighboring tenant and countless residents who rely on this corridor daily.

Unfortunately, we only recently became aware of this project due to insufficient communication from the city. Since then, we and our fellow business owners have been scrambling to understand the scope, timeline, and consequences of this project. While I've had the chance to speak with several of you and some city staff, the concerns raised still do not seem to have been fully captured or addressed. Allow me to outline them here as clearly as possible:

Let's first address the Field of Dreams nature of this. I understand some of the long-term (not confirmed nor funded) dreams of this project's surrounding areas (sports complexes, trail systems, train stations, parking, etc.). If there was an all-encompassing, cohesive plan that was slated, funded, and approved by all with a set timeline, it would justify at least taking a closer look. Without any of that, this underpass to nowhere that

needs to be done “now” seems at best, poorly thought out. It seems DRCOG funds may have a time constraint, certainly it’s common for those funds to get extensions. Regardless, that point cannot rush such an important project. As local business owners who will be directly impacted, below are some of our primary concerns.

1. Lack of Adequate Data Collection

We were surprised to learn that the “traffic study” informing this project consisted of a single 1-hour, mid-day, mid-week observation at Short Street. As presented, this “study” only looked at traffic coming in at the light for that short amount of time and no data collected on the crucial exit to South Street. This is not meaningful data and cannot be relied upon to guide a project with such far-reaching economic, safety, and community impacts.

2. Loss of Primary Access Point and Critical Exit

South Street is the main exit for Ziggi’s Coffee’s drive-thru, which serves approximately 198 cars daily. Roughly 87% of our customers exit via South Street, away from pedestrian and parking lot traffic, for safe and efficient egress. Eliminating this outlet would choke off our primary flow of customers.

3. Severe Impact on Customer Convenience

Our customers, many en route to work or school, depend on speed and ease of access. Redirecting them through convoluted routes will be frustrating, inevitably sending them to competitors in neighboring cities along 287 or 36. This doesn’t just hurt our business, it shifts sales tax revenue away from Louisville. Independent projections already suggest construction alone would reduce revenue by at least 26%. With slim margins under 10% EBITDA, we could be forced to close before the project is even complete. This of course is just our business which is one of 7 in this plaza alone.

4. Increased Traffic Congestion and Safety Risks

Redirecting drive-thru traffic through the strip center lanes will significantly increase congestion, raise the risk of pedestrian accidents, and disrupt businesses not designed to handle such traffic volumes through the current parking lot.

5. Broad Harm to Neighboring Businesses

Every tenant will be affected: bottlenecks, reduced parking, discouraged visits, and frustrated customers. This is not just Ziggi’s issue, it threatens the vitality of the entire center whom are predominately quick-serve businesses who rely on ease of access for an enjoyable experience that can become part of their daily/weekly routine.

6. Loss of City Tax Revenue

Declining business means reduced sales tax. This runs counter to the City's stated goals of economic vitality and fiscal stability.

7. Contradiction to Small Business Support Messaging

Louisville has long championed its support for small businesses. Advancing this project without mitigation undermines that commitment and sends a damaging message to entrepreneurs and the community. We value being a community focused contributor to the fabric of this city and can't imagine being forced out of business.

8. Negative Impact on Jobs and Staff

Reduced revenue will force reduced staff hours and job cuts, particularly hurting students and young people who rely on their first jobs at local businesses like ours.

9. Loss of Business Momentum

We've worked hard to build loyal customers and traffic patterns in an ever-changing and difficult market. A disruption of this scale will alter behavior permanently, pushing residents toward neighboring cities and businesses.

10. Lack of Transparency and Stakeholder Input

Business owners were not meaningfully consulted. This left us unable to plan, adapt, or propose workable alternatives.

11. Community Sentiment and Public Perception

The frustration customers experience will reflect poorly on both local businesses and city planning, damaging community trust. This is particularly troubling given our role in hosting community events like Coffee with a Cop, festivals, and student gatherings.

12. Long-Term Behavior Changes

Temporary closures often lead to permanent habit shifts. Customers rerouted toward Lafayette or Broomfield may never return. To our understanding, this will happen both with the Underpass project and the highway expansion.

13. Impacts to Delivery and Supply Chain Access

Delivery trucks and service vehicles will face difficulties navigating altered routes, further hampering business operations.

Alternative Solutions

We recognize the long-term vision behind improved pedestrian connectivity. However, the "underpass to nowhere" model currently proposed feels rushed, unfunded, and ill-

conceived. If pursued thoughtfully, there are alternatives that could achieve connectivity without destroying local commerce. Please see the map below (in order of most logical) for some thoughts on other possibilities for consideration:

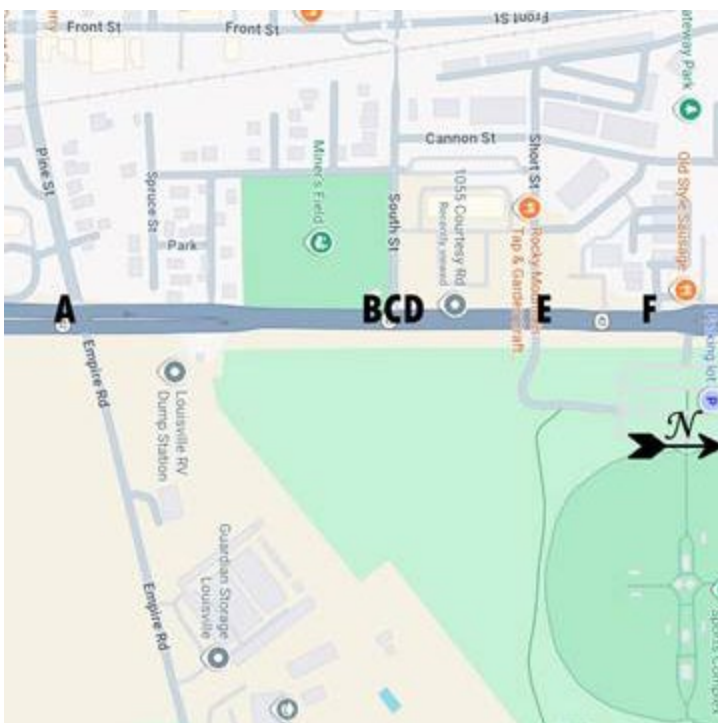
B (Miner's Field Lane) – The current project aims to take out all of the Miner's Field parking. Though that would likely create concerns, using that lane for the underpass and closure seems like the obvious, safest, and by far least harmful option. Moving the underpass in its current form (though likely narrowed slightly) allows the road to remain open, cars and pedestrians remain safe, businesses remain unharmed and perhaps benefit from easier access from bikers and the Lafayette community. This project could be done likely for the same or even a lesser budget with some shrinking of the width and could even gain back some of the east/west length compromised in the newest version of the plan.

A & E – These areas utilize existing crossing points that already tie into trail systems.

D (Undeveloped Tebo Pad Site) – Requires additional funding but could still preserve road access. If the project is a priority, those funds would have to be found. Though this location keeps the road open, it does still create a pedestrian crossing point (where one exists now) but with the increased bike and ped traffic.

F (other northern options) – I'm less familiar with further north options but there are fairly clear points of access that could provide access without strangling established businesses.

These alternatives demonstrate there *are* ways to meet project goals without forcing businesses into existential risk.



Local businesses like ours have invested deeply in Louisville, both financially and personally. We are proud to employ local residents, serve as community gathering spaces, and contribute to the city's economic vitality. Projects like this should strengthen, not jeopardize, that foundation.

For these reasons, I respectfully urge the City Council to **pause or halt the current project** until adequate data, stakeholder engagement, and viable alternatives can be fully explored. A collaborative solution exists—one that advances connectivity while safeguarding the businesses and families who call Louisville home.



Justin Livingston
Vice President of Franchise Development
 Ziggi's Coffee
 Franchise Owner - Lafayette, Broomfield & Louisville, CO
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From: [gail.wetrogan](#)
To: [City Council](#)
Subject: Do Not Close South Street
Date: Saturday, September 13, 2025 12:26:45 PM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

Dear Councilmembers

Council should abandon the plan for closing South Street to accommodate a pedestrian underpass. Option A would produce a convoluted traffic pattern limiting access to both the existing businesses and the long-established neighborhood near Miners Field. Option B would somewhat resolve this problem but at astronomical additional cost.

Louisville residents have overwhelmingly requested that the City focus on attracting more sales tax-generating businesses. It seems foolish to make it harder for customers to stop for a quick coffee or a bagel. The easy access and parking for the existing stores should be left the way it is.

Please do not rush ahead with the street closure plans. If this project is for the sake of the mythical future “commuter train”, well, we’ve been down that track before. Will it be delayed even further now that our state government is severely strapped for cash? If the goal is to capture grant money before it gets away, this would be making the too-familiar mistake of “throwing good money after bad.”

Gail Wetrogan
Louisville resident

From: [Admin Bodywise](#)
To: [City Council](#)
Subject: Underpass/South Street - option B
Date: Sunday, September 14, 2025 8:34:31 PM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

I have lived in Louisville since 2014

Thank you for your service to our community

I'm in support of City Council exploring Option B regarding the Underpass

Please take some time to explore other alternatives, shifting further north

To avoid creating difficulty for us to get in & out of our homes

Thank you for your consideration,

Frances Lawrence

From: [Pam Clark](#)
To: [City Council](#)
Subject: Support for Highway 42 Underpass Option B
Date: Monday, September 15, 2025 9:03:48 AM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

Hello Council,

I've lived in the Miner's Field area since 2018. I'm writing regarding the proposed Highway 42 underpass project, and I urge you to consider Option B, which looks at alternatives that will not close access at South Street. I was frustrated at the lack of stakeholder engagement by city staff prior to announcing Option A as the final and only choice this summer. Also frustrating was the apparent use of the extremely broad Highway 42 corridor study to justify design choices for this particular project, since that study does not take into account the impacts to individual neighborhoods.

In addition to the daily inconvenience that residents, visitors and business patrons would experience with only one access to the neighborhood and businesses at Short Street, in particular I have concerns about the ability to leave the area quickly in an emergency with only one exit. And, if I'm reading the packet correctly, the traffic study on the impact of closing South Street has not even been done yet. Doing a traffic study after selecting Option A seems like closing the barn doors after the horses have already gotten out.

It also appears that changes to the quality of the existing neighborhood were not considered. I walk Lee Avenue almost daily. I regularly see DELO neighbors, local business patrons, and our local sanitation and delivery truck drivers enjoying the shade and grass along the street where Option A would put in a strip of parking spaces. Removing the trees and green space would reduce quality of life for all these people, and in times of warming climate, the trees and green space keep our neighborhood cooler.

Finally, as an avid cyclist and user of our great trail system, I appreciate underpasses where no safe crossing location exists nearby. When there was not a traffic signal at Short St., an underpass would have made a lot of sense. However, with the signal now at Short St., I am curious if it was an idea that was conceived prior to the installation of the signal.

Thank you for your service to our community, and for your consideration of Option B, which will reduce the negative impacts of this project on residents and business patrons in our neighborhood.

Pam Clark

From: [Dave Abel](#)
To: [City Council](#)
Subject: South Street Underpass at Miners Field
Date: Monday, September 15, 2025 9:12:58 AM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

I have been made aware of the plan to move forward with the South Street underpass and in the process eliminating all of the adjacent parking to Miners field in the process. I am requesting that the city retain all the parking and street access to Miner's Field and find an alternative solution such as the property directly to the north of South Street.

Dave Abel
RE/MAX of Boulder
303-725-0461

From: [Rocky Mountain Tap](#)
To: [City Council](#)
Cc: [Brittany Bartlett](#); [Gillian Millar](#)
Subject: South Street Underpass Project
Date: Monday, September 15, 2025 12:05:51 PM

[EXTERNAL EMAIL] From outside of City of Louisville DO NOT CLICK links or attachments unless you validate the sender and know the content is safe.

Dear Mayor Leh and Members of City Council,

I am writing on behalf of Rocky Mountain Tap & Garden, located at 1071 Courtesy Road, to express serious concern regarding the proposed South Street Underpass Project. While we understand the city's goal of improving safety and mobility along Highway 42 as well as providing future potential access to the east corridor, we know Option A, which closes South Street's vehicle access to the highway, will have a significant negative impact on our business and the surrounding commercial community.

Rocky Mountain Tap & Garden (RMTG) came together after our community was devastated by the Marshall Fire. As a response to wanting to get more engrained in the Louisville community, we felt that a family-friendly, community-focused gathering spot, would be a positive way to help build back a sense of togetherness and safe space for our town. As a resident now for almost 7 years, and speaking on behalf of my business partner Brittany, who grew up here and whose family has been a staple business here since before dinosaurs roamed, we take a lot of pride in being a "part of Louisville". For over three years now, RMTG has been building community focused events, sponsoring local school teams and staff appreciation donations, providing a safe work environment for local teens and adults, providing a gathering spot for groups, businesses, and families to interact, and doing our best to keep city staff busy with our business. We like to think we are operating a business on a margins edge for the sole benefit of others. As such, uncontrolled disruptions become unpredictably threatening to our business surviving.

When we first became aware of this project, through our landlord nonetheless, our first instinctual understanding was that the removal of the South Street access and egress would become detrimental to both business and safety. As developing products of convenience, people tend to go where its easiest at first until the pull is great enough to overcome the work. Southbound traffic may no longer impulsively turn into the shopping center for business, and surely will not turn around once past us. The increased traffic at the light will also have a negative impact on traffic into the business center. While none of us can confidently say what this impact will be without meaningful studies being performed (happy to chime in on the definition of meaningful), I ask you whether you would be okay with even a 1% decline in your personal compensation or businesses right now. Regardless of the

execution of the project and list of beneficiaries of it, our key concerns with Option A are as follows:

Customer Access: Closing South Street to Highway 42 eliminates one of the most direct and convenient access points to our restaurant. This change will reduce drive-by visibility and deter casual visitors who might otherwise stop in. Reduction of current and potential customer base likely results in business closure.

Business Revenue & Tax Base: Rocky Mountain Tap & Garden relies on consistent traffic flow. Reduced accessibility threatens not only our business sustainability but will impact the city's long-term sales tax revenue.

Construction Traffic Disruption: A 9–12 month proposed construction period (what hasn't taken longer than what the contractors propose?) with road closures and detours will most definitely discourage patrons. Without mitigation, this will severely affect our ability to serve the community and potentially stay in business.

Patron & Traffic Safety: We rely on our crosswalk for patrons to enjoy the Beergarden. Forcing all Delo plaza traffic, including all supply and vendor trucks, through this crosswalk will increase the risk of pedestrian safety.

Construction Noise & Environmental Impact: Our outdoor Beergarden area and patio is critical to maintaining our business. With nearby construction noise and debris, patrons will most definitely decrease their presence here, directly reducing our revenue and survivability.

We could add more detailed impacts on employment, community impact, draw, support for neighbors, etc. but I hope you can understand the overall threat this project poses right now, especially without a better communicated list of benefits.

As is, if there is a must make happen scenario, our “support” lies with the currently proposed Option B.

We strongly encourage the City Council to consider the proposed “Option B”, which maintains South Street's connection to Highway 42. While more complex and costly in the short term, it provides a long-term solution that balances infrastructure needs with the economic vitality of local businesses.

Regardless of options the City moves forward with at this point, we respectfully request that specific mitigation measures be included, such as:

- Clear detour signage directing traffic to Delo Plaza businesses;
- Temporary access solutions for customers and delivery vehicles; and
- Marketing support for “Shop & Dine Local During Construction” initiatives to sustain businesses through the disruption.

Alternative Approaches for Consideration:

If neither Option A nor Option B proves fully viable, we encourage the city to revisit creative alternatives — such as a modified underpass design with partial South Street access, or phased construction that maintains connectivity wherever possible. Disadvantages shown in the proposed alternatives in which pedestrians using it are slightly “inconvenienced” appears to be wrongly prioritized.

Questions:

- Who is responsible for estimate review of labor and proposed planning needs regarding this proposal? Labor “estimated” and proposed at the equivalent of \$400-\$600k salaries and additional contingencies, all summed up into a neatly packaged cost to the penny, with further unknown estimates rounded to the million, is frankly ridiculous. Why can’t the costs of Option B associated with inflation, property acquisition, and construction costs also be estimated to the nearest dollar like Option A? Are they being held to these “estimates” or based on their contract language, allowed to change order to cover anything “not estimated”?
- The scope of work estimates appear at first glance to be without any thought of value engineering, adding hundreds of thousands of dollars to “explore” one of the other scenarios. Has the city requested bids or explored proposals from any other groups or considered internal project managing in collaboration with the team to reduce costs?
- With a cost of 8.5 to 14M presented as variance, and 4.9M in grant money, what is the message that’s been presented to the tax-payers of Louisville that a 3.6 to 9.1M project is being undertaken to create an underpass to the future?

In closing, we urge the City Council to weigh the long-term economic and community impacts alongside construction cost savings. Preserving business access is not just a convenience issue; it is essential to maintaining a vibrant, walkable, and economically resilient Louisville.

Thank you for your time and consideration. We would welcome the opportunity to meet with city staff or council members to discuss these impacts in greater detail.

Sincerely,

Garret Nicodemus & Brittany Bartlett
Owner, Rocky Mountain Tap & Garden
1071 Courtesy Road, Louisville, CO

Public Council Meeting Message:

Good evening Mayor Leh and Members of City Council,

My name is Garret Nicodemus, and I’m a co-owner of Rocky Mountain Tap & Garden at 1071

Courtesy Road. I want to speak tonight about the South Street Underpass Project and how it directly threatens the survival of our business and others nearby.

Rocky Mountain Tap & Garden was born after the Marshall Fire, when our community needed places to reconnect, to heal, and to feel whole again. My partner Brittany grew up here, her family has been a part of Louisville for generations, and for the past three years we've worked to give back—hosting school events, supporting local teams, hiring local teens and adults, and creating a safe, welcoming gathering place for families.

Option A of this project—the closure of South Street access to Highway 42—jeopardizes all of that. Here's why:

Customer access: Closing South Street cuts off one of the most direct and convenient ways to reach us. That means fewer drive-by visits and fewer reasons for people to stop in.

Business survival and tax revenue: Our margins are already razor thin, and even a small decline in traffic could be the difference between staying open and closing. That also means less sales tax revenue for the city.

Safety and construction: Forcing all traffic—including delivery trucks—through the Delo crosswalk by our Beergarden increases risks for pedestrians. And a year or more of heavy construction noise and dust will drive patrons away from our outdoor spaces, which are critical to our business.

We're not against progress. But we are against progress that sacrifices the very businesses and community spaces that make Louisville vibrant. That's why we urge you to pursue Option B, or at least a modified design that maintains South Street access. Yes, it costs more—but the long-term economic and community benefits are worth it to us specifically.

When this project moves forward, we ask for real mitigation: clear signage to support businesses, temporary access solutions, and city-backed "shop and dine local during construction" campaigns.

At the end of the day, this isn't just about one road connection. It's about whether Louisville chooses to invest in its local businesses and the people who built them. Please don't let a project meant to improve the future end up destroying the very heart of our community today.

Thank you.

Garret Nicodemus - *General Manager/Owner*
manager@rockymountaintap.com
P: (720) 900-2440
C: (720) 261-5567



www.rockymountaintap.com

