



CITY OF BOULDER
PLANNING BOARD MEETING AGENDA
DATE: March 17, 2016
TIME: 6 p.m.
PLACE: 1777 Broadway, Council Chambers

1. CALL TO ORDER

2. APPROVAL OF MINUTES

The [February 18, 2016](#) and [March 3, 2016](#) minutes are scheduled for review.

3. PUBLIC PARTICIPATION

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS/CONTINUATIONS

- A. Call Up Item: USE REVIEW (LUR2016-00015):** Use Review for a 2,500 square foot meeting/event space comprised of a 2,000 square foot meeting room and a 500 square foot pre-function area within a 7,000 square foot retail building currently under construction within the Gunbarrel Gateway property located at 6315 Lookout Road. The call-up period expires on March 15, 2016.
- B. Call-Up Item: SITE REVIEW AND NONCONFORMING USE REVIEW** for the reconfiguration of 96 existing apartment units at the Cavalier Apartments at 2900 E. Aurora Ave. and an associated 16 percent parking reduction (case nos. LUR2015-00107 and LUR2016-00009). The project site is zoned Residential - High 5 (RH-5). The call-up period expires on March 21, 2016.

5. PUBLIC HEARING ITEMS

- A. AGENDA TITLE:** Reconsideration of Initial Screening of a Map Change Request at 2801 Jay Road (Request #29) as part of the Boulder Valley Comprehensive Plan Major Update. *This is a continuation of the initial screening of public requests and that the public hearing was held on February 2, 2016.*
- B. AGENDA TITLE:** Public hearing to consider a recommendation to City Council on an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to allow for changes to the city's sign code related to lettering heights in the Boulder Valley Regional Center and compliance with a recent United States Supreme Court ruling regarding content based signage regulations.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY

- A. Form-Based Code Update**
- B. Planning Board 2016 Retreat Agenda**
- C. Planning Board Rep to Attend City Council Study Trip to Portland in April 2016**

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

**CITY OF BOULDER PLANNING BOARD
MEETING GUIDELINES**

CALL TO ORDER

The Board must have a quorum (four members present) before the meeting can be called to order.

AGENDA

The Board may rearrange the order of the Agenda or delete items for good cause. The Board may not add items requiring public notice.

PUBLIC PARTICIPATION

The public is welcome to address the Board (3 minutes* maximum per speaker) during the Public Participation portion of the meeting regarding any item not scheduled for a public hearing. The only items scheduled for a public hearing are those listed under the category PUBLIC HEARING ITEMS on the Agenda. Any exhibits introduced into the record at this time must be provided in quantities of ten (10) to the Board Secretary for distribution to the Board and admission into the record.

DISCUSSION AND STUDY SESSION ITEMS

Discussion and study session items do not require motions of approval or recommendation.

PUBLIC HEARING ITEMS

A Public Hearing item requires a motion and a vote. The general format for hearing of an action item is as follows:

1. Presentations

- a. Staff presentation (10 minutes maximum*)
- b. Applicant presentation (10 minute maximum*). Any exhibits introduced into the record at this time must be provided in quantities of ten (10) to the Board Secretary for distribution to the Board and admission into the record.
- c. Planning Board questioning of staff or applicant for information only.

2. Public Hearing

Each speaker will be allowed an oral presentation (3 minutes maximum*). All speakers wishing to pool their time must be present, and time allotted will be determined by the Chair. No pooled time presentation will be permitted to exceed ten minutes total.

- Time remaining is presented by a Green blinking light that means one minute remains, a Yellow light means 30 seconds remain, and a Red light and beep means time has expired.
- Speakers should introduce themselves, giving name and address. If officially representing a group, homeowners' association, etc., please state that for the record as well.
- Speakers are requested not to repeat items addressed by previous speakers other than to express points of agreement or disagreement. Refrain from reading long documents, and summarize comments wherever possible. Long documents may be submitted and will become a part of the official record.
- Speakers should address the Land Use Regulation criteria and, if possible, reference the rules that the Board uses to decide a case.
- Any exhibits introduced into the record at the hearing must be provided in quantities of ten (10) to the Secretary for distribution to the Board and admission into the record.
- Citizens can send a letter to the Planning staff at 1739 Broadway, Boulder, CO 80302, two weeks before the Planning Board meeting, to be included in the Board packet. Correspondence received after this time will be distributed at the Board meeting.

3. Board Action

- d. Board motion. Motions may take any number of forms. With regard to a specific development proposal, the motion generally is to either approve the project (with or without conditions), to deny it, or to continue the matter to a date certain (generally in order to obtain additional information).
- e. Board discussion. This is undertaken entirely by members of the Board. The applicant, members of the public or city staff participate only if called upon by the Chair.
- f. Board action (the vote). An affirmative vote of at least four members of the Board is required to pass a motion approving any action. If the vote taken results in either a tie, a vote of three to two, or a vote of three to one in favor of approval, the applicant shall be automatically allowed a rehearing upon requesting the same in writing within seven days.

MATTERS FROM THE PLANNING BOARD, DIRECTOR, AND CITY ATTORNEY

Any Planning Board member, the Planning Director, or the City Attorney may introduce before the Board matters which are not included in the formal agenda.

ADJOURNMENT

The Board's goal is that regular meetings adjourn by 10:30 p.m. and that study sessions adjourn by 10:00 p.m. Agenda items will not be commenced after 10:00 p.m. except by majority vote of Board members present.

*The Chair may lengthen or shorten the time allotted as appropriate. If the allotted time is exceeded, the Chair may request that the speaker conclude his or her comments.

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
February 18, 2016
1777 Broadway, Council Chambers

A permanent set of these minutes and a tape recording (maintained for a period of seven years) are retained in Central Records (telephone: 303-441-3043). Minutes and streaming audio are also available on the web at: <https://www.bouldercolorado.gov/>

PLANNING BOARD MEMBERS PRESENT:

Bryan Bowen, Chair
John Putnam
John Gerstle
Leonard May
Liz Payton
Crystal Gray

STAFF PRESENT:

Susan Richstone, Deputy Director of Planning, Housing & Sustainability
Lesli Ellis, Comprehensive Planning Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Sloane Walbert, Planner I
Crystal Launder, Housing Planner
Jeff Yegian, Housing Division Manager

1. CALL TO ORDER

Chair, **B. Bowen**, declared a quorum at 6:09 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **C. Gray** and seconded by **J. Putnam** the Planning Board voted 6-0 to approve the January 28, 2016 minutes as amended.

3. PUBLIC PARTICIPATION

- **Kate Remley**, as a member of the working group for the Downtown Urban Design Guidelines (DUDG) and chair of the Landmarks Board, suggested a few modifications to the vision statement of the revised DUDG. She will email the revisions to staff and the Planning Board.
- **David Biek**, in regards to item 4B (1710 and 1750 29th Street) on tonight's agenda, spoke in support of the project.

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS / CONTINUATIONS

A. AGENDA TITLE: Continuation of a Public Hearing to consider a motion to approve findings of fact and conclusions of law for the denial of the application for a Nonconforming Use Review, application no. LUR2015-00073, for the addition of two

bedrooms in the basement of an existing nonconforming duplex at 940 14th St.

Applicant: Lani King, Michael J Hirsch Companies

Owner: 20th Street Apartments 1 LLC and 20th Street Apartments 2 LLC

Motion:

On a motion by **L. Payton**, seconded by **C. Gray**, the Planning Board voted 4-2 (**B. Bowen, J. Putnam** opposed) to approve findings of fact and conclusions of law for the denial of the application for a Nonconforming Use Review, application no. LUR2015-00073, for the addition of two bedrooms and in the basement of an existing nonconforming duplex at 940 14th St.

- B. CALL UP ITEM:** Approval of a Minor Amendment to an Approved Site Plan to install two vendor kiosks and a walk-in cooler made from repurposed shipping containers in the public plaza between 1710 and 1750 29th St. within the Twenty Ninth Street shopping center. The kiosks will be for alcohol service and will include fenced areas with controlled points of entry. The project includes railings, outdoor seating, umbrellas, planters and other landscaping and furniture elements, including a public turf area adjacent to the new vendors. Approval includes an amendment to the Twenty Ninth Street Signage Program to include the central portion of the plaza in the sign program as a Type 4 Storefront type. The project site is zoned Business – Regional 1 (BR-1). Case No. LUR2015-00119.

This item was not called up.

5. DISCUSSION ITEM

- A.** Middle Income Housing Strategy – in preparation for a February 23, 2016 Council Study Session, staff requests feedback from the Planning Board on a recently completed Middle Income Housing Study and the proposed steps to create a middle income housing strategy.

Staff Presentation:

S. Richstone introduced the discussion item regarding Middle Income Housing Strategy.

L. Ellis discussed opportunities to integrate Middle Income Housing Strategy work items into the BVCP update effort.

C. Launder presented the Middle Income Housing Study, recently completed by BBC Research and Consulting.

Board Questions:

C. Launder, S. Richstone, L. Ellis and **J. Yegian** answered questions from the board.

Board Comments:

- The board made comments regarding the areas of focus for the Middle Income Housing Strategy.

- **C. Gray** and **B. Bowen** suggested reviewing more information regarding small, detached homes, small lots and tiny home neighborhoods and the benefits surrounding affordability and future benefits.
- **C. Gray** would like to see mobile home parks and the preservation of mobile home parks added to the areas of focus. In addition, she added that partnering with neighborhoods and neighborhood plans would be necessary to obtain these solutions.
- **B. Bowen** added that looking at land use and using it as a template for development, if the land use pattern is followed explicitly, is inefficient. It is low density and resource intensive. However if community oriented spaces would be created, and let go of micro-suburban patterns of mobile home parks, then the outcome could be highly beneficial and a good solution. A new design tool would need to be created for certain areas.
- **J. Putnam** echoed the earlier board comments that the document was well done and added that it would be important to better understand the generational effects and how senior housing would fit into this strategy. He emphasized that we should make the transition for older Boulder residents easier to move from one affordable category to another for example by changing zoning codes if needed. The city needs to think about how people throughout different stages of life transition from one type of house or situation to another and be able to stay in the city.
- **L. May** added that perhaps the city could play a role in a reverse mortgage structure whereby the ownership reverts back to the city at a more reasonable cost. The tradeoff could be that a person could pull the equity from the property to cover the increased aging needs.
- **C. Gray** added that she would like to see more emphasis/focus on Accessory Dwelling Units (ADU) and Owners Accessory Units (OAU) in regards to community benefit for allowing them in zones where they are not now allowed.
- **B. Bowen** mentioned that housing for seniors in the middle could benefit from age diverse neighborhoods. He suggested by working through the site review criteria or building into the design requirements, placing in writing the design aspects or requirements that would retain families.
- **J. Gerstle** agreed with the prior board comments. He also expressed his opinion that the city should not regard pure ownership as the only desirable relationship for a resident should have with their home, and that other arrangements, such as rentals and cooperatives, could also be acceptable.
- **L. May**, by quoting the following article ("*The Mortgage Mistake*", The New Yorker, dated January 12, 2015), agreed that there is no universal benefit of renting over ownership. The article was forwarded to the board. He stated that the presumption should not be on homeownership, but to look at the broader economic implications.
- **J. Putnam** suggested ensuring that there are both rentals and ownership opportunities for middle income households.
- **L. Payton** added that the missing middle is about homeownership and that there is not enough available within Boulder, but plenty available in surrounding areas. There are rentals available, but not homeownership opportunities. She stated that she supports the focus on homeownership. She added that Colorado University (CU) is a large entity but many of their faculty does not live in Boulder. She questioned staff regarding the housing of CU's staff. Staff informed the board that CU is concerned regarding this issue and evaluating what role they might have in providing housing for employees. If it were done,

it would be more of a rental product rather than homeownership. She suggested that through annexation requests that middle income ownership housing be required. In regards to the implementation of an anti-demolition ordinance, similar to San Francisco, she stated it would be useful in preserving existing affordable housing and should be reviewed. She suggested a survey to developers to determine how height would work with this kind of middle income housing. Finally she reminded the board that Boulder does have an example of small homes on small lots with seniors at Chautauqua.

Staff Presentation:

L. Ellis presented the Range of Potential Land Use Interventions related to the Boulder Valley Comprehensive Plan (BVCP).

Public Hearing:

1. **David Adamson** stated that often there is a concern that with density comes traffic. Middle class housing needs could be met by creating a person that is able to get around without the use of a car. He stated that within his neighborhood they are working together by doing car share, bike share and NPP around their site and think about how to add density without adding traffic.

Board Questions:

L. Ellis, S. Richstone and J. Yegian answered questions from the board.

Board Comments:

- The board made comments regarding the range of potential land use interventions related to the BVCP for potential housing.
- **L. Payton** stated that the character should be refined in areas. Change or adding land use categories to facilitate the types of housing that is needed is important. The tradeoffs between housing and jobs and addressing them through land use changes should be considered. She stated that if staff were looking for a metric for the goal of a better balance of incomes then it might be to get back to a distribution of incomes that were present twenty years ago, for example.
- **J. Gerstle** stated that recent discussions have focused on tradeoffs between jobs and housing. He believes, however, that there are many other factors to consider, including streets and parking issues, and that the discussion should not be limited to housing alone.
- **B. Bowen** clarified that figuring out what the overall goal is should be the goal and how do we create a community and Boulder that we envision. Land use code can be beneficial but some can be evasive for us to advance.
- **J. Putnam** suggested exploring community industrial as something that is still needed when looking at areas to put housing. Areas of art could be a tradeoff as well. He stated that there is currently focus on areas of potential change. To help shape discussions regarding OAU and ADUs, it would be beneficial to shape what that would mean and create scenarios to show what it would do for affordability. It would be beneficial to look at what will be affordable in Boulder in 10 yrs.
- **C. Gray** agreed with **L. Payton's** comments. If OAU's, or ADU's, are incentivized in zones where they are not now allowed they should not be allowed to have short term rentals if the goal of expanding OAU's or ADU's is to add to long term rentals. The city

code had incentivized housing in the DT zones by an increased FAR. Several years ago the FAR was also increased for commercial uses in the DT zones. Has this evening the playing field for housing and commercial in DT zones acted as a disincentive for housing downtown? It would be worth analyzing. **C. Gray** also suggested subcommunity planning and outreach to neighborhoods on housing strategy for middle income solutions.

- **L. May** agreed with staff’s recommendations. He explained that we need to focus on where is the greatest good on limited resources that we have. The issue of in-commuting should not be confused with the housing issue. Medium and higher density housing should be analyzed. The focus cannot be solely on lower density. Focus on multi-family housing so there is less impact on zoning. He agreed with **J. Putnam’s** comments regarding maintaining the light industrial community.

Additional Next Steps:

- **J. Putnam** mentioned that the zoning code needs to be reviewed especially where the types of housing desired are being discouraged.
- **C. Gray** suggested the Planning Board recommend to City Council to focus on creative housing types including smaller homes for the Middle Income Housing Strategy.
- All Board members agreed.
- **C. Gray** suggested adding, under “Range of Potential Interventions”, to add the wording to partnership with neighborhoods on housing solutions as outlined in the Boulder Housing Strategy.
- **L. May**, under “Regulatory Interventions”, there is a section pertaining to middle income housing bonuses. He pointed out that as long as incentives do not guarantee to be a one-time windfall, they are critical to maintain. The “compatible development” language should be explored and better defined. Occupancy and height limits make sure not to just a bonus to the property owner. A sales tax for affordable housing would be a regressive tax and would ultimately hurt the ones that we are trying to benefit through an affordable housing program.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY

A. BVCP Update

Staff Presentation:

L. Ellis presented the item to the board and the 3-D mapping that is currently accessed from the website.

Board Questions:

L. Ellis answered questions from the board

Board Comments:

- **J. Gerstle** agreed that the potential value of the mapping tool is very high for the BVCP. As long as people are aware of the limitations and errors that may be incorporated within, we should move ahead.
- All Board members agreed.

B. Reve Project Call Up – City Council Update
B. Bowen presented the item to the board.

Board Comments:

- No one had any comments.

C. DUDG Adoption Process – City Council Update
B. Bowen presented the item to the board.

Board Comments:

- **J. Gerstle** recommended that when the Planning Board revisits this item that there is a full agreement on the matter.
- The board proposed to have the Planning Board revisit the DUDG and add revisions at the March 3, 2016 Planning Board meeting and to begin the meeting at 5:00p.m.
- Any board members that have proposed revisions should submit them to Planning Board, Sam Assefa and Kalani Pahoia prior to the meeting.

7. DEBRIEF MEETING/CALENDAR CHECK

A. Planning Board 2016 Retreat Date and Calendar Items

- Planning Board will meet on April 14, 2016 to discuss Form-Based Code at 6:00p.m. On this date, Planning Board would be asked to make a recommendation to City Council on the draft code.
- On March 17, 2016, Form-Based Code will appear under “Matters” as an update for Planning Board.
- The EAB joint meeting regarding climate commitment updates original date of April 6, 2016 is not working out. The EAB board secretary will poll the Planning Board to find an alternate date in April.
- Planning Board will meet on April 28, 2016 to discuss Hogan-Pancost at 6:00p.m. On this date, the annexation will be reviewed.
- The May 19, 2016 Planning Board meeting was canceled. All items were moved to May 26, 2016.
- The board agreed that the retreat would be held on May 6, 2016 at Wild Sage Community House, 12:00-4:00p.m.
 - Subject items will be sent to **C. Spence** to be compiled.
 - The board will discuss the agenda at the March 3, 2016 meeting.
 - Heidi Brinkman, with Brinkman Consulting, will facilitate.

8. ADJOURNMENT

The Planning Board adjourned the meeting at 9:09 p.m.

APPROVED BY

Board Chair

DATE

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
March 3, 2016
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

Bryan Bowen, Chair
John Gerstle
Leonard May
Liz Payton
Crystal Gray

PLANNING BOARD MEMBERS ABSENT:

John Putnam

STAFF PRESENT:

Charles Ferro, Development Review Manager
Hella Pannewig, Assistant City Attorney
Cindy Spence, Administrative Specialist III
Jessica Stevens, Civil Engineer II
David Thompson, Civil Engineer II, Transportation
Kalani Pahoia, Urban Designer
Sam Assefa, Senior Urban Designer
Chandler Van Schaack, Planner II

1. CALL TO ORDER

Chair, **B. Bowen**, declared a quorum at 5:03 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

On a motion by **J. Gerstle** and seconded by **L. Payton** the Planning Board voted 5-0 (**J. Putnam** absent) to approve the February 2 and February 4, 2016 minutes as amended,

3. PUBLIC PARTICIPATION

No one spoke.

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS / CONTINUATIONS

- A.** Call Up Item: Wetland Map Revision (LUR2016-00005). Boulder Creek Path at 30th Street. This decision may be called up before Planning Board on or before February 24, 2016.

- B.** Call Up Item: Boulder Creek Path Improvements at 30th Street Underpass, Floodplain Development Permit (LUR2015-00120), Wetland Permit (LUR2015-00116). This decision may be called up before Planning Board on or before March 11, 2016.
- C.** Call Up Item: Approval of a Use Review to establish an animal kennel (cat boarding area) within a cat only veterinary clinic at 1915 28th St. in the Business – Regional 1 (BR-1) zone district. Case No. LUR2016-00011

None of the items were called up.

5. PUBLIC HEARING ITEMS

- A.** AGENDA TITLE: Consideration of a motion to adopt the 2016 Update to the Downtown Urban Design Guidelines (Guidelines) incorporating revisions recommended by the Planning Board at its February 4, 2016 hearing. Adoption of the Guidelines will result in inclusion of the DT-4 and DT-5 downtown zone districts in the identified areas where height modifications may be considered through the city's Site Review process, per the height modifications ordinance approved by Council on March 31, 2015.

Staff Presentation:

S. Assefa introduced the item.

K. Paho presented the item to the board.

Board Questions:

K. Paho answered questions from the board.

Public Hearing:

- 1. Jamison Brown**, chair of the Design Advisory Board and member of the working group, spoke in support of adopting the DUDG as submitted and explained that there was a consensus of the final version and it was a consensus driven process. He urged the Planning Board to adopt the version of the DUDG as adopted by City Council.
- 2. Kate Remley**, chair of the Landmarks Board and member of the working group, stated that she did not feel the introductory material had been fully vetted by the working group. She asked the Planning Board to change the language in the introductory section. She stated the working group did not see the final document. She asked to restore some of the original language stating it would assist the Landmarks Board in dealing projects that they see on a regular basis.

Board Comments:

- **L. May**, in regards to the staff time involved to make the proposed edits, stated that he appreciates the burden it may impose upon them, but it is the board's job to vet these items and he felt that had not been done properly.
- **C. Gray** stated that that she did not feel pressure from the staff to push the document through. She stated that the committee should take some of the responsibility if discussions did not cover all areas or a final wrap up.
- **B. Bowen** agreed with **C. Gray**.

- **L. Payton** stated that significant language had been removed and the motions to be offered will restore that missing language and that was in the original set of DUDG.
- **J. Gerstle** agreed and added that it is more than wordsmithing that is being proposed.

Motion:

On a motion by **B. Bowen** that the Planning Board adopt the updated Downtown Urban Design Guidelines dated February 16, 2016, as attached to the staff memo dated March 3, 2016. Motion failed. No second.

On a motion by **L. May**, seconded by **L. Payton**, the Planning Board voted 5-0 (**J. Putnam** absent) to make the following modifications to the Downtown Vision Section, Section 2 – The Non-Historic and Interface Areas and Section 3 – Public Realm:

- *ADD 2.1.B (inserted before the currently proposed 2.1.B) “Views: Downtown Boulder is blessed with exceptional mountain views and projects should be designed to preserve access to this extraordinary asset from the surrounding area. The south and west edges of downtown offer the most spectacular views.”*
- *ADD 2.1.C (inserted before the currently proposed 2.1.B) “Sun and Shade: In Boulder’s climate, sun and shade are important design considerations for providing natural light in buildings, and creating appealing pedestrian areas that are ice free and sunny in the winter and shady in the summer.”*

Renumber clauses following these insertions

- *DELETE 2.2.B.3*
- *ADD 3.2.B (inserted before the currently proposed 3.2.B) “Views: Downtown Boulder is blessed with exceptional mountain views and projects should be designed to preserve access to this extraordinary asset from the public realm and surrounding area. The south and west edges of downtown offer the most spectacular views.”*
- *ADD 3.2.C (inserted before the currently proposed 3.2.B) “Sun and Shade: In Boulder’s climate, sun and shade are important design considerations for creating appealing public realm areas that are ice free and sunny in the winter and shady in the summer.”*

Renumber clauses following these insertions

- *CHANGE Downtown Vision (gray bar on the left) bullet point 3 to “Human scale buildings and spaces;”*
- *ADD Downtown Vision (gray bar on the left) bullet point 4 “The preservation and celebration of Boulder’s mountain views from the public realm and surrounding area.”*

- *CHANGE 3.2.C.1, third bullet point **Railings**: “Railing designs should reflect an open, transparent feeling. Visually closed-in railings that “box-in” the extension area are not appropriate. No signage, advertising, goods or merchandise may be placed on railings. Railing design in the Historic District shall be simple.”*
- *ADD "2.1.H **Rhythm**: “Maintain the rhythm established by the repetition of the traditional approximately 25’ facade widths for projects that extend over several lots by changing the materials, patterns, reveals, or building setbacks in uniform intervals or by using design elements such as columns or pilasters.”*
- *ADD 2.1.I **Floor Height**: “Distinguish ground floor height from upper floor heights. Ground level floor to floor height is encouraged to be taller than upper stories.”*
- *ADD 2.1.J **Shade**: “Shade storefront glass by appropriate means such as awnings or recesses.”*
- *ADD to 2.1.E.2 **Parking Lots**: “Surface parking is discouraged.”*
- *MOVE 2.1. (H, I and J) to the 2.2 section that is “Commercial Buildings in the Non-Historic.”*

Board Comments to the Motion:

- **B. Bowen** stated for the record this action damages the integrity of the work process. Specifically some of the points being added were discussed as a group and now are going to be undone as a result of this motion. This is unfortunate and this process should be discussed in the future. He stated that there is a difference of opinion that some felt that the existing DUDG gave a protection of views from the public realm. Others felt that the views from the buildings were to be maximized. We are making a substantive change without public input. In addition, the changing of materials at 25 foot widths, this was discussed at length and it was decided not to be done but now that will be undone. The working group agreed that if views from the public realm are important, then there should be a process to define which ones would be discussed. All buildings impact views. The working group decided that the place in the land use code to discuss height of buildings would be in the zoning. He stated that this motion will be a mistake.
- **C. Gray**, as a member of the working group, stated that they did spend a lot of time discussing the preamble and the document. There was never total agreement on a few items in the preamble and the two landmark representatives expressed this. She was under the impression that there would be final review and approval by the Planning Board and all items that had consensus by the working group would still be reviewed and commented on by the two reviewing bodies - Planning Board and Landmarks. She also suggested that we discuss, at the retreat, PB participation in working groups and the expectation of the delegated PB members to those groups.
- **L. May** stated that the motion is meant to be restorative. Regarding the interpretation of the intent with regard to views, it is about the general access to views from the public realm, the surrounding area of a new building. Not to pertain to the views of people in the

building. He stated that he is attempting to make it more about the public realm. He added that he is not being critical of the process, but the Planning Board needed to have its own review.

- **L. Payton** stated that with the proposed motion, important language is being restored.
- **J. Gerstle** stated that he supports **L. May's** motion.

On a motion by **L. May**, seconded by **B. Bowen**, the Planning Board voted 5-0 (**J. Putnam** absent) to adopt the revised Downtown Urban Design Guidelines dated February 16, 2016 subject to the following additional information:

- *CHANGE 2.1.B.1 Solar Panels: – DELETE final sentence and REPLACE with “Skylights and solar panels should have low profiles. Skylights should not be visible from the public right-of-way. Solar panels should be as unobtrusive as possible.”*

Friendly Amendment by **B. Bowen**, accepted by **L. May**, the Planning Board passed 5-0 (**J. Putnam** absent) to delete the second sentence currently reading: “*Skylights should not be visible from the public right-of-way.*”

- B. AGENDA TITLE:** Public hearing and consideration of a Site and Use Review (LUR2011-00071) to redevelop the site located at 4403 Broadway Ave. with a new mixed use development. The western portion of the site, zoned RM-1 (Residential – Medium 1) would include twelve 3-story townhome units divided between two buildings. The eastern portion of the site, zoned MU-2 (Mixed Use – 2), would include three new mixed use buildings containing an additional 16 attached residential units above 9,207 sq. ft. of commercial and restaurant space. The proposal includes a request for a height modification to allow for both townhome buildings and two of the mixed use buildings to exceed the 35 foot height limit for the zone (requested heights range from 36’3” to 43’6”) as well as a request for a 5% parking reduction to allow for 57 parking spaces where 60 are required. The proposal also includes a Use Review request to allow for three restaurants which close after 11:00 p.m., two of which are over 1,000 sq. ft. in floor area. The applicant is seeking to create vested property rights as provided for in section 9-2-19, B.R.C. 1981.

Applicant: Jeff Dawson
Owner: Emerald Investments I, LLC

Staff Presentation:

C. Ferro introduced the item.

C. Van Schaack presented the item to the board.

Board Discussion Regarding Public Process and Notification:

- A minor defect in notification (the sign was only posted on the property for seven days rather than ten days leading up to the hearing as required by the land use code) that does not impair the surrounding property owners’ ability to participate in the public review

process occurred. The board had the ability to stay the hearing if they felt adequate public notice was not provided.

- Board opened it up to the public to see if they felt that proper public notification had or had not been met.
 1. **Eric Ponslet** spoke in support to stay the hearing stating that proper notification was not made to the public in the surrounding area because most of the residents who occupy the residents are not owners, but renters.
- The board discussed the continuation of this item to a later date.

Motion:

On a motion by **C. Gray**, seconded by **J. Gerstle**, the Planning Board voted 2-3 (**J. Putnam** absent) to move forward with the public hearing, to allow public and input and to continue board deliberations at another date after which proper notification could take place and to reopen public input at the March 17, 2016 Planning Board meeting. Motion failed.

On a motion by **B. Bowen**, seconded by **L. May**, the Planning Board voted 4-1 (**J. Putnam** absent) that adequate notification was satisfied and agreed with staff's recommendation. Motion passes.

Staff Presentation:

C. Ferro introduced the item.

C. Van Schaack presented the item to the board.

Board Questions:

C. Van Schaack answered questions from the board.

Applicant Presentation:

Jeff Dawson, with Studio Architecture, the applicant, presented the item to the board.

Board Questions:

Jeff Dawson, the applicant, and **Nader Ghadimi** with Emerald Investments, the owner, answered questions from the board.

Public Hearing:

1. **Catherine Canlin** expressed concern regarding the new height requirement and asked the board to give consideration in terms of noise and height.
2. **Eric Ponslet (pooling time with Lucie Parietti, Liesel Ritchie, Anupam Barlow and Zak Keirn)** spoke in opposition to the project. His focus was the proposed height modifications and spoke in opposition to them.

Board Comments:

Key Issue #1: Is the proposed project consistent with the vision for the area as established in the adopted 1997 North Boulder Subcommunity Plan (NBSP)?

- **L. Payton, C. Gray and L. May** agreed that most of the NBSP guidelines are met except for height.
- **L. Payton** added that the proposed building design does not seem compatible with Violet Crossing across the street to the east. The proposed design seems to be battling with the topography language in the NBSP. In addition, while the plan would be providing housing, it would in fact increase the demand for housing by adding jobs. She stated she could not grant the height modification as there is no public support and that Buildings A, B, #1 and #2 are taller than provided for in the zoning that was established with the NBSP. The transition between the project and the residential neighborhoods is not effective.
- **C. Gray** agreed regarding the issue of height and the transition of height. The internal sidewalks should be more defined.
- **L. May** added that this plan is targeting affluent people and that a diversity of housing and affordability should be provided. In regards to the height proposals, the MU-2 zoning states a clear maximum of two stories and there should be no reason to give an exception. In the residential zone, there is no limit to number of stories; however the proposed third stories on the townhome units would be considered gratuitous space which would increase the cost. He felt that by removing floor area from the third floor of the townhouse units, the units would become more affordable. He added that the project site is a transit rich site and that the amount of parking should be reduced. Driving should not be encouraged therefore parking should be constrained and unbundled.
- **J. Gerstle** stated he has the same concerns regarding the proposed height but he agrees with the vision of the project. He agreed that the commercial space proposed for the ground floors in the MU-2 zone would be reasonable. The project does not have sufficient transition in intensity between Uptown Broadway and the residential area on the south side of Violet. In regards to parking, he agreed with fellow board members regarding unbundling declaring that it would encourage people to not have vehicles and make residences more affordable. He stated this would be necessary.
- **B. Bowen** felt that the project fit the NBSP and he did not have an issue with the proposed height given the site constraints related to grade and floodplain. He mentioned that many of the buildings in Uptown Broadway are 44 to 48 feet in height and that at a maximum height of 43'6" the proposed buildings would still accomplish the desired transition. Street frontage and setbacks make sense. He supports the idea of having mixed uses extending down to the corner of Violet and Broadway. He pointed out that in terms of context, the project would transition to a school (35 foot height limit) and not into residences, and that amore urban edge was therefore appropriate. Regarding the site design and housing diversity, this zoning is disappointing in that it does not provide for outdoor communal space but rather surface parking. In terms of unbundled parking, he suggested behind Building A as a location.
- **L. Payton** added that if the proposed buildings were limited to 35 ft in height, then the parking requirements could change. Height, the missing middle income housing and parking are all tied together. She would be in support of a parking reduction as requested by other board members and unbundling that section that is not tied to the individual townhomes.

Key Issue #2: Is the proposed Site Review consistent with the Site Review criteria as set forth in section 9-2-14(h), B.R.C. 1981?

- **J. Gerstle**, in regards to setback issues, disagreed that a diminished setback would be appropriate. He did not see a valid reason to change.
- **B. Bowen** explained that the 20 foot setback would be too much for townhomes. He referred to townhomes in the Holiday development as examples of successful setbacks under 20 feet. He stated that he agrees with proposed plan and that at tight urban streetscape would work well. In terms of height, he referred to various successful townhome projects that are three-stories along Broadway.
- **C. Gray** agreed with **B. Bowen** regarding setbacks. **L. Payton** did not want to make the setbacks an issue.
- **B. Bowen** suggested a compromise regarding the height issue. Perhaps Buildings 1 and 2 are at issue and Buildings A, B and C are appropriate as planned.
- **L. May** explained that the height exception takes away from the units being affordable. It is less of an issue in the MU zone due to the apartments that would be provided; however, he still feels that the height limit for the MU-2 zone should be respected.
- **C. Gray** stated that she would like to see all buildings conform to the height limit without modifications. Buildings A and B have such a large presence on Broadway.
- **B. Bowen** explained to fellow board members that a good reason to have a one to two foot height exception for Buildings 1 and 2 would be the ability to access a roof deck with a stair. He stated that these would be great amenities for future residents. Head room over a stair cannot exist without violating the height exception. The NBSP does call for building mass along Broadway as a sound mitigation for what lies behind it and should be a consideration in terms of height.

Applicant Rebuttal:

Jeff Dawson, with Studio Architecture, the applicant, responded to some of the items brought up by the board regarding Key Issues 1 and 2. He offered to remove the third story lofts from the end units of each of the townhome buildings to reduce the apparent massing and remove floor area, to reduce the extent of the requested height modification for Building B in order to make it less than or equal to the height of Building A (39 feet), and to unbundle the parking for the apartment units.

Board Questions:

Jeff Dawson, the applicant, answered questions from the board

Board Comments:

- **C. Gray** and **L. Payton** both stated that they would not be inclined to give the height modifications as it would violate the NoBo Plans and does not meet the site review criteria. They would ask the applicants to come back with plans within guidelines. In addition, the project does not transition into the surrounding residential area effectively. They are okay with three stories but only if the buildings are kept within the 35 foot height limit.
- **B. Bowen** mentioned that there would be a strong benefit of having rooftop access in Buildings 1 and 2 for future residents, and that at a minimum there should be a height modification granted to allow for stair landings to provide rooftop access.

- **L. May** agreed with B. Bowen's proposal for Buildings 1 and 2. In regards to the residential zone (Buildings 1 and 2), he would be willing to do the height exception to the extent that a rooftop access is provided. He stated that he would not support a height modification for Buildings A, B and C.
- **J. Gerstle** agreed that the suggestion for Buildings A, B and C to meet the height restrictions but have three stories is reasonable. Regarding Buildings 1 and 2, to allow access to the roof and allow an exception to the height requirement for that purpose would be acceptable. Finally he encouraged the applicant to include basements on Building 1.
- **L. Payton** restated that she did not feel there was an adequate transition from the project to residential.
- The board was not open to a 38 foot height limit to Buildings A, B and C although it is available in the BMS zone to the north.

Key Issue #3: Does the proposed project meet the Use Review criteria as set forth in section 9-2-15(e), B.R.C. 1981?

- **C. Gray** requested that the hours of the proposed restaurant be changed to close at 11:00p.m. rather than 12:00a.m.
- No other board members had issue with the closing time of 12:00a.m. therefore the closing time remained at 11:00p.m.

Architectural Issues:

- **L. May** stated that the street facades were well done, but appeared jumbled on the following elevations: Building A (west and north sides) and Building B (west and east sides).
- **B. Bowen** approved of the back side elevations. He suggested an improvement on Buildings A and B, on the third story of the Broadway side, to wrap with brick rather than use stucco specifically grids 4 through 7 of Building A and grids 1 through 5 on Building B on the east elevations, such brick shall wrap around the corners of those buildings as follows: on Building A including grids A through D on the south elevation, and on Building B including grid B-through E on the north elevation. All board members agreed.
- The board agreed that the overall designs are well done.

Motion:

On a motion by **B. Bowen** seconded by **L. Payton** the Planning Board voted 5-0 (**J. Putnam** absent) to approve the Site and Use Review application LUR2011-00071, adopting the staff memorandum as findings of fact, including the attached analysis of review criteria, and subject to the recommended conditions of approval, with the following modifications:

Add to Site Review Condition 3.a.: *The final site plans shall be revised to show the following:*

- *Buildings A, B, and C shall not exceed the 35 ft height limit; only Buildings A and B, but not C, may have three stories;*

- *Buildings 1 and 2 shall not exceed the zoning district's maximum height, the only elements that may exceed that height limit shall be stairway access from each unit to the roof tops;*
- *The garages behind Building A shall be unbundled parking;*
- *From the proposed concrete path at the north east corner of Building 1, extend a five foot wide pervious path west to 10th Street with a public access easement;*
- *All buildings shall have conduit for future photo voltaic systems from the house panel of each unit to the roof;*
- *One dual cord electrical vehicle charging station to serve unbundled surface spots; and*
- *The brick on the east elevation of Buildings A and B shall extend up to the third floor and replace the stucco, including grids 4 through 7 of Building A and grids 1 through 5 on Building B on the east elevations, such brick shall wrap around the corners of those buildings as follows: on Building A including grids A through D on the south elevation, and on Building B including grid B-through E on the north elevation.*

C. AGENDA TITLE: Concept Plan (case no. LUR2015-00106) proposal to redevelop the properties located at 4801, 4855, 4865 and 4885 Riverbend Rd. within the Riverbend Office Park with a new 76,000 sq. ft., 55 foot hospital building and a 5-story, 467-stall parking structure with accessory office and retail space. The new facility would house BCH's relocated inpatient behavioral health, inpatient rehab and neurology department. The proposal includes consolidating the existing properties into one 2.55-acre project site and rezoning the site from BT-2 (Business – Transitional 2) to P (Public). Changes to the existing access and circulation are also proposed

Applicant: Darryl Brown for Boulder Community Health
Property Owner: Boulder Community Health

Staff Presentation:

C. Van Schaack presented the item to the board.

Board Questions:

C. Van Schaack answered questions from the board.

Applicant Presentation:

Jackie Attlesey-Pries with Boulder Community Health, and Mary Fiore with Boulder Associates Architects, the owner's representative, presented the item to the board.

Board Questions:

Jackie Attlesey-Pries with Boulder Community Health, Mary Fiore with Boulder Associates Architects, and Vince Porreca, a consultant for BCH, answered questions from the board.

Public Hearing:

No one spoke.

Board Comments:

Key Issue #1: Is the Concept Plan proposal compatible with the goals, objectives and recommendations of the Boulder Valley Comprehensive Plan (BVCP)?

Key Issue #2: Are the proposed Rezoning and amendment to the BVCP Land Use Designation appropriate for the surrounding context?

- The board gave comments regarding the two key issues in terms of compatibility with the BVCP and if the proposed rezoning and amendment to the BVCP Land Use Designation would be appropriate.
- **C. Gray** stated that the zoning and height would be appropriate and supports the parking garage. She supports the parking garage materials. She suggested that some of the design elements be simplified. She also suggested looking at an additional access from 48th Street.
- **L. May** agreed with the community cycles comments sent to the board. A larger area plan should be thought about and not piecemealed. He suggested that the parking should be thought through even more and that the hospital should work harder toward diverting employees and visitors away from parking at the facility. In terms of the architecture, he stated that the garage design is more successful than care facility. He suggested that the design be more organized.
- **B. Bowen** supports the rezoning. He urged the continuation of the maximization of the sight so the hospital can thrive in this location. He suggested that the applicant pursue uses that can be expanded in the public zone and to ask for a setback variance to create an urban medical campus. He asked the applicants to look at how to conserve their energy usage by both sharing and becoming an eco-district or look at renewables. Finally, he suggested looking at resiliency.
- **L. Payton** stated that it does meet the BVCP policies. She does support the height modification request due to the context and approves of the architecture. She offered to the applicant to put an emphasis on the landscaping.
- **J. Gerstle** agrees with the other board members that the project should move forward. He offered that BCH needs to gain more credibility with respect to transportation demand management with its employees. In his opinion, the most effective way to do this would be to stop providing free parking.

Board Summary:

B. Bowen gave a summary of the board's recommendations. Since this is a Concept Review, no action is required on behalf of the Planning Board. Overall, the board was in unanimous support for rezoning for the public and for City Council to allow building to 55 feet in height. The board supported the idea of an ordinance to allow additional commercial uses beyond merely "accessory" uses to create more of a rich, urban village that would support employees, neighbors and guests. The board asked to carefully consider parking and to get more serious about a transportation demand management plan. This can start with monitoring and collecting data. The board expressed a strong interest in renewable energy, EV parking, PV shading on the garage at

the time of construction. They urged to look at eco-districts and to have a plan for resiliency and to have clear goals for sustainability. The architecture needs to be reviewed. There were mixed comments on the design of the hospital building. The materials for both the parking garage and the facility were acceptable. There was clear interest in extending the vision beyond and to a master plan by asking what your future growth plans are. The board suggested that the landscaping should be over and above the standards. **L. May** add that the architecture be more organized. The board supported evolving the architecture in a more organized and refined composition.

6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY

A. Planning Board 2016 Retreat

- The board agreed to table this matter to the March 17, 2016 meeting.

7. DEBRIEF MEETING/CALENDAR CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 10:46 p.m.

APPROVED BY

Board Chair

DATE

MEMORANDUM

TO: Planning Board
FROM: Elaine McLaughlin, Case Manager
DATE: March 3, 2016
SUBJECT: **Call Up Item:** USE REVIEW (LUR2016-00015): Use Review for a 2,500 square foot meeting/event space comprised of a 2,000 square foot meeting room and a 500 square foot pre-function area within a 7,000 square foot retail building currently under construction within the Gunbarrel Gateway property located at 6315 Lookout Road. The call-up period expires on **March 15, 2016**.

Process Summary. The owner of 6315 Lookout Rd. (near the intersection of 63rd Street and Lookout Road) would like to add a meeting/event space within a retail building that would serve both the existing adjacent hotel and the restaurant recently permitted and under construction within the same retail building. While a meeting space is considered to be compatible with a hotel use and a restaurant, the building is located on a separate lot from the hotel and the meeting space (defined as a “conference center” use is therefore considered a primary use which requires a use review under the Business Community -2 (BC-2) zoning district.

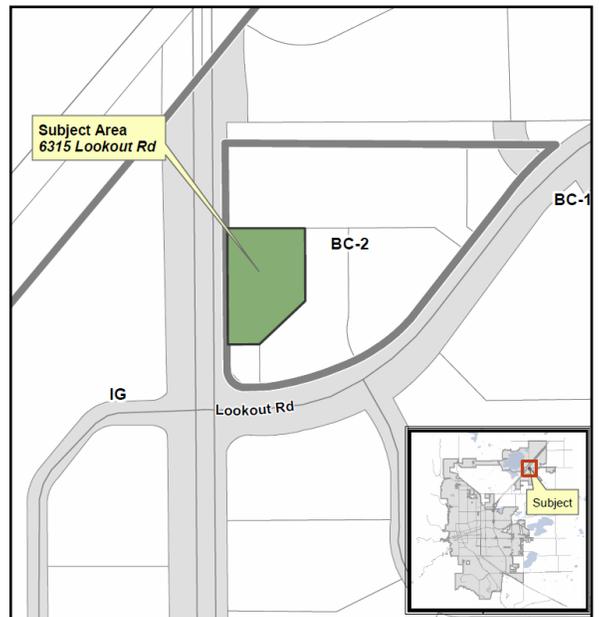
Background. The planned meeting/event space is intended to be located within a building currently under construction. The building was approved through a Site Review (LUR2008-00022) for the Gunbarrel Gateway site, currently built out with a Hampton Inn Hotel. During the permitting process for the tenant finish, it was found that the planned use as a meeting space (conference space) required the Use Review. The site’s zoning of BC-1 is *business areas containing retail centers serving a number of neighborhoods, where retail-type stores predominate.* The project site is also within the boundaries of the Gunbarrel Community Center Plan which designates the site as “Community Business.” The plan defines this as,

“a focal point for commercial activity serving a subcommunity. These areas are designated to serve the daily convenience shopping and service needs of the local population, and are generally less than 150,000 to 2000,000 square feet in area.” Example uses within the plan are noted as, *“restaurants, personal services, large or small retail, banks, hotels, motels, medical or dental offices, recreational facilities, schools, day care, art studios and professional offices.”*

As a part of the retail building’s construction, where the meeting space will be located, a tenant finish for a restaurant was issued that includes a roof top patio. Additional improvements also include landscaping and buildout of a parking area to serve the building.

Project Proposal. The 2,500 square foot meeting space is planned as banquet space for the adjacent restaurant as well as conference space for the adjacent hotel. The applicant indicated that on weekends it can be used as a wedding venue or party facility and on weekdays it can serve as a meeting space for nearby businesses and community organizations as well as hotel guests. The hours of operation planned are from 7:30AM to 12:00 AM. It will have no dedicated employees but will utilize employees already at the adjacent hotel and/or restaurant, with management of the space operated by the hotel.

Public Comment. Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject property and a sign posted on the property for at least 10 days. All notice requirements of section



9-4-3, "Public Notice Requirements," B.R.C. 1981 have been met. There were no comments received regarding the application.

Analysis. The proposal was found to be consistent with the Use Review criteria pursuant to subsection 9-2-15(e), "Criteria for Review," B.R.C. 1981. Refer to **Attachment B** for the complete Use Review analysis.

Conclusion. Staff finds that the proposed project meets the relevant criteria of section 9-2-15, "Use Review," B.R.C. 1981. The proposal was **approved** by staff on **March 3, 2016** and the decision may be called up before Planning Board on or before **March 17, 2016**. Questions about the project or decision should be directed to the Case Manager, Elaine McLaughlin at (303) 441-4130 or at mclaughline@bouldercolorado.gov

Attachments:

- A. Signed Disposition
- B. Analysis of Use Review Criteria



**CITY OF BOULDER
Planning and Development Services**

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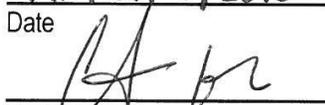
**CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION**

You are hereby advised that the following action was taken by the Planning Department based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION: **Approved with conditions**
PROJECT NAME: **GUNBARREL GATEWAY CONFERENCE SPACE**
DESCRIPTION: **USE REVIEW to install a 2,500 s.f. conference center.**
LOCATION: **6315 LOOKOUT RD**
COOR: **N10E03**
LEGAL DESCRIPTION: **Lot 2, Gunbarrel Business Park Replat B,
City of Boulder, County of Boulder, State of Colorado**
APPLICANT: **BILL MCDERMID**
OWNER: **Boulder Hospitality, LLC**
APPLICATION: **Use Review, LUR2016-00015**
ZONING: **BC-2**
CASE MANAGER: **Elaine McLaughlin**
VESTED PROPERTY RIGHT: **NO; the owner has waived the opportunity to create such right under
Section 9-2-19, B.R.C. 1981.**

FOR CONDITIONS OF APPROVAL, SEE THE FOLLOWING PAGES OF THIS DISPOSITION.

Approved on: MARCH 3, 2016
Date

By: 
David Driskell, Executive Director of Community Planning and Sustainability

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board expires: MARCH 17, 2016

IN ORDER FOR A BUILDING PERMIT APPLICATION TO BE PROCESSED FOR THIS PROJECT, A SIGNED DEVELOPMENT AGREEMENT AND FINAL PLANS FOR CITY SIGNATURE MUST BE SUBMITTED TO THE PLANNING DEPARTMENT WITH DISPOSITION CONDITIONS AS APPROVED SHOWN ON THE FINAL PLANS, IF THE DEVELOPMENT AGREEMENT IS NOT SIGNED WITHIN NINETY (90) DAYS OF THE FINAL DECISION DATE, THE PLANNING DEPARTMENT APPROVAL AUTOMATICALLY EXPIRES.

Address: 6315 LOOKOUT RD

Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the applicant must begin and substantially complete the approved development within three years from the date of final approval. Failure to "substantially complete" (as defined in Section 9-2-12) the development within three years shall cause this development approval to expire.

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant on January 27, 2016 and the written statement dated Feb. 1, 2016** on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval. Further, the Applicant shall ensure that the approved use is operated in compliance with the following restrictions:
 - a. Size of the approved interior use shall be limited to 2,500 square feet.
 - b. The approved interior use shall be closed from 12:00 a.m. to 6:00 a.m. seven days per week.
 - c. Trash and bottles shall not be removed to outside trash containers between the hours of 10:00 p.m. and 8:00 a.m.
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.
3. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following:
 - a. the Development Agreement recorded at Reception No. 2972299 on October 9, 2008 in the records of the Boulder County Clerk and Recorder; and
 - b. the Subdivision Agreement recorded at Reception No. 03214070 on April 4, 2012 in the records of the Boulder County Clerk and Recorder.

Address: 6315 LOOKOUT RD

ATTACHMENT B: USE REVIEW CRITERIA

(e) Criteria for Review: No use review application will be approved unless the approving agency finds all of the following:

√ **(1) Consistency With Zoning and Nonconformity:** The use is consistent with the purpose of the zoning district as set forth in [section 9-5-2](#), "Zoning Districts," B.R.C. 1981, except in the case of a nonconforming use;

The project site is zoned BC-2; the zoning district purpose for BC-2 is defined as, "business areas containing retail centers serving a number of neighborhoods, where retail-type stores predominate." The project site is also within the boundaries of the Gunbarrel Community Center Plan which designates the site as "Community Business." The plan defines this as,

"a focal point for commercial activity serving a subcommunity. These areas are designated to serve the daily convenience shopping and service needs of the local population, and are generally less than 150,000 to 2000,000 square feet in area."
Example uses within the plan are noted as, "restaurants, personal services, large or small retail, banks, hotels, motels, medical or dental offices, recreational facilities, schools, day care, art studios and professional offices."

The location of the proposed conference space in Retail Building 1 was considered as a part of the Site Review approval for Gunbarrel Gateway, under case no. LUR2008-00022. The intent of both the zoning and the Site Review approval is to permit active uses in this area of Gunbarrel.

√ **(2) Rationale:** The use either:

√ **(A) Provides direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood;**

The intent of the small conference facility is to provide meeting space that would serve the hotel, and be augmented by the adjacent restaurant, also within Retail Building 1. There's a particular synergy to having both the restaurant use (which is permitted by right in the zoning district), the conference space, and the hotel. All of them provide services to the site and the surroundings. Similarly, not only could the conference space be used by hotel guests, but is within close proximity to a number of offices within the Gunbarrel Business Park.

n/a **(B) Provides a compatible transition between higher intensity and lower intensity uses;**

n/a **(C) Is necessary to foster a specific city policy, as expressed in the Boulder Valley Comprehensive Plan, including, without limitation, historic preservation, moderate income housing, residential and non-residential mixed uses in appropriate locations, and group living arrangements for special populations; or**

n/a **(D) Is an existing legal non-conforming use or a change thereto that is permitted under subsection (f) of this section;**

√ **(3) Compatibility:** The location, size, design, and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties or for residential uses in industrial zoning districts, the proposed development reasonably mitigates the potential negative impacts from nearby properties;

The conference space is compatible with the adjacent restaurant and the hotel. Because the majority of the users of the space will be hotel guests, this compatibility will likely have a minimal negative impact on the use of nearby properties. Residential uses are located well away from the site such that impacts would likely not occur.

√ (4) **Infrastructure:** As compared to development permitted under [section 9-6-1](#), "Schedule of Permitted Land Uses," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a nonconforming use, the proposed development will not significantly adversely affect the infrastructure of the surrounding area, including, without limitation, water, wastewater, and storm drainage utilities and streets;

The infrastructure for the site is already integrated into the urban context of the site.

√ (5) **Character of Area:** The use will not change the predominant character of the surrounding area;

The character of the area is that of a community business area as designated by the land use. There are offices and industrial buildings along with banking services and other uses. The existing hotel will be augmented with the construction of Retail Building 1 where the planned conference space will be located.

n/a (6) **Conversion of Dwelling Units to Nonresidential Uses:** There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts to nonresidential uses that are allowed pursuant to a use review, or through the change of one nonconforming use to another nonconforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental, or recreational need in the community including, without limitation, a use for a daycare center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum, or an educational use.

Not applicable to this case, this is not a proposed conversion of residential to non-residential use.

MEMORANDUM

To: Planning Board
FROM: Sloane Walbert, Case Manager
DATE: March 14, 2016
SUBJECT: Call-Up Item: SITE REVIEW AND NONCONFORMING USE REVIEW for the reconfiguration of 96 existing apartment units at the Cavalier Apartments at 2900 E. Aurora Ave. and an associated 16 percent parking reduction (case nos. LUR2015-00107 and LUR2016-00009). The project site is zoned Residential - High 5 (RH-5). The call-up period expires on **March 21, 2016**.

Background. The 4.6-acre project site is located south of and adjacent to E. Aurora Ave., between 28th and 30th Streets. The property is located approximately a quarter mile from the University of Colorado campus with easy access via an underpass of U.S. 36 and multi-use path at the westernmost terminus of E. Aurora Ave. The southeast section of campus contains the law, engineering and business buildings. Refer to **Figure 1** for a Vicinity Map.



Figure 1: Vicinity Map

The project site is located in the Residential - High 5 (RH-5) zone district, which is defined as “*high density residential areas primarily used for a variety of types of attached residential units, including, without limitation, apartment buildings, and where complementary uses may be allowed*” ([section 9-5-2\(c\)\(1\)\(F\)](#), B.R.C. 1981). Refer to **Figure 2** on the following page. At the time of development, the property was zoned MR-3 (Multi-Family Residence District). Subsequently, the property was zoned HR-E (High Density Residential - Established).

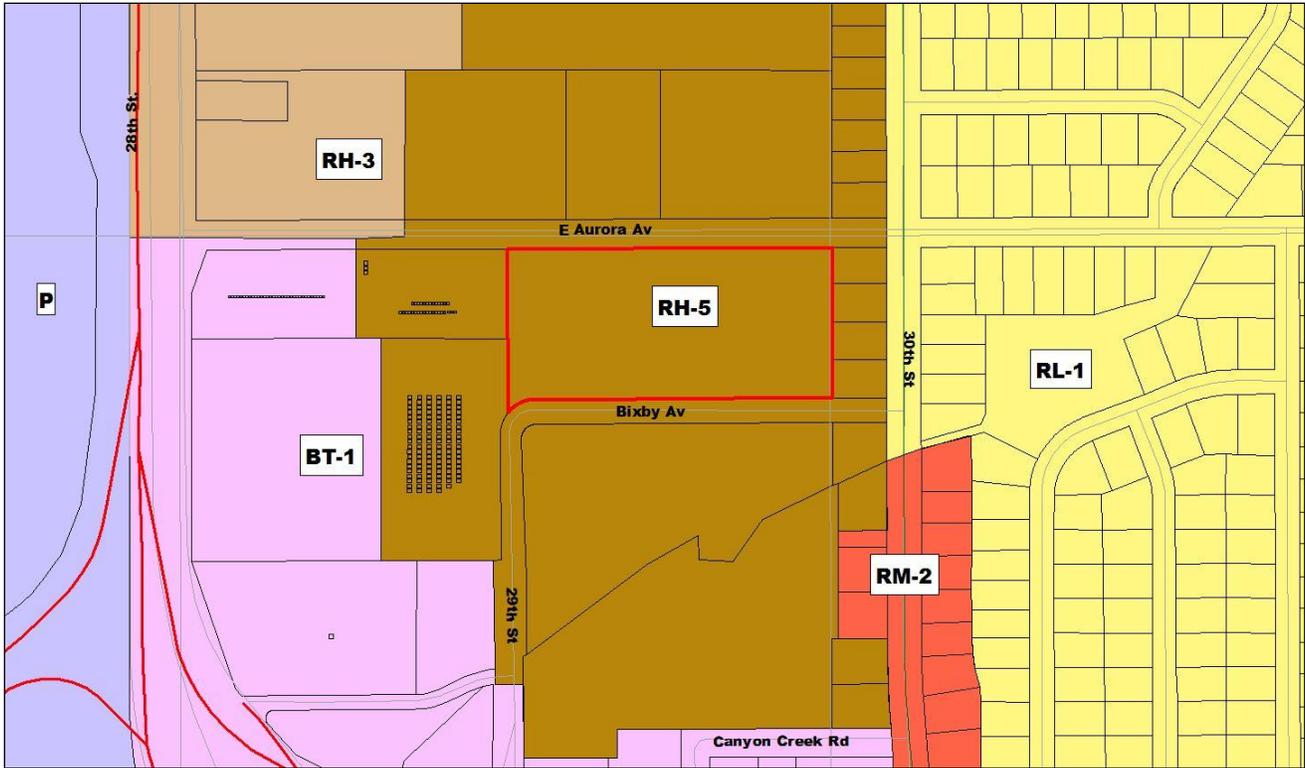


Figure 2: Zoning Map

In 2004, the area to the northwest along the 28th Street frontage road was rezoned from Transitional Business – Developing (TB-D) to Residential - High 3 (RH-3). The RH-3 zone was established as a new zoning district in 2004 to implement strategies from Resolution 922 adopted by City Council at the culmination of the Jobs/Population study that would permit higher housing densities on parcels adjoining the University of Colorado. In addition, RH-3 was established to meet the city goal of providing more housing in the community, particularly in this case for students.

The character of the area is identifiably high-density residential with a variety of multi-family, high density residential developments surrounding the project site, including the Spanish Towers (805 29th St.) to the southwest, Kensington Apartments (2950 Bixby Ave.) to the south, Montclair Court Condos (2850 E. Aurora Ave.) to the west, Blue Sky Lofts (2905 E. Aurora Ave.) to the northwest and the Sterling University Peaks Apartments (2985 E. Aurora Ave) to the northeast. Refer to [Attachment E](#) for a survey of surrounding uses.

The property consists of two developments built at separate times (refer to [Figure 3](#)). According to permit records, a building permit was issued in 1964 for 144 units at 2900 E. Aurora Ave. Another developer took over the project in 1965 and constructed 149 units with 148 on-site parking spaces. Subsequently, a building permit was issued in 1971 for the property at 2898 E Aurora Ave. for a 72-unit apartment building with 108 on-site parking spaces. Documentation from 1975 describes both properties as legal nonconforming uses. Ninety six of the existing units are considered efficiency living units. An efficiency living unit is defined as “a dwelling unit that contains a bathroom and kitchen and does not exceed a maximum floor area hundred seventy five square feet” ([section 9-16](#), B.R.C. 1981).



Figure 3: Development Addressing

For the purposes of applying the intensity standards in the land use code, two ELUs are equivalent to one dwelling unit per the land use code [section 9-8-7](#), B.R.C. 1981. The existing development is considered a legal “nonconforming use” because the use of the site was approved and developed prior to the current zoning standards and does not meet current residential density requirements. The property exceeds the maximum permitted density in the RH-5 zone district with 37 dwelling units per acre where 27.2 units per acre are permitted. Additionally, the property does not meet the minimum useable open space per dwelling unit with 433 square feet of open space per dwelling unit where 600 square feet are required. The city’s code recognizes and allows for the continuance and expansion of legal nonconforming uses as discussed in the “Process” section below.



Figure 4: East Building



Figure 5: West Building

Project Proposal. The applicant is proposing to renovate the existing apartment units at the Cavalier Apartments, including the reconfiguration of 96 existing units. The following changes to the existing floor plans are part of the proposal:

- Conversion of 36 one-bedroom units in the east building to two-bedroom, one-bath units;
- Conversion of 12 two-bedroom units in the east building to three-bedroom, two-bath units;
- Conversion of 48 one-bedroom units in the west building to two-bedroom, one-bath units.

In total, 96 bedrooms and 12 new bathrooms will be added to the buildings. All units within the development will receive new interior finishes. All proposed conversions are internal and no additional units or floor area will be added to the site. The units proposed for reconfiguration currently contain long galley-style rooms (refer to **Figure 6** below). Many of the subject bedrooms currently contain room separators that informally separate the rooms. The proposal would improve the function of these units.



Figure 6: Proposed Changes to Floor Plans

Note that the occupancy restrictions in [section 9-8-5](#), B.R.C. 1981 are based on dwelling unit, not bedrooms. Members of a family plus one or two roomers or up to four unrelated persons may occupy a unit in the RH-5 zone district. Up to two people may occupy an efficiency living unit ([section 9-8-7](#), B.R.C. 1981). Since the number of efficiency living units will not increase with the proposal, the allowable occupancy of the property will not increase.

In order to meet the criteria for modifications to nonconforming uses and the site review criteria, the development proposal also includes several site improvements (refer to [Attachment D](#) for the applicant's proposed plans).

The following is included in the proposal:

- Life safety upgrades to the apartment buildings, including a new fire sprinkler system;
- Conversion of two existing maintenance buildings and six internal utility/laundry rooms to provide 336 long-term, secure bike parking spaces on grid style and vertical racks. This amount of bike parking exceeds the total requirement of 330 spaces;
- Provision of 186 short-term, public bike parking spaces dispersed throughout the site on inverted “u” racks. This amount of bike parking exceeds the total requirement of 110 spaces;
- Closure of one of the five curb cuts and drive accesses onto E. Aurora Ave. Reconfiguration of the parking lot to eliminate the western driveway and curb cut, which results in the removal of 3 parking spaces. The area of the removed access will be converted to landscaping with 4 new trees;
- Conversion of the existing leasing office structure to a clubhouse for use by residents of the property with a small office/work space and workout area. The conversion will add 1,025 square feet of usable interior open space meeting the requirements of [section 9-9-11\(f\)](#), “Special Open Space Requirements Applicable to Residential Uses,” B.R.C. 1981;
- Provision of a new trash and recycling enclosure on the northwest corner of the property with screening that is consistent with the current code requirements pursuant to [section 9-9-18](#), “Trash Storage and Recycling Areas,” B.R.C. 1981. Two existing trash and recycling enclosures will be upgraded with compatible new metal gates to provide full screening;
- Replacement of the existing 4.5-foot sidewalk on E. Aurora Avenue with a 6-foot attached sidewalk, which can accommodate the existing power line poles and is consistent with surrounding properties;
- Updating the landscape to provide additional parking lot landscaping, parking lot screening, street trees and trash screening pursuant to sections 9-9-12, “*Landscaping and Screening Requirements*” and 9-9-13, “*Streetscape Design Standards*,” B.R.C. 1981. The proposal includes the addition of 36 new trees;
- Upgrading site lighting to meet the outdoor lighting standards of [section 9-9-16](#), B.R.C. 1981. A comprehensive photometric analysis and plan were prepared to demonstrate full compliance with the standards;
- Maintenance of building exterior façades elements, including new windows and paint; and
- A robust Transportation Demand Management (TDM) Plan, which includes unbundled parking and the provision of excess bicycle parking, Eco Passes and a transportation information center within the community center.

Review Process. As noted above, the project site is considered a legal nonconforming use with respect to density. The development proposal is considered an expansion of a nonconforming use as defined in chapter 9-16, “Definitions,” B.R.C. 1981, because the proposal will increase the required parking and will add bedrooms.

“Expansion of nonconforming use” means any change or modification to a nonconforming use that constitutes:

- (1) *An increase in the occupancy, floor area, required parking, traffic generation, outdoor storage, or visual, noise, or air pollution;*

- (2) Any change in the operational characteristics which may increase the impacts or create adverse impacts to the surrounding area including, without limitation, the hours of operation, noise, or the number of employees;
- (3) The addition of bedrooms to a dwelling unit, except a single-family detached dwelling unit; or
- (4) The addition of one or more dwelling units.”

Pursuant to [section 9-10-3\(c\)\(2\)](#), “Standards for Changes to Nonstandard Buildings, Structures and Lots, and Nonconforming Uses,” B.R.C. 1981, applications for Nonconforming Use Review are reviewed for consistency with the criteria set forth in subsection 9-2-15(e) and (f), B.R.C. 1981. Generally, the Nonconforming Use Review criteria are focused on minimizing adverse impacts to surrounding properties, maintaining consistency surrounding uses as well as area character, and improving the appearance of the property and decreasing the level of nonconformity of the site.

The proposal increases the required parking to 288 spaces where 242 are proposed to be provided. Per [section 9-9-6\(f\)\(2\)](#), “Residential Parking Reductions,” B.R.C. 1981, parking reductions for residential projects may only be granted as part of a Site Review approval under [section 9-2-14](#), “Site Review,” B.R.C. 1981. The addition of bedrooms to the nonconforming use are analyzed and documented through Use Review and the proposed parking reduction is analyzed and documented through the Site Review.

Analysis. The proposal was found to be consistent with the Use Review criteria pursuant to [subsections 9-2-15\(e\)](#) “Criteria for Review” and (f) “Additional Criteria for Modifications to Nonconforming Uses” and the Site Review criteria pursuant to subsection 9-2-14(h) “Criteria for Review,” B.R.C. 1981. The proposed renovation of the buildings will have minimal negative impact on the use of nearby properties and is compatible with the surrounding area. The property is located less than a quarter mile from the University of Colorado campus. The addition of bedrooms will not change the character of the area, a high density zoning district that currently has a number of apartment buildings primarily rented to university students. The changes proposed to the site provide quality bike parking, upgraded site lighting, and additional landscaping and usable open space. The site upgrades will improve the physical appearance of the site.

In terms of the requested parking reduction, the submitted TDM Plan, parking study and traffic impact analysis demonstrate that potential traffic increases can be accommodated within the existing transportation network and that any additional parking demand can be accommodated on the site. Staff finds the request for a 16 percent parking reduction to be acceptable given the nature of occupancy, the site’s proximity to the University of Colorado and major transit corridors, and the applicant’s proposed Transportation Demand Management (TDM) plan. The proposal is consistent with several comprehensive plan policies, in particular policy 6.10 “Managing Parking Supply.” Refer to [Attachments B and C](#) for staff’s complete criteria analysis.

Public Comment. Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject property and a sign posted on the property for at least 10 days. Separate notices were mailed for the Nonconforming Use Review, on Nov. 4, 2015, and the Site Review, on Jan. 20, 2016. All notice requirements of [section 9-4-3](#), “Public Notice Requirements,” B.R.C. 1981 have been met. In response to the required public notice, numerous comments have been received (refer to [Attachment F](#)). Generally, the comments express concerns regarding:

- Area is already overcrowded and overburdened by student rental units. Density should not be increased;
- Increased traffic in an area that is already congested;

- Street parking is already limited. A parking reduction would put pressure on the street parking, making the current situation worse.
- Proposal would have detrimental effect on the neighborhood's quality of life with increased traffic, crime, parking problems, trash and noise issues.

The applicant held a meeting with the Spanish Towers Home Owner's Association on Feb. 10, 2016 to discuss their concerns. After the applicant presented their proposal, members of the HOA in attendance expressed enthusiasm about the proposed investment in the property but voiced concerns about the lack of on-street parking, crime and trash management.

Conclusion. Staff finds that the proposed project meets the relevant criteria of [section 9-2-15](#), "Use Review" and [section 9-2-14\(h\)\(2\)](#), "Site Review," B.R.C. 1981, specifically subsection K, "Additional Criteria for Parking Reductions." Refer to **Attachments B and C** for a complete analysis of the Use Review and Site Review criteria.

Parking reductions under 50 percent do not require Planning Board review. Thus, the applications are subject to a staff level decision and 14-day Planning Board call-up period. The proposal was **approved** by Planning and Development Services staff on **March 7, 2016** and the decision may be called up before Planning Board on or before **March 21, 2016**. There is one Planning Board hearing scheduled during the required 14-day call-up period on **March 17, 2016**. Questions about the project or decision should be directed to the Case Manager, Sloane Walbert at (303) 441-4231 or at walberts@bouldercolorado.gov.

Attachments:

- A. Disposition of Approval
- B. Analysis of Use Review Criteria
- C. Analysis of Site Review Criteria
- D. Applicant's Proposed Plans
- E. Surrounding Uses
- F. Public Comment



CITY OF BOULDER
Planning and Development Services

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CITY OF BOULDER PLANNING DEPARTMENT
NOTICE OF DISPOSITION

You are hereby advised that the following action was taken by the Planning Department based on the standards and criteria of the Land Use Regulations as set forth in Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION: **APPROVED WITH CONDITIONS**
 PROJECT NAME: **CAVALIER APARTMENTS**
 DESCRIPTION: **SITE REVIEW AND NON-CONFORMING USE REVIEW for the reconfiguration of 96 existing apartment units at the Cavalier Apartments and an associated 16 percent parking reduction. Included in this approval is the conversion of 84 one-bedroom units to two-bedroom units and the conversion of 12 two-bedroom units to three-bedroom units. In total, 96 bedrooms and 12 new bathrooms will be added to the buildings. No additional units or floor area will be added to the site. Also included in this approval is the conversion of the current leasing office structure into community center for the use of the residents and conversion of existing maintenance buildings into long-term bike storage.**

LOCATION: **2898 AND 2900 E AURORA AVE**
 COOR: **N01W04**
 LEGAL DESCRIPTION: **See Exhibit A**
 APPLICANT: **Jeff Dawson, Trestle Strategy**
 OWNER: **2900 Boulder LLC, a Colorado limited liability company**
 APPLICATION: **NONCONFORMING USE REVIEW, LUR2015-00107**
SITE REVIEW, LUR2016-00009
 ZONING: **Residential - High 5 (RH-5)**
 CASE MANAGER: **Sloane Walbert**

VESTED PROPERTY RIGHT: NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.

APPROVED MODIFICATIONS FROM THE LAND USE REGULATIONS:

Section 9-9-6, "Parking Standards," B.R.C. 1981:

- Parking reduction of 16% (241 spaces provided where 288 are required).

FOR CONDITIONS OF APPROVAL, SEE THE FOLLOWING PAGES OF THIS DISPOSITION.

Approved On:

3/17/2016
 Date

By:

[Signature]
 David Driskell, Executive Director of Community Planning and Sustainability

This decision may be appealed to the Planning Board by filing an appeal letter with the Planning Department within two weeks of the decision date. If no such appeal is filed, the decision shall be deemed final fourteen days after the date above mentioned.

Appeal to Planning Board expires: 3/21/2016

Final Approval Date: _____

IN ORDER FOR A BUILDING PERMIT APPLICATION TO BE PROCESSED FOR THIS PROJECT, A SIGNED DEVELOPMENT AGREEMENT AND FINAL PLANS FOR CITY SIGNATURE MUST BE SUBMITTED TO THE PLANNING DEPARTMENT WITH DISPOSITION CONDITIONS AS APPROVED SHOWN ON THE FINAL PLANS. IF THE DEVELOPMENT AGREEMENT IS NOT SIGNED WITHIN NINETY (90) DAYS OF THE FINAL DECISION DATE, THE PLANNING DEPARTMENT APPROVAL AUTOMATICALLY EXPIRES.

Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the applicant must begin and substantially complete the approved development within three years from the date of final approval. Failure to "substantially complete" (as defined in Section 9-2-12) the development within three years shall cause this development approval to expire.

CONDITIONS OF APPROVAL

SITE REVIEW

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on March 3, 2016 and the Transportation Demand Management (TDM) Plan dated March 1, 2016, on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
2. Prior to issuance of a building permit, the Applicant shall dedicate to the City, at no cost, the following easements meeting the City of Boulder Design and Construction Standards, as part of Technical Document Review applications, the form and final location of which shall be subject to the approval of the City Manager:
 - a. A **utility easement** for a new 3-inch water meter vault along E. Aurora Avenue; and
 - b. A **public access easement** for the sidewalk/driveway ramps providing access to the site along E. Aurora Avenue.
3. Prior to issuance of a building permit, the Applicant shall submit a **financial guarantee**, in a form acceptable to the Director of Public Works, in an amount equal to the cost of providing seventeen (17) non-student residents of the development local transit passes for three years after the issuance of a certificate of occupancy for each dwelling unit as proposed in the Applicant's Transportation Demand Management (TDM) Plan.
4. Prior to issuance of the first certificate of occupancy for any dwelling unit, the Applicant shall construct and complete, subject to acceptance by the City, an **6-foot wide attached sidewalk** along E. Aurora Ave. serving the site in conformance with the approved engineering plans and meeting the City of Boulder Design and Construction Standards.

USE REVIEW

1. The Applicant shall ensure that the **development shall be in compliance with all plans prepared by the Applicant** on March 3, 2016 and the Applicant's written statement dated October 29, 2015, on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.

2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

Exhibit A

Legal Description: 2900 E Aurora Ave Boulder, CO 80303

Parcel One:

The north $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 32, township 1 north, range 70 west of the 6th p.m., except the east 425 feet and except the north 30 feet for East Aurora Avenue,
County of Boulder,
State of Colorado.

Parcel Two:

The east 425 feet of the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 32, township 1 north, range 70 west of the 6th p.m., except the north 30 feet for East Aurora Avenue,
County of Boulder,
State of Colorado.

Parcel Three:

A part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 32, township 1 north, range 70 west of the 6th p.m., County of Boulder, State of Colorado, being more particularly described as follows:

Commencing at the northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 32; thence southerly along the east line of the SW $\frac{1}{4}$ of said section 32, a distance of 331.44 feet to the southeast corner of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 32 which point is the true point of beginning; thence westerly along the south line of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 32, a distance of 660.36 feet to the southwest corner of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 32, thence southerly along the west line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 32, a distance of 4.94 feet to a point on the north line of the south 15 acres of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 32; thence easterly along said north line a distance of 660.36 feet to a point on the east line of the SW $\frac{1}{4}$ of said section 32; thence northerly along said east line a distance of 4.92 feet to the true point of beginning;
County of Boulder,
State of Colorado.

Full Legal Description:

TRACTS 1186 A & B & 1792 & 179 2A 32-1N-70

Subdivision:

TR, NBR 120, 122,830-CENT/MOORES

Section, Township, Range:

32-1N-70

County Assessor Parcel ID #:

146332300026

ATTACHMENT B: Analysis of Use Review Criteria

Overall, the project was found to be consistent with the criteria for Use Review set forth in [subsections 9-2-15\(e\) and \(f\)](#), B.R.C. 1981.

Section 9-10-3. Changes to Nonstandard Buildings, Structures, and Lots and Nonconforming Uses:

(c) Nonconforming Uses:

- (1) Nonconforming Changes to Conforming Use Prohibited: No conforming use may be changed to a nonconforming use, notwithstanding the fact that some of the features of the lot or building are nonstandard or the parking is nonconforming.
- (2) Standards for Changes to Nonconforming Uses: The city manager will grant a request for a change of use, which is the replacement of one nonconforming use with another, if the modified or new use does not constitute an expansion of a nonconforming use. Any other change of use that constitutes expansion of a nonconforming use must be reviewed under procedures of section 9-2-15, "Use Review," B.R.C. 1981.
- (3) Nonconforming Only as to Parking: The city manager will grant a request to change a use that is nonconforming only because of an inadequate amount of parking to any conforming use allowed in the underlying zoning district upon a finding that the new use will have an equivalent or less parking requirement than the use being replaced.

Section 9-2-15(e), B.R.C. 1981, "Use Review"

No use review application will be approved unless the approving agency finds all of the following:

- ✓ (1) **Consistency with Zoning and Non-Conformity:** The use is consistent with the purpose of the zoning district as set forth in [section 9-5-2\(c\)](#), "Zoning Districts Purposes," B.R.C. 1981, except in the case of a nonconforming use;
The project site is zoned Residential - High 5 (RH-5), which is defined as "high density residential areas primarily used for a variety of types of attached residential units, including without limitation, apartment buildings, and where complementary uses may be allowed" (section 9-5-2)(c)(1)(F), B.R.C. 1981). The use is nonconforming due to density, as described below under (2)(D).
- ✓ (2) **Rationale:** The use either:
 - N/A (A) Provides direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood;
 - N/A (B) Provides a compatible transition between higher intensity and lower intensity uses;
 - N/A (C) Is necessary to foster a specific city policy, as expressed in the Boulder Valley Comprehensive Plan, including, without limitation, historic preservation, moderate income housing, residential and non-residential mixed uses in appropriate locations, and group living arrangements for special populations; or
 - ✓ (D) Is an existing legal nonconforming use or a change thereto that is permitted under subsection (f) of this section;

The existing development is considered a “nonconforming use” due to the density, which was established prior to the current zoning standards. The property exceeds the maximum permitted density in the RH-5 zone district with 37 dwelling units per acre where 27.2 units per acre are permitted. Additionally, the property does not meet the minimum useable open space per dwelling unit with 433 square feet of open space per dwelling unit where 600 square feet is required. The proposed renovation constitutes an expansion of a nonconforming use, since it will add bedrooms.

This application for an expansion of an existing legal nonconforming use is permitted under subsection (e). Please see nonconforming use review criteria below for analysis of criteria.

- ✓ (3) **Compatibility:** The location, size, design, and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties or for residential uses in industrial zoning districts, the proposed development reasonably mitigates the potential negative impacts from nearby properties;

The proposed renovation of the buildings is reasonably compatible with, and has minimal negative impact on, the use of nearby properties. The proposed reconfiguration of units will improve the function of the units and formalize space that is commonly used for two occupants. The allowable occupancy will not increase with the addition of bedrooms. The addition of landscaping, elimination of a curb-cut and addition of dedicated short- and long-term bike parking will reduce impacts.

The proposed addition of bedrooms is compatible with the surrounding area. The property is located approximately a quarter mile from the University of Colorado campus. The character of the area is identifiably residential with a variety of multi-family, high density residential development surrounding the project site. Given that the nonconforming density will remain on the site as is, and that the site is located within an RH-5 zoning district where there are a number of university student rentals, the expansion of the nonconforming use in terms of number of bedrooms with equivalent occupancy will be compatible in the context.

- ✓ (4) **Infrastructure:** As compared to development permitted under [section 9-6-1](#), "Schedule of Permitted Land Uses," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a nonconforming use, the proposed development will not significantly adversely affect the infrastructure of the surrounding area, including, without limitation, water, wastewater, and storm drainage utilities and streets;

The proposed expansion will not affect the existing infrastructure compared to the existing level of impact of the nonconforming use. The occupancy on the site will remain the same and the proposed expansion would have a negligible impact on existing infrastructure.

- ✓ (5) **Character of Area:** The use will not change the predominant character of the surrounding area;

The development proposal will not change the predominant character of the area. The character of the area is identifiably residential with a variety of multi-family, high density residential development surrounding the project site, including the Spanish Towers (805 29th St.) to the southwest, Kensington Apartments (2950 Bixby Ave.) to the south, Montclair Court Condos (2850 E. Aurora Ave.) to the west, Blue Sky Lofts (2905 E. Aurora Ave.) to the northwest and the Sterling University Peaks Apartments (2985 E. Aurora Ave) to the northeast. In addition, the project site is in proximity to the redevelopment of the Outlook Hotel located at 800 28th St., the Lotus Building located at 900 28th Street, the Province located at 950 28th St., and Landmarks Lofts II located at 970 28th St., all of which are

student oriented developments ranging in density from 22 dwelling units per acre to 64 dwelling units per acre.

The addition of bedrooms will not change the character of the area, a high density zoning district that currently has a number of apartment buildings primarily rented to university students.

- N/A (6) Conversion of Dwelling Units to Non-Residential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts set forth in subsection 9-5-2(c)(1)(a), B.R.C. 1981, to non-residential uses that are allowed pursuant to a use review, or through the change of one nonconforming use to another nonconforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental, or recreational need in the community including, without limitation, a use for a day care center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum, or an educational use.

Not applicable, the proposal does not include the conversion of dwelling units.

(f) “Additional Criteria for Modifications to Nonconforming Uses”: No application for a change to a nonconforming use shall be granted unless all of the following criteria are met in addition to the criteria set forth above:

- ✓ (1) **Reasonable Measures Required**: The applicant has undertaken all reasonable measures to reduce or alleviate the effects of the nonconformity upon the surrounding area, including, without limitation, objectionable conditions, glare, adverse visual impacts, noise pollution, air emissions, vehicular traffic, storage of equipment, materials, and refuse, and on-street parking, so that the change will not adversely affect the surrounding area.

The changes proposed to the site provide quality bike parking and additional landscaping. The conversion of two existing maintenance buildings and six internal utility/laundry rooms will provide 336 long term, secure bike parking spaces. In addition, 186 short term, public bike parking spaces will be dispersed throughout the site on inverted “u” racks. The removal of one of the existing curb-cuts, addition of landscaping to serve as screening and upgraded outdoor lighting will reduce impacts on adjacent properties. Overall, landscape improvements will alleviate the effects of the nonconforming upon the surrounding area. Additionally, the conversion of the existing leasing office structure to a clubhouse for use by residents will provide additional quality open space for residents. A new trash enclosure with screening should reduce refuse and/or junk on the property. These improvements are considered reasonable measures given the constraints of the existing site layout.

- ✓ (2) **Reduction in Nonconformity/Improvement of Appearance**: The proposed change or expansion will either reduce the degree of nonconformity of the use or improve the physical appearance of the structure or the site without increasing the degree of nonconformity.

The project site is nonconforming as to density. No dwelling units are being added to the property, there is no change to the use category (attached housing), and the allowable occupancy of the property will not change. Hence, the degree of nonconformity is not increasing. The provision of short- and long-term bike parking will exceed the current code requirements. Upgrades to the site lighting will meet the outdoor lighting standards of section 9-9-16, B.R.C. 1981. While full compliance with the landscape standards is not possible given the constraints of the current site design, removing the cobble and planting appropriate low maintenance drought tolerant vegetation is a significant site improvement. All parking lots will be screened from the street and adjacent properties and contain additional interior lot landscaping. These measures will reduce the degree of nonconformity of the use.

Additionally, the site upgrades will improve the physical appearance of the site. The changes will provide additional usable outdoor space for residents, quality bike parking and additional landscaping. The proposal includes the addition of a trash enclosure, which is compatible with the existing enclosures, and upgraded outdoor lighting. The renovation will include exterior maintenance of the buildings like new paint and windows.

- ✓ (3) Compliance With This Title/Exceptions: The proposed change in use complies with all of the requirements of this title:

N/A (A) Except for a change of a nonconforming use to another nonconforming use; and

Not Applicable. The existing apartment use will remain.

N/A (B) Unless a variance to the setback requirements has been granted pursuant to section 9-2-3, "Variances and Interpretations," B.R.C. 1981, or the setback has been varied through the application of the requirements of section 9-2-14, "Site Review," B.R.C. 1981.

- ✓ (4) Cannot Reasonably Be Made Conforming: The existing building or lot cannot reasonably be utilized or made to conform to the requirements of chapter 9-6, "Use Standards," 9-7, "Form and Bulk Standards," 9-8, "Intensity Standards," or 9-9, "Development Standards," B.R.C. 1981.

The existing nonconforming use cannot reasonable be made to conform to the intensity standards of chapter 9-8. The scope and cost of demolishing the nonconforming use that has been operated in this manner for decades is not proportional to the proposal being requested.

- N/A (5) No Increase in Floor Area over Ten Percent: The change or expansion will not result in a cumulative increase in floor area of more than ten percent of the existing floor area.

Not applicable, there is no increase in floor area as part of the proposal.

- N/A (6) Approving Authority May Grant Zoning Variances: The approving authority may grant the variances permitted by subsection 9-2-3(d), B.R.C. 1981, upon finding that the criteria set forth in subsection 9-2-3(h), B.R.C. 1981, have been met.

Modifications are requested to the parking standards, under review through the Site Review criteria.

ATTACHMENT C: Analysis of Site Review Criteria

Section 9-9-6(f) Motor Vehicle Parking Reductions:

- (2) Residential Parking Reductions: Parking reductions for residential projects may be granted as part of a site review approval under Section 9-2-14, "Site Review," B.R.C. 1981.

Section 9-2-14(h), B.R.C. 1981, "Site Review"

No site review application shall be approved unless the approving agency finds that:

(1) Boulder Valley Comprehensive Plan:

- ✓ (A) The proposed site plan is consistent with the land use map and the service area map and, on balance, the policies of the Boulder Valley Comprehensive Plan.

The BVCP designates this site as HR – High Density Residential. The proposal is consistent with the land use map and service area plan and is consistent with the following policies of the BVCP:

- 2.03 Compact Development Pattern
- 2.09 Neighborhoods as Building Blocks
- 2.10 Preservation and Support for Residential Neighborhoods
- 2.16 Mixed Use and Higher Density Development
- 2.32 Physical Design for People
- 2.35 Outdoor Lighting/Light Pollution
- 2.37 Enhanced Design for Private Sector Projects
- 6.08 Transportation Impact
- 6.10 Managing Parking Supply
- 7.06 Mixture of Housing Types
- 7.07 Preserve Existing Housing Stock
- 7.09 Housing for a Full Range of Households
- 7.10 Balancing Housing Supply with Employment Base

Resolution 922 was adopted by the City Council in 2003 in part to "consider the potential for higher housing densities on parcels adjoining the University of Colorado". The land use designation of several properties to the northwest were changed in the early 2000s from Transitional Business to High Density Residential land use to implement this policy. There is a desire on the city's part to see additional high density housing in this area.

When assessing parking demand related to a request for a parking reduction, staff looks to the BVCP criteria for the city's values regarding parking, which are expressed in the Boulder Valley Comprehensive Plan (BVCP) policy 6.10, Managing Parking Supply that states, "Providing for vehicular parking will be considered as a component of a total access system of all modes of transportation - bicycle, pedestrian, transit and vehicular - and will be consistent with the desire to reduce single occupant vehicle travel, limit congestion, balance the use of public spaces and consider the needs of residential and commercial areas. Parking demand will be accommodated in

the most efficient way possible with the minimal necessary number of new spaces. The city will promote parking reductions through parking maximums, shared parking, unbundled parking, parking districts and transportation demand management programs.”

N/A (B) The proposed development shall not exceed the maximum density associated with the Boulder Valley Comprehensive Plan residential land use designation. Additionally, if the density of existing residential development within a three-hundred-foot area surrounding the site is at or exceeds the density permitted in the Boulder Valley Comprehensive Plan, then the maximum density permitted on the site shall not exceed the lesser of:

The comprehensive plan designation of High Density Residential includes an intent statement of density for “more than 14 dwelling units per acre.” The development is a legal nonconforming use that exceeds density standards. The proposed project does not include additional dwelling units. However, since the existing density on the site is a legal nonconforming use and this proposal does not add any additional density to the site, this subparagraph is inapplicable.

N/A (i) The density permitted in the Boulder Valley Comprehensive Plan, or,

N/A (ii) The maximum number of units that could be placed on the site without waiving or varying any of the requirements of Chapter 9-8, "Intensity Standards," B.R.C. 1981.

✓ (C) The proposed development’s success in meeting the broad range of BVCP policies considers the economic feasibility of implementation techniques require to meet other site review criteria.

The development would not be rendered infeasible in meeting the BVCP policies or the site review criteria based upon the requirements and recommendations made within these comments.

(2) Site Design: Projects should preserve and enhance the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, multi-modal transportation connectivity and its physical setting. Projects should utilize site design techniques which are consistent with the purpose of site review in subsection (a) of this section and enhance the quality of the project. In determining whether this subsection is met, the approving agency will consider the following factors:

✓ (A) Open Space: Open space, including, without limitation, parks, recreation areas, and playgrounds:

✓ (i) Useable open space is arranged to be accessible and functional and incorporates quality landscaping, a mixture of sun and shade and places to gather;

Today, the project site is limited in its open space amenities and landscape quality and quantity. As part of the development proposal, the applicant will bring the project site closer into compliance with the landscape standards as well as create a new functional open space in the form of a new community center. Existing open space areas will be improved with new landscaping.

N/A (ii) Private open space is provided for each detached residential unit;

Not applicable, the proposed development will not incorporate detached residential units.

✓ (iii) The project provides for the preservation of or mitigation of adverse impacts to natural features, including, without limitation, healthy long-lived trees, significant plant communities, ground and surface water, wetlands, riparian areas, drainage areas and species on the federal Endangered Species List, "Species of Special Concern in Boulder County" designated by Boulder County, or prairie dogs (*Cynomys ludovicianus*), which is a species of local concern, and their habitat;

There are no environmentally sensitive species or habitats on the site. The site is primarily paved. The proposed landscaping will be an improvement over what exists today and will provide for a significant increase in the amount of trees onsite.

- ✓ (iv) The open space provides a relief to the density, both within the project and from surrounding development;

The proposed open space on-site provides a relief to the proposed project density for all residents and will serve both active and passive recreational activities with a combination of open areas including a dog park, picnic areas, and a swimming pool with patio. The proposal will provide screening for the parking lots from the street and adjacent properties, which will provide a relief to the density.

- ✓ (v) Open space designed for active recreational purposes is of a size that it will be functionally useable and located in a safe and convenient proximity to the uses to which it is meant to serve;

The proposed open space will serve both active and passive recreational activities with a combination of open areas, formal and informal planting areas, as well as communal, grade level open spaces. Additionally, the conversion of the existing leasing office structure to a clubhouse for use by residents will provide additional quality open space for residents. A fitness center will provide indoor recreation opportunities for the residents.

- N/A (vi) The open space provides a buffer to protect sensitive environmental features and natural areas; and

Not applicable, there are no environmentally sensitive species or habitats on the site.

- N/A (vii) If possible, open space is linked to an area- or city-wide system.

Not applicable. There is no established area-wide or city-wide open space system in the area.

N/A (B) Open Space in Mixed Use Developments (Developments that contain a mix of residential and non-residential uses)

✓ (C) Landscaping

- ✓ (i) The project provides for aesthetic enhancement and a variety of plant and hard surface materials, and the selection of materials provides for a variety of colors and contrasts and the preservation or use of local native vegetation where appropriate;

Today the project site is limited in the quantity and quality of its existing landscape, not meeting many of the current standards, including interior parking lot landscaping and screening standards, and street tree requirements. As part of the development proposal, the applicant will provide interior parking lot landscaping and screening that will also provide relief to the site paving and soften the parking area as well as provide a buffer to the surrounding development. The proposed landscape will provide for a variety of plant and hard surface materials.

- N/A (ii) Landscape design attempts to avoid, minimize or mitigate impacts on and off site to important native species, healthy, long lived trees, plant communities of special concern, threatened and endangered species and habitat by integrating the existing natural environment into the project;

Not applicable. There are no known threatened and endangered species existing on-site.

- ✓ (iii) The project provides significant amounts of plant material sized in excess of the landscaping requirements of Sections 9-9-12, "Landscaping and Screening Standards," and 9-9-13, "Streetscape Design Standards," B.R.C. 1981; and

Overall, the proposed landscape is an improvement over the existing dilapidated site conditions that will provide an aesthetic enhancement. The proposal will bring the site closer into compliance with the landscape standards. To provide plantings in excess of the landscaping requirements would require the removal of a significant amount of parking.

- ✓ (iv) The setbacks, yards and useable open space along public rights of way are landscaped to provide attractive streetscapes, to enhance architectural features and to contribute to the development of an attractive site plan.

The proposed landscape and streetscape plans will be a significant improvement over what currently exists onsite and will provide for a variety of plant and hard surface materials to provide a pleasant pedestrian environment.

- ✓ (D) **Circulation:** Circulation, including, without limitation, the transportation system that serves the property, whether public or private and whether constructed by the developer or not:

- ✓ (i) High speeds are discouraged or a physical separation between streets and the project is provided;

- ✓ (ii) Potential conflicts with vehicles are minimized;

- ✓ (iii) Safe and convenient connections are provided that support multi-modal mobility through and between properties, accessible to the public within the project and between the project and the existing and proposed transportation systems, including, without limitation, streets, bikeways, pedestrianways and trails;

Connections to transportation systems, streets, bikeways and pedestrian ways are safe, convenient, and accessible through the site through a series of pedestrian paths as well as a designated bike route on E. Aurora Ave. The proposal includes the replacement of the existing attached 4.5-foot sidewalk on E. Aurora Ave. with a 6-foot wide sidewalk.

- ✓ (iv) Alternatives to the automobile are promoted by incorporating site design techniques, land use patterns, and supporting infrastructure that supports and encourages walking, biking, and other alternatives to the single-occupant vehicle;

Alternatives to the automobile are being promoted through a Transportation Demand Management Plan, installation of bike racks, covered and secure bike storage, the provision of convenient pedestrian connections throughout the site to surrounding properties as well as to the nearby pedestrian underpass connection underneath 28th Street to the university. There are a total of 522 bike parking spaces proposed to be provided on the site: 186 short-term spaces and 336 interior long-term bike storage spaces.

- ✓ (v) Where practical and beneficial, a significant shift away from single-occupant vehicle use to alternate modes is promoted through the use of travel demand management techniques;

The proposed TDM will provide a shift away from single-occupant vehicle use to alternate modes with the installation of bike racks and the provision of Eco Passes to encourage alternate modes of transit. The proposal also includes unbundled parking and a transportation information center within the leasing office.

- ✓ (vi) On-site facilities for external linkage are provided with other modes of transportation, where applicable;

Visitor bike racks are planned on site to encourage external pedestrian and bicycle linkages.

- ✓ (vii) The amount of land devoted to the street system is minimized; and

There is no significant street system within the project. Curb cuts have been minimized to provide only necessary access to the existing parking areas.

- ✓ (viii) The project is designed for the types of traffic expected, including, without limitation, automobiles, bicycles, and pedestrians, and provides safety, separation from living areas, and control of noise and exhaust.

The site has been well-designed for the expected traffic needs. Based on the proximity of the site to the university and the pedestrian underpass, a great deal of bicycle and pedestrian traffic is anticipated to continue through and around the site.

✓ (E) Parking

- ✓ (i) The project incorporates into the design of parking areas measures to provide safety, convenience, and separation of pedestrian movements from vehicular movements;

The parking area that serves the development is existing on the project site. Today, the existing parking area does not meet the interior parking lot landscape or screening standards. While the parking area is existing and its general layout will not be altered, the development proposal does include improvements to the existing parking area, including eliminating a curb cut, reconfiguring one of the parking areas, and additional screening.

- ✓ (ii) The design of parking areas makes efficient use of the land and uses the minimum amount of land necessary to meet the parking needs of the project;

- ✓ (iii) Parking areas and lighting are designed to reduce the visual impact on the project, adjacent properties, and adjacent streets; and

The parking is located where existing parking is located. The reorganization of the parking area and closure of a curb cut will reduce the visual impact that exists today.

- ✓ (iv) Parking areas utilize landscaping materials to provide shade in excess of the requirements in Subsection 9-9-6(d), and Section 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981.

As described above, to provide plantings in excess of the landscaping requirements would require the removal of a significant amount of parking.

✓ (F) Building Design, Livability, and Relationship to the Existing or Proposed Surrounding Area

- N/A (i)** The building height, mass, scale, orientation, architecture and configuration are compatible with the existing character of the area or the character established by adopted design guidelines or plans for the area;

The building height, mass, scale, orientation is not being altered as part of the development proposal. The existing building will remain.

- N/A (ii)** The height of buildings is in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans or design guidelines for the immediate area;

The building height, mass, scale, orientation is not being altered as part of the development proposal. The existing building will remain.

- N/A (iii)** The orientation of buildings minimizes shadows on and blocking of views from adjacent properties;

The building height, mass, scale, orientation is not being altered as part of the development proposal. The existing building will remain.

- ✓ (iv)** If the character of the area is identifiable, the project is made compatible by the appropriate use of color, materials, landscaping, signs, and lighting;

The property is located less than a quarter mile from the University of Colorado campus. The character of the area is identifiably residential with a variety of multi-family, high density residential development surrounding the project site. No major changes are proposed to the building facades. The renovation will include exterior maintenance of the buildings like new paint and windows.

- ✓ (v)** Projects are designed to a human scale and promote a safe and vibrant pedestrian experience through the location of building frontages along public streets, plazas, sidewalks and paths, and through the use of building elements, design details and landscape materials that include, without limitation, the location of entrances and windows, and the creation of transparency and activity at the pedestrian level;

Although the scope of the redevelopment of the project site is limited, improvements will occur to the building exterior, including windows and repainting, and site, including landscape improvements. The applicant is proposing closing a curb cut along E. Aurora Ave., upgrading the existing sidewalk on E. Aurora to a 6-foot attached sidewalk, as well as parking lot and streetscape improvements. All of the aforementioned improvements will create a safer, more vibrant pedestrian experience that is well connected and where pedestrian/vehicular conflicts are minimized.

- N/A (vi)** To the extent practical, the project provides public amenities and planned public facilities;

- ✓ (vii)** For residential projects, the project assists the community in producing a variety of housing types, such as multifamily, townhouses and detached single family units, as well as mixed lot sizes, number of bedrooms and sizes of units;

The project will reconfigure 96 existing units to provide 96 additional bedrooms in an area that has a high demand for student residential. This will provide additional housing opportunities by increasing the variety in number of bedrooms provided in each unit. The

proposed reconfiguration of units will improve the function of the units and formalize space that is commonly used for two occupants. The allowable occupancy will not increase with the addition of bedrooms.

- ✓ (viii) For residential projects, noise is minimized between units, between buildings, and from either on-site or off-site external sources through spacing, landscaping, and building materials;

The development proposal includes landscape improvements including along the side yards which will provide a buffer between the adjacent properties and the project site.

- ✓ (ix) A lighting plan is provided which augments security, energy conservation, safety, and aesthetics;

A lighting plan has been provided which includes upgrading the site lighting to meet the outdoor lighting standards of section 9-9-16, B.R.C. 1981. The upgrades will augment security, energy conservation, safety, and aesthetics on the site.

- N/A (x) The project incorporates the natural environment into the design and avoids, minimizes, or mitigates impacts to natural systems;

- ✓ (xi) Buildings minimize or mitigate energy use; support on-site renewable energy generation and/or energy management systems; construction wastes are minimized; the project mitigates urban heat island effects; and the project reasonably mitigates or minimizes water use and impacts on water quality.

The addition of landscaping will mitigate urban heat island effects.

- ✓ (xii) Exteriors or buildings present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing;

Although the development proposal includes improvements and updates to the existing building exterior, the exterior materials will remain the same, including brick and lap siding.

- N/A (xiii) Cut and fill are minimized on the site, the design of buildings conforms to the natural contours of the land, and the site design minimizes erosion, slope instability, landslide, mudflow or subsidence, and minimizes the potential threat to property caused by geological hazards;

There will be no grading as a result of the development proposal.

- N/A (xiv) In the urbanizing areas along the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the building and site design provide for a well-defined urban edge; and

The project site is not located within an urbanizing area; it is located in Area I.

- N/A (xv) In the urbanizing areas located on the major streets shown on the map in Appendix A of this title near the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the buildings and site design establish a sense of entry and arrival to the City by creating a defined urban edge and a transition between rural and urban areas.

N/A (G) Solar Siting and Construction: For the purpose of ensuring the maximum potential for utilization of solar energy in the City, all applicants for residential site reviews shall place streets, lots, open spaces, and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:

N/A (i) *Placement of Open Space and Streets:* Open space areas are located wherever practical to protect buildings from shading by other buildings within the development or from buildings on adjacent properties. Topography and other natural features and constraints may justify deviations from this criterion.

N/A (ii) *Layout and Building Siting:* Lots are oriented and buildings are sited in a way which maximizes the solar potential of each principal building. Lots are designed to facilitate siting a structure which is unshaded by other nearby structures. Wherever practical, buildings are sited close to the north lot line to increase yard space to the south for better owner control of shading.

N/A (iii) *Building Form:* The shapes of buildings are designed to maximize utilization of solar energy. Buildings shall meet the solar access protection and solar siting requirements of Section 9-9-17, "Solar Access," B.R.C. 1981.

N/A (iv) *Landscaping:* The shading effects of proposed landscaping on adjacent buildings are minimized.

N/A (H) ***Additional Criteria for Poles Above the Permitted Height:*** No site review application for a pole above the permitted height will be approved unless the approving agency finds all of the following:

N/A (i) The light pole is required for nighttime recreation activities, which are compatible with the surrounding neighborhood, or the light or traffic signal pole is required for safety, or the electrical utility pole is required to serve the needs of the city; and

N/A (ii) The pole is at the minimum height appropriate to accomplish the purposes for which the pole was erected and is designed and constructed so as to minimize light and electromagnetic pollution.

N/A (I) ***Land Use Intensity Modifications***

N/A (i) *Potential Land Use Intensity Modifications:*

(a) The density of a project may be increased in the BR-1 district through a reduction of the lot area requirement or in the Downtown (DT), BR-2, or MU-3 districts through a reduction in the open space requirements.

(b) The open space requirements in all Downtown (DT) districts may be reduced by up to one hundred percent.

(c) The open space per lot requirements for the total amount of open space required on the lot in the BR-2 district may be reduced by up to fifty percent.

(d) Land use intensity may be increased up to 25 percent in the BR-1 district through a reduction of the lot area requirement.

N/A (ii) *Additional Criteria for Land Use Intensity Modifications:* A land use intensity increase will be permitted up to the maximum amount set forth below if the approving agency finds that the criteria in paragraph (h)(1) through subparagraph (h)(2)(H) of this section and following criteria have been met:

N/A (J) ***Additional Criteria for Floor Area Ratio Increase for Buildings in the BR-1 District***

✓ (K) **Additional Criteria for Parking Reductions: The off-street parking requirements of Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, may be modified as follows:**

- ✓ (i) Process: The city manager may grant a parking reduction not to exceed fifty percent of the required parking. The planning board or city council may grant a reduction exceeding fifty percent.

The proposed parking reduction is 16 percent.

- (ii) Criteria: Upon submission of documentation by the applicant of how the project meets the following criteria, the approving agency may approve proposed modifications to the parking requirements of Section 9-9-6, "Parking Standards," B.R.C. 1981 (see tables 9-1, 9-2, 9-3 and 9-4), if it finds that:

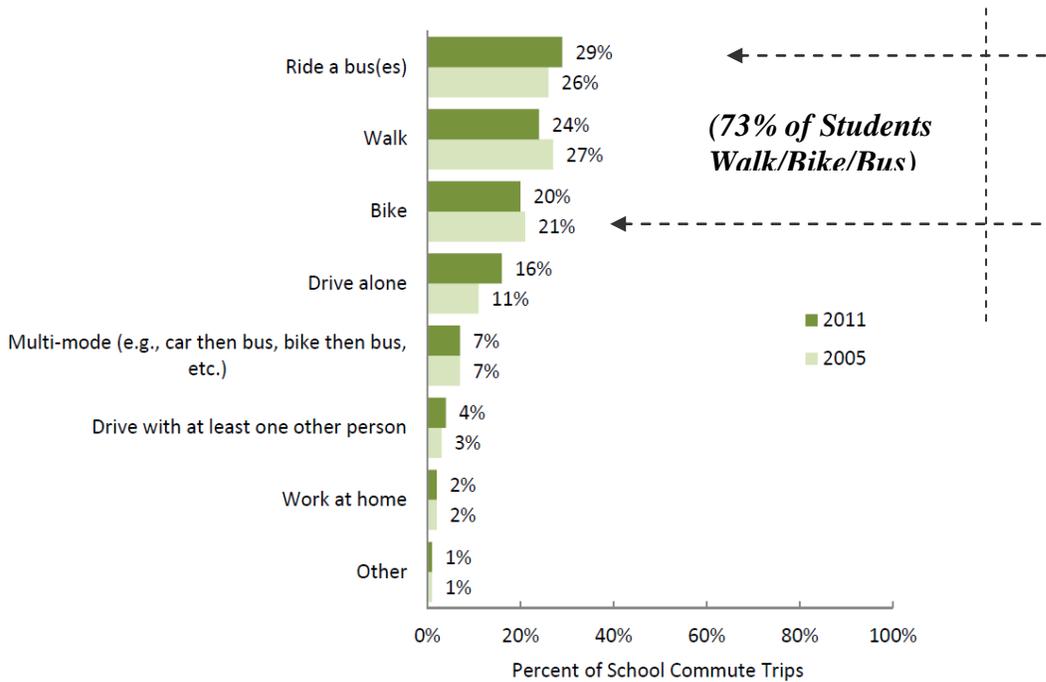
- ✓ (a) For residential uses, the probable number of motor vehicles to be owned by occupants of and visitors to dwellings in the project will be adequately accommodated;

The nature of the occupancy is primarily student renters. The nature of occupancy for student rentals in Boulder is such that there is a known need for long-term storage of vehicles owned by student renters rather than a need for daily-use parking. In addition, the site is located in an area that affords numerous non-auto opportunities for travel.

The University of Colorado campus is located a quarter mile to the west of the site with access via the Aurora Avenue underpass at US 36. The site is located in close proximity to the 30th Street and 29th Street multimodal corridors, including the 28th Street multi-use path, 30th Street on-street bicycle lanes, and various transit routes. Given these non-auto travel opportunities, it is expected that many residents of this site do not need to rely on automobiles for a significant portion of their daily trips.

The addition of bedrooms will have minimal effects on parking generation. Findings of a regularly updated student survey prepared by the University of Colorado's Transportation and Parking Services Department support the claim that most students walk or bike to classes, particularly when in close proximity to campus. As summarized in the table on the following page, which is taken from the most recent survey, 73 percent of students surveyed walked, biked or rode the bus to campus daily.

The applicant has submitted a robust Transportation Demand Management (TDM) Plan as part of the proposal, which includes unbundled parking and the provision of excess short-term and long-term bicycle parking, Eco Passes and a transportation information center within the community center. These measures would meet the needs of the proposed occupants while also addressing a number of comprehensive plan policies such as provision on higher density residential along transit corridors, ensuring a commitment to a walkable city, and managing the parking supply. A parking study conducted as part of the TDM indicates that all site-generated parking demand can be accommodated on the site. Refer to the TDM and Traffic Impact Analysis in [Attachment D](#) for more information.



**CU Student Commuting Patterns
University of Colorado Student Survey**

N/A (b) The parking needs of any nonresidential uses will be adequately accommodated through on-street parking or off-street parking;

Not applicable; the development proposal is solely residential.

N/A (c) A mix of residential with either office or retail uses is proposed, and the parking needs of all uses will be accommodated through shared parking;

Not applicable; the development proposal is solely residential.

N/A (d) If joint use of common parking areas is proposed, varying time periods of use will accommodate proposed parking needs; and

Not applicable; the development proposal is solely residential.

✓ (e) If the number of off-street parking spaces is reduced because of the nature of the occupancy, the applicant provides assurances that the nature of the occupancy will not change.

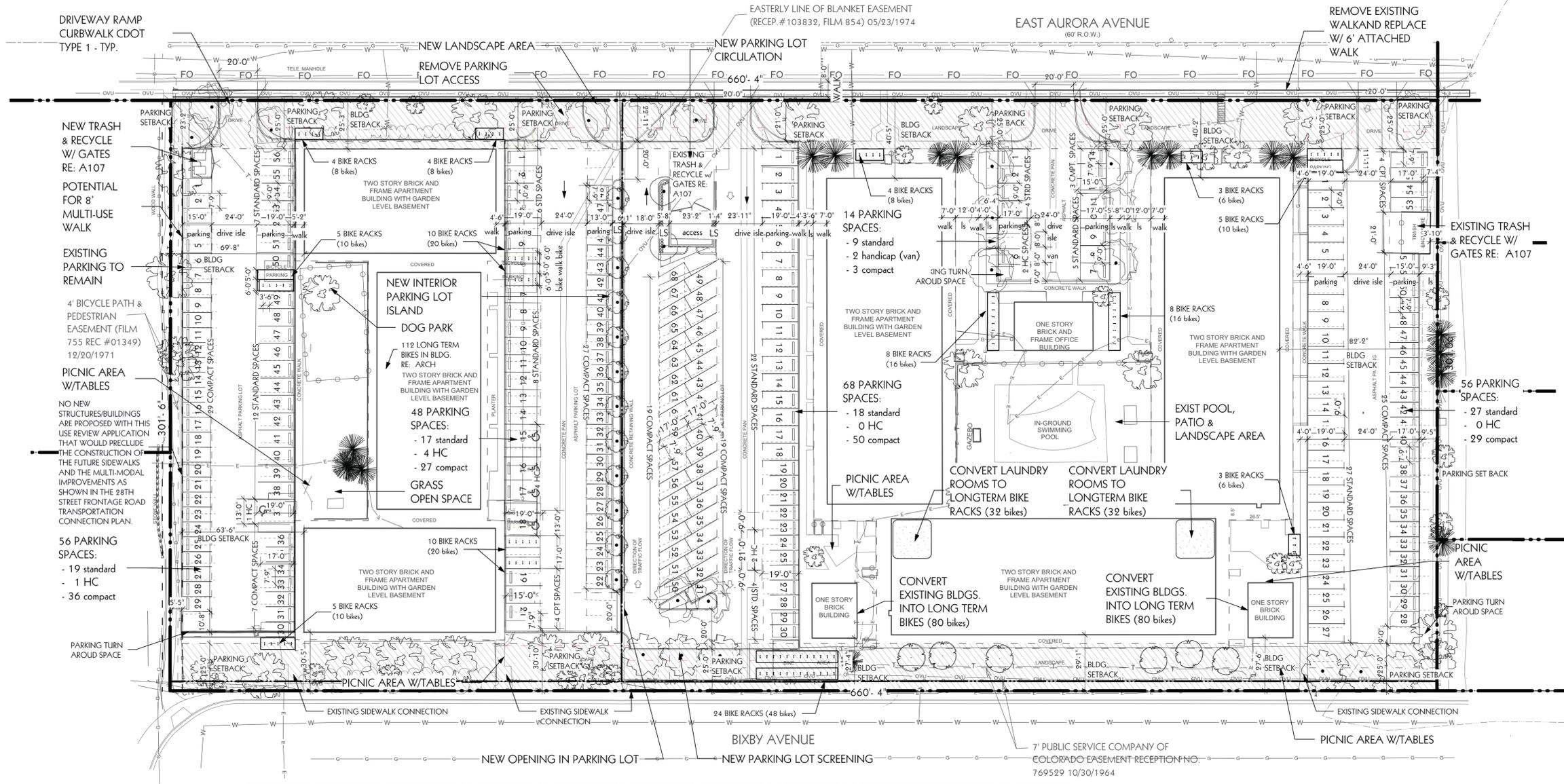
The nature of occupancy is anticipated to be student rentals, which have a well documented need for auto storage more than frequent parking turnover. As described above, the student population has a high use of alternative modes of transit particularly during the weekday hours when school is in session, nearly 75 percent. Similarly, it has been found that some students do not own cars in this close proximity to campus. Given the proximity to campus, the nature of occupancy is not likely to change.

N/A (L) **Additional Criteria for Off-Site Parking:** The parking required under Section 9-9-6, "Parking Standards," B.R.C. 1981, may be located on a separate lot if the following conditions are met:

- (i) The lots are held in common ownership;
- (ii) The separate lot is in the same zoning district and located within three hundred feet of the lot that it serves; and

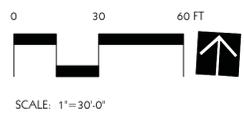
(iii) The property used for off-site parking under this subparagraph continues under common ownership or control.

2900 AURORA - CAVALIER APTS. PARKING SUMMARY					
3/2/16					
REQUIRED PARKING	288				
EXISTING PARKING	245				
PROVIDED PARKING:	242				
	(46)	-16.0%	reduction		
REQUIRED BIKE PARKING:	440				
	330	long term			
	110	short term			
PROPOSED NEW PARKING:					
	STANDARD	COMPACT	HC	TOTAL CAR PARKING SPACES	SHORT TERM BIKE
WEST LOT - 2898 E. Aurora Ave.	19	36	1	56	28
MAIN - UPPER WEST - 2898 E. Aurora Ave	17	27	4	48	48
MAIN - EAST 2900 E. Aurora Ave.	18	50	0	68	56
OFFICE LOT	9	3	2	14	32
FAR EAST LOT - 2900 E. Aurora Ave.	27	29	0	56	22
	90	145	7	242	186
TOTAL PARKING:				242	186
				TOTAL CARS	LONG TERM BIKE
					336
					TOTAL BIKES
					522



OPEN SPACE: 3/2/16

Site Area	202,328	SF
Open Space Required:	103,200	SF
Number of Units	220	
Standard Dwelling Units:	124	
Efficiency Living Units:	96	
Total Number of Dwelling Units:	172	
Minimum Open Space per Dwelling	600	SF
Proposed Open Space per Dwelling	432.75	SF
Open Space Provided:	74,433	SF
Site Landscape	45,112	SF
Parking Landscape	1,632	SF
Hardscape	26,664	SF
Indoor Space	1,025	SF



CAVALIER APARTMENTS

2900 AURORA LLC

2900 EAST AURORA
BOULDER, CO 80303

SITE PLAN

BOULDER, CO

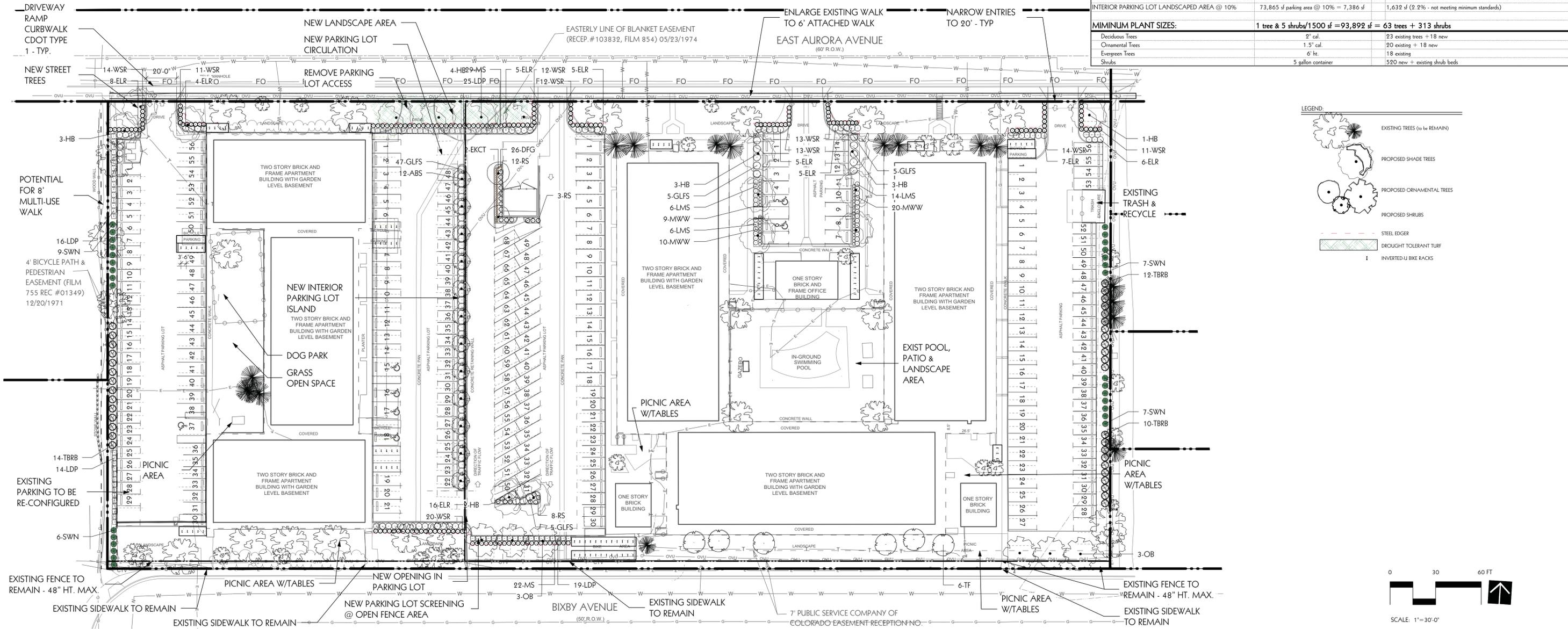
NON-CONFORMING USE REVIEW
03/02/16

A101

STUDIO architecture
1350 Pine st. Suite 1
Boulder, CO 80302
866.529.9130
CVLR
DRAWN BY:osla



LANDSCAPE REQUIREMENTS: 02/16/16		
OVERALL SITE	REQUIRED	PROVIDED/COMMENTS
LOT AREA	202,328	+98,730 SF
Existing Buildings		50,319 SF
Parking Lot & Drive Isles		73,890 SF
Open Space	74,433	69,810 SF
Parcels 1 & 2 only - Parcel #3 not part of this ownership group.		
STREETSCAPE:	REQUIRED	PROVIDED/COMMENTS
Attached Sidewalk - East Aurora	1 tree/30' - 40' = 660 LF = 17.92 trees	9 existing + 8 proposed behind back of walk = 17 total
Attached Sidewalk - Bixby	1 tree/30' - 40' = 660 LF = 17.92 trees	12 existing trees + 12 along property edge where utilities permit
PARKING LOT SCREENING:		
FROM ADJACENT PROPERTIES		
Height & Opacity	Landscape Material 42' ht.	6' Ornamental + 10 Upright Evergreen trees provided on north side and fenced where less than 6' (north end between garages)
Width	6' Buffer	5 small trees provided along north buffer (existing building and fencing to screens remaining portions + new SS line found with new survey in NW corner eliminates trees in this area)
Trees	210 LF @ 1 tree/25 = 9	
PARKING:		
TOTAL NUMBER OF PARKING STALLS	288 REQUIRED, 245 EXISTING	242 provided - 16% PARKING REDUCTION REQUESTED
TOTAL NUMBER BIKE RACKS	1/750 SF = 440 BIKE RACKS	
	330 LONG TERM	336 LONG TERM
	110 SHORT TERM	138 SHORT TERM
	440 BIKES	186 522 474 TOTAL
INTERIOR PARKING LOT LANDSCAPED AREA @ 10%	73,865 sf parking area @ 10% = 7,386 sf	1,632 sf (2.2% - not meeting minimum standards)
MINIMUM PLANT SIZES:	1 tree & 5 shrubs/1500 sf = 93,892 sf = 63 trees + 313 shrubs	
Deciduous Trees	2' cal.	23 existing trees + 18 new
Ornamental Trees	1.5' cal.	20 existing + 18 new
Evergreen Trees	6' ht.	18 existing
Shrubs	5 gallon container	590 new + existing shrub beds



CAVALIER APARTMENTS

2900 AURORA LLC

2900 EAST AURORA
BOULDER, CO 80303

EXISTING TREE & LANDSCAPE PLAN

BOULDER, CO

NON-CONFORMING USE REVIEW
03/02/16

L101

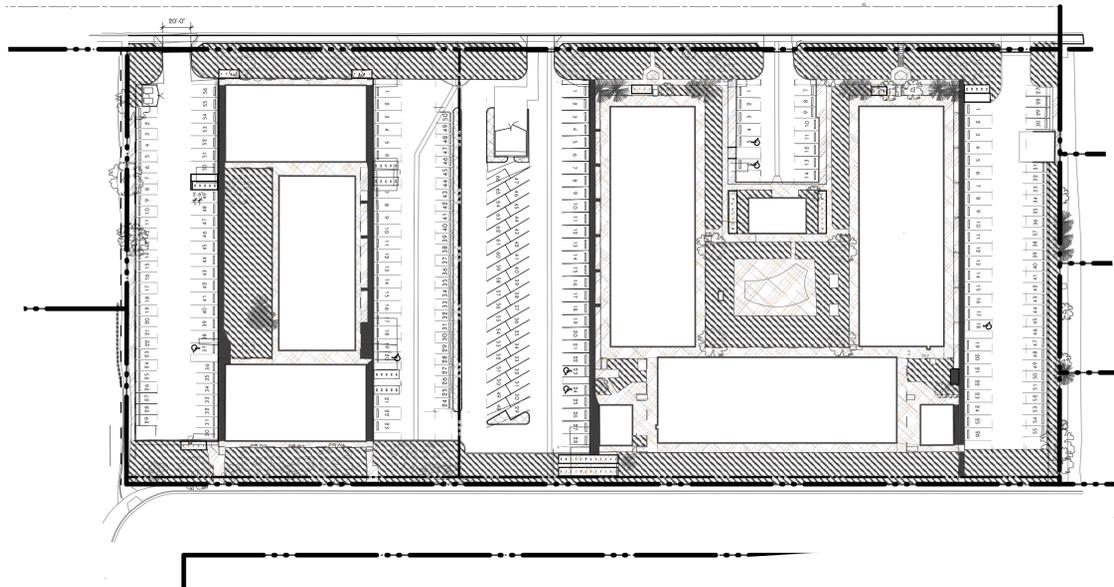
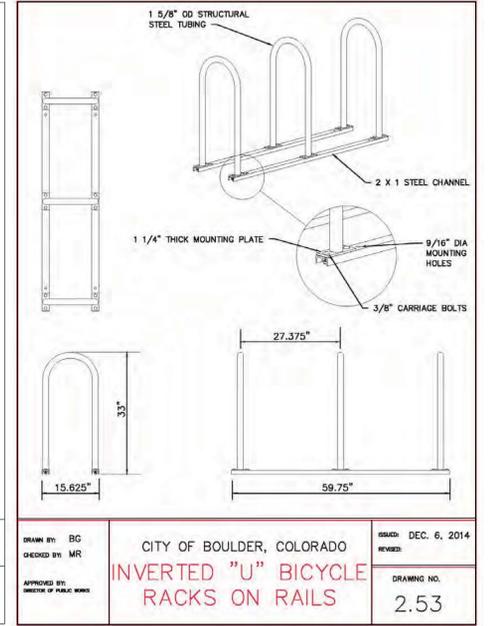
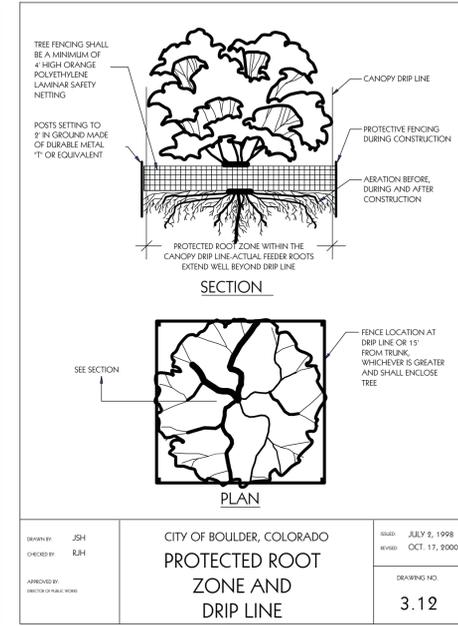
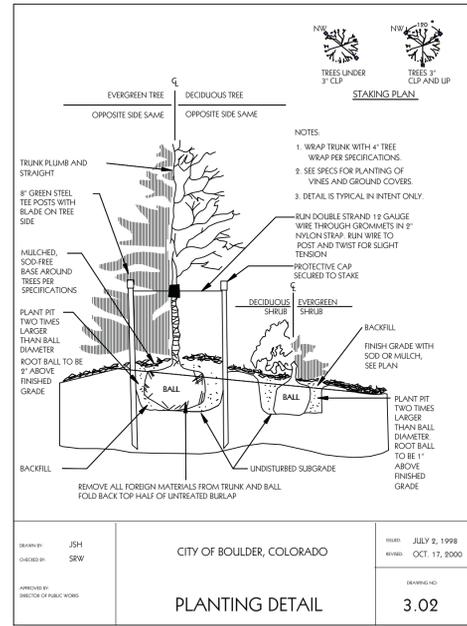
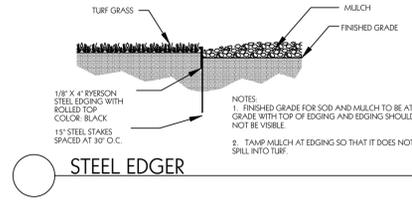
STUDIO architecture
1350 Pine st. Suite 1
Boulder, CO 80302
866.529.9130
CVLR
DRAWN BY:osla



PLANT LIST: 01/27/16					
KEY	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE	O.C. SPACING
SHADE TREES:					
EKT	2	Espresso Kentucky Coffeetee	<i>Gymnocladus dioica</i> 'Espresso'	2" dp	as shown
HB	16	Hackberry	<i>Celtis occidentalis</i>	2" dp	as shown
OB	6	Ohio Buckeye	<i>Aesculus glabra</i>	2" dp	as shown
TOTAL:	18				
ORNAMENTAL TREES:					
ABS	12	Autumn Brilliance Serviceberry	<i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	1.5" dp	as shown
TF	6	Turkish Filbert	<i>Corylus colurna</i>	1.5" dp	as shown
TOTAL:	18				
DECIDUOUS SHRUBS:					
ELR	61	Easy Livin' Rose	<i>Rosa x Livin' Easy</i>	5 gallon	4' o.c.
GLFS	62	Gro-Low Fragrant Sumac	<i>Rhus aromatica</i> 'Gro-Low'	5 gallon	5' o.c.
LDP	74	Lodense Privet	<i>Ligustrum vulgare</i> 'Lodense'	5 gallon	3.5' o.c.
LNS	26	Linnemead Spirea	<i>Spiraea x bumalda</i> 'Linnemead'	5 gallon	3' o.c.
MS	51	Mixed Spirea	<i>Spiraea japonica</i>	5 gallon	3' o.c.
MWW	39	Midnight Wine Weigela	<i>Weigela florida</i> 'Evea'	5 gallon	3' o.c.
RS	23	Russian Sage	<i>Perovskia atropurpurea</i>	5 gallon	3.5' o.c.
SWN	30	SummerWine Ninebark	<i>Physocarpus opulifolius</i> 'Summer Wine'	5 gallon	4' o.c.
TBRB	36	Tall Blue Rabbitbrush	<i>Eriogonum fasciculatum</i> 'Tall Blue'	5 gallon	5' o.c.
WSR	119	White Meibland Landscape Rose	<i>Rosa Meibland White</i>	5 gallon	4' o.c.
TOTAL:	521				
ORNAMENTAL GRASSES:					
DFG	26	Dwarf Fountain Grass	<i>Pennisetum alopecuroides</i> 'Hameln'	1 gallon	18" o.c.
TOTAL:	26				

PLANT NOTES:

- All plant material shall meet specifications of the American Association of Nurserymen (AAN) for number one grade. All trees shall be balled and burlapped or equivalent. All plant materials shall have all wire, twine or other containment materials, except for burlap, removed from trunk and root ball of the plant prior to planting.
- Trees shall not be planted closer than 10 feet to any sewer or water line. Tree planting shall be coordinated with Xcel Energy Company. Locations of all utilities shall be verified in the field prior to planting.
- All shrubs shall be planted no less than 3' from any sidewalk or curb.
- Grades shall be set to allow for proper drainage away from structures. Grades shall maintain smooth profiles and be free of surface debris, bumps, and depressions.
- Developers shall ensure that the landscape plan is coordinated with the plans done by other consultants so that the proposed grading, storm drainage, or other constructions does not conflict nor preclude installation and maintenance of landscape elements on this plan.
- All shrub bed areas shall be mulched with a 4" layer of wood bark mulch. Perennials and groundcover areas shall be mulched with a 4" layer of shredded bark mulch. No fabric to be installed in any ornamental areas, perennial or groundcover areas.
- Prior to installation of plant materials, areas that have been compacted or disturbed by construction activity shall be thoroughly loosened; organic soil amendments shall be incorporated at the rate of at least three (3) cubic yards per 1000 square feet of landscape area in all turf and shrub beds. Incorporate only 1.5 CV in weed areas.
- All lawn areas will be sodded with a fescue blend. Perimeter seed areas to be Low Grow Seed Mix as per Arkansas Valley Seed or equal. Drainage channel to be seeded with wetland seed mix.
- All landscape (plant materials and grass) will be irrigated with an automatic system. Turf areas will have a spray zone. Plants with like water requirements are shown together in order to have an efficient use of water. See Irrigation Plans for detailed information. (to be completed during Tee Docs).
- Contractor shall verify all material quantities prior to installation. Actual number of plant symbols shall have priority over the quantity designated.
- Refer to the City of Boulder Design and Construction Streetscaping Standards for all work within public areas, including tree protection standards. The developer will make every effort possible to protect trees within the site using the same standards.
- Refer to the Civil Engineer Drawings for Grading and Utility information.
- This plan meets or exceeds City of Boulder landscape code requirements when trees are planted behind back of walk.



- OPEN SPACE:**
- LANDSCAPE AREA (meets code)
 - HARDSCAPE
 - PARKING LOT LANDSCAPE
 - WALKS NOT INCLUDED x
 - ADDITIONAL LANDSCAPE AREA (size does not meet code)

SITE OPEN SPACE DIAGRAM
SCALE: 1" = 60'-0"

CAVALIER APARTMENTS

2900 AURORA LLC

2900 EAST AURORA
BOULDER, CO 80303

LANDSCAPE NOTES & DETAILS

BOULDER, CO

NON-CONFORMING USE REVIEW
03/02/16

L102

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CVLR
DRAWN BY:osla



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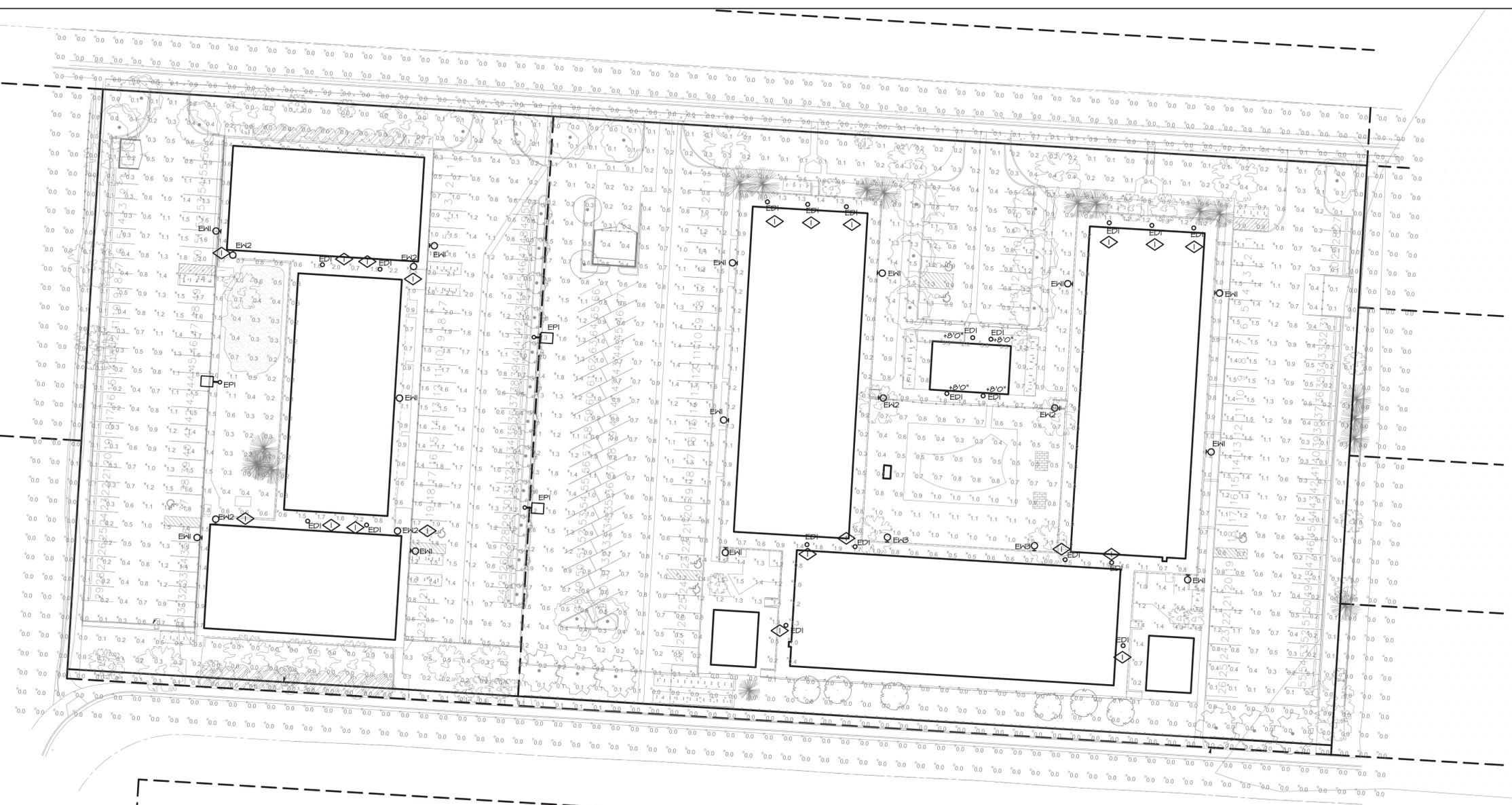
STUDIO Project No: CVLR
Sheet Issue & Revision Log

No	Date	Description
●	01/29/16	NON-CONFORMING USE REVIEW RESUBMITTAL
	03/03/16	NON-CONFORMING USE REVIEW RESUBMITTAL

It is the client's responsibility prior to or during construction to notify the architect in writing of any perceived errors or omissions in the plans and specifications of which a contractor thoroughly knowledgeable with the building codes and methods of construction should reasonably be aware. Written instructions addressing such perceived errors or omissions shall be received from the architect prior to the client or client's subcontractor proceeding with the work. The client shall be responsible for any defects in construction if these procedures are not followed.

PHOTOMETRIC PLAN

ES1.00



1 | ELECTRICAL SITE LIGHTING / PHOTOMETRIC PLAN
ES1.0 SCALE: 1"=30'0"

GENERAL NOTES

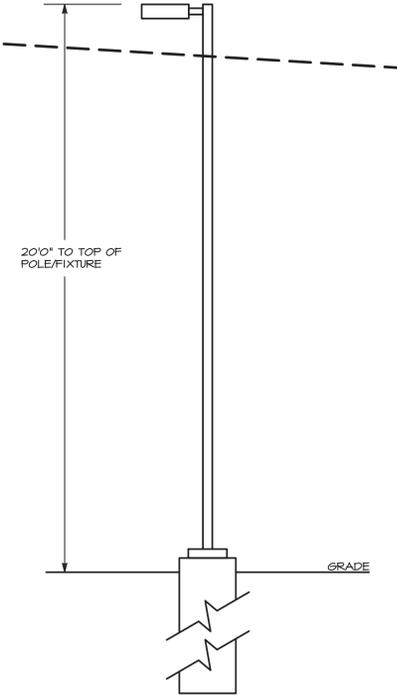
- ALL CALCULATIONS TAKEN AT GRADE LEVEL.
- CALCULATION GRADE ON 10' X 10' SPACINGS.
- ALL LIGHT LOSS FACTORS TAKEN AT 1.0.

KEYNOTE LEGEND

KEY VALUE	DESCRIPTION
◇	FIXTURE TYPICAL ALL THREE LEVELS.

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Center Parking Lot	✕	0.9 fc	2.3 fc	0.0 fc	N/A	N/A
East Bldg Walkways	✕	0.8 fc	1.9 fc	0.0 fc	N/A	N/A
East Parking Lot	✕	0.7 fc	1.5 fc	0.0 fc	N/A	N/A
Leasing Office Entry	✕	3.6 fc	3.8 fc	3.5 fc	1.1:1	1.0:1
Leasing Office Parking Lot	✕	0.8 fc	2.1 fc	0.1 fc	21.0:1	8.0:1
Overall Site	◇	0.5 fc	3.8 fc	0.0 fc	N/A	N/A
Property Line	+	0.0 fc	0.2 fc	0.0 fc	N/A	N/A
West Bldg Walkways	✕	0.8 fc	2.2 fc	0.0 fc	N/A	N/A
West Parking Lot	✕	0.9 fc	2.0 fc	0.1 fc	20.0:1	9.0:1



2 | FIXTURE 'EPI' POLE/BASE DETAIL
ES1.0 SCALE: N.T.S.



GENERAL

- A100 COVER SHEET
- A101 SITE PLAN

CIVIL

- C0.1 PRELIMINARY ABBREVIATIONS, LEGENDS AND NOTES
- C1.0 PRELIMINARY UTILITY PLAN
- CD1.0 PRELIMINARY UTILITY PLAN DETAILS
- CD1.1 PRELIMINARY 3" WATER METER DETAILS

EAST BUILDING

- A102 EAST BUILDING 1ST FLOOR PLANS
- A103 EAST BUILDING 2ND & 3RD FLOOR PLANS

WEST BUILDING

- A104 WEST BUILDING 1ST FLOOR PLAN
- A105 WEST BUILDING 2ND & 3RD FLOOR PLANS

UNITS / ENLARGED PLANS

- A106 UNIT PLANS
- A107 LONG TERM BIKE PARKING

LANDSCAPE

- L101 EXISTING TREE & LANDSCAPE PLAN
- L102 LANDSCAPE NOTES & DETAILS

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 BOULDER, CO 80303

COVER SHEET

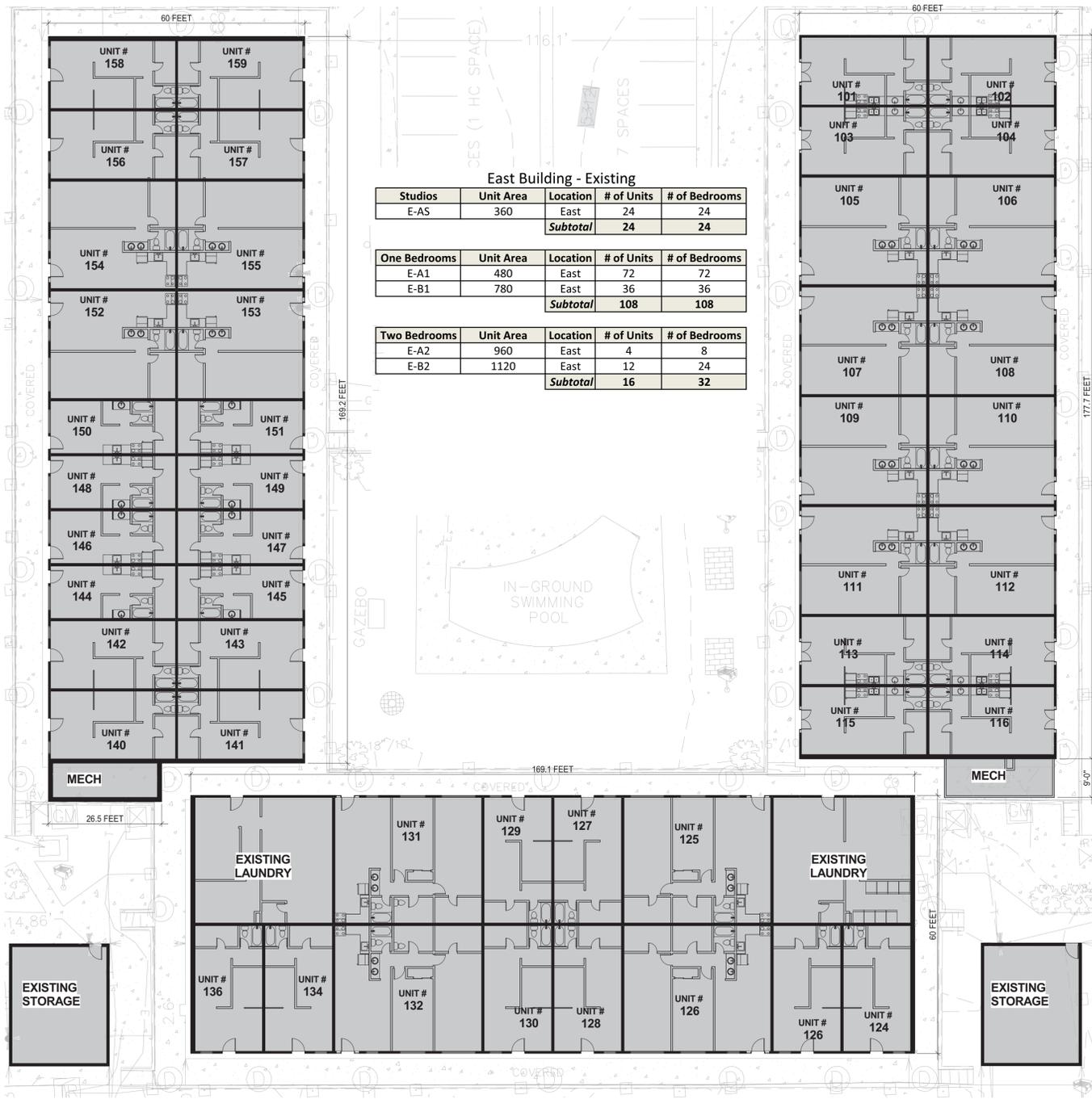
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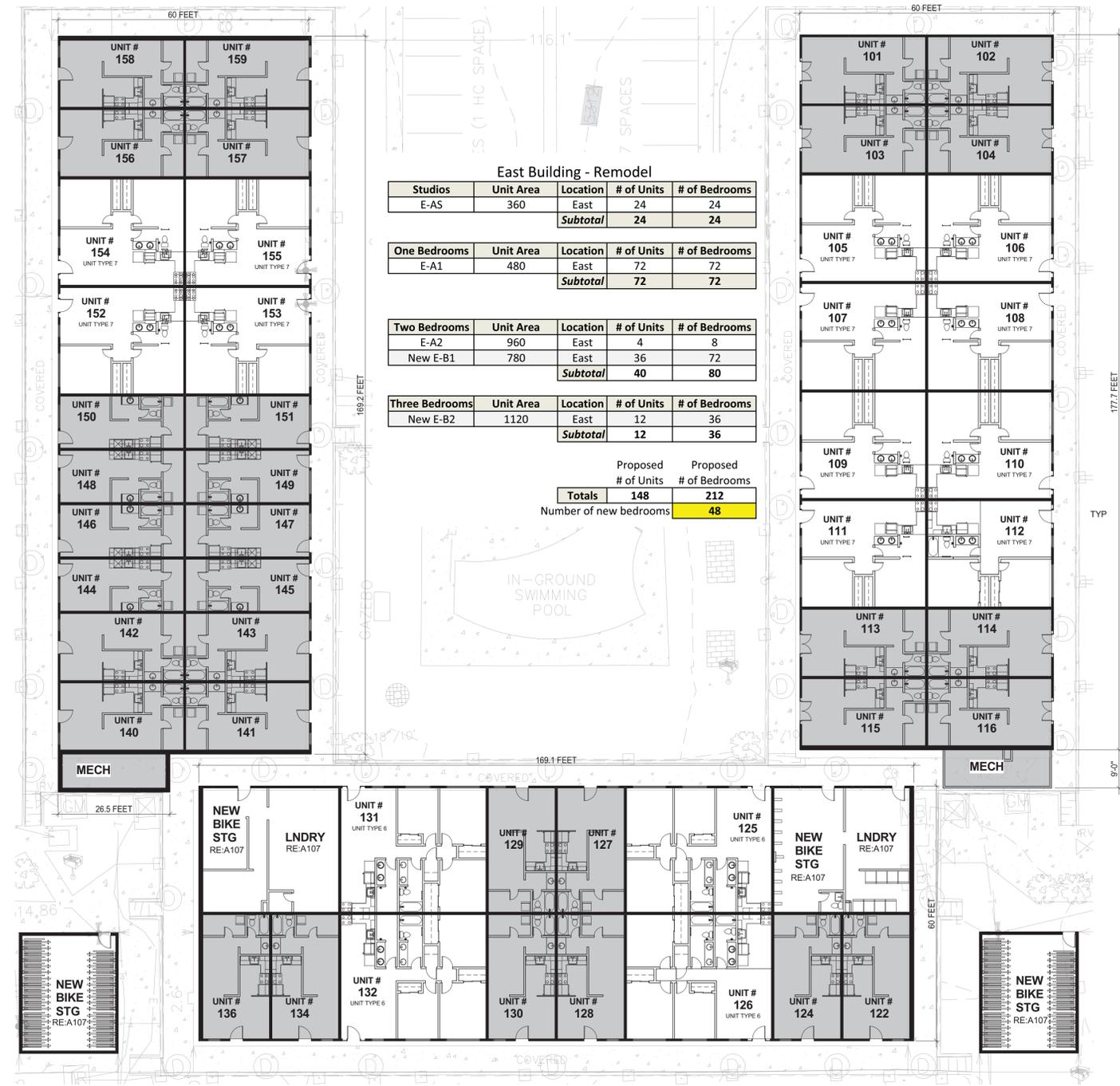
A100

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 DRAWN BY: BMB





EAST BUILDING EXISTING FIRST FLOOR PLAN



EAST BUILDING MODIFIED FIRST FLOOR PLAN

East Building - Existing

Studios	Unit Area	Location	# of Units	# of Bedrooms
E-AS	360	East	24	24
Subtotal			24	24

One Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
E-A1	480	East	72	72
E-B1	780	East	36	36
Subtotal			108	108

Two Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
E-A2	960	East	4	8
E-B2	1120	East	12	24
Subtotal			16	32

East Building - Remodel

Studios	Unit Area	Location	# of Units	# of Bedrooms
E-AS	360	East	24	24
Subtotal			24	24

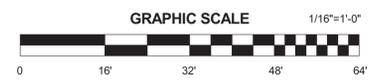
One Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
E-A1	480	East	72	72
Subtotal			72	72

Two Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
E-A2	960	East	4	8
New E-B1	780	East	36	72
Subtotal			40	80

Three Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
New E-B2	1120	East	12	36
Subtotal			12	36

	Proposed # of Units	Proposed # of Bedrooms
Totals	148	212
Number of new bedrooms		48

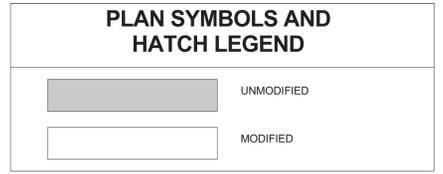
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 BOULDER, CO 80303



EAST BUILDING 1ST FLOOR PLANS
 BOULDER, CO

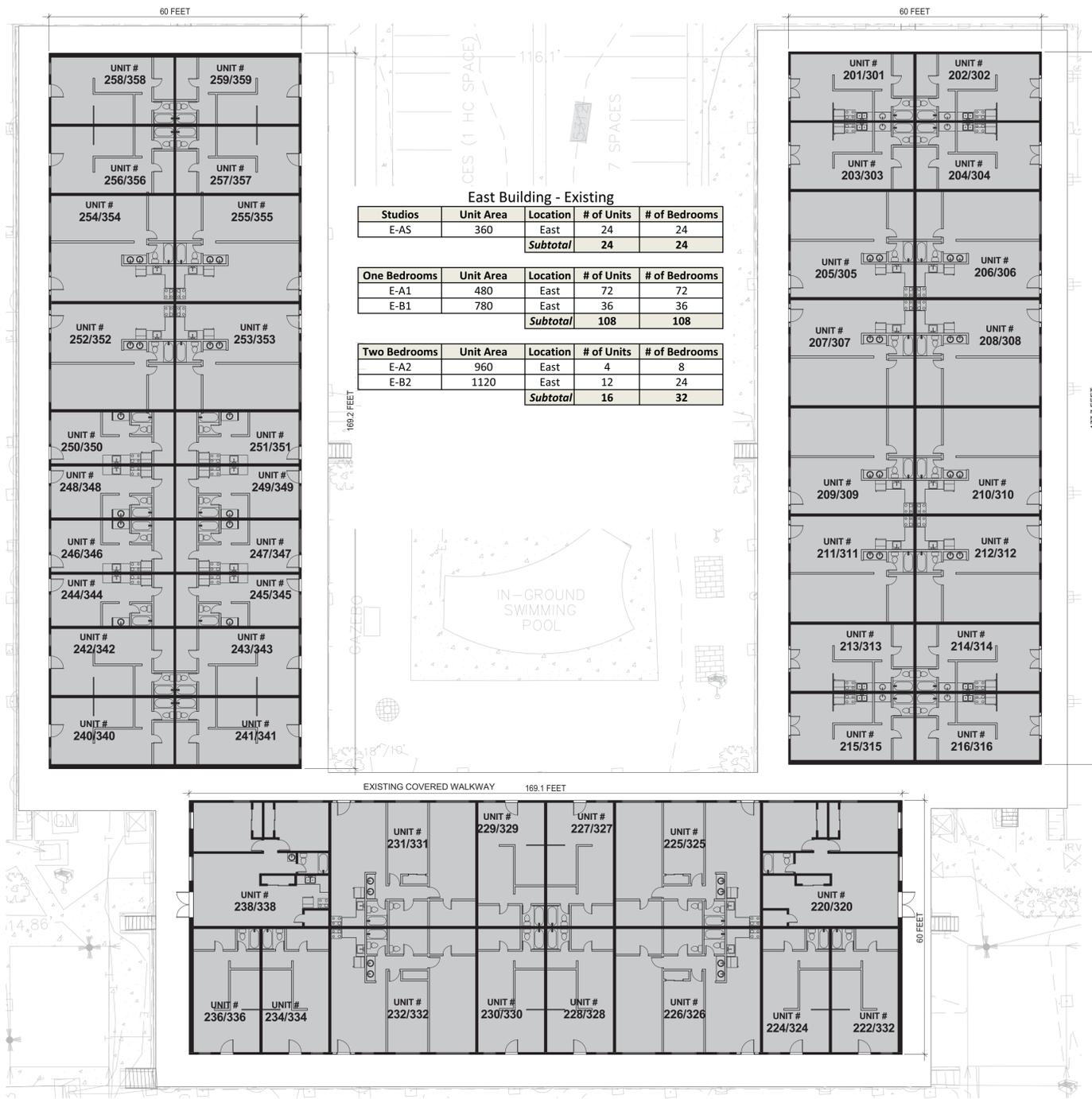
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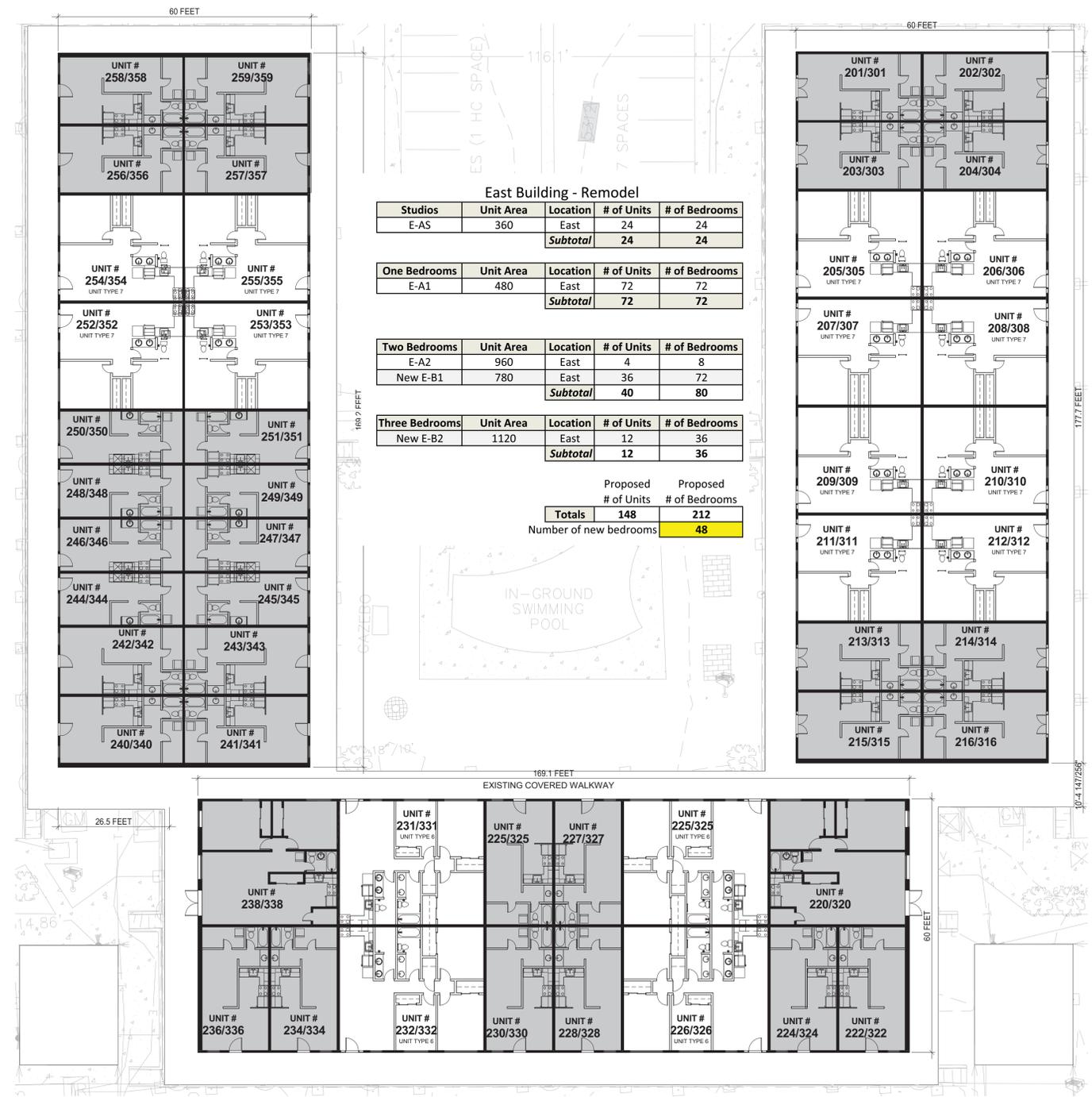


A102





**EAST BUILDING EXISTING PLAN
SECOND AND THIRD FLOOR TYPICAL**



**EAST BUILDING MODIFIED PLAN
SECOND AND THIRD FLOOR TYPICAL**

East Building - Existing

Studios	Unit Area	Location	# of Units	# of Bedrooms
E-AS	360	East	24	24
Subtotal			24	24

One Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
E-A1	480	East	72	72
E-B1	780	East	36	36
Subtotal			108	108

Two Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
E-A2	960	East	4	8
E-B2	1120	East	12	24
Subtotal			16	32

East Building - Remodel

Studios	Unit Area	Location	# of Units	# of Bedrooms
E-AS	360	East	24	24
Subtotal			24	24

One Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
E-A1	480	East	72	72
Subtotal			72	72

Two Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
E-A2	960	East	4	8
New E-B1	780	East	36	72
Subtotal			40	80

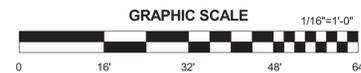
Three Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
New E-B2	1120	East	12	36
Subtotal			12	36

	Proposed # of Units	Proposed # of Bedrooms
Totals	148	212
Number of new bedrooms		48

CAVALIER APARTMENTS

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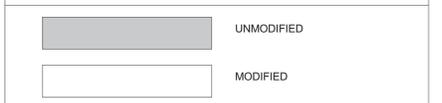


EAST BUILDING 2ND & 3RD FLOOR PLANS

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PLAN SYMBOLS AND HATCH LEGEND



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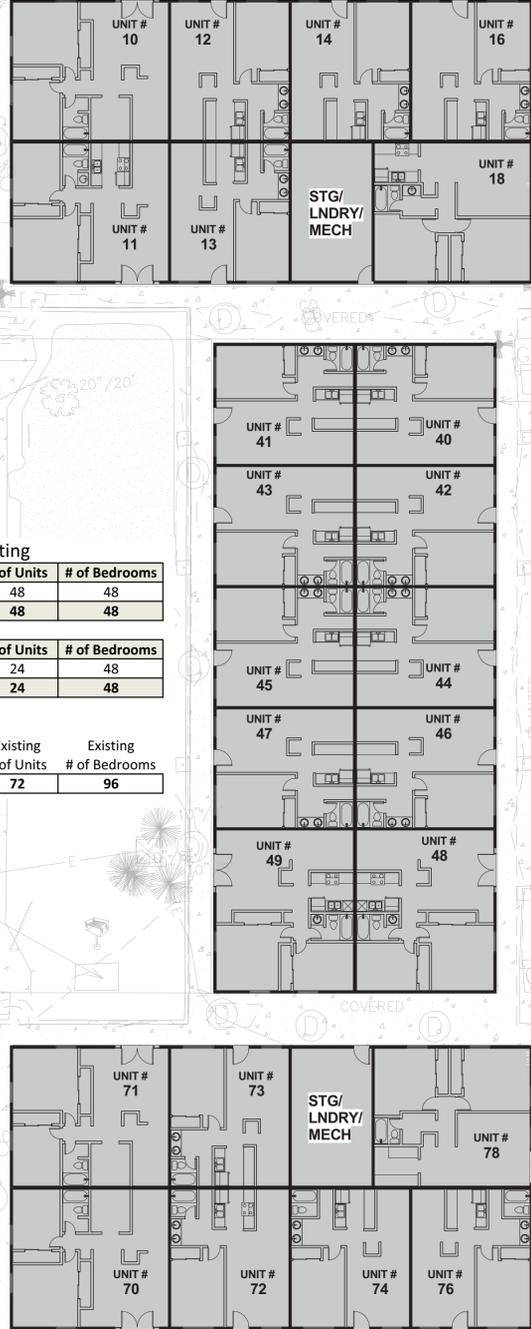
CVLR
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West Building - Existing

One Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
W-A1	610	West	48	48
Subtotal			48	48

Two Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
W-A2	780	West	24	48
Subtotal			24	48

	Existing # of Units	Existing # of Bedrooms
Totals	72	96



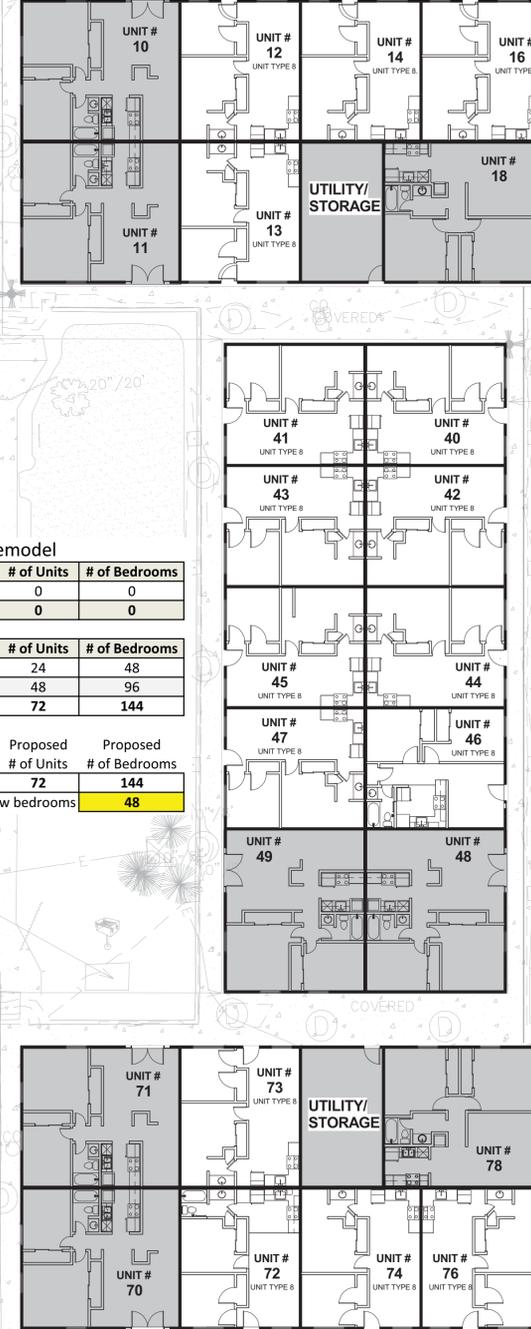
**WEST BUILDING EXISTING PLAN
TYPICAL OF ALL FLOORS**

West Building - Remodel

One Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
NA	NA	West	0	0
Subtotal			0	0

Two Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
W-A2	780	West	24	48
New W-A1	610	West	48	96
Subtotal			72	144

	Proposed # of Units	Proposed # of Bedrooms
Totals	72	144
Number of new bedrooms		48



**WEST BUILDING MODIFIED PLAN
TYPICAL OF ALL FLOORS**

***NOTE:**
A FIRE SPRINKLER SYSTEM WILL BE INSTALLED AS REQUIRED BY THE CITY OF BOULDER TO DEMONSTRATE THAT THE PROPOSED INUNI ALTERATIONS SHOWN IN THE USE REVIEW ARE CODE COMPLIANT

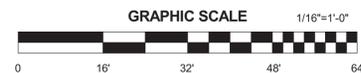
PLAN SYMBOLS AND HATCH LEGEND

	UNMODIFIED
	MODIFIED

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WEST BUILDING 1ST FLOOR PLAN

BOULDER, CO

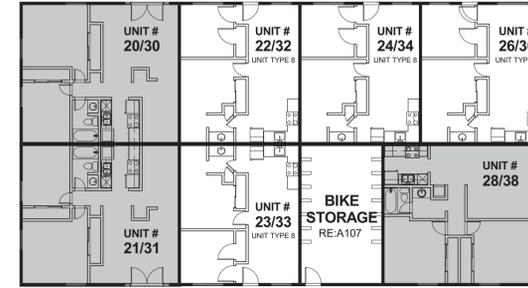
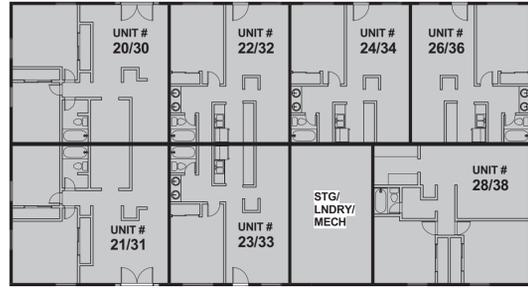
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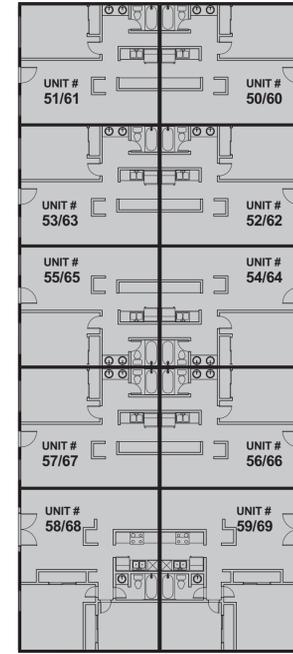


West Building - Existing

One Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
W-A1	610	West	48	48
Subtotal			48	48

Two Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
W-A2	780	West	24	48
Subtotal			24	48

	Existing # of Units	Existing # of Bedrooms
Totals	72	96

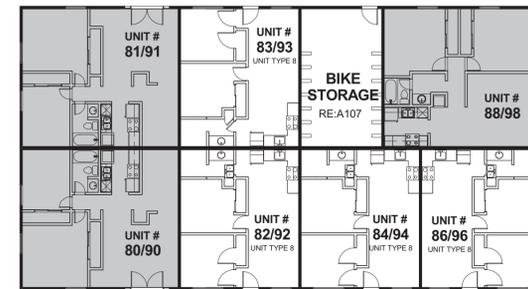
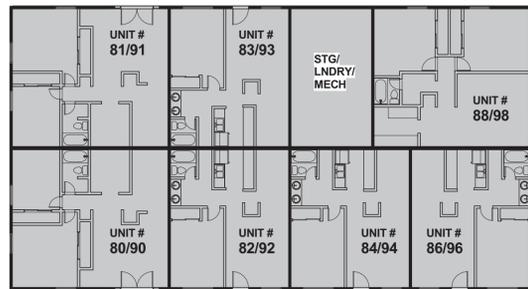
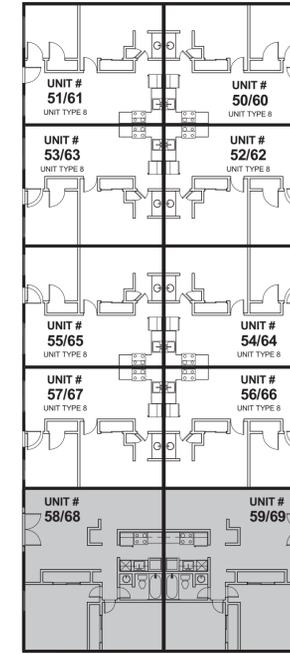


West Building - Remodel

One Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
NA	NA	West	0	0
Subtotal			0	0

Two Bedrooms	Unit Area	Location	# of Units	# of Bedrooms
W-A2	780	West	24	48
New W-A1	610	West	48	96
Subtotal			72	144

	Proposed # of Units	Proposed # of Bedrooms
Totals	72	144
Number of new bedrooms		48



WEST BUILDING EXISTING PLAN
TYPICAL OF ALL FLOORS

WEST BUILDING MODIFIED PLAN
TYPICAL OF ALL FLOORS

*NOTE:
A FIRE SPRINKLER SYSTEM WILL BE INSTALLED AS REQUIRED BY THE CITY OF BOULDER TO DEMONSTRATE THAT THE PROPOSED INUNI ALTERATIONS SHOWN IN THE USE REVIEW ARE CODE COMPLIANT

PLAN SYMBOLS AND HATCH LEGEND	
	UNMODIFIED
	MODIFIED

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WEST BUILDING 2ND & 3RD FLOOR PLANS

BOULDER, CO

NON-CONFORMING USE REVIEW
03/02/16

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EXISTING UNIT TYPE 6 - 2BD/1BA (1,120 SF)



EXISTING UNIT TYPE 7 - 1BD/1BA (780 SF)



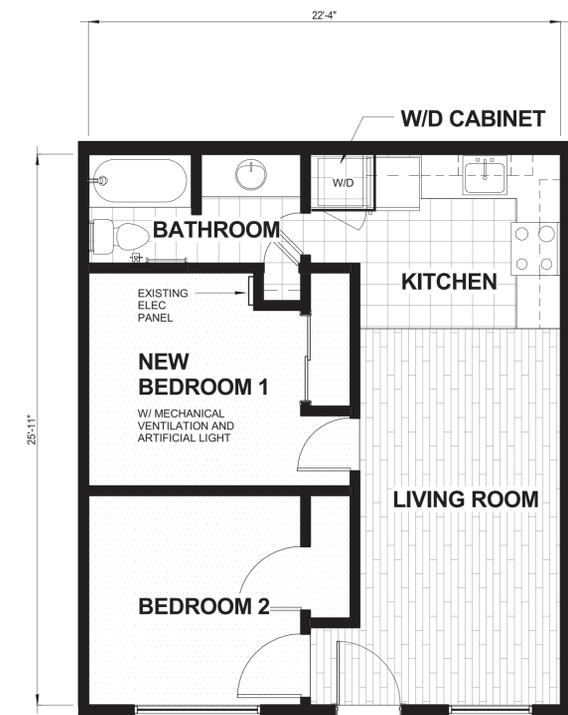
EXISTING UNIT TYPE 8 - 1BD/1BA



MODIFIED UNIT TYPE 6 - 3BD/2BA (1,120 SF)



MODIFIED UNIT TYPE 7 - 2BD/1BA (780 SF)

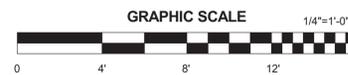


MODIFIED UNIT TYPE 8 - 2BD/1BA

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UNIT PLANS

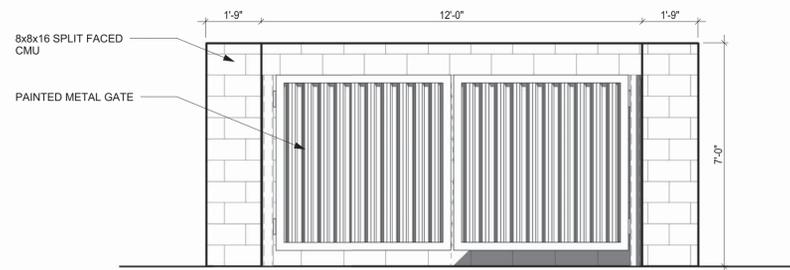
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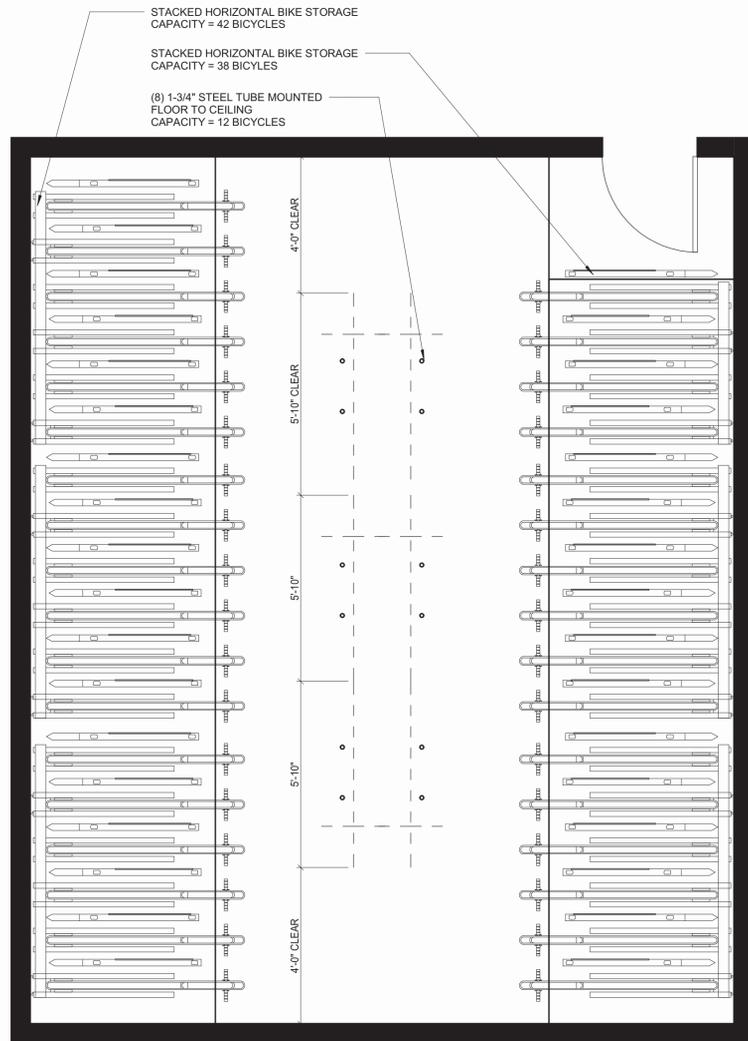




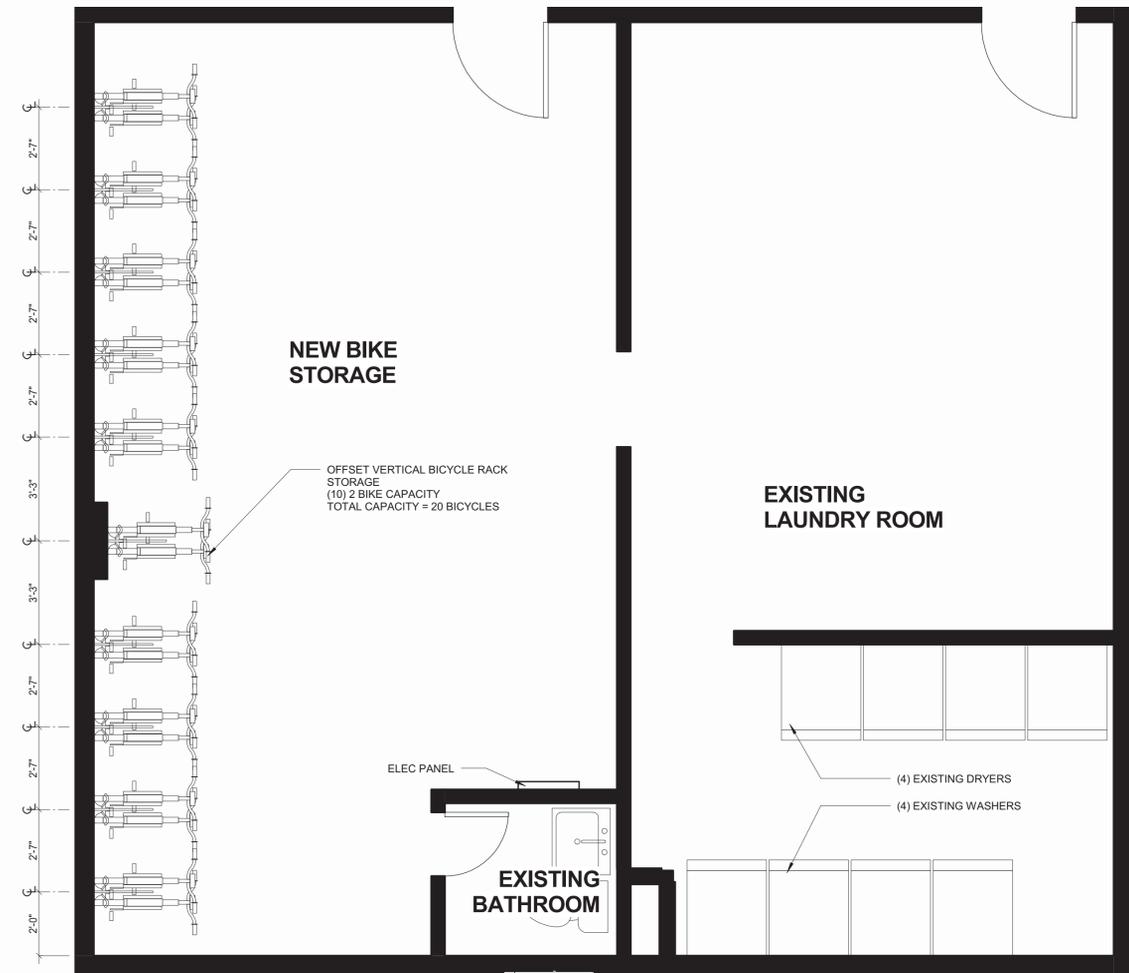
NEW TRASH ENCLOSURE ELEVATION

LONG TERM BIKE PARKING SUMMARY

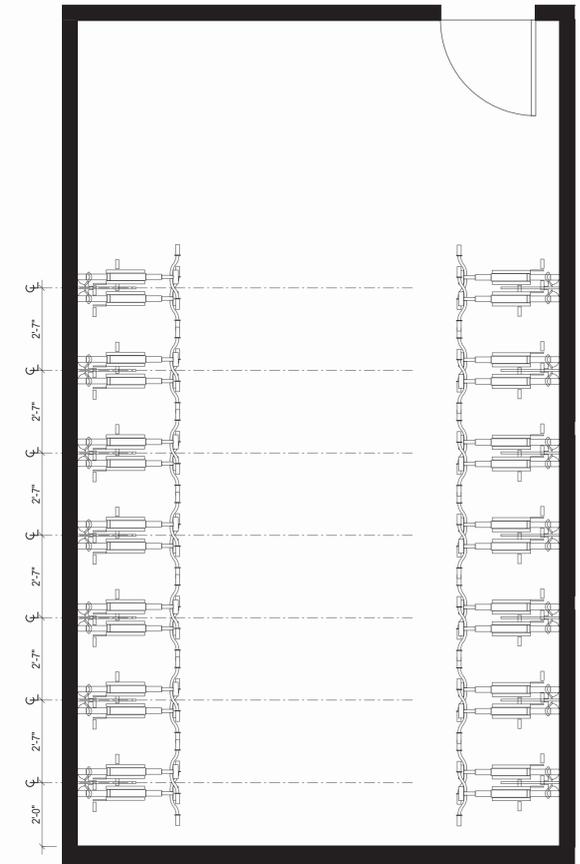
	LONG TERM BICYCLE RACKS PROVIDED	
EAST BUILDING	EXISTING BRICK BUILDING S/W	92
	EXISTING BRICK BUILDING S/E	92
	EXISTING UTILITY/LAUNDRY	20
	EXISTING UTILITY/LAUNDRY	20
TOTAL WEST BUILDING		224
WEST BUILDING	EXISTING LAUNDRY SECOND FLOOR	28
	EXISTING UTILITY SECOND FLOOR	28
	EXISTING LAUNDRY THIRD FLOOR	28
	EXISTING UTILITY THIRD FLOOR	28
TOTAL EAST BUILDING		112
TOTAL LONG TERM SPACES		336



TYPICAL BIKE STORAGE LAYOUT IN (2) EXISTING SINGLE STORY ACCESSORY BUILDINGS



TYPICAL NEW BIKE STORAGE LAYOUT IN (2) EXISTING LAUNDRY ROOMS EAST BUILDING



TYPICAL NEW BIKE STORAGE LAYOUT IN (4) EXISTING 2ND/3RD FLOOR LAUNDRY/UTILITY WEST BUILDING

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LONG TERM BIKE PARKING

BOULDER, CO

NON-CONFORMING USE REVIEW
03/02/16

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ALTA/NSPS LAND TITLE SURVEY

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.,
COUNTY OF BOULDER, STATE OF COLORADO

SHEET 1 OF 2
TOTAL AREA = 202,328 SQ FT, OR
4.64 ACRES, MORE OR LESS

Boundary Closure Report

COURSE: S03°30'44"W LENGTH: 306.36'
COURSE: N86°34'14"W LENGTH: 660.35'
COURSE: N03°30'49"E LENGTH: 306.43'
COURSE: S86°33'52"E LENGTH: 660.34'
PERIMETER: 1933.49' AREA: 202328.38 SQ. FT.
ERROR CLOSURE: 0.00
PRECISION 1: 1933480000.00

Parcel Description

(PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY)
DEED RECORDED ON 01/06/1975 AT REC. NO. 126080

PARCEL ONE:

THE NORTH 1/2 NE 1/4 SE 1/4 SW 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., EXCEPT THE EAST 425 FEET AND EXCEPT THE NORTH 30 FEET FOR EAST AURORA AVENUE, COUNTY OF BOULDER, STATE OF COLORADO.

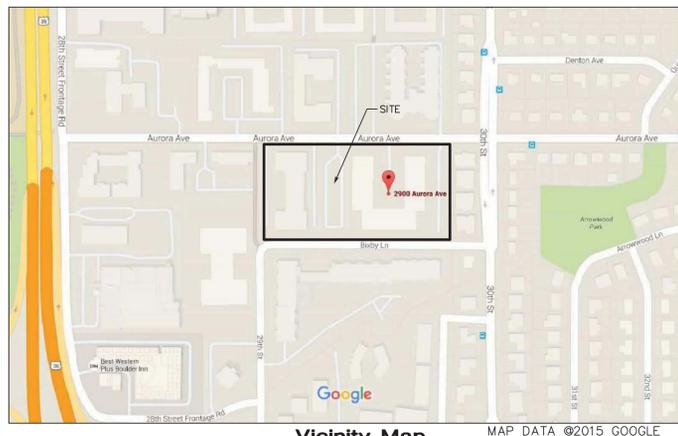
PARCEL TWO:

THE EAST 425 FEET OF THE N 1/2 NE 1/4 SE 1/4 SW 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., EXCEPT THE NORTH 30 FEET FOR EAST AURORA AVENUE, COUNTY OF BOULDER, STATE OF COLORADO.

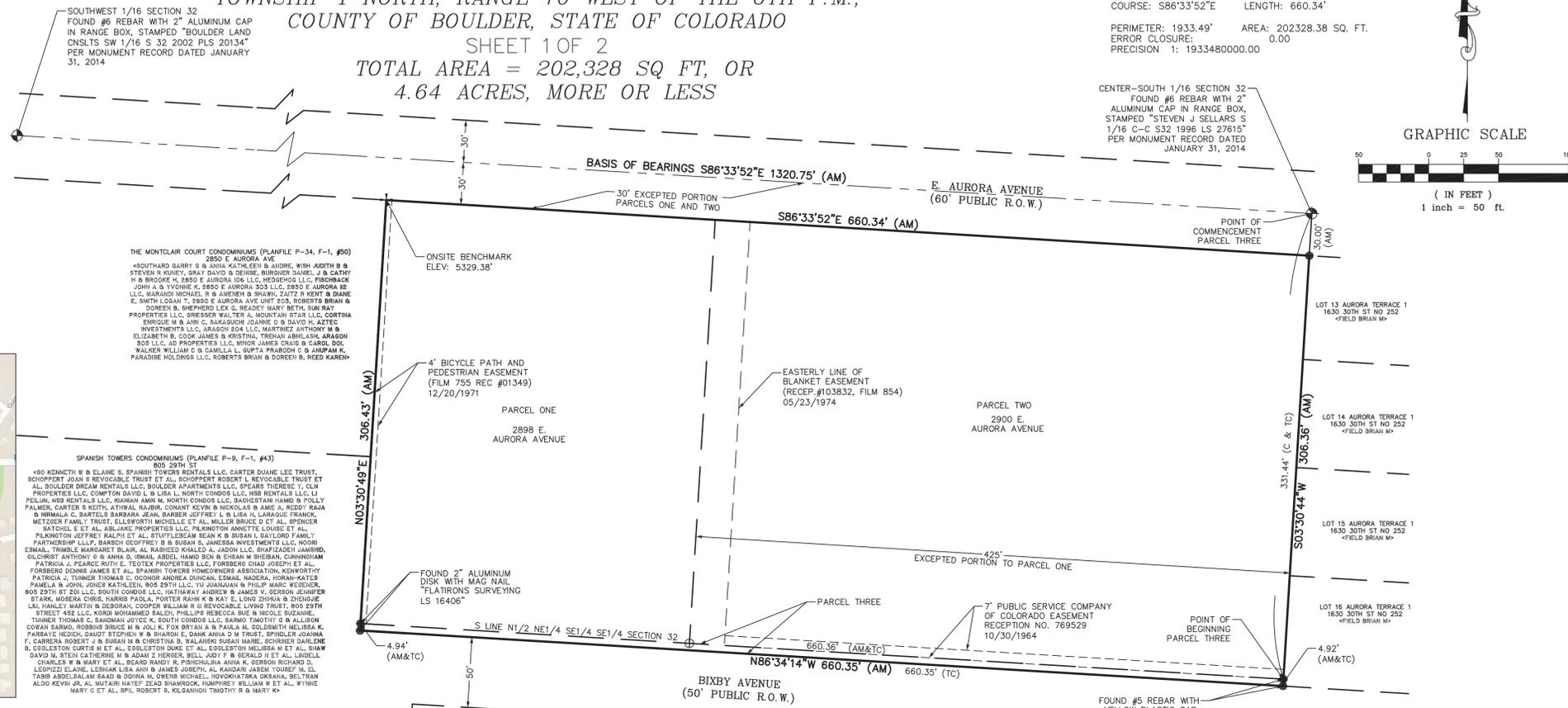
PARCEL THREE:

A PART OF THE NE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 32; THENCE SOUTHERLY ALONG THE EAST LINE OF THE SW 1/4 OF SAID SECTION 32, A DISTANCE OF 331.44 FEET TO THE SOUTHEAST CORNER OF THE N 1/2 OF THE NE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 32 WHICH POINT IS THE TRUE POINT OF BEGINNING; THENCE WESTERLY ALONG THE SOUTH LINE OF THE N 1/2 OF THE NE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 32, A DISTANCE OF 660.36 FEET TO THE SOUTHWEST CORNER OF THE N 1/2 OF THE NE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 32; THENCE SOUTHERLY ALONG THE WEST LINE OF THE NE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION 32, A DISTANCE OF 4.94 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2 ACRES OF THE E 1/2 OF THE SW 1/4 OF SAID SECTION 32; THENCE EASTERLY ALONG SAID NORTH LINE A DISTANCE OF 660.36 FEET TO A POINT ON THE EAST LINE OF THE SW 1/4 OF SAID SECTION 32; THENCE NORTHERLY ALONG SAID EAST LINE A DISTANCE OF 4.92 FEET TO THE TRUE POINT OF BEGINNING; COUNTY OF BOULDER, STATE OF COLORADO.



Vicinity Map
NOT TO SCALE



Notes

- FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NUMBER 508-F0532061-017-TLM, AMENDMENT NO. 1, DATED OCTOBER 30, 2015 AT 7:00 A.M., WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
- ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THIS ALTA/NSPS LAND TITLE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF BRICKSTONE PARTNERS, INC., 2900 BOULDER, LLC, A COLORADO LIMITED LIABILITY COMPANY, KINNICKINNIC REALTY CO., A COLORADO CORPORATION, STATE FARM LIFE INSURANCE COMPANY, AN ILLINOIS CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS, A COLORADO LIMITED LIABILITY COMPANY AND FIDELITY NATIONAL TITLE INSURANCE COMPANY, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR NAMING SAID PERSON.
- THIS SURVEY IS VALID ONLY IF PRINT HAS SEAL AND SIGNATURE OF SURVEYOR.
- BASIS OF BEARINGS: AN ASSUMED BEARING OF S86°33'52"E ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 32, BETWEEN A FOUND #6 REBAR WITH 2" ALUMINUM CAP IN RANGE BOX, STAMPED "BOULDER LAND CNLSLTS SW 1/16 S 32 2002 PLS 20134" AT THE SOUTHWEST 1/16 SECTION 32 AND A FOUND #6 REBAR WITH 2" ALUMINUM CAP IN RANGE BOX, STAMPED "STEVEN J SELLARS S 1/16 C-C S32 1996 LS 27615" AT THE CENTER-SOUTH 1/16 SECTION 32 AS SHOWN HEREON. ALL BEARINGS SHOWN HEREON ARE RELATIVE THERE TO.
- WITH REGARD TO TABLE A, ITEM 11, SOURCE INFORMATION FROM PLANS AND MARKINGS HAVE BEEN COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5.1.1. TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER LACKING EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE. A PRIVATE UTILITY LOCATER WAS HIRED FOR THE PREPARATION OF THIS SURVEY. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES AND STRUCTURES. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY OR UTILITY COMPANY PRIOR TO ANY EXCAVATION, PURSUANT TO C.R.S. SEC. 9-1.5-103. (ALTA/NSPS LAND TITLE SURVEY TABLE A, OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, ITEM 11)
- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE C.R.S. SEC 18-4-508. WHOEVER WILLFULLY DESTROYS, DEFACES, CHANGES, OR REMOVES TO ANOTHER PLACE ANY SECTION CORNER, QUARTER-SECTION CORNER, OR MEANDER POST, ON ANY GOVERNMENT LINE OF SURVEY, OR WILLFULLY CUTS DOWN ANY WITNESS TREE OR ANY TREE BLAZED TO MARK THE LINE OF A GOVERNMENT SURVEY, OR WILLFULLY DEFACES, CHANGES, OR REMOVES ANY MONUMENT OR BENCH MARK OF ANY GOVERNMENT SURVEY, SHALL BE FINED UNDER THIS TITLE OR IMPRISONED NOT MORE THAN SIX MONTHS, OR BOTH. 18 U.S.C. § 1858.
- THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
- THE CONTOURS REPRESENTED HEREON WERE INTERPOLATED BY AUTOCAD CIVIL 3D (DIGITAL TERRAIN MODELING) SOFTWARE BETWEEN ACTUAL MEASURED SPOT ELEVATIONS. DEPENDING ON THE DISTANCE FROM A MEASURED SPOT ELEVATION AND LOCAL VARIATIONS IN TOPOGRAPHY, THE CONTOUR SHOWN MAY NOT BE AN EXACT REPRESENTATION OF THE SITE TOPOGRAPHY. THE PURPOSE OF THIS TOPOGRAPHIC MAP IS FOR SITE EVALUATION AND TO SHOW SURFACE DRAINAGE FEATURES. ADDITIONAL TOPOGRAPHIC OBSERVATIONS MAY BE NECESSARY IN SPECIFIC AREAS OF DESIGN. TOPOGRAPHY SHOWN HEREON COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS.
- BENCHMARK INFORMATION: ELEVATIONS BASED ON CITY OF BOULDER POINT G-18, WITH A PUBLISHED ELEVATION OF 5304.08 FEET (NAV88), BEING A CHISELED BOX IN TOP OF CURB LOCATED AT THE SOUTH CORNER OF THE INTERSECTION OF 30TH STREET AND EAST AURORA AVENUE. AN ONSITE BENCHMARK AT THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY, BEING A CHISELED "X" IN CONCRETE WITH AN ELEVATION OF 5329.38' FEET.
- SUBSURFACE BUILDINGS, IMPROVEMENTS OR STRUCTURES ARE NOT NECESSARILY SHOWN. BUILDINGS AND OTHER IMPROVEMENTS OR STRUCTURES ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE (5) FEET FROM ANY OF THE PROPERTY LINES OF THE SUBJECT PROPERTY ARE NOT NECESSARILY SHOWN.
- FLOOD INFORMATION: THE SUBJECT PROPERTY IS LOCATED IN ZONE X SHADED. AREAS DETERMINED TO BE AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOODPLAIN AND IN ZONE X UNSHADED. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AND/OR ZONE D, AREAS IN WHICH FLOOD HAZARDS ARE UNDETERMINED, BUT POSSIBLE, ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP; COMMUNITY-PANEL NO. 08013C-0394 J, DATED DECEMBER 18, 2012. THE MAP DOES NOT DIFFERENTIATE BETWEEN ZONE X UNSHADED AND ZONE D. FLOOD INFORMATION IS SUBJECT TO CHANGE.
- DATES OF FIELD WORK: AUGUST 4-6 AND OCTOBER 23-27, 2015 (THIS SURVEY), JANUARY 02, 2008 (FSI JOB #07-53,937) AND SEPTEMBER 3, 1997 (FSI JOB #97-30,554).
- THE FOLLOWING DOCUMENTS ARE MENTIONED IN THE ABOVE REFERENCED TITLE COMMITMENT AND APPEAR TO AFFECT THE SUBJECT PROPERTY BUT CANNOT BE SHOWN GRAPHICALLY. THE FOLLOWING LIST CONTAINS THE TITLE COMMITMENT EXCEPTION NUMBER, DATE RECORDED, RECEPTION NUMBER AND/OR BOOK AND PAGE.

EXCEPTION NUMBER	DATE RECORDED	RECEPTION NUMBER AND/OR BOOK AND PAGE	COVENANTS, CONDITIONS AND RESTRICTIONS (AFFECTS PARCEL TWO)
#09	JAN. 17, 1962	BOOK 1216, PAGE 283	LEASE
#13	JUN. 04, 1984	REC. NO. 624924	LEASE
	AUG 04, 1992	REC. NO. 1208173	ABSTRACT OF EXTENDED LEASE
	AUG. 10, 2001	REC. NO. 2184251	ABSTRACT OF EXTENDED LEASE
	OCT. 03, 2003	REC. NO. 2511654	ABSTRACT OF EXTENDED LEASE
	OCT. 05, 2007	REC. NO. 2881108	ABSTRACT OF EXTENDED LEASE
	APR. 08, 2003	REC. NO. 2421704	AMENDMENT TO LEASE
	APR. 09, 2003	REC. NO. 2422405	RELEASE OF LIEN IN CONNECTION WITH LEASE
#14	NO DATE GIVEN	NO RECORDING INFO	DITCH AND WATER RIGHTS
- THE FOLLOWING DOCUMENTS ARE MENTIONED IN THE ABOVE REFERENCED TITLE COMMITMENT AND ARE SHOWN GRAPHICALLY HEREON. THE FOLLOWING LIST CONTAINS THE TITLE COMMITMENT EXCEPTION NUMBER, DATE RECORDED, RECEPTION NUMBER AND/OR BOOK AND PAGE.

EXCEPTION NUMBER	DATE RECORDED	RECEPTION NUMBER AND/OR BOOK AND PAGE	COVENANTS, CONDITIONS AND RESTRICTIONS (AFFECTS PARCEL TWO)
#10	OCT. 30, 1964	REC. NO. 769529	PUBLIC SERVICE COMPANY OF COLORADO EASEMENT
#11	DEC. 20, 1971	REC. NO. 01349	4' BICYCLE PATH AND PEDESTRIAN WAY
#12	MAY 23, 1974	REC. NO. 103832	PUBLIC SERVICE COMPANY OF COLORADO EASEMENT (AFFECTS PARCEL TWO)
- THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THIS SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- THE TOTAL AREA OF THE SUBJECT PROPERTY IS 202,328 SQ. FT. OR 4.64 ACRES, MORE OR LESS. AREA AS SHOWN HEREON IS A RESULTANT FACTOR; NOT A DETERMINATIVE FACTOR, AND MAY CHANGE SIGNIFICANTLY WITH MINOR VARIATIONS IN FIELD MEASUREMENTS OR THE SOFTWARE USED TO PERFORM THE CALCULATIONS. FOR THIS REASON, THE AREA IS SHOWN AS A "MORE OR LESS" FIGURE, AND IS NOT TO BE RELIED UPON AS AN ACCURATE FACTOR FOR REAL ESTATE SALES PURPOSES (ALTA/NSPS LAND TITLE SURVEY TABLE A, OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, ITEM 4).
- THERE ARE 247 REGULAR PARKING SPACES, 2 HANDICAP SPACES, AND 0 MOTORCYCLE SPACES ON THE SUBJECT PROPERTY FOR A TOTAL OF 249 PAINTED PARKING SPACES ON THE SUBJECT PROPERTY (ALTA/NSPS LAND TITLE SURVEY TABLE A, OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, ITEM 9).
- OWNERSHIP INFORMATION IS PER THE BOULDER COUNTY WEBSITE AS RESEARCHED ON MARCH 2, 2016 AND IS SUBJECT TO CHANGE (ALTA/NSPS LAND TITLE SURVEY TABLE A, OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, ITEM 13).
- THERE WAS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK (ALTA/NSPS LAND TITLE SURVEY TABLE A, OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, ITEM 16).
- THERE WAS NO INFORMATION MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION REGARDING PROPOSED CHANGES IN STREET RIGHT OF WAY LINES. THERE WAS NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK (ALTA/NSPS LAND TITLE SURVEY TABLE A, OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, ITEM 17).
- RECTIFIED ORTHOPHOTOGRAHY, PHOTOGRAMMETRIC MAPPING AND/OR AIRBORNE/MOBILE LASER SCANNING WERE NOT USED IN THE PREPARATION OF THIS SURVEY. (ALTA/NSPS LAND TITLE SURVEY TABLE A, OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS, ITEM 15).

Depositing Certificate

SUBMITTED TO BOULDER COUNTY LAND USE FOR RECORDING ON THIS _____ DAY OF _____, 20____

REVISION	DATE
1. ADDITIONAL TABLE PER COMMENTS	M. VOYLES 06/26/2015
2. REVISED FOR UPDATED TITLE WORK	M. VOYLES 11/11/2015
3. REVISED FOR CLIENT COMMENTS	M. VOYLES 11/13/2015
4. ADD. PARCEL UPDATED TO 2016 NSPS	M. VOYLES 03/02/2016
5.	
6.	
7.	
8.	

ALTA/NSPS LAND TITLE SURVEY
PREPARED FOR
BRICKSTONE PARTNERS, INC.
OTHERS (SEE NOTE #3)
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JOB NUMBER:
15-66244
DATE:
10-30-2015
DRAWN BY:
M. VOYLES
CHECKED BY:
ETB/JZG/NV
SHEET 1 OF 2

Surveyor's Certificate

TO BRICKSTONE PARTNERS, INC., 2900 BOULDER, LLC, A COLORADO LIMITED LIABILITY COMPANY, KINNICKINNIC REALTY CO., A COLORADO CORPORATION, STATE FARM LIFE INSURANCE COMPANY, AN ILLINOIS CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS, A COLORADO LIMITED LIABILITY COMPANY AND FIDELITY NATIONAL TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 6(c), 6(b), 7(c), 7(b), 7(c), 8, 9, 10(a), 11, 13, 14, 15-17, 19 AND 20 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON OCTOBER 26, 2015.

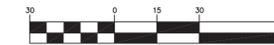
PURSUANT TO COLORADO STATE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS RULE 6.2.2 THE UNDERSIGNED FURTHER CERTIFIES THAT THIS MAP OR PLAT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS NOT A WARRANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

JOHN B. GUYTON COLORADO P.L.S. #16406
CHAIRMAN & CEO, FLATIRON, INC.

ALTA/NSPS LAND TITLE SURVEY

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.,
COUNTY OF BOULDER, STATE OF COLORADO
SHEET 2 OF 2

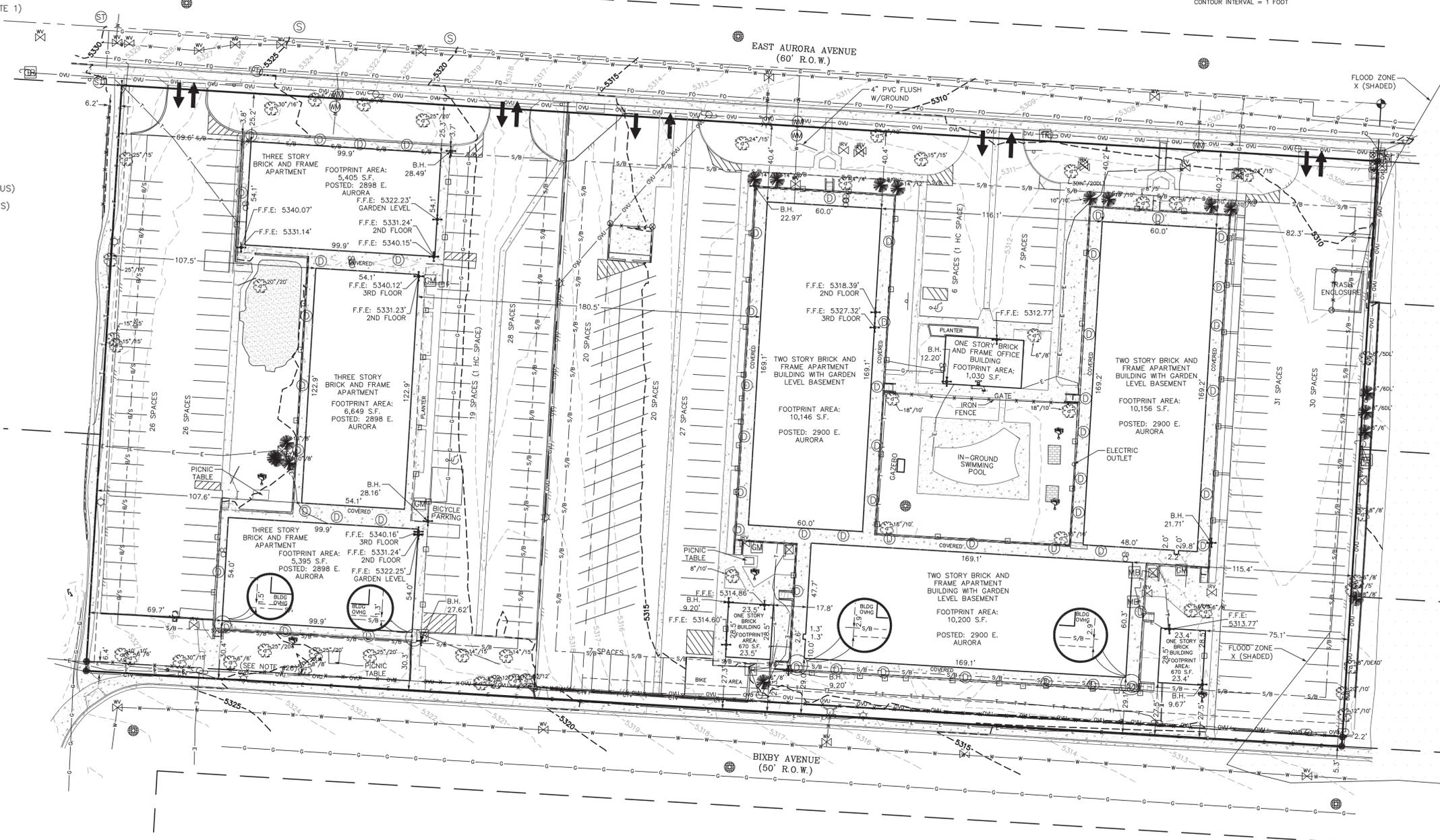
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.
CONTOUR INTERVAL = 1 FOOT

Legend

- FOUND ALIQUOT MONUMENT AS DESCRIBED
- FOUND CHISELED CROSS
- FOUND MONUMENT AS DESCRIBED
- FOUND BRASS TAG, STAMPED "LS 2132"
- (AM) AS MEASURED AT TIME OF SURVEY
- (C) CALCULATED FROM RECORD AND AS MEASURED INFORMATION
- (TC) AS PER DESCRIPTION IN TITLE COMMITMENT (SEE NOTE 1)
- F.F.E. FINISHED FLOOR ELEVATION
- B.H. BUILDING HEIGHT
- CONCRETE
- EDGE OF ASPHALT
- GRAVEL
- BRICK
- FENCE
- HAND RAIL
- SIGN
- BOLLARD
- CONIFEROUS TREE (TRUNK DIAMETER/DRIP LINE RADIUS)
- DECIDUOUS TREE (TRUNK DIAMETER/DRIP LINE RADIUS)
- HANDICAP PARKING
- NO PARKING
- WATER LINE
- WATER LINE SCALED FROM MAPS
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- SPIGOT
- IRRIGATION VALVE
- SANITARY SEWER MANHOLE
- CLEANOUT
- STORM DRAINAGE MANHOLE
- AREA DRAIN
- ELECTRICAL LINE
- ELECTRICAL TRANSFORMER
- ELECTRICAL METER
- ELECTRIC VAULT
- LIGHT POLE
- OVERHEAD UTILITY LINE
- UTILITY POLE
- GUY WIRE
- CABLE TV LINE
- CABLE/FIBEROPTIC VAULT
- FIBEROPTIC LINE
- TELEPHONE LINE
- TELEPHONE RISER
- GAS LINE
- GAS METER
- UNIDENTIFIED MANHOLE
- INDICATION OF ACCESS
- LOCATION OF BUILDING HEIGHT/FINISHED FLOOR
- MAILBOX
- BBQ GRILL
- FLOOD ZONE X (SHADED)
- BIKE RACK
- BENCH
- SETBACK LINE



REVISION	DATE
1. ADDITIONAL TABLE PER COMMENTS	M. VOYLES 06/2015
2. REVISED FOR UPDATED TITLE WORK	M. VOYLES 11/11/2015
3. REVISED FOR CLIENT COMMENTS	M. VOYLES 11/13/2015
4. ADD PARCEL, UPDATED TO 2016 NSPS	M. VOYLES 03/02/2016

ALTA/NSPS LAND TITLE SURVEY
PREPARED FOR
BRICKSTONE PARTNERS, INC.
OTHERS (SEE NOTE #3)
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JOB NUMBER:
15-66244
DATE:
10-30-2015
DRAWN BY:
M. VOYLES
CHECKED BY:
ETB/JZG/NV

BY:MVOYLES FILE:66244_ALTA-NSPS-TOPO.DWG DATE:3/2/2016 3:15 PM

MEMORANDUM

To: City of Boulder Planning and Development Services

From: Steve Tuttle, PE, PTOE

Date: March 1, 2016

Project: 2900 E. Aurora Avenue

Subject: Transportation Demand Management Plan

The Fox Tuttle Transportation Group has completed a traffic impact analysis for the proposed 2900 E. Aurora project in the City of Boulder. We understand that the project proposes to renovate the existing 220-unit Cavalier Apartments buildings to include interior and exterior improvements and to increase the total bedroom count from 260 bedrooms to 356 bedrooms. The unit count will remain at 220. The ratio of bedrooms to unit will increase from 1.18 to 1.61. Per the Traffic Impact Analysis prepared for this project, the project could result in an increase in site trip generation with an increase in bedroom count and potentially more residents. In accordance with the City of Boulder site review process, a Transportation Demand Management (TDM) Plan is required which outlines strategies to mitigate traffic impacts created by the any additional trips and implementable measures for promoting alternate modes of travel and reduction of single-occupancy vehicle travel.

The site is located in an area that affords numerous non-auto opportunities for travel. The existing and anticipated future resident population includes many University of Colorado students who walk or bike to the campus which begins a quarter mile to the west of the site with access via the Aurora Avenue underpass at US 36. The site also has excellent access to the 30th Street and 29th Street multimodal corridors, including the 28th Street multi-use path, 30th Street on-street bicycle lanes, and 209, 209G, BOUND, S. HX, 225, and 225E transit routes. CU students are provided with RTD Eco Passes which would promote transit use for many residents of this project. There also exist numerous mixed-use developments with restaurants and retail located within a quarter mile walking and biking distance.

The following text discusses specific TDM measures proposed within the context of site planning and programming:

Management and Parking Strategies:

- 90 standard, 145 compact, and 7 accessible parking spaces (242 total) are proposed on site in four parking lots with separate access points from Aurora Avenue. One existing parking lot access is proposed to be removed. The parking provision of 242 spaces represents a 16% reduction City of Boulder parking requirement of 288 spaces for RH-5 zoning based on the unit types, # of bedrooms, and number of units proposed.
- It is proposed that all parking will be unbundled. Parking spaces will be available for lease separately from the lease of the units themselves at 2900 E. Aurora. If residents choose to lease a parking space, a separate line item will be charged in their lease at an amount to be determined and their parking access will be defined in a parking addendum to the lease. Residents will receive a parking sticker when a space is leased, and parking will be monitored by the on-site management. A parking space that is leased by a resident will not be designated or reserved to a unit or resident. A small number of spaces adjacent to the leasing office will be designated for short-term visitor/"future resident" parking.

Facilities and Design:

- Bicycle Parking: Pursuant to section 9-9-6 (8)(g)(1), B.R.C. 1981, off-street bicycle parking is required as follows:
 - Residential: 2 per unit, with 75% long-term and 25% short-term parking
 - With 220 dwelling units, 440 bicycle parking spaces are required (330 long-term and 110 short-term).

The project proposes to provide 186 short-term and 336 long-term (522 total) bicycle parking spaces with distribution throughout the site and adjacent to entrances to provide convenient access for residents and guests. This exceeds the City code bicycle parking requirement by 82 spaces.

Bicycle Access: Bicycle access to the site is provided from Aurora Avenue, which connects to the 28th Street one-street bicycle lanes to the west, the US 36 underpass and City/campus off-street multi-use path system to the west, and the 30th Street on-street bicycle lanes to the east.

Incentives Strategies:

-
- Residential Eco-Passes: Many residents are anticipated to be University of Colorado students who already received RTD Eco-Passes. For non-student residents, local passes (\$99/month) will be purchased for up to 17 residents for a period of three years.
 - Transportation Information Center: The applicant will maintain a Transportation Information Center at the leasing office. This center can take a variety of forms, but must serve as means to providing residents with important travel information including transit maps and schedules, bicycle maps, local and regional marketing campaigns, and information on the benefits provided to residents.

Marketing Strategies:

- Orientation packets: Applicant will provide Go Boulder Orientation Packets to residents that will include bus/bike maps and other information on transportation projects.
- TDM Plan evaluation: Applicant will facilitate the distribution of GO Boulder-provided periodic surveys of resident behavior to evaluate the TDM Plan. The survey is designed to collect anonymous travel information and takes less than 10 minutes to complete.

Parking Analysis

On-Street parking in the site vicinity is in high demand throughout the day and night with this demand created largely by residents in the area as well as students and visitors to the nearby CU campus. Per discussions with City staff, a parking study was conducted as part of this TDM plan to address impacts of TDM measures on parking demand as well as to evaluate the feasibility of the proposed parking reductions.

A field parking study was conducted which documented parking inventory and peak demand on typical weekdays. This occurred in late January and early February 2016 during two overnight periods (3-4~~pm~~
am) and one daytime period (1-2pm). The field parking study found the following:

- There are approximately 105 legal parking spaces on-street along Aurora Avenue between 30th Street and the 28th Street Frontage. During both overnight periods and during the daytime period observed, there were no less than 104 vehicles parked, indicating full or near-full use of on-street parking on this street.
- There are approximately 61 legal parking spaces along Bixby Avenue between 30th Street and 29th Street along the south border of the project site. Observed occupancy ranged from 55% to 62%.

The high overnight parking utilization, particularly on E. Aurora Avenue adjacent to the project site, indicates that these on-street spaces are in high demand by local residents and that this project should seek to accommodate site-generated parking demand within the off-street, private parking areas on the site to reduce additional pressure on on-street parking.

An analysis of the potential peak parking demand was conducted using Institute of Transportation Engineer (ITE) parking data, consistent with Section 9-9-6(d)(6), B.R.C. 1981. ITE parking data for Land Use #221: "Low/Mid-Rise Apartment" for urban conditions was utilized. Suburban data was revised but determined not consistent with this site given the non-auto opportunities for travel at this site that a typical suburban site does not have (transit, land use mix, walkability and bikeability). The ITE data and formulas are based on a compilation of peak parking demand field studies conducted throughout the United States and by methodology incorporates resident parking, guest parking, and any other parking activity that would typically occur at an apartment use. The ITE data sheets are provided, for reference. The following summarizes the ITE peak parking demand data and application to the proposed 242 parking spaces:

- ITE data for 40 different apartment sites with an average of 1.9 bedrooms per unit showed that the peak parking demand can be estimated by the formula: $P = 0.92x + 4$, where x = the number of dwelling units.
- Using the ITE formula above, the projected peak parking demand for this site as proposed would be 206 parking spaces.

The project proposes 220 units with a total of 355 bedrooms, or 1.61 bedrooms per unit. Thus, the ITE formula would conservatively apply to this project, as the data is based on a higher average bedroom per unit ratio (1.9 vs. 1.61). Based on application of the ITE data, the project can accommodate peak parking demand on site with the proposed 242 parking spaces. Accommodation of parking demand on-site will reduce any additional pressure on the heavily utilized on-street parking in the area.

/SGT

Attachments:

ITE Parking Data

Land Use: 221

Low/Mid-Rise Apartment

Description

Low/mid-rise apartments are rental dwelling units located within the same building with at least three other dwelling units: for example, quadraplexes and all types of apartment buildings. The study sites in this land use have one, two, three, or four levels. High-rise apartment (Land Use 222) is a related use.

Database Description

The database consisted of a mix of suburban and urban sites. Parking demand rates at the suburban sites differed from those at urban sites and, therefore, the data were analyzed separately.

- Average parking supply ratio: 1.4 parking spaces per dwelling unit (68 study sites). This ratio was the same at both the suburban and urban sites.
- Suburban site data: average size of the dwelling units at suburban study sites was 1.7 bedrooms, and the average parking supply ratio was 0.9 parking spaces per bedroom (three study sites).
- Urban site data: average size of the dwelling units was 1.9 bedrooms with an average parking supply ratio of 1.0 space per bedroom (11 study sites).

Saturday parking demand data were only provided at two suburban sites. One site with 1,236 dwelling units had a parking demand ratio of 1.33 vehicles per dwelling unit based on a single hourly count between 10:00 and 11:00 p.m. The other site with 55 dwelling units had a parking demand ratio of 0.92 vehicles per dwelling unit based on counts between the hours of 12:00 and 5:00 a.m.

Sunday parking demand data were only provided at two urban sites. One site with 15 dwelling units was counted during consecutive hours between 1:00 p.m. and 5:00 a.m. The peak parking demand ratio at this site was 1.00 vehicle per dwelling unit. The peak parking demand occurred between 12:00 and 5:00 a.m. The other site with 438 dwelling units had a parking demand ratio of 1.10 vehicles per dwelling unit based on a single hourly count between 11:00 p.m. and 12:00 a.m.

Four of the urban sites were identified as affordable housing.

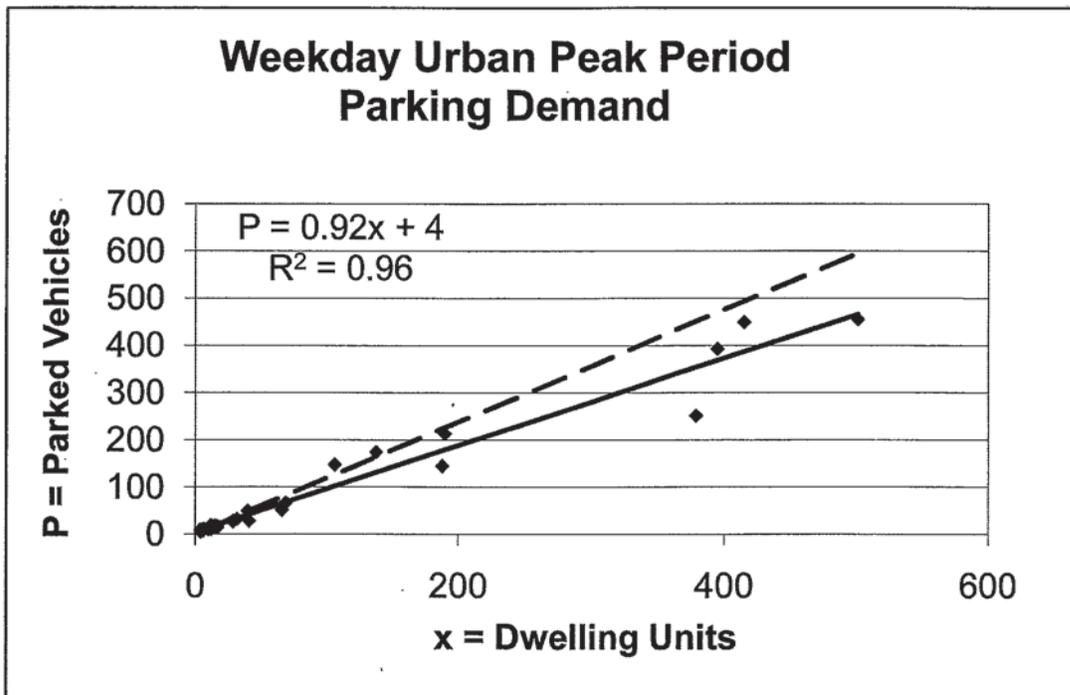
Several of the suburban study sites provided data regarding the number of bedrooms in the apartment complex. Although these data represented only a subset of the complete database for this land use, they demonstrated a correlation between number of bedrooms and peak parking demand. Study sites with an average of less than 1.5 bedrooms per dwelling unit in the apartment complex reported peak parking demand at 92 percent of the average peak parking demand for all study sites with bedroom data. Study sites with less than 2.0 but greater than or equal to 1.5 bedrooms per dwelling unit reported peak parking demand at 98 percent of the average. Study sites with an average of 2.0 or greater bedrooms per dwelling unit reported peak parking demand at 13 percent greater than the average.

For the urban study sites, the parking demand data consisted of single or discontinuous hourly counts and therefore a time-of-day distribution was not produced. The following table presents a time-of-day distribution of parking demand at the suburban study sites.

Land Use: 221 Low/Mid-Rise Apartment

Average Peak Period Parking Demand vs. Dwelling Units
On a: Weekday
Location: Urban

Statistic	Peak Period Demand
Peak Period	10:00 p.m.–5:00 a.m.
Number of Study Sites	40
Average Size of Study Sites	70 dwelling units
Average Peak Period Parking Demand	1.20 vehicles per dwelling unit
Standard Deviation	0.42
Coefficient of Variation	35%
95% Confidence Interval	1.07–1.33 vehicles per dwelling unit
Range	0.66–2.50 vehicles per dwelling unit
85th Percentile	1.61 vehicles per dwelling unit
33rd Percentile	0.93 vehicles per dwelling unit



◆ Actual Data Points — Fitted Curve - - - Average Rate

MEMORANDUM

To: City of Boulder Planning and Development Services

From: Steve Tuttle, PE, PTOE

Date: March 1, 2016

Project: 2900 E. Aurora Avenue

Subject: Traffic Impact Analysis

The Fox Tuttle Transportation Group has completed a traffic impact analysis for the proposed 2900 E. Aurora project in the City of Boulder. We understand that the project proposes to renovate the existing 220-unit Cavalier Apartments buildings to include interior and exterior improvements and to increase the total bedroom count from 260 bedrooms to 355 bedrooms. The unit count will remain at 220. The purpose of this memorandum is to quantify the potential increase in vehicular traffic associated with the higher bedroom count, analyze any potential operational impacts related to new traffic on the existing roadway and intersection network, and to identify potential improvements necessary to mitigate any impacts.

Project Description

The 2900 E. Aurora project, also known as the Cavalier Apartments, currently has 220 units with a total of 260 bedrooms. Existing access is via five (5) curb cuts along the south side of E. Aurora Avenue just west of 30th Street serving private, off-street parking. A vicinity map is shown on **Figure 1**. The project is proposing to renovate the interior and exterior of the existing structures, provide landscaping improvements, restripe/reconfigure parking areas, and consolidate access by removing one of the five curb cuts so that four will remain. The total number of bedrooms is proposed to be increased from 260 to 355, though the 220 unit count will remain the same. The project site plan is provided on **Figure 2**.

Existing Transportation Network

Roadways that service the site include arterial, collector, and local streets and are described as follows:

30th Street is a four-lane, north-south arterial roadway that extends from Williams Village area on the south end to Diagonal Highway (SH 119) on the north end. 30th Street serves residential and commercial uses through this area and services approximately 19,000 vehicles per day (vpd). The posted speed limit is 35 miles per hour (mph) in the project vicinity. 30th Street has on-street bicycle lanes, four to five-foot wide attached sidewalks, and is serviced by the 209, 209G, and BOUND transit routes near the project.

E. Aurora Avenue is a two-lane, east-west collector roadway that extends from the 28th Street Frontage Road east to Mohawk Drive, providing access to mostly residential uses. Aurora Avenue services approximately 1,500 vpd adjacent to the project site. The posted speed limit is 25 mph in the project vicinity. Aurora Avenue is a designated bike route and has on-street parking. The intersection of 30th Street with Aurora Avenue is signalized with northbound and southbound exclusive left-turn lanes.

28th Street Frontage Road is a two lane collector roadway that runs parallel to 28th Street and provides direct access to commercial and residential uses along 28th Street. The posted speed limit is 25 mph. The intersection of the 28th Street Frontage Road with Aurora Avenue is controlled with a stop sign on the Aurora Avenue (westbound) approach.

Existing transit services within the study area include the following:

- 209, 209G, and BOUND routes serviced along 30th Street and Aurora Avenue east of 30th Street. Transit stop for all directions exist within 300' of the 30th Street & Aurora Avenue intersection adjacent to the site.
- 225 and 225E routes are serviced along Baseline Road at the 30th Street & Baseline Road intersection, approximately ¼-mile north of the project site.
- J and Stampede routes are serviced at the Colorado Avenue & 30th Street intersection, approximately ¼-mile north of the project site.
- S and HX routes are serviced at the College Avenue & 28th Street Frontage Road, approximately 0.40 north and west of the project site.

Existing bicycle and pedestrian facilities in the study area include:

- Attached sidewalk network along Aurora Avenue and 30th Street
- Detached sidewalks along the 28th Street Frontage Road

-
- On-street bicycle lanes on 30th Street and on Baseline Road
 - Aurora Avenue designated bicycle route
 - Pedestrian underpasses to the CU campus and multi-use path network located at the 28th Street Frontage Road & Aurora Avenue intersection and the 28th Street Frontage Road & College Avenue intersection

Existing Traffic Volumes and Traffic Operations

Existing traffic volumes were compiled from City traffic data and some were collected specifically for this project. The data includes both AM and PM peak hour turning movement counts at study area intersections and daily traffic volumes. The existing traffic count data is summarized on **Figure 3**. Count data sheets are provided in the Appendix. Note that the driveway volumes for the project site were included only to provide an estimate of site traffic distribution (east vs. west along Aurora Avenue) but do not represent volumes at full occupancy of the site.

In determining the operational characteristics of an intersection, “Levels of Service” (LOS) A through F are applied, with LOS A indicating very good operations and LOS F indicating congested operations. The intersection LOS is represented as a delay in seconds per vehicle for the intersection as a whole and for each turning movement. A more detailed discussion of LOS methodology is contained in the Appendix for reference. Criteria contained in the Highway Capacity Manual (HCM) was applied for these analyses in order to determine existing levels of service during peak hour periods.

The results of the LOS calculations performed using Synchro software for all intersections and lane groups are summarized in **Table 1**. The Synchro worksheets are attached in the Appendix. The data in the tables show that all study area intersections are operating acceptably overall with all intersections at LOS C or better and all individual movements at LOS D or better. No existing capacity deficiencies were identified.

Future Background Growth

In order to review potential future traffic growth in the project area, the following information was reviewed:

- City of Boulder Arterial Count Program Data for 30th Street
- City of Boulder Development Review information relative to other area projects

The site area around 30th Street and Aurora Avenue has been built out for many years and this is reflected in the arterial count program data. City of Boulder historic count data along 30th Street

just south of Aurora Avenue provides field count data and regression analysis for every year since 1983 up to 2015. Based on this data, traffic volumes along 30th Street have been in the 18,000 to 21,000 range since 2001. Long-term traffic growth, based on regression analysis of the field data, suggests a long term growth rate of less than 1% annually.

As the area is built out, potential traffic growth along Aurora Avenue would largely be driven by redevelopment projects that would increase land use densities. Current nearby land use projects and applications were reviewed based on data provided by the City of Boulder. Discussions with City staff relative to this project included the 2985 Aurora Avenue project and the American Campus project (820 28th Street). The information provided with these projects showed no impacts to study area volumes relevant to this analysis. Traffic increases due to other recent projects that have been built would be represented in the traffic data that was collected for this study.

Given the relatively low background traffic growth in the area, minimal additional planned/permitted redevelopment, and within the context of the size of this project, a long-term traffic growth scenario was not performed. Intersection Levels of Service within the study area are expected to be similar to existing conditions for future-year scenarios. Given that the background traffic volumes would be expected to be unchanged within the next year when this project is completed, this study focuses on the “existing-plus-project” scenario of existing traffic with site-added traffic volumes.

Project Trip Generation

In order to estimate vehicular trips for development projects, City of Boulder Design and Construction Standards require use of trip rates and equations contained in the Institute of Transportation Engineers (ITE) Trip Generation manual. For the “Apartment” land use categories, rates are only provided by dwelling units or for number of persons (residents), independent of bedroom count per unit. As the number of units is remaining the same, the any increase in site traffic would only be due to an increase in residents.

The existing site has 260 bedrooms in 220 total units, or 1.18 bedrooms per unit. The project proposes to increase the total number of bedrooms from 260 to 255 (95 additional bedrooms) by converting large existing bedrooms to two separate bedrooms. Per discussions with the applicant, we understand that many of these large bedrooms were being occupied by multiple tenants with informal dividers breaking up these rooms. Thus, the conversion of bedrooms may not be expected to increase the total number of residents or site trips. However, for the purposes of providing a conservative estimate of site traffic impacts, trip generation analysis for this study assumed that the additional 96 bedrooms would result in an increase in 96 residents.

Using ITE rates on a “person” unit basis and assuming a new resident for each new bedroom, the additional 96 bedrooms could generate the following trips:

Land Use	Size	Unit	Non-Auto Use	Daily				AM Peak Hour				PM Peak Hour			
				Rate	Total	In	Out	Rate	Total	In	Out	Rate	Total	In	Out
Proposed ITE 220 - Apartments	+96	Persons	30%	3.31	+222	+111	+111	0.28	+19	+4	+15	0.40	+27	+18	+9

Source: ITE Trip Generation 9th Edition, 2012.

Non-Auto Use Trip Reductions

The auto trip estimates above are based on ITE rates from predominately suburban residential studies and do not reflect the high non-auto trip characteristics of the site resident demographic and transit, walking, and biking opportunities. The existing and anticipated future resident population includes many University of Colorado students who walk or bike to the campus which begins a quarter mile to the west of the site with access via the Aurora Avenue underpass at US 36. The CU-Boulder Transportation Master Plan (LSC, 2011) showed that CU students are much more like to walk, bike, or ride with a 77% typical non-auto travel mode split for their travel choices.

The site has excellent access to the 30th Street and 29th Street multimodal corridors, including the 28th Street multi-use path, 30th Street on-street bicycle lanes, and 209, 209G, BOUND, S. HX, 225, and 225E transit routes. CU students are provided with RTD Eco Passes which would promote transit use for many residents of this project. There also exist numerous mixed-use developments with restaurants and retail located within a quarter mile walking and biking distance. The project also proposes a Transportation Demand Management Plan that would purchase Eco-Passes for a number of non-student residents as well as other measures to increase non-auto mode share.

Given these non-auto travel opportunities, it is expected that many residents of this site do not need to rely on automobiles for a significant portion of their daily trips, perhaps as much as 50% or 60% reduction from ITE rates based on our experience with similar projects. However, to provide a conservative estimate for the purposes of this study, only a 30% reduction was applied.

Trip Distribution and Assignment

Trip distribution was estimated for the project based on existing trips exiting the site driveways and existing traffic distributions at the study area intersections. The estimated added trips were distributed and assigned to the existing roadway network as shown on **Figure 4**, attached. As shown on **Figure 4**, with the conservative trip estimates discussed in this memorandum, it is likely

that no single turning movement at any off-site intersections would experience an increase of more than 7 vehicles per hour. This is likely within the daily variability of these intersections and movements and would be expected to be accommodated with negligible effects on traffic operations.

Traffic Operations with Project Added Traffic

The projected site-added traffic volumes were added to the existing area traffic volumes to determine any impact associated with these volumes. These volumes are shown on **Figure 5**. The HCM methodology for previously described was utilized to determine Level of Service with the project-added volumes. The results of the LOS calculations performed using Synchro software for all intersections and lane groups are summarized in **Table 1**. The Synchro worksheets are attached in the Appendix.

The data summarized in **Table 1** shows that all study area intersections and movements will continue to operate acceptably with addition of the potential increase in trips for this project. No capacity deficiencies were identified.

Conclusions

The 2900 E. Aurora Avenue project proposes to renovate the existing 220-unit Cavalier Apartments buildings to include interior and exterior improvements and to increase the total bedroom count from 260 bedrooms to 355 bedrooms. The unit count will remain at 220.

This study analyzed existing and existing-plus-project traffic operations on roadways and intersections near the project site. Potential new trips generated by the site were conservatively estimated for this analysis by assuming that 96 bedrooms could generate 96 new residents and that only a 30% non-auto use reduction from national trip rates was applied. It was determined that even with this conservative approach the potential traffic increases could be accommodated on the existing roadway and intersection network with negligible effects. No off-site improvements are necessary to support this project.

A separate memo addressing Transportation Demand Management (TDM) strategies to reduce automobile trips to and from the site has been prepared in accordance with City of Boulder requirements. The TDM memo also provides information relative to on-site and off-street parking demand.

Please contact me if you have any questions or would like to discuss our analysis in more detail.

/SGT

Attachments:

Table 1 - Intersection Level of Service Summary

Figure 1 - Vicinity Map

Figure 2 - Site Plan

Figure 3 - Existing Traffic Volumes

Figure 4 - New Site Trips

Figure 5 - Existing + New Site Trips

Appendix:

LOS Definitions

Synchro Worksheets

Traffic Count Data



Table 1 - Intersection Level of Service Summary

Intersection and Lane Groups	Existing				Existing + Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
SIGNAL CONTROL								
30th Street & Baseline Road	31.6	C	25.8	C	31.6	C	25.9	C
Eastbound Left	51.5	D	16.2	B	51.6	D	16.4	B
Eastbound Through+Right	17.8	B	17.6	B	17.8	B	17.6	B
Westbound Left	22.3	C	20.1	C	22.3	C	20.2	C
Westbound Through	38.7	D	30.1	C	38.7	D	30.2	C
Westbound Right	28.2	C	24.7	C	28.2	C	24.8	C
Northbound Left	23.6	C	33.0	C	23.6	C	33.0	C
Northbound Through+Right	26.4	C	37.7	D	26.4	C	37.7	D
Southbound Left	22.0	C	27.3	C	22.0	C	27.3	C
Southbound Through	25.9	C	34.6	C	25.9	C	34.6	C
Southbound Right	16.4	B	32.9	C	16.5	B	33.1	C
30th Street & E. Aurora Ave	12.3	B	9.3	A	12.6	B	9.4	A
Eastbound Left+Through+Right	37.9	D	43.3	D	40.3	D	43.9	D
Westbound Left+Through+Right	40.0	D	41.1	D	40.0	D	41.4	D
Northbound Left	4.3	A	6.1	A	4.4	A	6.4	A
Northbound Through+Right	7.2	A	6.3	A	7.2	A	6.3	A
Southbound Left	19.6	B	4.6	A	19.6	B	4.6	A
Southbound Through+Right	4.0	A	4.7	A	4.0	A	4.7	A
STOP CONTROL								
E. Aurora Ave & 28th Street Frontage Rd	3.4	A	5.3	A	3.6	A	5.4	A
Westbound Left+Through	10.7	B	10.6	B	10.8	B	10.7	B
Northbound Right+Through	0.0	A	0.0	A	0.0	A	0.0	A
Southbound Left+Through	3.4	A	3.4	A	3.5	A	3.7	A

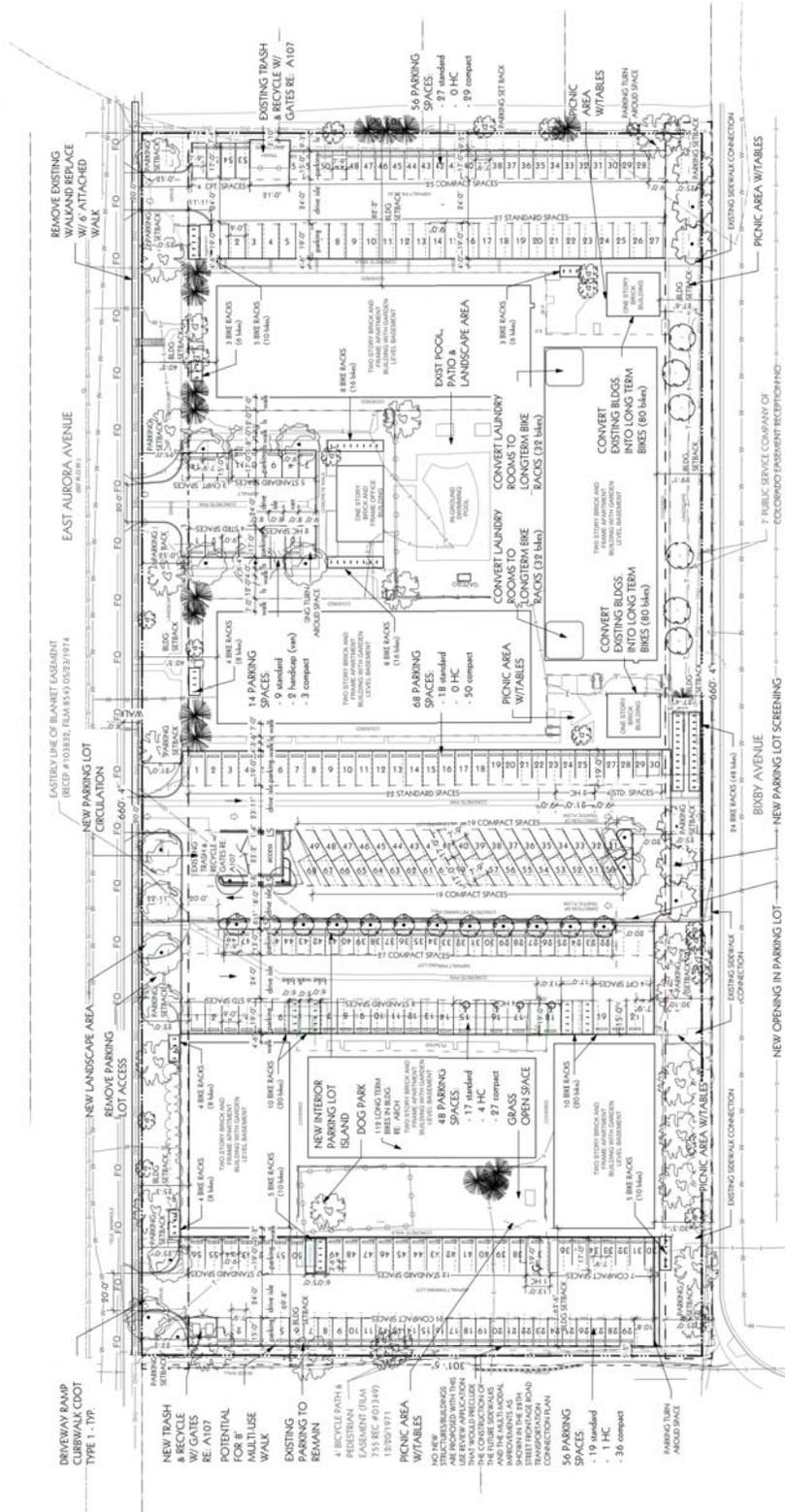
Note: Delay represented in average seconds per vehicle.



FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

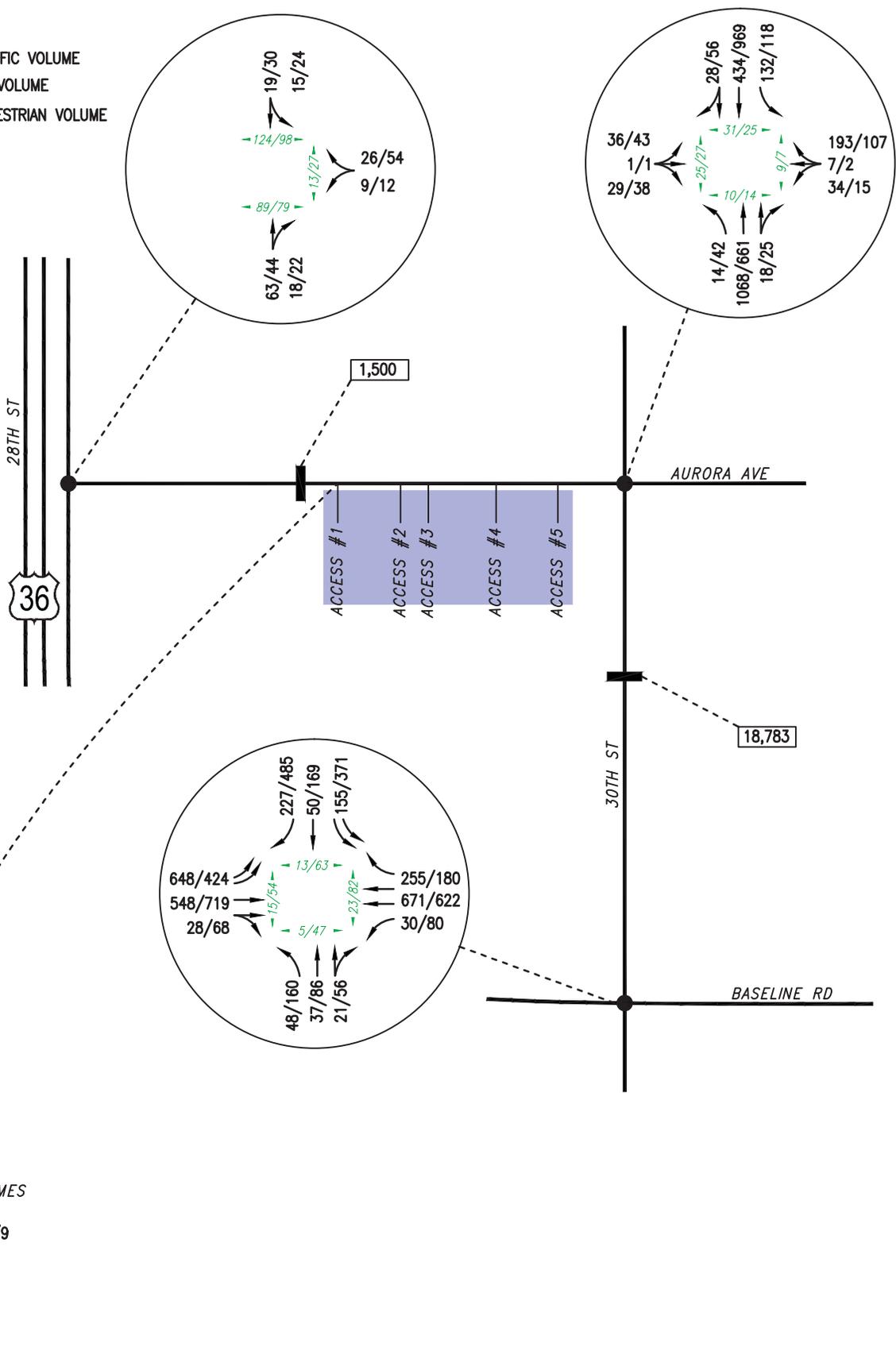
2900 E. AURORA AVENUE TRAFFIC IMPACT ANALYSIS
VICINITY MAP

Project #	15063	Original Scale	1"=500'	Date	2/12/16	Drawn by	SGT	Figure #	1
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KEY

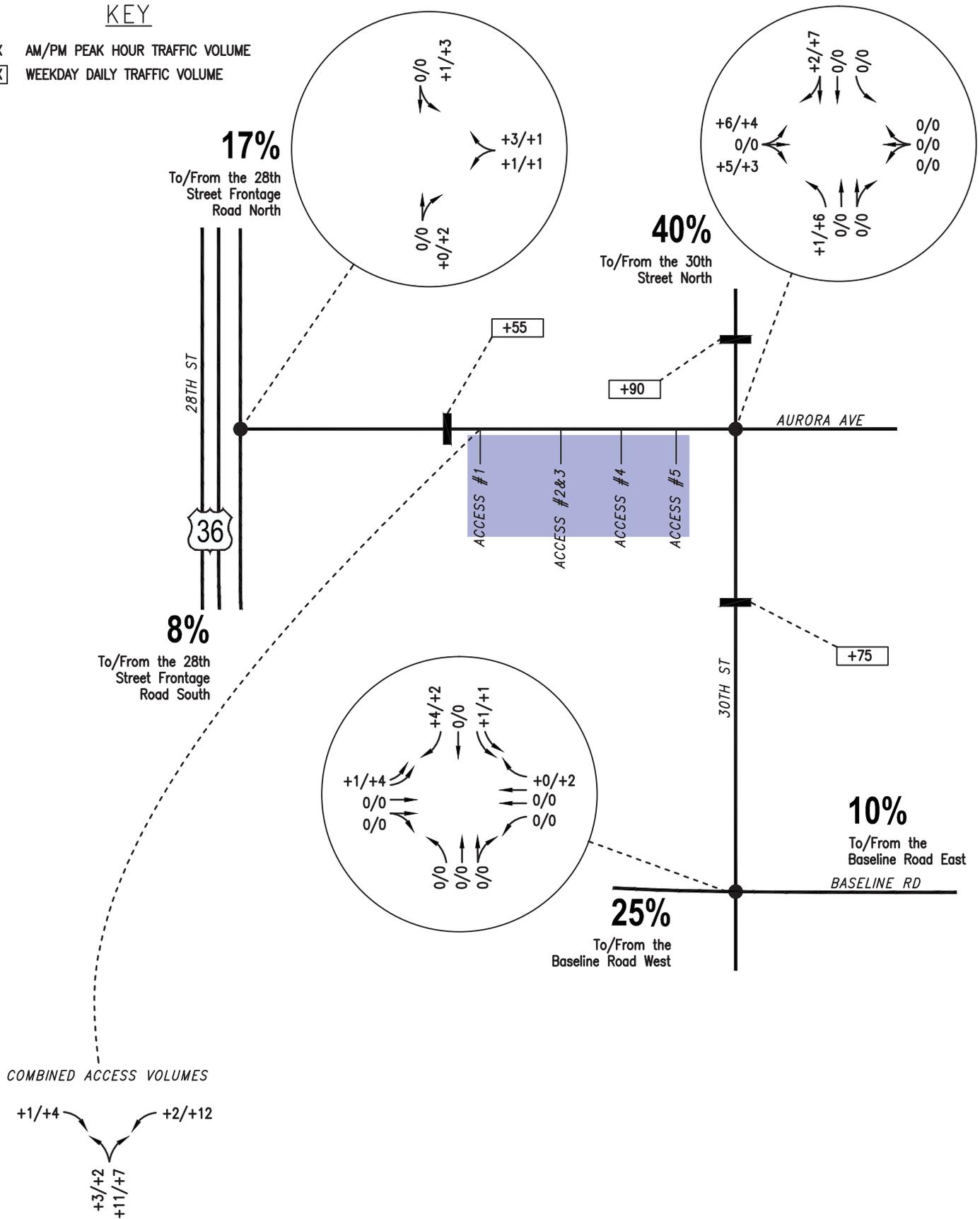
- XX/XX AM/PM PEAK HOUR TRAFFIC VOLUME
- XX,XXX WEEKDAY DAILY TRAFFIC VOLUME
- XX/XX - AM/PM PEAK HOUR PEDESTRIAN VOLUME



Project #	15063	Original Scale	NTS	Date	2/12/16	Drawn by	SGT	Figure #	3
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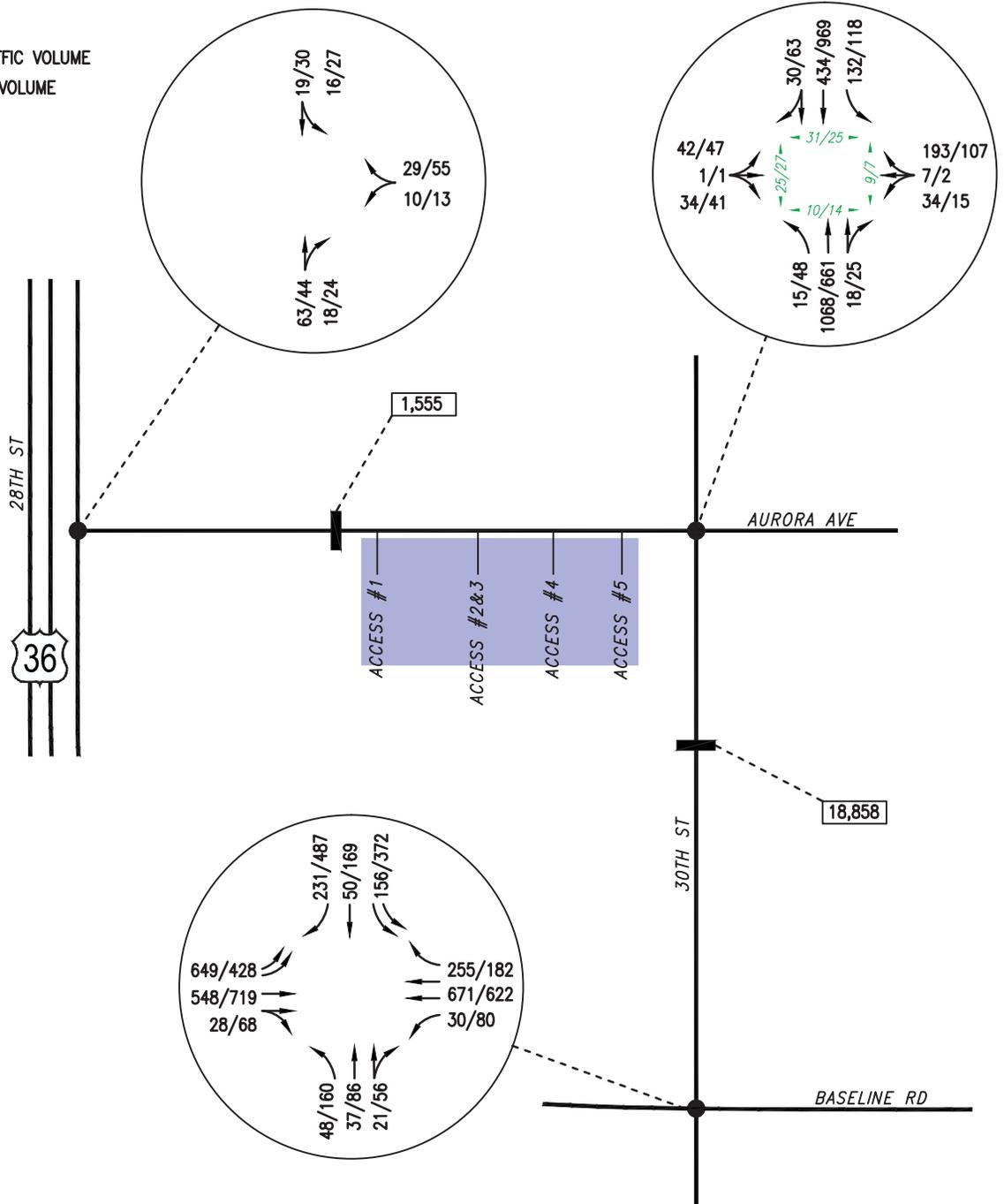
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XX/XX AM/PM PEAK HOUR TRAFFIC VOLUME
 XX,XXX WEEKDAY DAILY TRAFFIC VOLUME



KEY

XX/XX AM/PM PEAK HOUR TRAFFIC VOLUME
 XX,XXX WEEKDAY DAILY TRAFFIC VOLUME



LEVEL OF SERVICE DEFINITIONS

In rating roadway and intersection operating conditions with existing or future traffic volumes, “Levels of Service” (LOS) A through F are used, with LOS A indicating very good operation and LOS F indicating poor operation. Levels of service at signalized and unsignalized intersections are closely associated with vehicle delays experienced in seconds per vehicle. More complete level of service definitions and delay data for signal and stop sign controlled intersections are contained in the following table for reference.

Level of Service Rating	Delay in seconds per vehicle (a)		Definition
	Signalized	Unsignalized	
A	0.0 to 10.0	0.0 to 10.0	Low vehicular traffic volumes; primarily free flow operations. Density is low and vehicles can freely maneuver within the traffic stream. Drivers are able to maintain their desired speeds with little or no delay.
B	10.1 to 20.0	10.1 to 15.0	Stable vehicular traffic volume flow with potential for some restriction of operating speeds due to traffic conditions. Vehicle maneuvering is only slightly restricted. The stopped delays are not bothersome and drivers are not subject to appreciable tension.
C	20.1 to 35.0	15.1 to 25.0	Stable traffic operations, however the ability for vehicles to maneuver is more restricted by the increase in traffic volumes. Relatively satisfactory operating speeds prevail, but adverse signal coordination or longer vehicle queues cause delays along the corridor.
D	35.1 to 55.0	25.1 to 35.0	Approaching unstable vehicular traffic flow where small increases in volume could cause substantial delays. Most drivers are restricted in ability to maneuver and selection of travel speeds due to congestion. Driver comfort and convenience are low, but tolerable.
E	55.1 to 80.0	35.1 to 50.0	Traffic operations characterized by significant approach delays and average travel speeds of one-half to one-third the free flow speed. Vehicular flow is unstable and there is potential for stoppages of brief duration. High signal density, extensive vehicle queuing, or corridor signal progression/timing are the typical causes of vehicle delays at signalized corridors.
F	> 80.0	> 50.0	Forced vehicular traffic flow and operations with high approach delays at critical intersections. Vehicle speeds are reduced substantially and stoppages may occur for short or long periods of time because of downstream congestion.

(a) Delay ranges based on 2010 Highway Capacity Manual criteria.

HCM Signalized Intersection Capacity Analysis
5: 30th St. & Baseline Rd.

EXISTING
AM

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	 	 			 			 		 		
Volume (vph)	648	548	28	30	671	255	48	37	21	155	50	227
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0
Lane Util. Factor	0.97	0.95		1.00	0.95	1.00	1.00	0.95		0.97	1.00	1.00
Frt	1.00	0.99		1.00	1.00	0.85	1.00	0.95		1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00
Satd. Flow (prot)	3433	3502		1770	3539	1583	1770	3352		3433	1863	1583
Flt Permitted	0.12	1.00		0.37	1.00	1.00	0.72	1.00		0.67	1.00	1.00
Satd. Flow (perm)	437	3502		692	3539	1583	1345	3352		2426	1863	1583
Peak-hour factor, PHF	0.93	0.80	0.54	0.50	0.80	0.69	0.67	0.84	0.88	0.67	0.92	0.79
Adj. Flow (vph)	697	685	52	60	839	370	72	44	24	231	54	287
RTOR Reduction (vph)	0	6	0	0	0	245	0	17	0	0	0	0
Lane Group Flow (vph)	697	731	0	60	839	125	72	51	0	231	54	287
Turn Type	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA		pm+pt	NA	pm+ov
Protected Phases	1	6		5	2		7	4		3	8	1
Permitted Phases	6			2		2	4			8		8
Actuated Green, G (s)	51.4	41.9		32.6	28.1	28.1	30.8	26.4		34.0	28.0	46.3
Effective Green, g (s)	52.4	43.5		34.6	29.7	29.7	32.8	28.0		36.0	29.6	48.3
Actuated g/C Ratio	0.52	0.44		0.35	0.30	0.30	0.33	0.28		0.36	0.30	0.48
Clearance Time (s)	5.0	5.6		5.0	5.6	5.6	5.0	5.6		5.0	5.6	5.0
Vehicle Extension (s)	2.0	2.5		1.5	2.5	2.5	0.5	2.0		1.5	2.0	2.0
Lane Grp Cap (vph)	807	1523		298	1051	470	464	938		943	551	764
v/s Ratio Prot	c0.17	0.21		0.01	0.24		0.01	0.02		c0.02	0.03	c0.07
v/s Ratio Perm	c0.29			0.06		0.08	0.04			0.07		0.11
v/c Ratio	0.86	0.48		0.20	0.80	0.27	0.16	0.05		0.24	0.10	0.38
Uniform Delay, d1	26.2	20.2		22.1	32.4	26.8	23.5	26.3		22.0	25.5	16.3
Progression Factor	1.64	0.83		1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00
Incremental Delay, d2	8.4	1.0		0.1	6.3	1.4	0.1	0.1		0.0	0.4	0.1
Delay (s)	51.5	17.8		22.3	38.7	28.2	23.6	26.4		22.0	25.9	16.4
Level of Service	D	B		C	D	C	C	C		C	C	B
Approach Delay (s)		34.2			34.9			25.0			19.6	
Approach LOS		C			C			C			B	

Intersection Summary

HCM 2000 Control Delay	31.6	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.68		
Actuated Cycle Length (s)	100.0	Sum of lost time (s)	16.0
Intersection Capacity Utilization	58.1%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis
64: 30th St. & Aurora Ave.

EXISTING
AM



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↗	↕		↗	↕	
Volume (vph)	36	1	29	34	7	193	14	1068	18	132	434	28
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0			4.0		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00			1.00		1.00	0.95		1.00	0.95	
Fr _t		0.94			0.89		1.00	1.00		1.00	0.99	
Fl _t Protected		0.97			0.99		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1706			1644		1770	3530		1770	3507	
Fl _t Permitted		0.53			0.95		0.43	1.00		0.18	1.00	
Satd. Flow (perm)		934			1568		806	3530		333	3507	
Peak-hour factor, PHF	0.63	0.63	0.63	0.88	0.88	0.88	0.85	0.85	0.85	0.83	0.83	0.83
Adj. Flow (vph)	57	2	46	39	8	219	16	1256	21	159	523	34
RTOR Reduction (vph)	0	26	0	0	87	0	0	1	0	0	4	0
Lane Group Flow (vph)	0	79	0	0	179	0	16	1276	0	159	553	0
Turn Type	Perm	NA										
Protected Phases		8			4			6			2	
Permitted Phases	8			4			6			2		
Actuated Green, G (s)		21.0			21.0		76.5	76.5		76.5	76.5	
Effective Green, g (s)		22.0			22.0		78.0	78.0		78.0	78.0	
Actuated g/C Ratio		0.20			0.20		0.72	0.72		0.72	0.72	
Clearance Time (s)		5.0			5.0		5.5	5.5		5.5	5.5	
Vehicle Extension (s)		2.0			2.0		3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)		190			319		582	2549		240	2532	
v/s Ratio Prot								0.36			0.16	
v/s Ratio Perm		0.08			0.11		0.02			0.48		
v/c Ratio		0.41			0.56		0.03	0.50		0.66	0.22	
Uniform Delay, d ₁		37.4			38.7		4.3	6.5		8.0	4.9	
Progression Factor		1.00			1.00		1.00	1.00		0.92	0.78	
Incremental Delay, d ₂		0.5			1.4		0.1	0.7		12.2	0.2	
Delay (s)		37.9			40.0		4.3	7.2		19.6	4.0	
Level of Service		D			D		A	A		B	A	
Approach Delay (s)		37.9			40.0			7.2			7.5	
Approach LOS		D			D			A			A	

Intersection Summary

HCM 2000 Control Delay	12.3	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.64		
Actuated Cycle Length (s)	108.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	70.1%	ICU Level of Service	C
Analysis Period (min)	15		
c Critical Lane Group			

HCM Unsignalized Intersection Capacity Analysis
 186: 28th St Frontage Rd & Aurora Ave.

EXISTING
 AM



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	9	26	63	18	15	19
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.63	0.63	0.67	0.67	0.63	0.63
Hourly flow rate (vph)	14	41	94	27	24	30
Pedestrians	13		89			124
Lane Width (ft)	12.0		12.0			12.0
Walking Speed (ft/s)	4.0		4.0			4.0
Percent Blockage	1		7			10
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	287	244			134	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	287	244			134	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	94			98	
cM capacity (veh/h)	633	705			1435	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	56	121	54
Volume Left	14	0	24
Volume Right	41	27	0
cSH	685	1700	1435
Volume to Capacity	0.08	0.07	0.02
Queue Length 95th (ft)	7	0	1
Control Delay (s)	10.7	0.0	3.4
Lane LOS	B		A
Approach Delay (s)	10.7	0.0	3.4
Approach LOS	B		

Intersection Summary			
Average Delay		3.4	
Intersection Capacity Utilization	28.4%		ICU Level of Service A
Analysis Period (min)		15	

HCM Signalized Intersection Capacity Analysis
5: 30th St. & Baseline Rd.

EXISTING
PM

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	 	 		 	 	 	 	 		 	 	 
Volume (vph)	424	719	68	80	622	180	160	86	56	371	169	485
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0
Lane Util. Factor	0.97	0.95		1.00	0.95	1.00	1.00	0.95		0.97	1.00	1.00
Fr _t	1.00	0.99		1.00	1.00	0.85	1.00	0.94		1.00	1.00	0.85
Fl _t Protected	0.95	1.00		0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00
Satd. Flow (prot)	3433	3490		1770	3539	1583	1770	3331		3433	1863	1583
Fl _t Permitted	0.24	1.00		0.30	1.00	1.00	0.48	1.00		0.60	1.00	1.00
Satd. Flow (perm)	852	3490		559	3539	1583	898	3331		2160	1863	1583
Peak-hour factor, PHF	0.92	0.92	0.85	0.80	0.89	0.90	0.96	0.82	0.82	0.85	0.87	0.92
Adj. Flow (vph)	461	782	80	100	699	200	167	105	68	436	194	527
RTOR Reduction (vph)	0	6	0	0	0	118	0	53	0	0	0	0
Lane Group Flow (vph)	461	856	0	100	699	82	167	120	0	436	194	527
Turn Type	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA		pm+pt	NA	pm+ov
Protected Phases	1	6		5	2		7	4		3	8	1
Permitted Phases	6			2		2	4			8		8
Actuated Green, G (s)	68.8	56.9		51.0	44.1	44.1	34.1	25.0		35.9	25.9	45.6
Effective Green, g (s)	69.8	58.5		53.0	45.7	45.7	36.1	26.6		37.9	27.5	47.6
Actuated g/C Ratio	0.58	0.49		0.44	0.38	0.38	0.30	0.22		0.32	0.23	0.40
Clearance Time (s)	5.0	5.6		5.0	5.6	5.6	5.0	5.6		5.0	5.6	5.0
Vehicle Extension (s)	2.0	2.0		1.5	2.5	2.5	0.5	2.0		1.5	2.0	2.0
Lane Grp Cap (vph)	940	1701		326	1347	602	343	738		798	426	627
v/s Ratio Prot	0.08	c0.25		0.02	0.20		0.04	0.04		c0.05	0.10	c0.14
v/s Ratio Perm	0.20			0.12		0.05	0.11			0.12		0.19
v/c Ratio	0.49	0.50		0.31	0.52	0.14	0.49	0.16		0.55	0.46	0.84
Uniform Delay, d ₁	14.4	20.9		19.9	28.7	24.3	32.6	37.7		32.3	39.8	32.8
Progression Factor	1.12	0.80		1.00	1.00	1.00	1.00	1.00		0.83	0.86	0.73
Incremental Delay, d ₂	0.1	1.0		0.2	1.4	0.5	0.4	0.0		0.4	0.3	8.9
Delay (s)	16.2	17.6		20.1	30.1	24.7	33.0	37.7		27.3	34.6	32.9
Level of Service	B	B		C	C	C	C	D		C	C	C
Approach Delay (s)		17.1			28.0			35.4			31.1	
Approach LOS		B			C			D			C	

Intersection Summary		
HCM 2000 Control Delay	25.8	HCM 2000 Level of Service C
HCM 2000 Volume to Capacity ratio	0.67	
Actuated Cycle Length (s)	120.0	Sum of lost time (s) 16.0
Intersection Capacity Utilization	76.8%	ICU Level of Service D
Analysis Period (min)	15	
c Critical Lane Group		

HCM Signalized Intersection Capacity Analysis
64: 30th St. & Aurora Ave.

EXISTING
PM



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	
Volume (vph)	43	1	38	15	2	107	42	661	25	118	969	56
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0			4.0		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00			1.00		1.00	0.95		1.00	0.95	
Frt		0.94			0.88		1.00	0.99		1.00	0.99	
Flt Protected		0.97			0.99		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1701			1635		1770	3520		1770	3510	
Flt Permitted		0.71			0.96		0.23	1.00		0.36	1.00	
Satd. Flow (perm)		1234			1580		427	3520		671	3510	
Peak-hour factor, PHF	0.75	0.75	0.75	0.93	0.93	0.93	0.95	0.95	0.95	0.93	0.93	0.93
Adj. Flow (vph)	57	1	51	16	2	115	44	696	26	127	1042	60
RTOR Reduction (vph)	0	26	0	0	94	0	0	2	0	0	4	0
Lane Group Flow (vph)	0	83	0	0	39	0	44	720	0	127	1099	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		8			4			6			2	
Permitted Phases	8			4			6			2		
Actuated Green, G (s)		21.0			21.0		88.5	88.5		88.5	88.5	
Effective Green, g (s)		22.0			22.0		90.0	90.0		90.0	90.0	
Actuated g/C Ratio		0.18			0.18		0.75	0.75		0.75	0.75	
Clearance Time (s)		5.0			5.0		5.5	5.5		5.5	5.5	
Vehicle Extension (s)		2.0			2.0		3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)		226			289		320	2640		503	2632	
v/s Ratio Prot								0.20			c0.31	
v/s Ratio Perm		c0.07			0.02		0.10			0.19		
v/c Ratio		0.37			0.14		0.14	0.27		0.25	0.42	
Uniform Delay, d1		42.9			41.0		4.2	4.7		4.6	5.5	
Progression Factor		1.00			1.00		1.26	1.28		0.77	0.78	
Incremental Delay, d2		0.4			0.1		0.9	0.2		1.1	0.4	
Delay (s)		43.3			41.1		6.1	6.3		4.6	4.7	
Level of Service		D			D		A	A		A	A	
Approach Delay (s)		43.3			41.1			6.3			4.7	
Approach LOS		D			D			A			A	

Intersection Summary

HCM 2000 Control Delay	9.3	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.41		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	68.6%	ICU Level of Service	C
Analysis Period (min)	15		
c Critical Lane Group			

HCM Unsignalized Intersection Capacity Analysis
 186: 28th St Frontage Rd & Aurora Ave.

EXISTING
 PM



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	12	54	44	22	24	30
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.66	0.66	0.86	0.86	0.86	0.86
Hourly flow rate (vph)	18	82	51	26	28	35
Pedestrians	27		79			98
Lane Width (ft)	12.0		12.0			12.0
Walking Speed (ft/s)	4.0		4.0			4.0
Percent Blockage	2		7			8
Right turn flare (veh)						
Median type			None			None
Median storage veh						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	261	189			104	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	261	189			104	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	97	89			98	
cM capacity (veh/h)	652	766			1454	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	100	77	63
Volume Left	18	0	28
Volume Right	82	26	0
cSH	742	1700	1454
Volume to Capacity	0.13	0.05	0.02
Queue Length 95th (ft)	12	0	1
Control Delay (s)	10.6	0.0	3.4
Lane LOS	B		A
Approach Delay (s)	10.6	0.0	3.4
Approach LOS	B		

Intersection Summary			
Average Delay		5.3	
Intersection Capacity Utilization		29.6%	ICU Level of Service A
Analysis Period (min)		15	

HCM Signalized Intersection Capacity Analysis
5: 30th St. & Baseline Rd.

EXISTING + PROJECT
AM

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	 	 			 			 		 		
Volume (vph)	649	548	28	30	671	255	48	37	21	156	50	231
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0
Lane Util. Factor	0.97	0.95		1.00	0.95	1.00	1.00	0.95		0.97	1.00	1.00
Frt	1.00	0.99		1.00	1.00	0.85	1.00	0.95		1.00	1.00	0.85
Flt Protected	0.95	1.00		0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00
Satd. Flow (prot)	3433	3502		1770	3539	1583	1770	3352		3433	1863	1583
Flt Permitted	0.12	1.00		0.37	1.00	1.00	0.72	1.00		0.67	1.00	1.00
Satd. Flow (perm)	437	3502		692	3539	1583	1345	3352		2426	1863	1583
Peak-hour factor, PHF	0.93	0.80	0.54	0.50	0.80	0.69	0.67	0.84	0.88	0.67	0.92	0.79
Adj. Flow (vph)	698	685	52	60	839	370	72	44	24	233	54	292
RTOR Reduction (vph)	0	6	0	0	0	245	0	17	0	0	0	0
Lane Group Flow (vph)	698	731	0	60	839	125	72	51	0	233	54	292
Turn Type	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA		pm+pt	NA	pm+ov
Protected Phases	1	6		5	2		7	4		3	8	1
Permitted Phases	6			2		2	4			8		8
Actuated Green, G (s)	51.4	41.9		32.6	28.1	28.1	30.8	26.4		34.0	28.0	46.3
Effective Green, g (s)	52.4	43.5		34.6	29.7	29.7	32.8	28.0		36.0	29.6	48.3
Actuated g/C Ratio	0.52	0.44		0.35	0.30	0.30	0.33	0.28		0.36	0.30	0.48
Clearance Time (s)	5.0	5.6		5.0	5.6	5.6	5.0	5.6		5.0	5.6	5.0
Vehicle Extension (s)	2.0	2.5		1.5	2.5	2.5	0.5	2.0		1.5	2.0	2.0
Lane Grp Cap (vph)	807	1523		298	1051	470	464	938		943	551	764
v/s Ratio Prot	c0.17	0.21		0.01	0.24		0.01	0.02		c0.02	0.03	c0.07
v/s Ratio Perm	c0.29			0.06		0.08	0.04			0.07		0.11
v/c Ratio	0.86	0.48		0.20	0.80	0.27	0.16	0.05		0.25	0.10	0.38
Uniform Delay, d1	26.2	20.2		22.1	32.4	26.8	23.5	26.3		22.0	25.5	16.4
Progression Factor	1.64	0.83		1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00
Incremental Delay, d2	8.4	1.0		0.1	6.3	1.4	0.1	0.1		0.1	0.4	0.1
Delay (s)	51.6	17.8		22.3	38.7	28.2	23.6	26.4		22.0	25.9	16.5
Level of Service	D	B		C	D	C	C	C		C	C	B
Approach Delay (s)		34.2			34.9			25.0			19.6	
Approach LOS		C			C			C			B	

Intersection Summary

HCM 2000 Control Delay	31.6	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.68		
Actuated Cycle Length (s)	100.0	Sum of lost time (s)	16.0
Intersection Capacity Utilization	58.2%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

HCM Signalized Intersection Capacity Analysis
64: 30th St. & Aurora Ave.

EXISTING + PROJECT
AM

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	42	1	34	34	7	193	15	1068	18	132	434	30
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0			4.0		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00			1.00		1.00	0.95		1.00	0.95	
Frt		0.94			0.89		1.00	1.00		1.00	0.99	
Flt Protected		0.97			0.99		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1706			1644		1770	3530		1770	3505	
Flt Permitted		0.50			0.94		0.43	1.00		0.18	1.00	
Satd. Flow (perm)		883			1563		805	3530		333	3505	
Peak-hour factor, PHF	0.63	0.63	0.63	0.88	0.88	0.88	0.85	0.85	0.85	0.83	0.83	0.83
Adj. Flow (vph)	67	2	54	39	8	219	18	1256	21	159	523	36
RTOR Reduction (vph)	0	26	0	0	87	0	0	1	0	0	5	0
Lane Group Flow (vph)	0	97	0	0	179	0	18	1276	0	159	554	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		8			4			6			2	
Permitted Phases	8			4			6			2		
Actuated Green, G (s)		21.0			21.0		76.5	76.5		76.5	76.5	
Effective Green, g (s)		22.0			22.0		78.0	78.0		78.0	78.0	
Actuated g/C Ratio		0.20			0.20		0.72	0.72		0.72	0.72	
Clearance Time (s)		5.0			5.0		5.5	5.5		5.5	5.5	
Vehicle Extension (s)		2.0			2.0		3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)		179			318		581	2549		240	2531	
v/s Ratio Prot								0.36			0.16	
v/s Ratio Perm		0.11			0.11		0.02			0.48		
v/c Ratio		0.54			0.56		0.03	0.50		0.66	0.22	
Uniform Delay, d1		38.5			38.7		4.3	6.5		8.0	4.9	
Progression Factor		1.00			1.00		1.00	1.00		0.92	0.78	
Incremental Delay, d2		1.8			1.4		0.1	0.7		12.2	0.2	
Delay (s)		40.3			40.0		4.4	7.2		19.6	4.0	
Level of Service		D			D		A	A		B	A	
Approach Delay (s)		40.3			40.0			7.2			7.5	
Approach LOS		D			D			A			A	
Intersection Summary												
HCM 2000 Control Delay			12.6				HCM 2000 Level of Service				B	
HCM 2000 Volume to Capacity ratio			0.64									
Actuated Cycle Length (s)			108.0				Sum of lost time (s)			8.0		
Intersection Capacity Utilization			70.1%				ICU Level of Service				C	
Analysis Period (min)			15									
c	Critical Lane Group											

HCM Unsignalized Intersection Capacity Analysis
 186: 28th St Frontage Rd & Aurora Ave.

EXISTING + PROJECT
 AM



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	10	29	63	18	16	19
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.63	0.63	0.67	0.67	0.63	0.63
Hourly flow rate (vph)	16	46	94	27	25	30
Pedestrians	13		89			124
Lane Width (ft)	12.0		12.0			12.0
Walking Speed (ft/s)	4.0		4.0			4.0
Percent Blockage	1		7			10
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	290	244			134	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	290	244			134	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	97	93			98	
cM capacity (veh/h)	630	705			1435	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	62	121	56
Volume Left	16	0	25
Volume Right	46	27	0
cSH	684	1700	1435
Volume to Capacity	0.09	0.07	0.02
Queue Length 95th (ft)	7	0	1
Control Delay (s)	10.8	0.0	3.5
Lane LOS	B		A
Approach Delay (s)	10.8	0.0	3.5
Approach LOS	B		

Intersection Summary			
Average Delay		3.6	
Intersection Capacity Utilization		28.5%	ICU Level of Service A
Analysis Period (min)		15	

HCM Signalized Intersection Capacity Analysis
5: 30th St. & Baseline Rd.

EXISTING + PROJECT
PM

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	 	 			 			 		 		
Volume (vph)	428	719	68	80	622	182	160	86	56	372	169	487
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0	4.0	4.0	4.0		4.0	4.0	4.0
Lane Util. Factor	0.97	0.95		1.00	0.95	1.00	1.00	0.95		0.97	1.00	1.00
Fr _t	1.00	0.99		1.00	1.00	0.85	1.00	0.94		1.00	1.00	0.85
Fl _t Protected	0.95	1.00		0.95	1.00	1.00	0.95	1.00		0.95	1.00	1.00
Satd. Flow (prot)	3433	3490		1770	3539	1583	1770	3331		3433	1863	1583
Fl _t Permitted	0.24	1.00		0.30	1.00	1.00	0.48	1.00		0.60	1.00	1.00
Satd. Flow (perm)	850	3490		560	3539	1583	898	3331		2160	1863	1583
Peak-hour factor, PHF	0.92	0.92	0.85	0.80	0.89	0.90	0.96	0.82	0.82	0.85	0.87	0.92
Adj. Flow (vph)	465	782	80	100	699	202	167	105	68	438	194	529
RTOR Reduction (vph)	0	6	0	0	0	120	0	53	0	0	0	0
Lane Group Flow (vph)	465	856	0	100	699	82	167	120	0	438	194	529
Turn Type	pm+pt	NA		pm+pt	NA	Perm	pm+pt	NA		pm+pt	NA	pm+ov
Protected Phases	1	6		5	2		7	4		3	8	1
Permitted Phases	6			2		2	4			8		8
Actuated Green, G (s)	68.8	56.9		50.9	44.0	44.0	34.1	25.0		35.9	25.9	45.7
Effective Green, g (s)	69.8	58.5		52.9	45.6	45.6	36.1	26.6		37.9	27.5	47.7
Actuated g/C Ratio	0.58	0.49		0.44	0.38	0.38	0.30	0.22		0.32	0.23	0.40
Clearance Time (s)	5.0	5.6		5.0	5.6	5.6	5.0	5.6		5.0	5.6	5.0
Vehicle Extension (s)	2.0	2.0		1.5	2.5	2.5	0.5	2.0		1.5	2.0	2.0
Lane Grp Cap (vph)	942	1701		326	1344	601	343	738		798	426	629
v/s Ratio Prot	0.09	c0.25		0.02	0.20		0.04	0.04		c0.05	0.10	c0.15
v/s Ratio Perm	0.20			0.11		0.05	0.11			0.12		0.19
v/c Ratio	0.49	0.50		0.31	0.52	0.14	0.49	0.16		0.55	0.46	0.84
Uniform Delay, d ₁	14.4	20.9		20.0	28.7	24.3	32.6	37.7		32.4	39.8	32.7
Progression Factor	1.13	0.80		1.00	1.00	1.00	1.00	1.00		0.83	0.86	0.74
Incremental Delay, d ₂	0.1	1.0		0.2	1.4	0.5	0.4	0.0		0.4	0.3	8.9
Delay (s)	16.4	17.6		20.2	30.2	24.8	33.0	37.7		27.3	34.6	33.1
Level of Service	B	B		C	C	C	C	D		C	C	C
Approach Delay (s)		17.2			28.1			35.4			31.2	
Approach LOS		B			C			D			C	

Intersection Summary		
HCM 2000 Control Delay	25.9	HCM 2000 Level of Service C
HCM 2000 Volume to Capacity ratio	0.68	
Actuated Cycle Length (s)	120.0	Sum of lost time (s) 16.0
Intersection Capacity Utilization	77.0%	ICU Level of Service D
Analysis Period (min)	15	
c Critical Lane Group		

HCM Signalized Intersection Capacity Analysis
64: 30th St. & Aurora Ave.

EXISTING + PROJECT
PM



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕↔		↕	↕↔	
Volume (vph)	47	1	41	15	2	107	48	661	25	118	969	63
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.0			4.0		4.0	4.0		4.0	4.0	
Lane Util. Factor		1.00			1.00		1.00	0.95		1.00	0.95	
Frt		0.94			0.88		1.00	0.99		1.00	0.99	
Flt Protected		0.97			0.99		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1701			1635		1770	3520		1770	3507	
Flt Permitted		0.69			0.96		0.23	1.00		0.36	1.00	
Satd. Flow (perm)		1201			1578		423	3520		671	3507	
Peak-hour factor, PHF	0.75	0.75	0.75	0.93	0.93	0.93	0.95	0.95	0.95	0.93	0.93	0.93
Adj. Flow (vph)	63	1	55	16	2	115	51	696	26	127	1042	68
RTOR Reduction (vph)	0	26	0	0	94	0	0	2	0	0	4	0
Lane Group Flow (vph)	0	93	0	0	39	0	51	720	0	127	1106	0
Turn Type	Perm	NA		Perm	NA		Perm	NA		Perm	NA	
Protected Phases		8			4			6			2	
Permitted Phases	8			4			6			2		
Actuated Green, G (s)		21.0			21.0		88.5	88.5		88.5	88.5	
Effective Green, g (s)		22.0			22.0		90.0	90.0		90.0	90.0	
Actuated g/C Ratio		0.18			0.18		0.75	0.75		0.75	0.75	
Clearance Time (s)		5.0			5.0		5.5	5.5		5.5	5.5	
Vehicle Extension (s)		2.0			2.0		3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)		220			289		317	2640		503	2630	
v/s Ratio Prot								0.20			c0.32	
v/s Ratio Perm		c0.08			0.02		0.12			0.19		
v/c Ratio		0.42			0.14		0.16	0.27		0.25	0.42	
Uniform Delay, d1		43.4			41.0		4.3	4.7		4.6	5.5	
Progression Factor		1.00			1.00		1.27	1.28		0.77	0.78	
Incremental Delay, d2		0.5			0.1		1.0	0.2		1.1	0.5	
Delay (s)		43.9			41.1		6.4	6.3		4.6	4.7	
Level of Service		D			D		A	A		A	A	
Approach Delay (s)		43.9			41.1			6.3			4.7	
Approach LOS		D			D			A			A	

Intersection Summary		
HCM 2000 Control Delay	9.4	HCM 2000 Level of Service
HCM 2000 Volume to Capacity ratio	0.42	A
Actuated Cycle Length (s)	120.0	Sum of lost time (s)
Intersection Capacity Utilization	68.8%	8.0
Analysis Period (min)	15	ICU Level of Service
c Critical Lane Group		C

HCM Unsignalized Intersection Capacity Analysis
 186: 28th St Frontage Rd & Aurora Ave.

EXISTING + PROJECT
 PM



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	13	55	44	24	27	30
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.66	0.66	0.86	0.86	0.86	0.86
Hourly flow rate (vph)	20	83	51	28	31	35
Pedestrians	27		79			98
Lane Width (ft)	12.0		12.0			12.0
Walking Speed (ft/s)	4.0		4.0			4.0
Percent Blockage	2		7			8
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	269	190			106	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	269	190			106	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	97	89			98	
cM capacity (veh/h)	644	765			1452	

Direction, Lane #	WB 1	NB 1	SB 1
Volume Total	103	79	66
Volume Left	20	0	31
Volume Right	83	28	0
cSH	738	1700	1452
Volume to Capacity	0.14	0.05	0.02
Queue Length 95th (ft)	12	0	2
Control Delay (s)	10.7	0.0	3.7
Lane LOS	B		A
Approach Delay (s)	10.7	0.0	3.7
Approach LOS	B		

Intersection Summary			
Average Delay		5.4	
Intersection Capacity Utilization	29.6%		ICU Level of Service A
Analysis Period (min)		15	

COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: FRONTAGE RD
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : FRONAURO
Site Code : 00000013
Start Date : 2/3/2016
Page No : 1

Groups Printed- VEHICLES

Start Time	FRONTAGE RD Southbound				AURORA AVE Westbound				FRONTAGE RD Northbound				Eastbound				Int. Total
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
07:00 AM	2	5	0	4	1	0	2	0	0	5	1	0	0	0	0	0	20
07:15 AM	3	1	0	5	1	0	2	3	0	4	0	6	0	0	0	0	25
07:30 AM	1	3	0	15	0	0	2	1	0	3	0	12	0	0	0	0	37
07:45 AM	0	6	0	30	0	0	3	3	0	8	6	19	0	0	0	0	75
Total	6	15	0	54	2	0	9	7	0	20	7	37	0	0	0	0	157
08:00 AM	3	4	0	20	1	0	3	3	0	10	6	6	0	0	0	1	57
08:15 AM	3	6	0	15	1	0	3	0	0	12	2	15	0	0	0	0	57
08:30 AM	5	6	0	51	2	0	11	5	0	18	4	41	0	0	0	0	143
08:45 AM	4	3	0	38	5	0	9	5	0	23	6	27	0	0	0	0	120
Total	15	19	0	124	9	0	26	13	0	63	18	89	0	0	0	1	377
04:00 PM	9	8	0	32	4	0	10	4	0	4	4	26	0	0	0	0	101
04:15 PM	11	8	0	29	1	0	9	4	0	11	5	12	0	0	0	0	90
04:30 PM	5	11	0	26	7	0	7	2	0	13	8	20	0	0	0	0	99
04:45 PM	5	8	0	21	1	0	16	4	0	6	3	26	0	0	0	0	90
Total	30	35	0	108	13	0	42	14	0	34	20	84	0	0	0	0	380
05:00 PM	10	8	0	26	0	0	10	4	0	15	6	21	0	0	0	0	100
05:15 PM	4	7	0	33	4	0	12	7	0	11	6	15	0	0	0	0	99
05:30 PM	5	7	0	18	7	0	16	12	0	12	7	17	0	0	0	0	101
05:45 PM	12	15	0	27	3	0	12	4	0	18	3	17	0	0	0	0	111
Total	31	37	0	104	14	0	50	27	0	56	22	70	0	0	0	0	411
Grand Total	82	106	0	390	38	0	127	61	0	173	67	280	0	0	0	1	1325
Apprch %	14.2	18.3	0.0	67.5	16.8	0.0	56.2	27.0	0.0	33.3	12.9	53.8	0.0	0.0	0.0	100.0	
Total %	6.2	8.0	0.0	29.4	2.9	0.0	9.6	4.6	0.0	13.1	5.1	21.1	0.0	0.0	0.0	0.1	

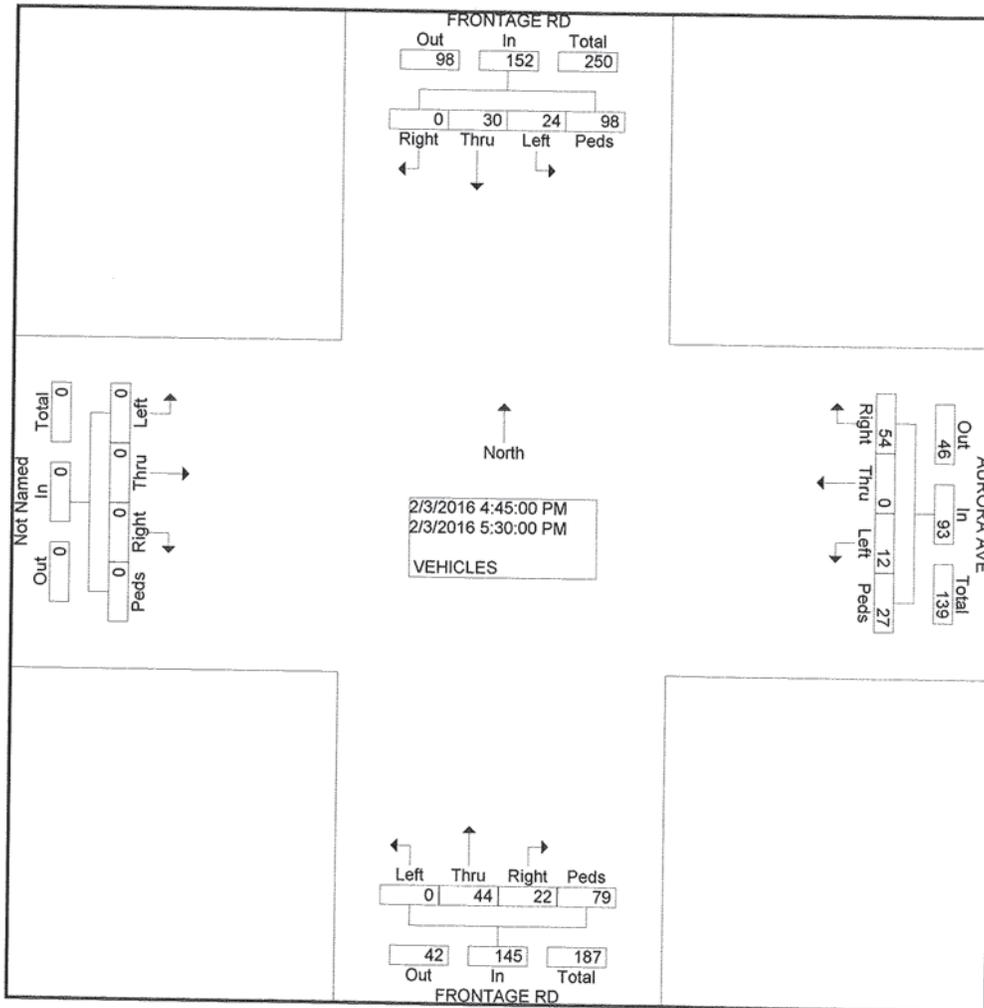
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: FRONTAGE RD
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : FRONAURO
Site Code : 00000013
Start Date : 2/3/2016
Page No : 2

Start Time	FRONTAGE RD Southbound					AURORA AVE Westbound					FRONTAGE RD Northbound					Eastbound					Int. Total
	Left	Thru	Rig	Ped	App. Total	Left	Thru	Rig	Ped	App. Total	Left	Thru	Rig	Ped	App. Total	Left	Thru	Rig	Ped	App. Total	
Peak Hour From 04:45 PM to 05:30 PM - Peak 1 of 1																					
Intersect on	04:45 PM																				
Volume	24	30	0	98	152	12	0	54	27	93	0	44	22	79	145	0	0	0	0	0	390
Percent	15.8	19.7	0.0	64.5		12.9	0.0	58.1	29.0		0.0	30.3	15.2	54.5		0.0	0.0	0.0	0.0		
05:30 Volume	5	7	0	18	30	7	0	16	12	35	0	12	7	17	36	0	0	0	0	0	101
Peak Factor	0.965																				
High Int. Volume	05:00 PM					05:30 PM					05:00 PM										
Peak Factor	0.864					0.664					0.863										



COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #1
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 1

Groups Printed- CAVALIER ACCESS #1

Start Time	Southbound				AURORA AVE Westbound				CAVALIER ACCESS #1 Northbound				AURORA AVE Eastbound				Int. Total	
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds		
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
07:00 AM	0	0	0	0	0	0	0	0	1	0	1	1	0	0	0	0	0	3
07:15 AM	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2
07:30 AM	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
07:45 AM	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	4
Total	0	0	0	0	0	0	0	0	1	0	4	5	0	0	0	0	0	10
08:00 AM	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
08:15 AM	0	0	0	0	0	0	0	0	0	0	0	10	0	0	1	0	0	11
08:30 AM	0	0	0	0	2	0	0	0	0	0	3	9	0	0	0	0	0	14
08:45 AM	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	4
Total	0	0	0	0	2	0	0	0	0	0	3	25	0	0	1	0	0	31
04:00 PM	0	0	0	0	1	0	0	0	2	0	0	2	0	0	0	0	0	5
04:15 PM	0	0	0	0	0	0	0	0	1	0	0	2	0	0	1	0	0	4
04:30 PM	0	0	0	0	1	0	0	0	0	0	0	2	0	0	0	0	0	3
04:45 PM	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	4
Total	0	0	0	0	2	0	0	0	3	0	0	10	0	0	1	0	0	16
05:00 PM	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2
05:15 PM	0	0	0	0	0	0	0	0	0	0	1	8	0	0	0	0	0	9
05:30 PM	0	0	0	0	2	0	0	0	0	0	0	5	0	0	0	0	0	7
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	4
Total	0	0	0	0	2	0	0	0	0	0	1	19	0	0	0	0	0	22
Grand Total	0	0	0	0	6	0	0	0	4	0	8	59	0	0	2	0	0	79
Apprch %	0.0	0.0	0.0	0.0	100.0	0.0	0.0	0.0	5.6	0.0	11.3	83.1	0.0	0.0	100.0	0.0	0.0	
Total %	0.0	0.0	0.0	0.0	7.6	0.0	0.0	0.0	5.1	0.0	10.1	74.7	0.0	0.0	2.5	0.0	0.0	

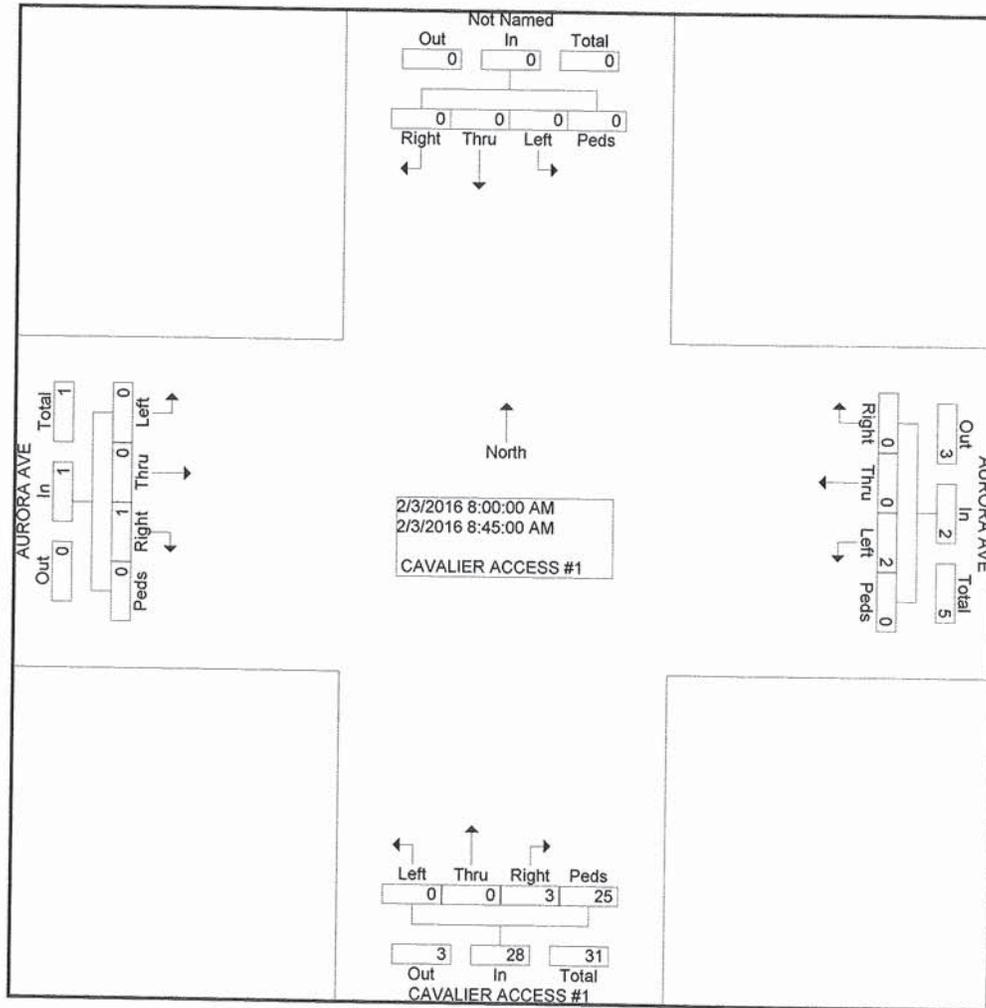
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #1
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CAVALIER ACCESS #1 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
Peak Hour	From 08:00 AM to 08:45 AM - Peak 1 of 1																				
Intersection	08:00 AM																				
Volume	0	0	0	0	0	2	0	0	0	2	0	0	3	25	28	0	0	1	0	1	31
Percent	0.0	0.0	0.0	0.0		100.0	0.0	0.0	0.0		0.0	0.0	10.7	89.3		0.0	0.0	100.0	0.0		
08:30 Volume	0	0	0	0	0	2	0	0	0	2	0	0	3	9	12	0	0	0	0	0	14
Peak Factor																					
High Int. Volume	0	0	0	0	0	08:30 AM					08:30 AM					08:15 AM					
Peak Factor						2					0					1					0.25
						0					0.58					0.25					0



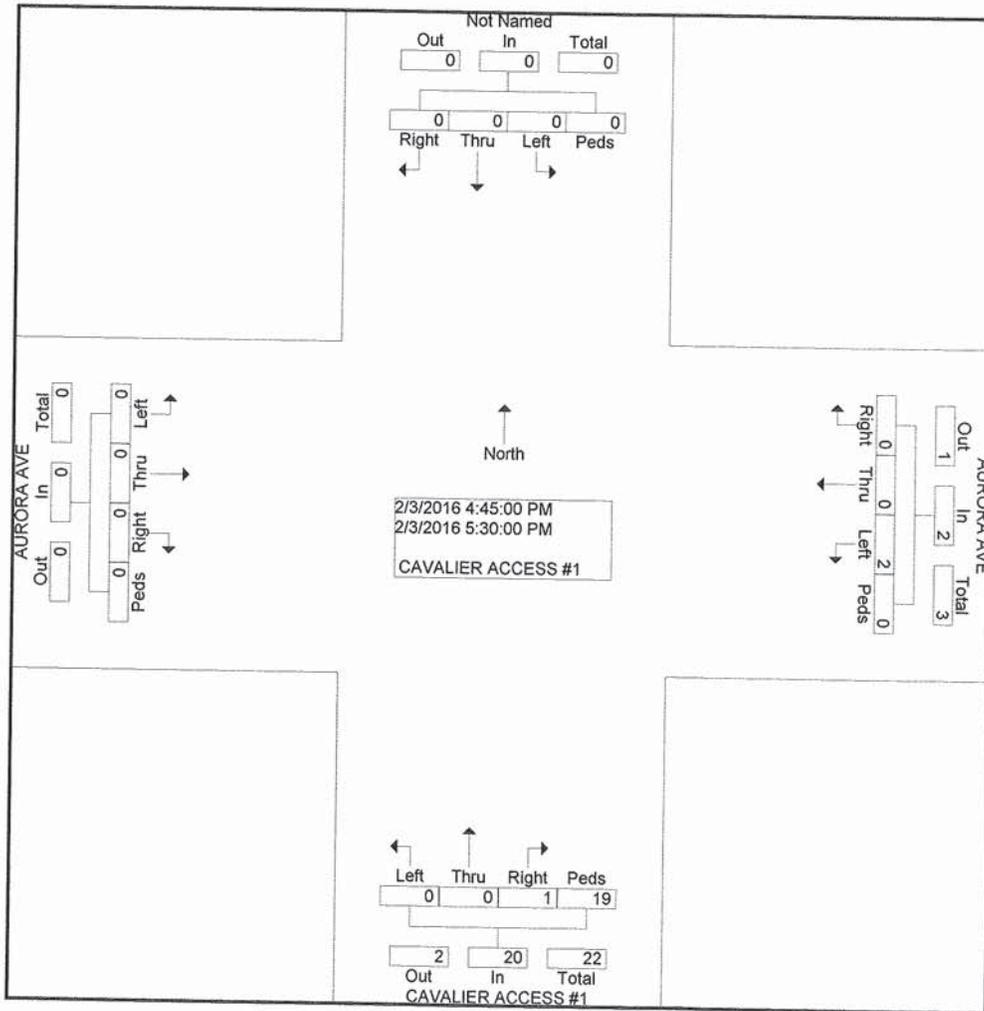
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #1
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File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CAVALIER ACCESS #1 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
Peak Hour	From 04:00 PM to 05:45 PM - Peak 1 of 1																				
Intersect on	04:45 PM																				
Volume	0	0	0	0	0	2	0	0	0	2	0	0	1	19	20	0	0	0	0	0	22
Percent	0.0	0.0	0.0	0.0		100.0	0.0	0.0	0.0		0.0	0.0	5.0	95.0		0.0	0.0	0.0	0.0		
05:15 Volume	0	0	0	0	0	0	0	0	0	0	0	0	1	8	9	0	0	0	0	0	9
Peak Factor																					
High Int. Volume	0	0	0	0	0	05:30 PM					05:15 PM										0.611
Peak Factor						2	0	0	0	2	0	0	1	8	9						
											0.25					0.55					
											0					6					



COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #2
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 1

Groups Printed- CAVALIER ACCESS #2

Start Time	Southbound				AURORA AVE Westbound				CACALIER ACCESS #2 Northbound				AURORA AVE Eastbound				Int. Total	
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds		
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
07:00 AM	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	0	0	3
07:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
07:45 AM	0	0	0	0	0	0	0	0	0	0	0	1	8	0	0	0	0	9
Total	0	0	0	0	0	0	0	0	0	0	0	3	9	0	0	1	0	13
08:00 AM	0	0	0	0	0	0	0	0	0	0	0	1	2	0	0	0	0	3
08:15 AM	0	0	0	0	1	0	0	0	0	0	0	1	10	0	0	0	0	12
08:30 AM	0	0	0	0	0	0	0	0	0	1	0	1	9	0	0	1	0	12
08:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	3	0	0	0	0	3
Total	0	0	0	0	1	0	0	0	0	1	0	3	24	0	0	1	0	30
04:00 PM	0	0	0	0	2	0	0	0	1	0	2	3	0	0	0	0	0	8
04:15 PM	0	0	0	0	2	0	0	0	0	0	1	3	0	0	0	0	0	6
04:30 PM	0	0	0	0	1	0	0	0	0	0	1	2	0	0	0	0	0	4
04:45 PM	0	0	0	0	1	0	0	0	0	0	2	4	0	0	0	0	0	7
Total	0	0	0	0	6	0	0	0	1	0	6	12	0	0	0	0	0	25
05:00 PM	0	0	0	0	1	0	0	0	0	0	1	2	0	0	1	0	0	5
05:15 PM	0	0	0	0	0	0	0	0	0	0	0	7	0	0	1	0	0	8
05:30 PM	0	0	0	0	1	0	0	0	0	0	0	5	0	0	0	0	0	6
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	4	0	0	2	0	0	6
Total	0	0	0	0	2	0	0	0	0	0	1	18	0	0	4	0	0	25
Grand Total	0	0	0	0	9	0	0	0	2	0	13	63	0	0	6	0	0	93
Apprch %	0.0	0.0	0.0	0.0	100.0	0.0	0.0	0.0	2.6	0.0	16.7	80.8	0.0	0.0	100.0	0.0	0.0	
Total %	0.0	0.0	0.0	0.0	9.7	0.0	0.0	0.0	2.2	0.0	14.0	67.7	0.0	0.0	6.5	0.0	0.0	

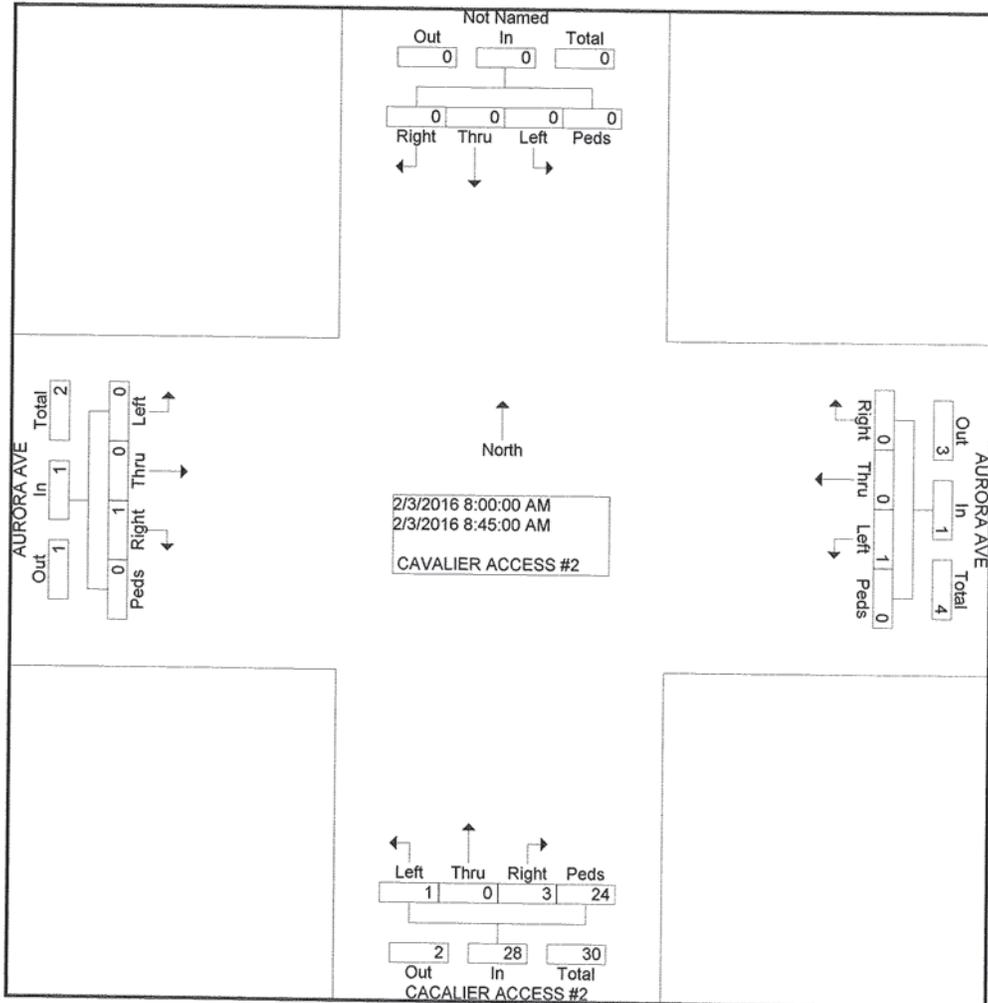
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #2
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CACALIER ACCESS #2 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Rght	Peds	App. Total	Left	Thru	Rght	Peds	App. Total	Left	Thru	Rght	Peds	App. Total	Left	Thru	Rght	Peds	App. Total	
Peak Hour From 08:00 AM to 08:45 AM - Peak 1 of 1																					
Intersecti on	08:00 AM																				
Volume	0	0	0	0	0	1	0	0	0	1	1	0	3	24	28	0	0	1	0	1	30
Percent	0.0	0.0	0.0	0.0		100.0	0.0	0.0	0.0		3.6	0.0	10.7	85.7		0.0	0.0	100.0	0.0		
08:30 Volume	0	0	0	0	0	0	0	0	0	0	1	0	1	9	11	0	0	1	0	1	12
Peak Factor																					
High Int. Volume	08:15 AM					08:15 AM					08:30 AM										
Peak Factor	0	0	0	0	0	1	0	0	0	1	0	0	1	10	11	0	0	1	0	1	0.25
											0.636										



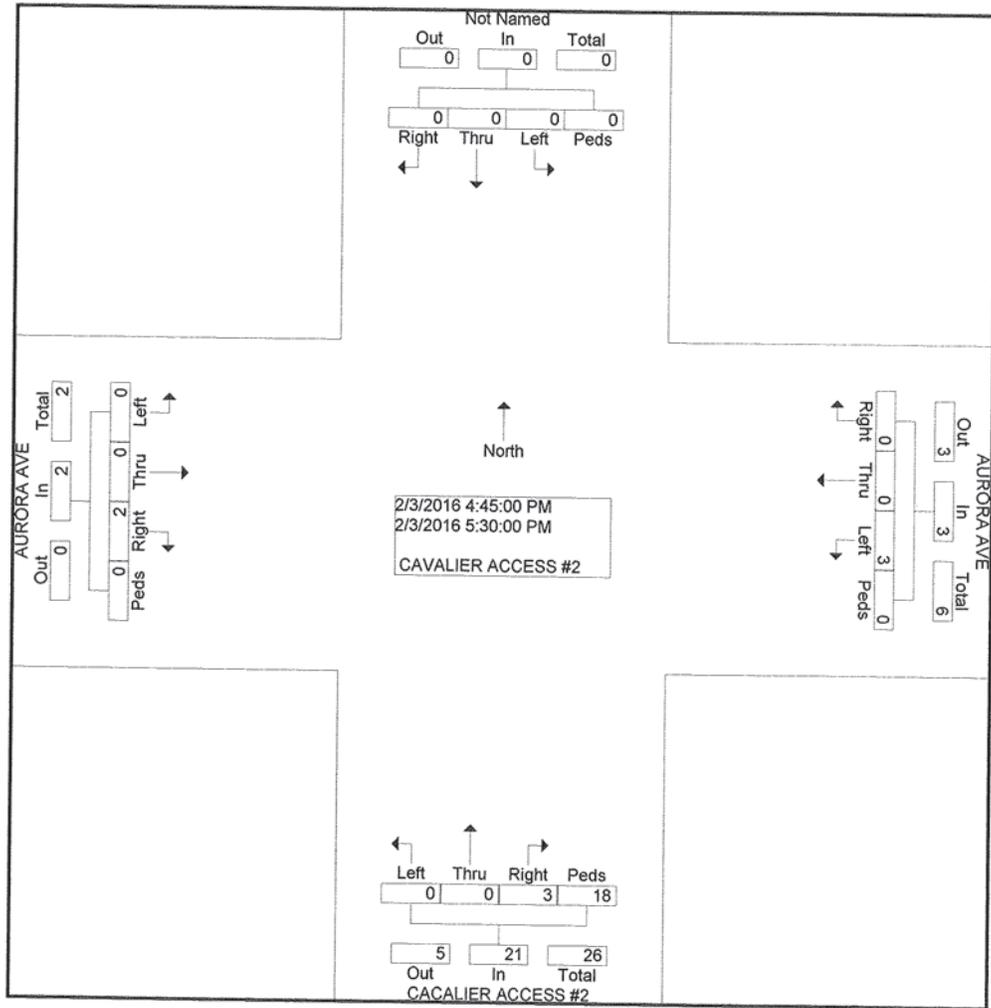
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #2
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CACALIER ACCESS #2 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	
Peak Hour	From 04:00 PM to 05:45 PM - Peak 1 of 1																				
Intersecti on	04:45 PM																				
Volume	0	0	0	0	0	3	0	0	0	3	0	0	3	18	21	0	0	2	0	2	26
Percent	0.0	0.0	0.0	0.0		100	0.0	0.0	0.0		0.0	0.0	14.	85.		0.0	0.0	100	0.0		
						.0							3	7				.0			
05:15 Volume	0	0	0	0	0	0	0	0	0	0	0	0	0	7	7	0	0	1	0	1	8
Peak Factor																					
High Int. Volume	0	0	0	0	0	04:45 PM					05:15 PM					05:00 PM					
Peak Factor						1	0	0	0	1	0	0	0	7	7	0	0	1	0	1	0.813
						0.75					0.75					0.50					
						0					0					0					



COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #3
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 1

Groups Printed- CAVALIER ACCESS #3

Start Time	Southbound				AURORA AVE Westbound				CACALIER ACCESS#3 Northbound				AURORA AVE Eastbound				Int. Total	
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds		
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
07:00 AM	0	0	0	0	0	0	0	0	0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1
07:30 AM	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	2
07:45 AM	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	0	5
Total	0	0	0	0	1	0	0	0	0	0	1	6	0	0	0	0	0	8
08:00 AM	0	0	0	0	1	0	0	0	0	0	3	2	0	0	0	0	0	6
08:15 AM	0	0	0	0	0	0	0	0	0	0	2	9	0	0	0	0	0	11
08:30 AM	0	0	0	0	3	0	0	0	0	0	1	10	0	0	0	0	0	14
08:45 AM	0	0	0	0	0	0	0	0	0	0	2	4	0	0	0	0	0	6
Total	0	0	0	0	4	0	0	0	0	0	8	25	0	0	0	0	0	37
04:00 PM	0	0	0	0	2	0	0	0	1	0	0	4	0	0	0	0	0	7
04:15 PM	0	0	0	0	3	0	0	0	0	0	1	4	0	0	1	0	0	9
04:30 PM	0	0	0	0	1	0	0	0	0	0	0	2	0	0	1	0	0	4
04:45 PM	0	0	0	0	1	0	0	0	0	0	2	4	0	0	0	0	0	7
Total	0	0	0	0	7	0	0	0	1	0	3	14	0	0	2	0	0	27
05:00 PM	0	0	0	0	0	0	0	0	0	0	0	3	0	0	1	0	0	4
05:15 PM	0	0	0	0	0	0	0	0	0	0	1	6	0	0	0	0	0	7
05:30 PM	0	0	0	0	0	0	0	0	0	0	2	4	0	0	1	0	0	7
05:45 PM	0	0	0	0	0	0	0	0	0	0	0	6	0	0	0	0	0	6
Total	0	0	0	0	0	0	0	0	0	0	3	19	0	0	2	0	0	24
Grand Total	0	0	0	0	12	0	0	0	1	0	15	64	0	0	4	0	0	96
Apprch %	0.0	0.0	0.0	0.0	100.0	0.0	0.0	0.0	1.3	0.0	18.8	80.0	0.0	0.0	100.0	0.0	0.0	
Total %	0.0	0.0	0.0	0.0	12.5	0.0	0.0	0.0	1.0	0.0	15.6	66.7	0.0	0.0	4.2	0.0	0.0	

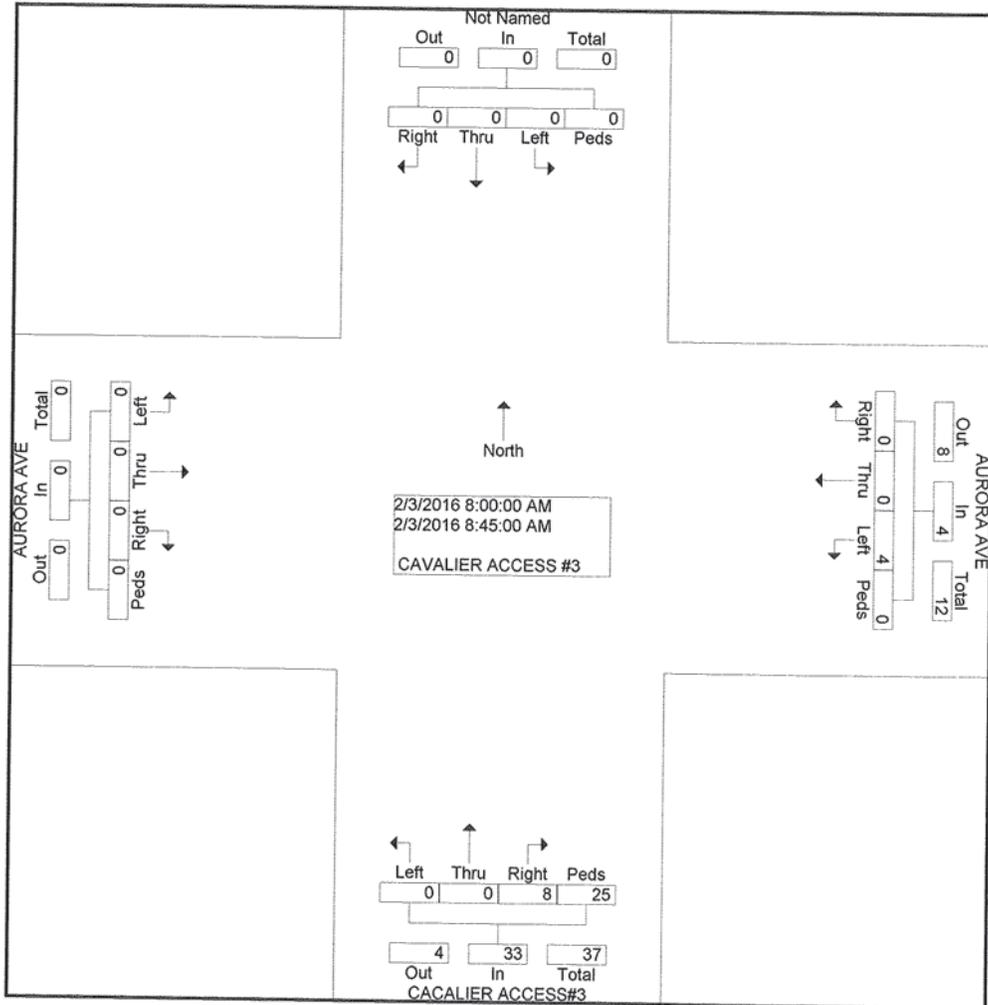
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #3
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CACALIER ACCESS#3 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	
Peak Hour From 08:00 AM to 08:45 AM - Peak 1 of 1																					
Intersect on	08:00 AM																				
Volume	0	0	0	0	0	4	0	0	0	4	0	0	8	25	33	0	0	0	0	0	37
Percent	0.0	0.0	0.0	0.0		100	0.0	0.0	0.0		0.0	0.0	24.	75.		0.0	0.0	0.0	0.0		
	08:30																				
Volume	0	0	0	0	0	3	0	0	0	3	0	0	1	10	11	0	0	0	0	0	14
Peak Factor																					
High Int.	08:30 AM																				
Volume	0	0	0	0	0	3	0	0	0	3	0	0	2	9	11						0.661
Peak Factor						0.33					0.75										



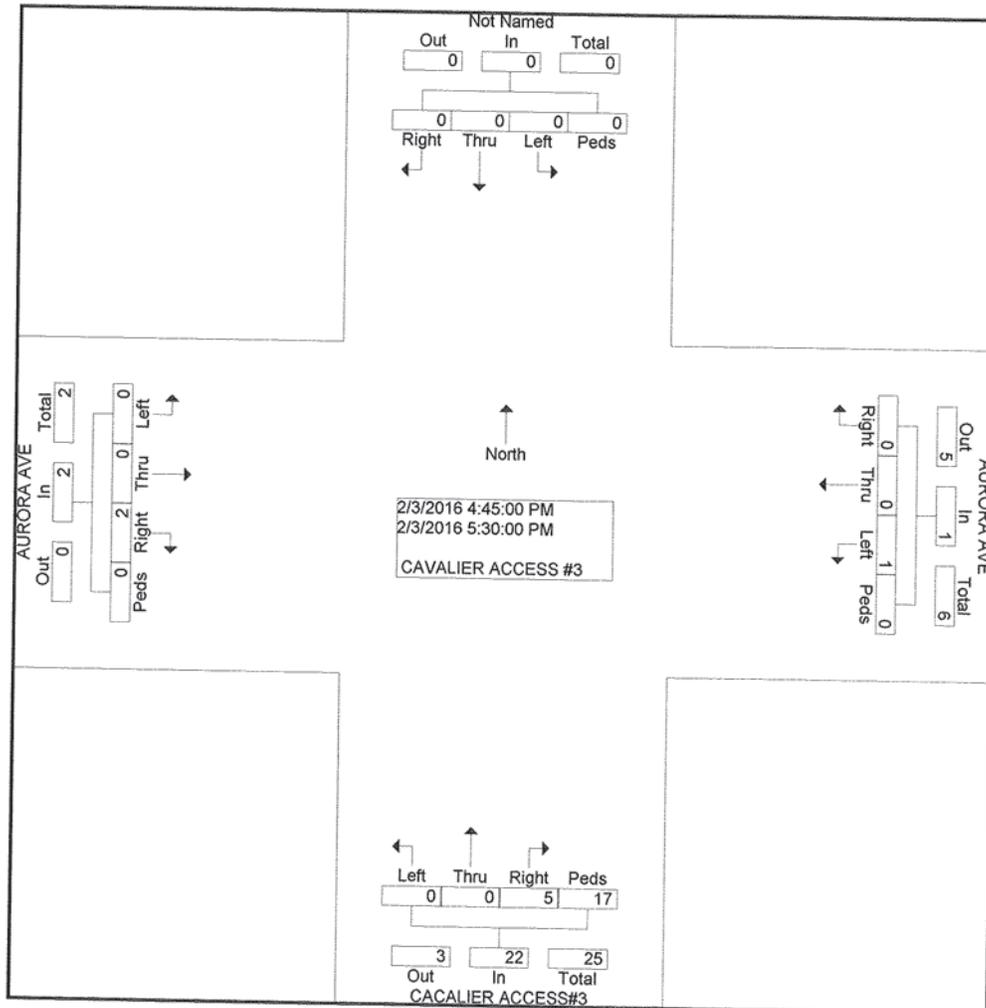
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #3
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA
Site Code : 00000005
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CACALIER ACCESS#3 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
Peak Hour From 04:45 PM to 05:30 PM - Peak 1 of 1																					
Intersect on 04:45 PM																					
Volume	0	0	0	0	0	1	0	0	0	1	0	0	5	17	22	0	0	2	0	2	25
Percent	0.0	0.0	0.0	0.0		100.0	0.0	0.0	0.0		0.0	0.0	22.7	77.3		0.0	0.0	100.0	0.0		
05:30 Volume	0	0	0	0	0	0	0	0	0	0	0	0	2	4	6	0	0	1	0	1	7
Peak Factor																					
High Int. Volume	0	0	0	0	0	04:45 PM 1	0	0	0	1	05:15 PM 0	0	1	6	7	05:00 PM 0	0	1	0	1	0.893
Peak Factor																					
						0.25					0.78					0.50					
						0					6					0					



COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #4
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA4-5
Site Code : 00000002
Start Date : 2/3/2016
Page No : 1

Groups Printed- CAVALIER ACCESS #4

Start Time	Southbound				AURORA AVE Westbound				CAVALIER ACCESS #4 Northbound				AURORA AVE Eastbound				Int. Total
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
07:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:15 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
07:45 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
08:00 AM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
08:15 AM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
08:30 AM	0	0	0	0	1	0	0	0	0	0	0	1	2	0	0	0	0
08:45 AM	0	0	0	0	0	0	0	0	2	0	1	7	0	0	0	0	0
Total	0	0	0	0	1	0	0	0	2	0	3	9	0	0	1	0	0
09:00 AM	0	0	0	0	0	0	0	0	0	0	0	8	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0	8	0	0	0	0	0
04:00 PM	0	0	0	0	0	0	0	2	1	0	1	5	0	0	1	0	0
04:15 PM	0	0	0	0	0	0	0	3	0	0	0	5	0	0	0	0	4
04:30 PM	0	0	0	0	3	0	0	1	0	0	2	1	0	0	0	0	0
04:45 PM	0	0	0	0	0	0	0	0	2	0	0	6	0	0	1	0	0
Total	0	0	0	0	3	0	0	6	3	0	3	17	0	0	2	4	0
05:00 PM	0	0	0	0	0	0	0	0	1	0	1	7	0	0	0	2	0
05:15 PM	0	0	0	0	0	0	0	1	0	0	0	8	0	0	0	0	0
05:30 PM	0	0	0	0	1	0	0	1	0	0	0	3	0	0	0	0	0
05:45 PM	0	0	0	0	0	0	0	2	0	0	0	1	0	0	0	0	0
Total	0	0	0	0	1	0	0	4	1	0	1	19	0	0	0	2	0
Grand Total	0	0	0	0	5	0	0	10	6	0	7	59	0	0	3	6	96
Apprch %	0.0	0.0	0.0	0.0	33.3	0.0	0.0	66.7	8.3	0.0	9.7	81.9	0.0	0.0	33.3	66.7	
Total %	0.0	0.0	0.0	0.0	5.2	0.0	0.0	10.4	6.3	0.0	7.3	61.5	0.0	0.0	3.1	6.3	

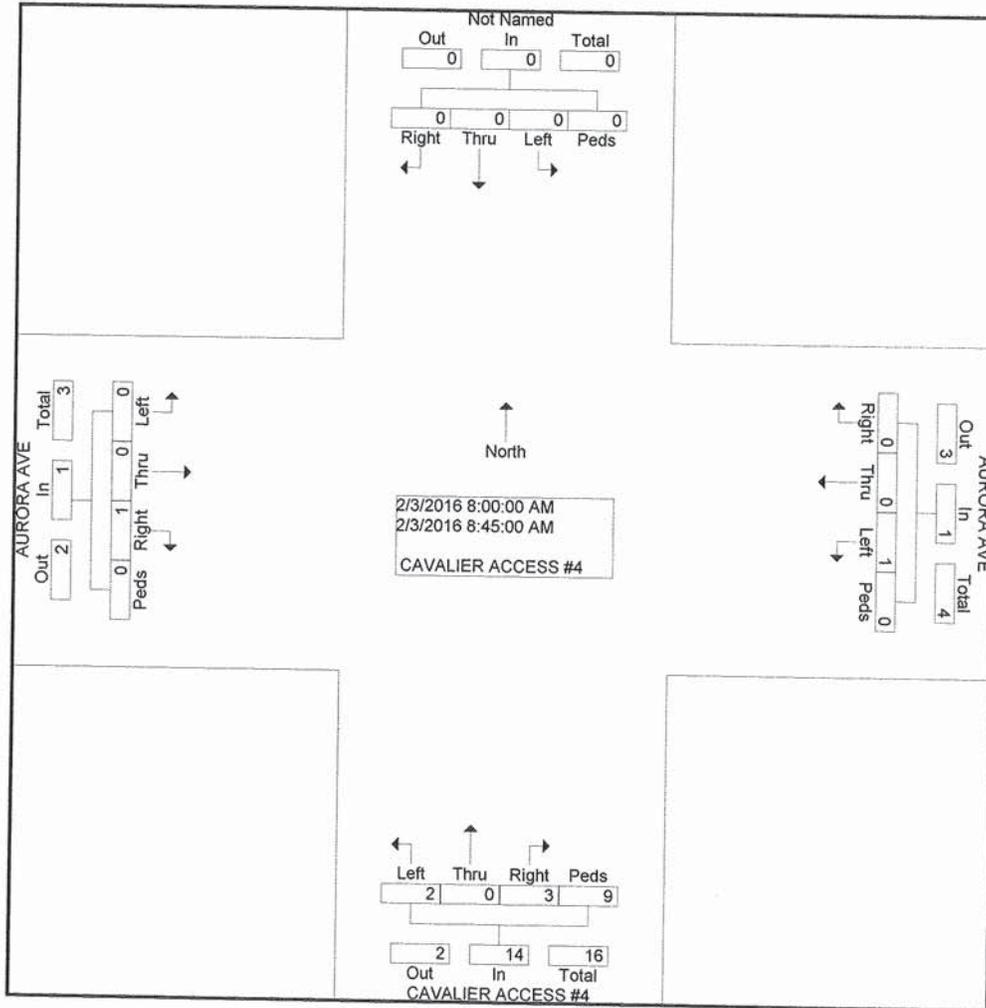
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #4
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA4-5
Site Code : 00000002
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CAVALIER ACCESS #4 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	
Peak Hour From 08:00 AM to 08:45 AM - Peak 1 of 1																					
Intersecti on	08:00 AM																				
Volume	0	0	0	0	0	1	0	0	0	1	2	0	3	9	14	0	0	1	0	1	16
Percent	0.0	0.0	0.0	0.0		100.0	0.0	0.0	0.0		14.3	0.0	21.4	64.3		0.0	0.0	100.0	0.0		
08:45 Volume	0	0	0	0	0	0	0	0	0	0	2	0	1	7	10	0	0	0	0	0	10
Peak Factor	0.400																				
High Int. Volume	08:30 AM					08:45 AM					08:00 AM										
Peak Factor	0	0	0	0	0	1	0	0	0	0.25	2	0	1	7	10	0	0	1	0	1	0.25
																0					



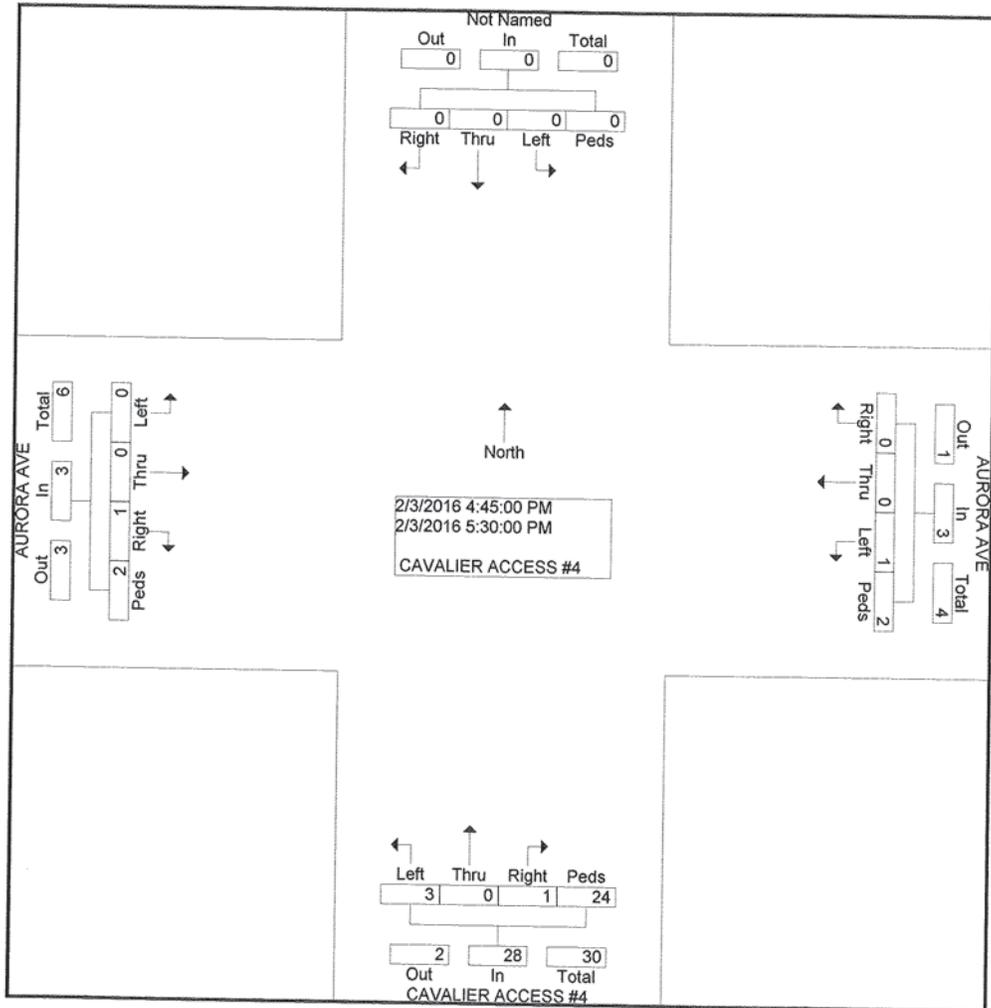
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #4
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA4-5
Site Code : 00000002
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CAVALIER ACCESS #4 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	
Peak Hour From 04:45 PM to 05:30 PM - Peak 1 of 1																					
Intersecti on	04:45 PM																				
Volume	0	0	0	0	0	1	0	0	2	3	3	0	1	24	28	0	0	1	2	3	34
Percent	0.0	0.0	0.0	0.0		33.3	0.0	0.0	66.7		10.7	0.0	3.6	85.7		0.0	0.0	33.3	66.7		
05:00 Volume	0	0	0	0	0	0	0	0	0	0	1	0	1	7	9	0	0	0	2	2	11
Peak Factor																					
High Int. Volume	0	0	0	0	0	05:30 PM					05:00 PM					05:00 PM					
Peak Factor						1 0 0 1 2					1 0 1 7 9					0 0 0 2 2					0.37
						0.37					0.77					0.37					5



COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #5
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA4-5
Site Code : 00000002
Start Date : 2/3/2016
Page No : 1

Groups Printed- CAVALIER ACCESS #5

Start Time	Southbound				AURORA AVE Westbound				CAVALIER ACCESS #5 Northbound				AURORA AVE Eastbound				Int. Total
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
07:00 AM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
07:30 AM	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2
07:45 AM	0	0	0	0	0	0	0	0	1	0	1	5	0	0	0	0	7
Total	0	0	0	0	1	0	0	0	1	0	2	6	0	0	0	0	10
08:00 AM	0	0	0	0	0	0	0	0	1	0	2	0	0	0	0	0	3
08:30 AM	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	0	4
08:45 AM	0	0	0	0	2	0	0	0	1	0	0	7	0	0	0	0	10
Total	0	0	0	0	2	0	0	0	2	0	4	9	0	0	0	0	17
09:00 AM	0	0	0	0	0	0	0	0	0	0	0	8	0	0	0	0	8
09:15 AM	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	2
Total	0	0	0	0	0	0	0	0	0	0	0	10	0	0	0	0	10
04:00 PM	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	5
04:15 PM	0	0	0	0	1	0	0	0	0	0	3	6	0	0	0	1	11
04:30 PM	0	0	0	0	2	0	0	1	0	0	3	3	0	0	0	0	9
04:45 PM	0	0	0	0	2	0	0	0	0	0	1	8	0	0	0	0	11
Total	0	0	0	0	5	0	0	1	0	0	7	22	0	0	0	1	36
05:00 PM	0	0	0	0	0	0	0	3	0	0	1	4	0	0	1	0	9
05:15 PM	0	0	0	0	1	0	0	0	0	0	1	9	0	0	0	1	12
05:30 PM	0	0	0	0	2	0	0	0	1	0	0	3	0	0	0	1	7
05:45 PM	0	0	0	0	4	0	0	0	0	0	0	1	0	0	0	0	5
Total	0	0	0	0	7	0	0	3	1	0	2	17	0	0	1	2	33
Grand Total	0	0	0	0	15	0	0	4	4	0	15	64	0	0	1	3	106
Apprch %	0.0	0.0	0.0	0.0	78.9	0.0	0.0	21.1	4.8	0.0	18.1	77.1	0.0	0.0	25.0	75.0	
Total %	0.0	0.0	0.0	0.0	14.2	0.0	0.0	3.8	3.8	0.0	14.2	60.4	0.0	0.0	0.9	2.8	

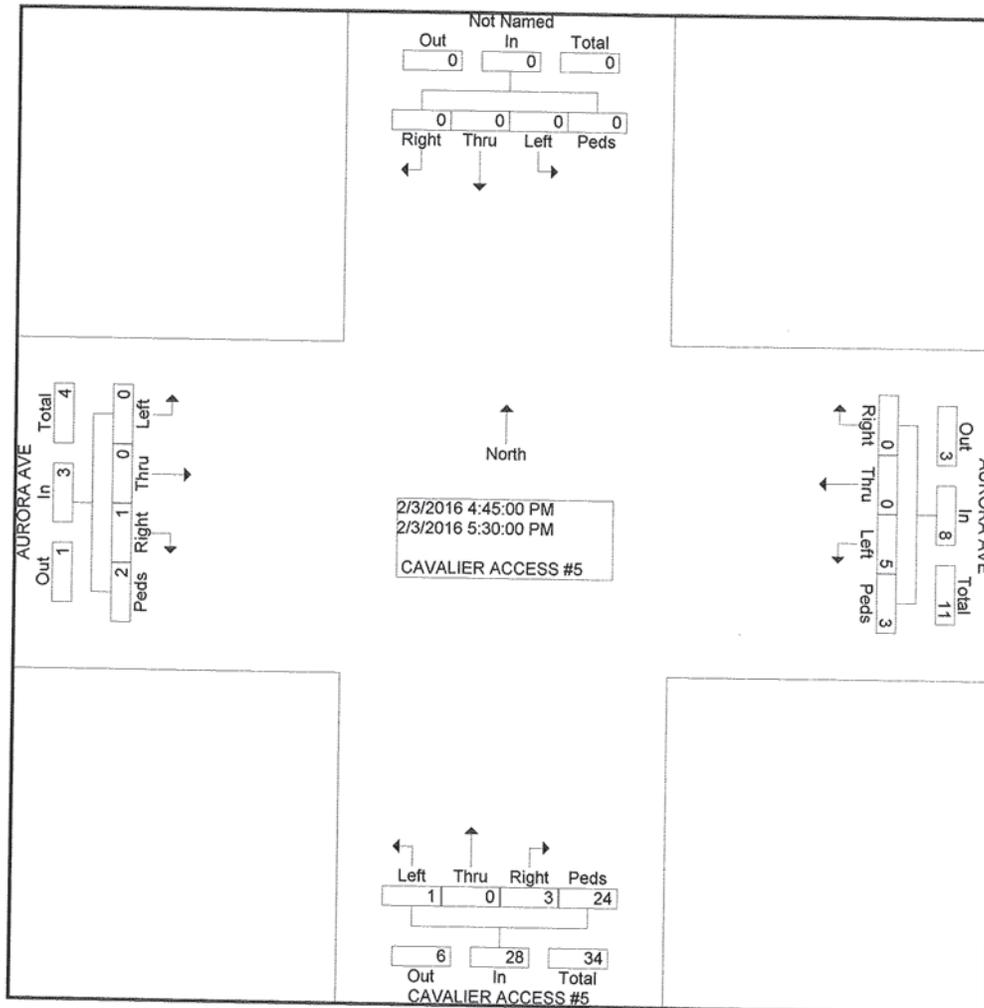
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #5
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA4-5
Site Code : 00000002
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CAVALIER ACCESS #5 Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
Peak Hour From 04:45 PM to 05:30 PM - Peak 1 of 1																					
Intersect on 04:45 PM																					
Volume	0	0	0	0	0	5	0	0	3	8	1	0	3	24	28	0	0	1	2	3	39
Percent	0.0	0.0	0.0	0.0		62.5	0.0	0.0	37.5		3.6	0.0	10.7	85.7		0.0	0.0	33.3	66.7		
05:15 Volume	0	0	0	0	0	1	0	0	0	1	0	0	1	9	10	0	0	0	1	1	12
Peak Factor																					
High Int. Volume	05:00 PM					05:15 PM					05:00 PM										
Peak Factor	0	0	0	0	0	0	0	0	3	0.667	0	0	1	9	0.700	0	0	1	0	0.750	0



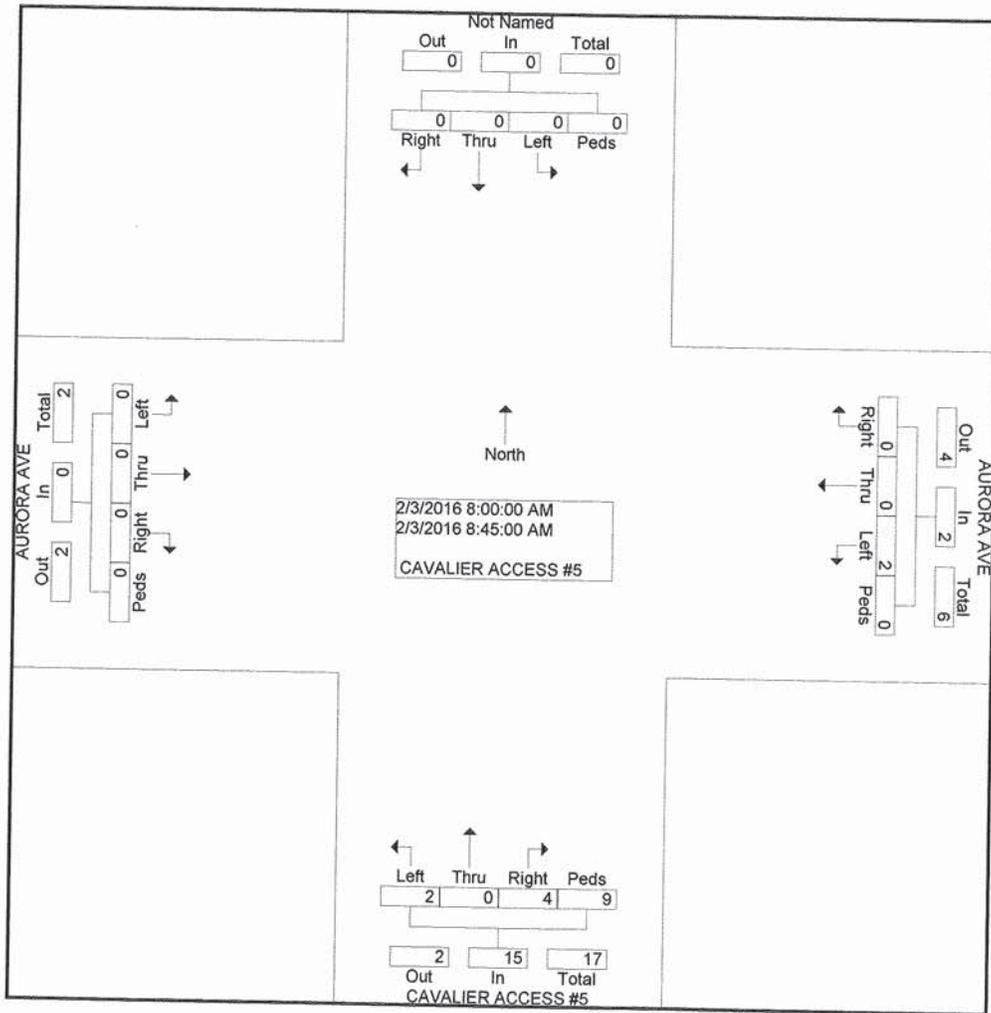
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: CAVALIER ACCESS #5
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : CAVAAURA4-5
Site Code : 00000002
Start Date : 2/3/2016
Page No : 2

Start Time	Southbound					AURORA AVE Westbound					CAVALIER ACCESS #5 Northbound					AURORA AVE Eastbound					Int. Total	
	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total	Left	Thru	Rig ht	Ped s	App. Total		
Peak Hour From 08:00 AM to 08:45 AM - Peak 1 of 1																						
Intersecti on	08:00 AM																					
Volume	0	0	0	0	0	2	0	0	0	2	2	0	4	9	15	0	0	0	0	0	17	
Percent	0.0	0.0	0.0	0.0		100	0.0	0.0	0.0		13.	0.0	26.	60.		0.0	0.0	0.0	0.0			
	08:45																					
Volume	0	0	0	0	0	2	0	0	0	2	1	0	0	7	8	0	0	0	0	0	10	
Peak Factor																						
High Int. Volume	08:45 AM					08:45 AM					08:45 AM											
Peak Factor	0	0	0	0	0	2	0	0	0	2	1	0	0	7	8							0.425
						0.25					0.46											
						0					9											



COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: 30TH ST
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : 30THAURO
Site Code : 00000016
Start Date : 2/3/2016
Page No : 1

Groups Printed- VEHICLES

Start Time	30TH ST Southbound				AURORA AVE Westbound				30TH ST Northbound				AURORA AVE Eastbound				Int. Total	
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds		
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
07:00 AM	6	32	3	3	0	0	7	0	2	87	2	1	0	0	3	1		147
07:15 AM	14	53	2	4	3	0	13	0	0	105	2	1	2	0	5	4		208
07:30 AM	21	70	3	6	3	0	18	4	4	140	3	1	4	0	4	5		286
07:45 AM	32	86	1	8	4	1	24	0	3	234	4	1	7	0	5	3		413
Total	73	241	9	21	10	1	62	4	9	566	11	4	13	0	17	13		1054
08:00 AM	50	128	5	5	12	4	39	4	3	242	6	1	9	1	8	6		523
08:15 AM	52	111	8	8	11	2	53	3	1	227	6	3	7	0	6	3		501
08:30 AM	18	115	8	11	8	1	59	1	7	281	3	5	12	0	11	13		553
08:45 AM	12	80	7	7	3	0	42	1	3	318	3	1	8	0	4	3		492
Total	132	434	28	31	34	7	193	9	14	1068	18	10	36	1	29	25		2069
04:00 PM	21	199	16	5	3	1	30	6	11	155	2	1	4	1	13	16		484
04:15 PM	20	187	11	9	5	0	16	0	6	169	0	0	8	0	12	10		453
04:30 PM	20	192	9	4	3	2	23	2	10	145	4	0	8	0	15	4		441
04:45 PM	20	224	12	8	6	1	22	3	13	151	8	1	7	0	13	4		493
Total	81	802	48	26	17	4	91	11	40	620	14	2	27	1	53	34		1871
05:00 PM	24	254	18	7	5	0	30	0	6	174	6	1	7	0	7	7		546
05:15 PM	37	261	9	6	1	1	25	4	10	169	4	11	11	1	6	10		566
05:30 PM	37	230	17	4	3	0	30	0	13	167	7	1	18	0	12	6		545
05:45 PM	32	201	11	3	4	3	17	4	5	164	0	4	11	1	18	7		485
Total	130	946	55	20	13	4	102	8	34	674	17	17	47	2	43	30		2142
Grand Total	416	2423	140	98	74	16	448	32	97	2928	60	33	123	4	142	102		7136
Apprch %	13.5	78.7	4.5	3.2	13.0	2.8	78.6	5.6	3.1	93.9	1.9	1.1	33.2	1.1	38.3	27.5		
Total %	5.8	34.0	2.0	1.4	1.0	0.2	6.3	0.4	1.4	41.0	0.8	0.5	1.7	0.1	2.0	1.4		

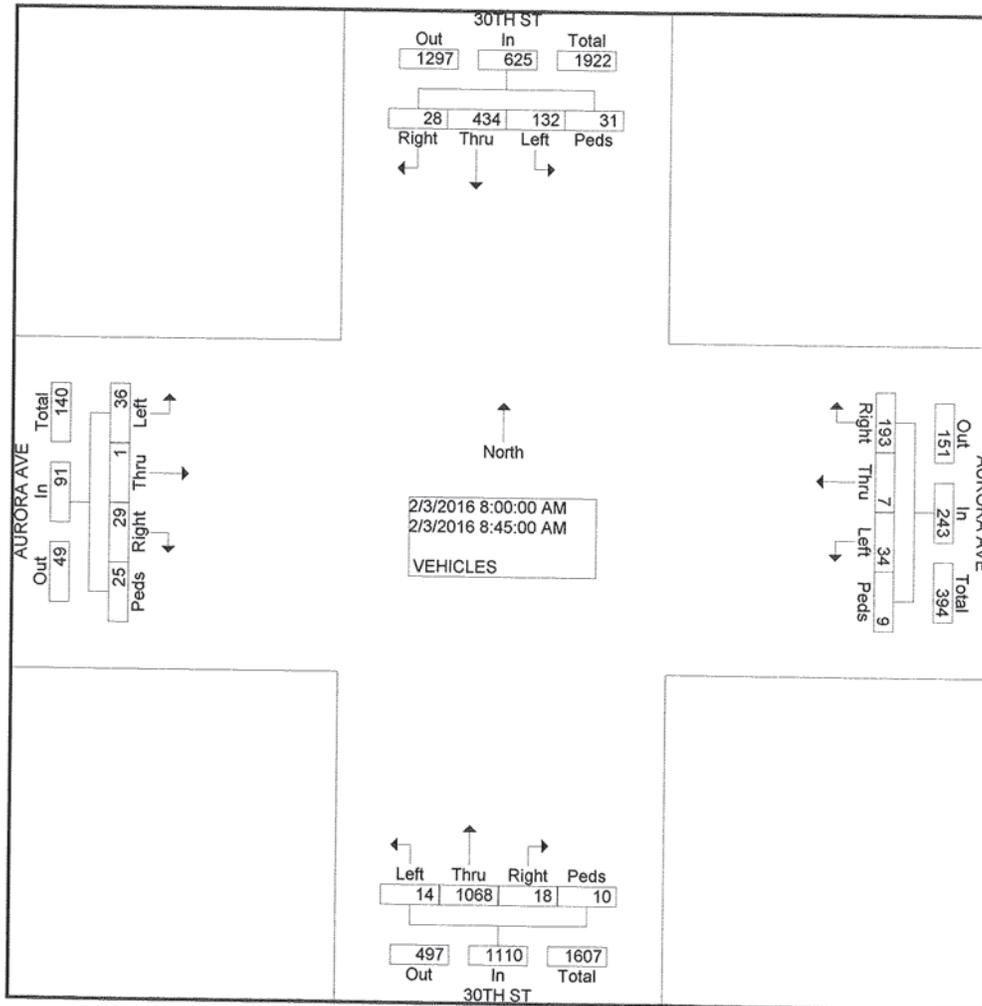
COUNTER MEASURES INC.

1889 YORK STREET
DENVER, COLORADO
303-333-7409

N/S STREET: 30TH ST
E/W STREET: AURORA AVE
CITY: BOULDER
COUNTY: BOULDER

File Name : 30THAURO
Site Code : 00000016
Start Date : 2/3/2016
Page No : 2

Start Time	30TH ST Southbound					AURORA AVE Westbound					30TH ST Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
Peak Hour From 07:00 AM to 09:00 AM - Peak 1 of 1																					
Intersection	08:00 AM																				
Volume	132	434	28	31	625	34	7	193	9	243	14	1068	18	10	1110	36	1	29	25	91	2069
Percent	21.1	69.4	4.5	5.0		14.0	2.9	79.4	3.7		1.3	96.2	1.6	0.9		39.6	1.1	31.9	27.5		
08:30 Volume	18	115	8	11	152	8	1	59	1	69	7	281	3	5	296	12	0	11	13	36	553
Peak Factor																					
High Int. Volume	08:00 AM					08:15 AM					08:45 AM					08:30 AM					
Peak Factor	0.83					0.88					0.85					0.63					2



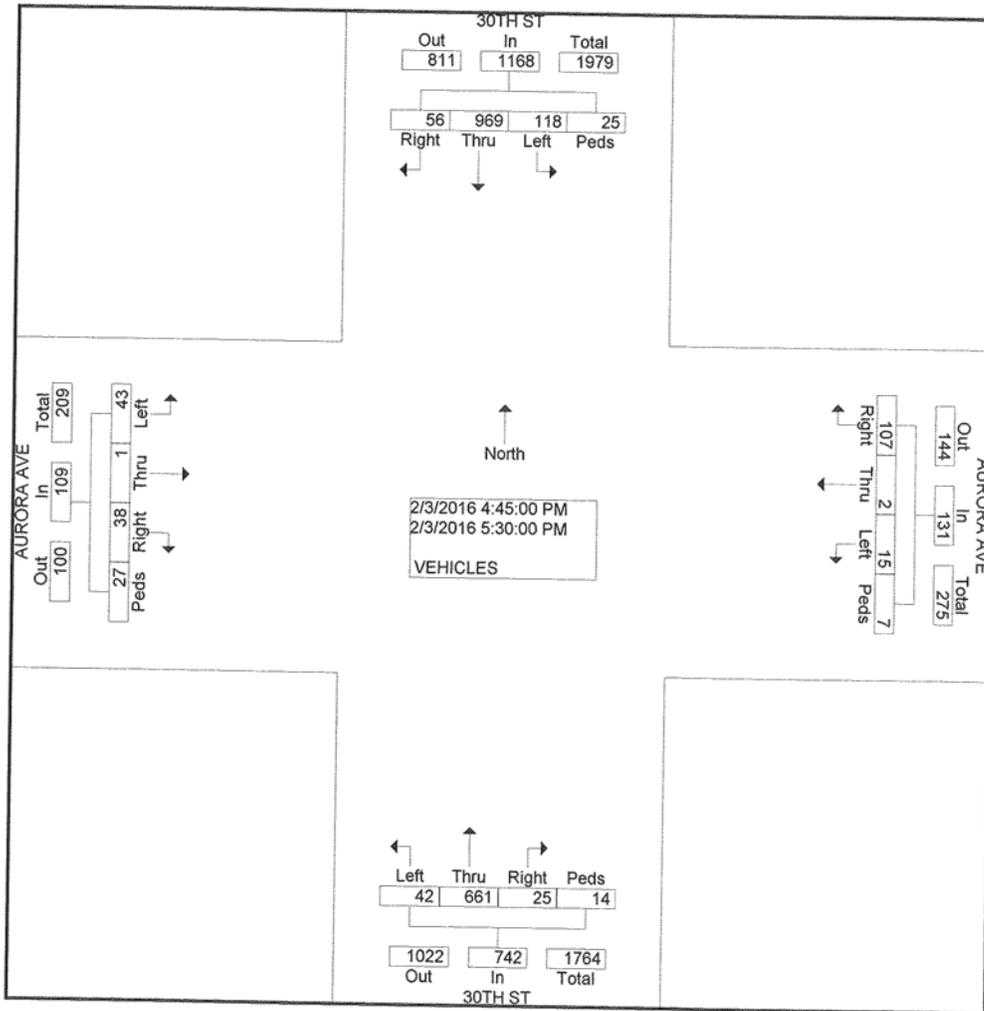
COUNTER MEASURES INC.

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DENVER, COLORADO
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N/S STREET: 30TH ST
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Start Time	30TH ST Southbound					AURORA AVE Westbound					30TH ST Northbound					AURORA AVE Eastbound					Int. Total
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Intersect on	04:45 PM																				
Volume	118	969	56	25	1168	15	2	107	7	131	42	661	25	14	742	43	1	38	27	109	2150
Percent	10.1	83.0	4.8	2.1		11.5	1.5	81.7	5.3		5.7	89.1	3.4	1.9		39.4	0.9	34.9	24.8		
05:15 Volume	37	261	9	6	313	1	1	25	4	31	10	169	4	11	194	11	1	6	10	28	566
Peak Factor	0.950																				
High Int. Volume	05:15 PM					05:00 PM					05:15 PM					05:30 PM					
Peak Factor	37	261	9	6	313	5	0	30	0	35	10	169	4	11	194	18	0	12	6	36	0.75
					0.93					0.93					0.95						0.75
					3					6					6						7



Station No. 24 - 30th Street North of Baseline Road Linear Regression Analysis

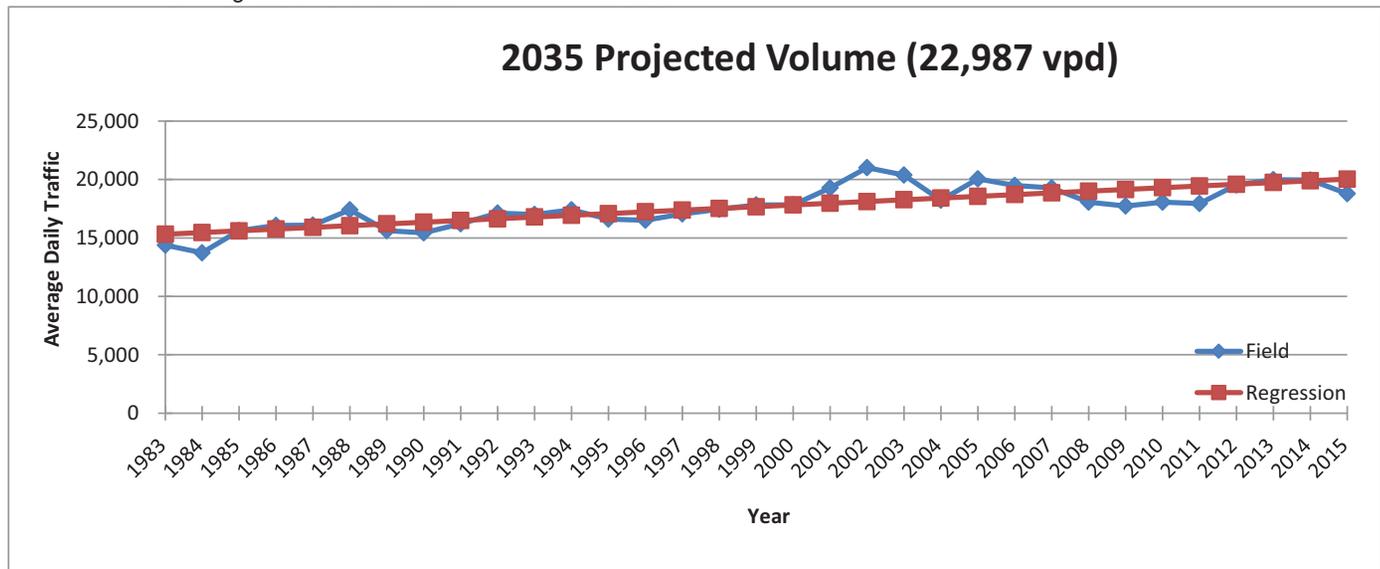
Year	Field	Regression
1983	14,385	15,316
1984	13,731	15,464
1985	15,630	15,611
1986	16,068	15,759
1987	16,102	15,906
1988	17,419	16,054
1989	15,625	16,201
1990	15,430	16,349
1991	16,204	16,496
1992	17,136	16,644
1993	16,999	16,791
1994	17,419	16,939
1995	16,609	17,086
1996	16,526	17,234
1997	17,057	17,381
1998	17,457	17,529
1999	17,822	17,676
2000	17,834	17,824
2001	19,286	17,971
2002	21,018	18,119
2003	20,384	18,267
2004	18,234	18,414
2005	20,062	18,562
2006	19,489	18,709
2007	19,277	18,857
2008	18,061	19,004
2009	17,746	19,152
2010	18,070	19,299
2011	17,954	19,447
2012	19,547	19,594
2013	19,994	19,742
2014	19,965	19,889
2015	18,783	20,037
2035		22,987

Regression Statistics	
Multiple R	0.808755584
R Square	0.654085595
Adjusted R Square	0.642927066
Standard Error	1053.969102
Observations	33

ANOVA					
	df	SS	MS	F	Significance F
Regression	1	65115351.64	65115351.64	58.6175458	1.23662E-08
Residual	31	34436376.91	1110850.868		
Total	32	99551728.54			

	Coefficients	Standard Error	t Stat	P-value	Lower 95%	Upper 95%	Lower 95.0%	Upper 95.0%
Intercept	-277222.839	38518.09551	-7.19721043	4.3022E-08	-355781.0125	-198665	-355781	-198665
X Variable 1	147.5233957	19.2684635	7.656209624	1.2366E-08	108.2251053	186.8217	108.2251	186.8217

Linear Regression Growth Rate: **0.83%**



To: City of Boulder's Land Use Review Staff
From: Jeff Dawson, Trestle Strategy Group
Subject: Written Statement for Non-Conforming Use Review and Site Review
Date: February 15, 2016 Update

2900 E Aurora

Existing Building and Land Use Conditions

The property includes two, 3 story multifamily apartment buildings and one single story leasing building located on 4.57 acres of RH-5 zoned land. There are a total of 220 rentals consisting of a variety of studio, one bedroom, and two bedroom units. There are a total of 96 ELUs (units less than 475 SF), therefore, there are 172 equivalent Dwelling Units currently on the property.

The eastern apartment building includes 148 units including 52 one and two bedroom dwelling units and 96 ELUs. Thus, the total number of equivalent DUs in the east building is 100 DUs. The leasing building and pool are in the east building's courtyard.

The west apartment building complex that includes three buildings as well consists of 72 one and two bedroom dwelling units. Access to all dwelling units is from an outdoor walkway around the perimeter of each building. There are no internal hallways.

There are four different parking lots with a total of 245 parking spaces on the property, as well as 221 existing bicycle spaces. The property includes landscaping scattered throughout the site with the majority of the useable open space located in the west lawn of the west building, the setbacks along Aurora and Bixby, and the central courtyard of the east building.

Proposed Building and Land Use

No dwelling units or floor area will be added to the site with our proposal. The primary use of the site will remain multifamily residential. The small leasing office will be converted to an accessory building consisting of a small office, workout room and community room for residents under a separate building permit from the remodel permits.

Of the 52 Dwelling Units in the East building, 36 one bedroom units will be converted to two bedroom units and 12 two bedroom units will be converted to three bedroom/two bathroom units. Of the 72 units in the west building, 48 one bedroom units will be converted into two bedroom units. In summary, a total of 96 bedrooms and 12 new bathrooms will be added to the buildings.

The parking lot in the middle of the site will be reconfigured to eliminate the western driveway and curb cut along E. Aurora Avenue. This area will be converted to open space

and new landscaping will be installed in this location. The parking will be striped to provide 90 standard spaces, 145 compact spaces and 7 handicapped spaces for a total of 242 parking spaces which is a 16% parking reduction from the existing conditions.

The existing maintenance buildings on either side of the east building will be converted to long term bike storage. We will be able to provide approximately 138 short term and 336 long term spaces for a total of 474 bike parking spaces on the property. The long term bike storage buildings will be locked and monitored by security cameras 24/7. The existing laundry rooms located on the bottom floor of the building will include areas for long term bike storage as well.

Existing Hours of Operation and Number of Employees

The professional/leasing office hours are:

M-F: 9am - 6pm

Sat: 10am - 4pm

Sun: Closed

The property currently operates with a full-time staff consisting of a property manager, an assistant manager, and a maintenance manager.

Proposed Hours of Operation and Number of Employees

Property will be managed on-site by FourStar Realty. Future number of employees are yet to be determined but initial estimate include at least one employee on site during business hours.

Existing Estimated number of Trips to Site Per Day

Due to the proximity to the CU campus it is anticipated that vehicle trips will be minimal during the school year. Primary modes of transportation will be walking and bicycling. See Fox Tuttle's attached traffic study and TDM plan outlining anticipated trip generation modifications caused by the proposed remodel.

Adjacent Properties

All adjacent and surrounding properties are also multifamily student apartments.

Project Narrative

Our proposal includes:

- Conversion of 36 of the 148 east building units from one bedroom/one bathroom units (780 SF) to two bedroom/one bath units.
- In addition, 12 two bedroom/one bathroom units (1,120 SF) will be converted to three bedroom/two bathroom units.
- 48 one bedroom units (610 SF) in the west building will be converted to two bedroom units.

All units will receive new fire sprinkler and alarm systems as well as a new condensing, and ventless washer/dryers. Most units will receive new kitchen appliances, a new dishwasher if one does not exist, and new plumbing and electrical fixtures, interior floor finishes, and new interior doors. The entire ground floor of the west building complex, approximately 24 units, will be converted to Type B and A accessible units to improve the projects HC accessibility. HC accessible parking spaces will be clustered in SW corner of the central parking area. Final accessibility upgrades will be coordinated with the building department through the building permit review process.

The existing leasing office will be converted into a clubhouse/pool house and will include a small office/work space and a small workout area.

Our proposal will be completed without reduction to the current building setbacks or any other significant change of use that might affect the property's classification within the RH-5 zone.

There are no changes in the proposed work that would:

- Change the perimeter of the existing building footprints or increase floor area
- Increase the number of dwelling units
- Change the existing use

Impacts of Proposed Change

Unit Count

- There is no proposed change to the existing 172 equivalent dwelling units on the site

Parking

- The proposed project is requesting a 16% parking reduction.

Open Space

- In RH-5 a minimum of 600 SF/DU of open space is required for 220 units and would require 132,000 SF or approximately 3 acres of useable open space.
- By eliminating one curb cut on E. Aurora and reducing the width of the second driveway in the middle of the site we will have a total of approx. 70,835 SF when the project is complete.

Site Utilities

- Initial discussions with staff indicate that a new 3" domestic water service tap and meter will be required in the east building to accommodate new washers/dryers and bathrooms. It is possible through additional research this requirement could be eliminated.
- Due to the addition of the new bedrooms that will not have access to exterior windows, the building department has advised that we will require a new fire

- sprinkler system for the buildings. Therefore, a new 4" or 6" fire tap will be provided and the fire riser will be placed in one of the mechanical rooms in the south wing of each building.
- The county assessor's actual value for the property is listed at \$34,200,000. BRC 9-9-16 (c)(1)(A) requires that, "when development or redevelopment exceeds twenty-five percent of the value of the existing structure, then all existing unshielded exterior light fixtures shall be retrofitted with shielding to prevent light trespass." We do not believe the cost of the improvements proposed with this nonconforming use review application will trigger these upgrades, however, we will make these improvements if determined necessary prior to building permit.

Landscape

- New landscaping will be provided where the existing drive is eliminated and landscape upgrades will be provided in the courtyard around the leasing office/community building.
- We have provided a landscape plan illustrating new plantings in the areas where pavement is being eliminated.

Photometric Analysis

- A pre-application review comment strongly suggests a comprehensive photometric analysis and plan for the site.
- Applicant intends to complete these prior to seeking a building permit, if necessary.

Side Walk Rights-of-Way

- Applicant intends to expand sidewalk adjacent to E Aurora Ave from its current 4-5 foot widths to 6 foot width.
- An expanded walk is also being proposed along the west property line.

Interior Bedrooms

- We intend to provide artificial light and mechanical ventilation for interior bedrooms without exterior windows per the International Mechanical Code and additional details on the system will be provided during the building permit review process.

Green Building and Green Points Program

- Applicant intends to meet all the requirements of Green Building and Green Points Program as part of the building permit process.

Exterior Building Elevations

- Applicant will not be modifying the exterior of the building other than replacing some of existing window units and painting the existing materials.

The site is considered non-conforming due to the following conditions:

- Density because the number of units per acre is not met (172 units where 126 units are permitted)
- Open space because the minimum open space per dwelling unit is not provided at 600 SF/unit or 132,000 SF total.
- Parking because the required parking is not provided on site. 288 spaces are required and 242 spaces are provided resulting in a 16% deficiency.

However, our proposal does not increase the existing level of nonconformity with respect to density or open space.

CRITERIA FOR REVIEW

- 1. Consistency with Zoning and Non-conformity.** *The use is consistent with the purpose of the zoning district as set forth in Section 9-5-2, "Zoning Districts Established", B.R.C. 1981, except in the case of a non-conforming use;*

The project site is zoned Residential-High 5 (RH-5) which is defined as "High density residential areas primarily used for a variety of types of attached residential units, including without limitation, apartment buildings, and where complementary uses may be allowed" (Section 9-5-2(C)(1)(F) B.R.C.)

- 2. Rationale.** *The use either:*

- Provides a direct service or convenience to or reduces adverse impacts to the surrounding uses or neighborhood;*
- Provides a compatible transition between higher intensity and lower intensity uses;*
 - The property is located in a RH-5 zoning area between BT-1 and RL-1 and RM-2*
- Is necessary to foster a specific city policy, as expressed in the BVCP, including without limitation, historic preservation, moderate income housing, residential and non-residential mixed uses in appropriate location, and group living arrangements for special populations; OR*
 - The property provides moderate income housing serving primarily CU students in an appropriate location, i.e. less than one block from the university campus.*
- Is an existing legal non-conforming use or a change thereto that is permitted under subsection (e) of this section.*

- 3. Compatibility.** *The location, size, design, and operating characteristics of the proposed development or change to an existing development are such that the use*

will be reasonably compatible with and have minimal negative impact on the use of the nearby properties;

The proposed use, location, size, design, and operating characteristics of the property will remain as is and will continue to be compatible with the surrounding area. Nearby properties will not experience any negative impacts from the proposed project since the level of nonconformity, except as it relates to parking, is not being increased.

4. **Infrastructure.** *As compared to development permitted under Section 9-6-1, "Permitted Uses of Land", B.R.C. 1981, in the zone, or as compared to the existing level of impact of a nonconforming use, the proposed development will not significantly or adversely affect the infrastructure of the surrounding area, including without limitation, water, wastewater, and storm draining utilities and streets.*

The proposed work for the project will not have any significant impact on existing water, wastewater or storm drainage infrastructure.

5. **Character of Area.** *The use will not change the predominant character of the surrounding area.*

The change in unit configuration will not change the character of the area which currently consists of numerous student oriented, high density apartment buildings.

6. **Conversion of Dwelling Units to Non-Residential Uses.** *Conversion of Dwelling Units to Non- Residential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts set forth in Subsection 9-6-1(d), B.R.C. 1981, to non-residential uses that are allowed pursuant to a use review, or through the change of one non-conforming use to another non-conforming use.*

No existing dwelling units will be converted to non-residential uses.

ADDITIONAL CRITERIA FOR MODIFICATION TO NON-CONFORMING USES:

1. **Reasonable Measures Required:** *The applicant has undertaken all reasonable measures to reduce or alleviate the effects of the non-conformity upon the surrounding area, including without limitation objectionable conditions, glare, visual pollution, noise pollution, air emissions, vehicular traffic, storage of equipment, materials and refuse, and on-street parking, so that the change will not adversely affect the surrounding area;*

Changes made to the property will have no significant impact to the surrounding community as it relates to the items listed above. See attached trip generation letter,

traffic study and TDM plan for more information on traffic and our plans to reduce vehicle use and SOV trips. The proposal eliminates on current driveway and curb cut. These areas will be landscaped thereby improving the appearance of the property from the street. A more efficient parking layout is included in the plan thereby minimizing the amount of paving per vehicle. A significant increase (approx. 50%) in bike parking, primarily in long term storage, will also be added to the site as part of our proposal.

2. Reduction in Non-Conformity / Improvement of Appearance: *The proposed change or expansion will either reduce the degree of non-conformity of the use or improve the physical appearance of the structure or the site without increasing the degree of non-conformity;*

See statements above. The reduction in pavement and the increase in long term bike storage will help improve the function and appearance of the existing property.

3. Compliance with this Title / Exceptions: *The proposed change in use complies with all of the requirements of this title:*

- a. *Except for a change of a non-conforming use to another non-conforming use; and*

The nonconformity of the current use is not increased, except with respect to parking, with our proposal.

- b. *Unless a variance to the setback requirements has been granted pursuant to Section 9-2-3, "Variances", B.R.C. 1981, or the setback has been varied through the application of the requirements of Section 9-2-14, "Site Review", B.R.C. 1981; and*

Not Applicable

4. Cannot Reasonably be Made Conforming: *The existing building or lot cannot be utilized or made to conform to the requirements of Chapters 9-6, 9-7, 9-8, and 9-9, "Use Standards", "Form and Bulk Standards", "Intensity Standards", and "Development Standards", B.R.C. 1981; and*

The existing building and lot cannot be made conforming.

5. No Increase in Floor Area Over Ten Percent: *The change or expansion will not result in an increase in floor area of more than ten percent of the existing floor area.*

The proposed work will not increase the overall floor area of any of the structures.

6. **Approving Authority May Grant Zoning Variances:** *The approving authority may grant the variances permitted by Subsection 9-2-3(d), B.R.C. 1981, upon finding that the criteria set forth in Subsection 9-2-3(h), B.R.C. 1981, have been met.*

Not applicable.

January 23, 2015

Sloane Walbert
Planning and Development Services
City of Boulder
1739 Broadway, 3rd Floor
Boulder, CO 80302



2900 EAST AURORA – SITE REVIEW WRITTEN STATEMENT

EXISTING CONDITIONS

The 2900 E. Aurora property is zoned RH-5. There are currently 2 lots with two clusters of three buildings each for a total of 6 multifamily residential buildings on site. There are two additional single story, brick accessory structures that will be converted to long term bike storage. There are 172 equivalent dwelling units (96 ELUs) with a variety of studio, one bedroom and two bedroom units. The total number of existing bedrooms is 260 (96 ELU, 124 one bedroom, and 40 two bedroom units). Some portion of the existing common areas within the buildings on the first floor will also be convert to long term bike storage.

PROPOSAL

The total number of bedrooms on site following the build out of our proposal will be 356. We are converting 84 one bedroom units to new two bedroom units and 12 two bedroom units to new three bedroom units. No exterior work is proposed for the buildings at this time other than new paint and minor repairs that may be required during construction.

The total number of existing vehicle parking spaces is 245. The number of new parking spaces will be 242 with our proposal.

Site Review is required due to the addition of 96 new bedrooms and the subsequent parking reduction of 16%. No new dwelling units or floor area will be added to the property with this proposal.

ARCHITECTURAL CHARACTER

The existing buildings are brick and painted siding with metal and concrete egress balconies/walks. Painted metal railings exist around the perimeter of the egress balconies. The buildings will be repainted. No other significant work that would impact the character of the existing buildings is proposed at this time.

TRANSPORTATION DEMAND MANAGEMENT PLAN

Our strategies for reducing the need to use the automobile are outlined below. Please see the TDM plan completed by Fox Tuttle in the Nonconforming Use Review application for more detailed information.

- The project will be leased almost exclusively by students attending the University of Colorado which is less than two blocks away from the site. This proximity makes circulation between apartments and the campus very easy on foot or with a bicycle.
- The applicant will be providing hundreds of short and long term bike parking spaces.
- The project sits a few blocks from bike trails and paths that provide bike access to all parts of the city.
- Parking will be decoupled from leases to discourage vehicle storage.
- Eco passes will be provided and an alternative transportation information center will be located within the leasing office to provide information to residents on alternative modes of transportation to reduce SOV trips.

CURRENT OWNERSHIP

The property is owned by 2900 Boulder LLC.

DEVELOPMENT SCHEDULE

The owner anticipates beginning construction immediately upon receiving site review approval and building permits from the City of Boulder. Demolition of the interiors of some of the existing units is anticipated to start February 2016.

RESPONSE TO GENERAL CRITERIA FOR ALL SITE REVIEW APPLICATIONS

I. Boulder Valley Comprehensive Plan:

(A) How is the proposed site plan consistent with the purposes and policies of the Boulder Valley Comprehensive Plan?

RH-5 is a high density residential zone. The proposal is not adding additional floor area or dwelling units, just new bedrooms within the buildings existing, oversized and inefficient units.

(B) The proposed development shall not exceed the maximum density associated with the Boulder Valley Comprehensive Plan residential land use designation. Additionally, if the density of existing residential development within a 300 foot area surrounding the site is at or exceeds the density permitted in the Boulder Valley Comprehensive Plan, then the maximum density permitted on the site shall not exceed the lesser of:

- (i) The density permitted in the Boulder Valley Comprehensive Plan, or,



- (ii) The maximum number of units that could be placed on the site without waiving or varying any of the requirements of Chapter 9-7, "Bulk and Density Standards," B.R.C. 1981.

How is the proposed site plan consistent with the above density criteria?

The proposal will not add any additional dwelling units.

II. Site Design:

Projects should preserve and enhance the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, and its physical setting. Projects should utilize site design techniques which enhance the quality of the project. In determining whether this subsection is met, the approving agency will consider the following factors:

A. Open space, including without limitation, parks, recreation areas, and playgrounds:

- 1. How is useable open space arranged to be accessible and functional?

Open space is generally placed adjacent to the buildings a large lawn area is adjacent to the west building on the west side. The east building has a pool and lawn area in the center of the courtyard and out in front of the building along Aurora.

- 2. How is private open space provided for each detached residential unit?

A balcony extends around every building on every floor. No change to the exterior of the existing building will be made as part of our proposal.

- 3. How does the project provide for the preservation of natural features, including, without limitation, healthy long-lived trees, terrain, significant plant communities, threatened and endangered species and habitat, ground and surface water, wetlands, riparian areas, and drainage areas?

None of the existing trees will be removed unless work to improve parking, limit access, and circulation as required by transportation forces their removal. There are no other significant natural features since the property has been previously developed.

- 4. How does the open space provide a relief to the density, both within the project and from surrounding development?

The open space lawns adjacent to the building provide areas for the residents to gather and walk pets. The landscape and open space areas adjacent to Aurora provide relief and buffer the street.

- 5. How does the open space provide a buffer to protect sensitive environmental features and natural areas?;

The site and surrounding neighborhood have been fully developed in the past so there are no native or existing sensitive environmental features.

- 6. If possible, how is open space linked to an area- or a city-wide system?

Sidewalks along the street and a pedestrian path along the west property line interconnect this property to the surrounding neighborhood and increase the permeability of the site.

B. Open Space in Mixed Use Developments: Developments that contain a mix of residential and non-residential uses:

- 1. How does the open space provide for a balance of private and shared areas for the residential uses and common open space that is available for use by both the residential and non-residential uses that will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property?

Not applicable

- 2. How does the open space provide active areas and passive areas that will meet the needs of the anticipated residents, occupants, tenants, and visitors of the property and how is the open space compatible with the surrounding area or an adopted plan for the area?

Not applicable

C. Landscaping:

- 1. How does the project provide for aesthetic enhancement and a variety of plant and hard surface materials, and how does the selection of materials provide for a variety of colors and contrast and how does it incorporate the preservation or use of local native vegetation where appropriate?



Landscaping within the site will serve the users and the community both aesthetically and functionally. The specific plant materials chosen for the redevelopment will emphasize a variety of colors, textures and forms in order to provide year-round interest. Among the major landscape objectives are the following:

- i. Provide an attractive residential neighborhood style within the parking lot and along Aurora.
- ii. Visually enhance the landscape features at the entries into the project.
- iii. Screen, and break up the parking lots with landscape areas, trees to provide shade, and
- iv. Provide screened areas for trash and recycling.

2. How does the landscape and design attempt to avoid, minimize, or mitigate impacts to important native species, plant communities of special concern, threatened and endangered species and habitat by integrating the existing natural environment into the project?

There are no important native species, plant communities of special concern, threatened and endangered species and habitat on this site. We will be using a landscape palette of xeriscape and adaptive plants that work well in Boulder's micro-climate.

3. How does the project provide significant amounts of plant material sized in excess of the landscaping requirements of Sections 9-9-12 and 9-9-13, "Landscaping and Screening Requirements," and "Streetscape Design Standards," B.R.C. 1981;

We are providing a few new trees and additional landscape in and around the parking lots. See the landscape plan for specific details related to the plant material and plant size specifications.

4. How are the setbacks, yards, and useable open space along public rights-of-way landscaped to provide attractive streetscapes, to enhance architectural features, and to contribute to the development of an attractive site plan?

As shown in the landscape plan, the streetscape along Aurora will be significantly improved through the addition of plantings in the parking lots, adjacent to the street and around the perimeters of the lots to buffer parking from the street, neighbors and residents.

D. Circulation, including, without limitation, the transportation system that serves the property, whether public or private and whether constructed by the developer or not:

1. How are high speeds discouraged or a physical separation between streets and the project provided?

There are no streets on site.

2. How are potential conflicts with vehicles minimized?

We will be reducing the number of access points along Aurora thereby reducing the potential for pedestrian-vehicle conflicts.

3. How are safe and convenient connections accessible to the public within the project and between the project and existing and proposed transportation systems provided, including without limitation streets, bikeways, pedestrian ways and trails?

Sidewalks and trails are maintained or improved and vehicular access points are reduced.

4. How are alternatives to the automobile promoted by incorporating site design techniques, land use patterns, and supporting infrastructure that supports and encourages walking, biking, and other alternatives to the single occupant vehicle?

See comments above about the addition of short and long term bicycle parking, Eco passes, transit information, etc. under the introduction's TDM section.

5. Where practical and beneficial, how is a significant shift away from single- occupant vehicle use to alternate modes promoted through the use of travel demand management techniques?

See comments above about the addition of short and long term bicycle parking, Eco passes, transit information, etc. under the introduction's TDM section.

6. What on-site facilities for external linkage with other modes of transportation are provided, where applicable?



A bus stop along Aurora is preserved and improved. Hundreds of short and long term bike parking spaces are provided. Eco passes will be provided to residents. Parking will be decoupled from leases, etc. etc. etc. See TDM plan details in the introduction.

7. How is the amount of land devoted to the street system minimized?

None of the property is devoted to streets.

8. How is the project designed for the types of traffic expected, including, without limitation, automobiles, bicycles, and pedestrians, and how does it provide safety, separation from living areas, and control of noise and exhaust?; and

Traffic entering and leaving do so using the parking lot that connects to Aurora. An existing bike and pedestrian trail on the west property line will be preserved. Interior sidewalks connect to the sidewalk along Aurora. The elimination of one parking lot access point and the reduction in the width of the remaining access points will greatly improve safety at the perimeter of the property.

9. How will city construction standards be met, and how will emergency vehicle use be facilitated?

City construction standards will be met by following the D.C.S and include the reduction of access points as well as narrowing of the remaining driveway access points. Emergency vehicles will have access to the property's existing buildings from Aurora and through the existing parking lots. The project was shown to fire department staff for comment, and they had no concerns about the existing access points.

E. Parking:

1. How does the project incorporate into the design of parking areas, measures to provide safety, convenience, and separation of pedestrian movements from vehicular movements?

Sidewalks are provided at the perimeter of parking lots that connect to the sidewalk along Aurora. A sidewalk also exists along the west property line providing pedestrians with an easy connection between Bixby and Aurora.

2. How does the design of parking areas make efficient use of the land and use the minimum amount of land necessary to meet the parking needs of the project?

The parking lots are existing and since we are requesting a parking reduction we are reducing the land used for parking even further in proportion to the number of bedrooms. The property includes less paved area than would be required for a fully compliant parking lot in the RH-5 zone or for the number of bedrooms proposed.

F. Building Design, Livability and Relationship to the Existing or Proposed Surrounding Area:

1. The building height, mass, scale, orientation, architecture and configuration are compatible with the existing character of the area or the character established by adopted design guidelines or plans for the area;

Yes. The existing buildings are similar in character to other existing buildings in the area.

2. The height of buildings is in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans or design guidelines for the immediate area;

Yes. The majority of existing apartment buildings in the area are 3-4 stories.

3. The orientation of buildings minimize shadows on and blocking of views from adjacent properties?

The existing buildings are generally oriented with their long axis running north south to improve solar access and minimize shading on the site.

4. If the character of the area is identifiable, how is the project made compatible by the appropriate use of color, materials, landscaping, signs, and lighting?

The buildings are existing, and they will be painted in the future to improve their appearance.

5. Projects are designed to a human scale and promote a safe and vibrant pedestrian experience through the location of building frontages along public streets, plazas, sidewalks and paths, and through the use of building elements, design details and landscape materials that include, without limitation, the location of entrances and windows, and the creation of transparency and activity at the pedestrian level;



The existing buildings are only 3 stories and extensive egress balconies wrap around the perimeter of the structure. These emphasize the horizontal character of the architecture. The brick and metal detailing are characteristic of late 1960s architectural styles. The buildings are set back from the street and landscaped areas in front of them help reduce the impact of the building mass on the sidewalks and streets.

6. To the extent practical, how does the project provide public amenities and planned public facilities?

There are existing lawn areas and a pool courtyard for the enjoyment of residents and guests. Landscaping around the perimeter of the site softens the property and significant setbacks along Aurora and Bixby help reduce the scale of the buildings along these streets.

7. For residential projects, how does the project assist the community in producing a variety of housing types, such as multifamily, townhouses, and detached single family units as well as mixed lot sizes, number of bedrooms, and sizes of units?

See the summary in the first paragraph for existing unit types and quantities. Our proposal actually increases the number of unit varieties, bedroom types, and adds Type A and Type B accessible units.

8. For residential projects, how is noise minimized between units, between buildings, and from either on-site or off-site external sources through spacing, landscaping, and building materials?

The buildings already exist on site. Additional landscaping is being provided to soften the parking lot and surrounding site.

9. If a lighting plan is provided, how does it augment security, energy conservation, safety, and aesthetics?

The lighting plan provides a safe level of light for users, but it also ensures light will not escape the site at levels that exceed the city's lighting standards. The new fixtures will be aesthetically integrated into the buildings so they aren't distracting. Fixtures will meet the IESNA Type II or Type IV requirements.

10. The project incorporates the natural environment into the design and avoid, minimize, or mitigate impacts to natural systems?

The site is entirely developed so there are no existing native or natural systems to mitigate.

11. Buildings minimize or mitigate energy use; support on-site renewable energy generation and/or energy management systems; construction wastes are minimized; the project mitigates urban heat island effects; and the project reasonably mitigates or minimizes water use and impacts on water quality;

These are existing buildings, however, the interior remodel of the existing units will include new fixtures and appliances that meet or exceed requirements for water efficiency and energy use.

12. Exteriors of buildings present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing;

The existing building use primarily permanent materials including brick, metal and wood siding.

13. Cut and fill minimized on the site, and how does the design of buildings conform to the natural contours of the land, and how does the site design minimize erosion, slope instability, landslide, mudflow or subsidence, and minimize the potential threat to property caused by geological hazards?

The buildings and open space are existing and no significant expansion or change is proposed with this application. Additional parking lot landscaping and improved parking lot landscape screening is being proposed that will improve the character, appearance and function of the property.

14. In the urbanizing areas along the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the building and site design provide for a well-defined urban edge

NA

15. In the urbanizing areas located on the major streets shown on the map in Appendix A to this title near the Boulder Valley Comprehensive Plan boundaries between Area II and Area III, the buildings and site design establish a sense of entry and arrival to the City by creating a defined urban edge and a transition between rural and urban areas.

NA



G. Solar Siting and Construction: For the purpose of insuring the maximum potential for utilization of solar energy in the city, all applicants for residential site reviews shall place streets, lots, open spaces, and buildings so as to maximize the potential for the use of solar energy in accordance with the following solar siting criteria:

1. Placement of Open Space and Streets. Open space areas are located wherever practical to protect buildings from shading by other buildings within the development or from buildings on adjacent properties. Topography and other natural features and constraints may justify deviations from this criterion. How is this criterion met?

The buildings and open space are existing and no significant expansion or change is proposed with our application. Additional parking lot landscaping and improved parking lot landscape screening is being proposed that will improve the character, appearance and function of the property.

2. Lot Layout and Building Siting. Lots are oriented and buildings are sited in a way which maximizes the solar potential of each principal building. Lots are designed to facilitate siting a structure which is unshaded by other nearby structures. Wherever practical, buildings are sited close to the north lot line to increase yard space to the south for better owner control of shading. How is this criterion met?

The buildings are existing and no expansion or change is proposed with our application.

3. Building Form. The shapes of buildings are designed to maximize utilization of solar energy. Buildings shall meet the solar access protection and solar siting requirements of Chapter 9-9- 17, "Solar Access," B.R.C. 1981. How is this criterion met?

The buildings are existing and no expansion or change is proposed with our application.

4. Landscaping. The shading effects of proposed landscaping on adjacent buildings are minimized. How is this criterion met?

Deciduous trees are used throughout the project to provide shading in the summer and allow access to the sun in the winter. Existing evergreen trees and shrubs soften the impact of the buildings on the site and provide some greenery during the winter months.

H. Additional Criteria for Poles above the Permitted Height. No site review application for a pole above the permitted height will be approved unless the approving agency finds all of the following:

1. The light pole is required for nighttime recreation activities, which are compatible with the surrounding neighborhood, or the light or traffic signal pole is required for safety, or the electrical utility pole is required to serve the needs of the city?; and

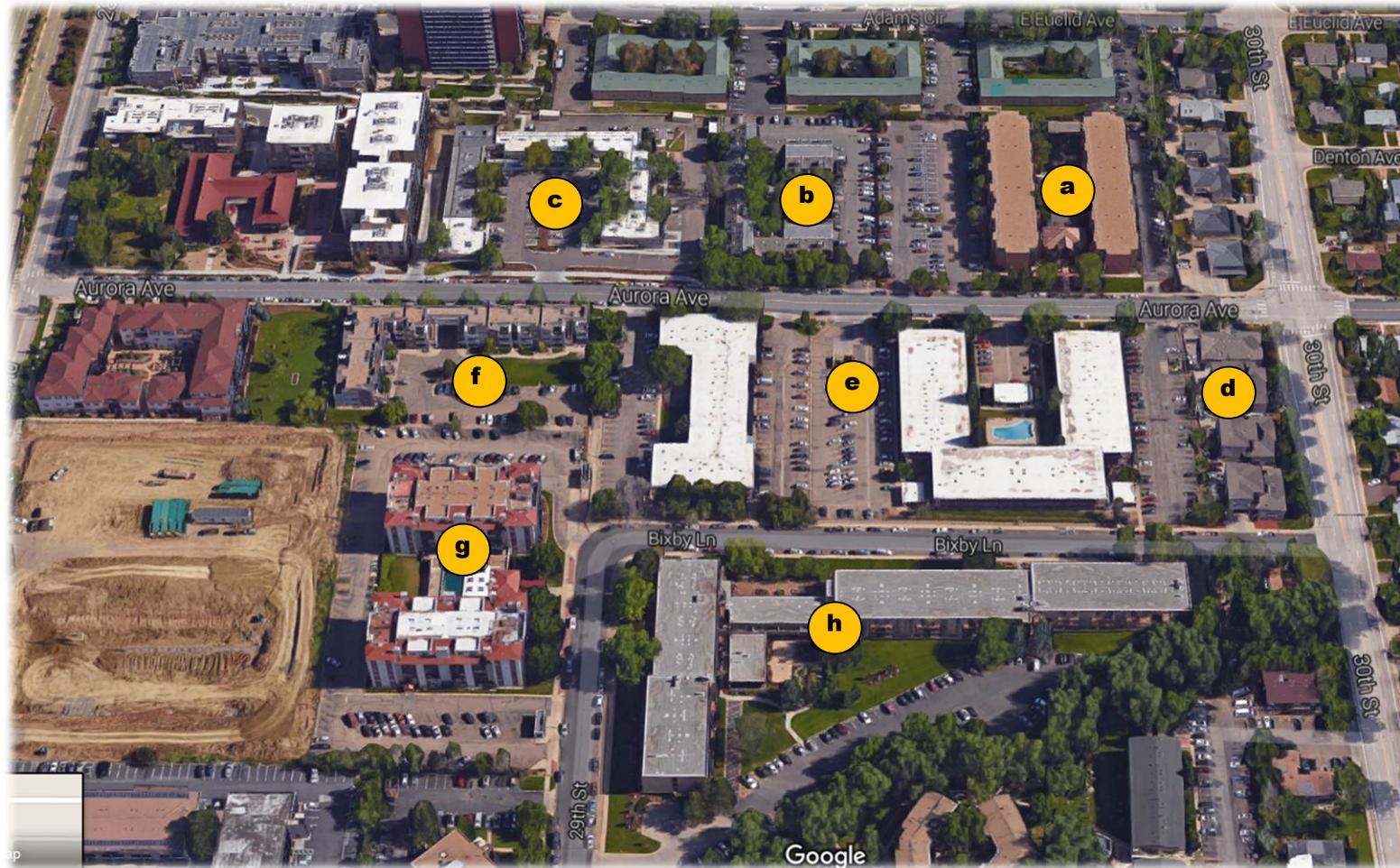
NA. The light poles are existing and there is no plan to replace them other than improving the performance of the fixture on top of the pole.

2. The pole is at the minimum height appropriate to accomplish the purposes for which the pole was erected and is designed and constructed so as to minimize light and electromagnetic pollution. If applicable, how are these criteria met?

NA. The light poles are existing and there is no plan to replace them other than improving the performance of the fixture on top of the pole.



ATTACHMENT E: Survey of Surrounding Uses



a	2985 E Aurora Ave Sterling University Peaks 40 du/a	
b	2905 E Aurora Ave Blue Sky Lofts 75 du/a	
c	2885 E Aurora Ave East Village Flats 18 du/a	
d	2990 E Aurora to 825 30 th St 4-plex & 5-plex buildings 25 du/a	
e	SUBJECT PROPERTY 2900 E Aurora Ave Cavalier Apartments 37 du/a	
f	2850 E Aurora Ave Montclair Court 29 du/a	
g	805 29 th St Spanish Towers 50 du/a	
h	2950 Bixby Ln Kensington Apartments 40 du/a	

Note: Estimated dwelling units per acre is based on Boulder County Assessor information and city records.

From: [Chris Donnally](#)
To: [Walbert, Sloane](#)
Subject: 2900 E Aurora Avenue // LUR2015-00107
Date: Sunday, November 15, 2015 9:59:39 PM

Sloane:

I am writing to you about the application to add 108 new bedrooms to the apartment community at 2900 E. Aurora Ave. I am against this application because it does not add additional parking or provide any information as to how parking will be allocated or improved. In counting up the parking spaces, it doesn't appear that there will be anywhere close to 1 space per bedroom for what is likely to be 80% plus student housing.

Therefore, the overflow parking is likely to impact surrounding residential single family home neighborhoods. As an owner of a single family home in the baseline neighborhood, I have serious concerns.

I also do not like the fact that this application appears to go for maximum density without remodeling the exterior of what is an eyesore building. It just seems like low investment improvements to take advantage of a hot student rental market. The information provided does not propose any mitigating factors to reassure long-term concerns from the surrounding neighborhoods.

Please contact me with any questions and I would like to be informed on the planning board's final decision.

Regards,
Chris Donnally
Owner of 745 31st Street
720.216.7287

From: [Bart Manchester](#)
To: [Walbert, Sloane](#)
Subject: 2900 E aurora
Date: Monday, November 16, 2015 5:19:44 PM

Hello - I writing to ask a question about the proposed project and also request notice of further decisions and activity.

I need to read the criteria linked in the mail to us, but one of my largest concerns is around parking. The parking in our area and aurora is already atrocious, adding ~100 more people to that street with no change or perhaps reduced parking sounds brutal.

Please include me in the list of people interested in updates and please forward any information you can about the proposal.

Thanks,
Earl Manchester
#113 2800 aurora

From: [Philip Wegener](#)
To: [Walbert, Sloane](#)
Subject: Concerning 2900 E. Aurora
Date: Tuesday, November 17, 2015 8:56:02 AM

Hello Sloane,

I received your letter concerning the property at 2900 E. Aurora. I personally do not know this building but reading the letter it seems like a good thing. We need to increase density close to CU because it is too hard to find rentals for students.

Thanks, Philip Wegener and Juanjuan Yu

--

PHILIP WEGENER
PHOTOGRAPHY & VIDEO
PO BOX 1151, BOULDER, CO 80306
303-444-8414/ Cell 303-641-6122
philip@philipwegener.com http://cp.mcafee.com/d/k-Kr4xASyMMevoj7ar9KVJWX3yr2pJWX3yrWpJeXb3b1EVjhhdFEITjhhuodCdf8v6t0kgGSuxYrIfH7kaYhGpdAaJDEv6RjWNR2L4qCjuLnteosvW_efcIT7nWZOWqbOf8IzCrETJWyaqRQRrLcsG7DR8OJMddECQjt-d7abP2bzbMUSyr01b4V7Omcuh-7NVsSjJAv9o5b4V7Omcuh-7NVsSyMC-r4GMJYoiwhd42pEVLsOg3n6y0grzmeCOTP4L11dh6W110

From: [Jeff Barber](#)
To: [Walbert, Sloane](#)
Subject: Cavalier Apartments nonconforming use
Date: Sunday, January 24, 2016 8:57:14 AM

Sloane,

As owners of a condo in Spanish Towers, my wife and I would like to voice an opinion of the subject project request for approval from the city's planning department of a non-conforming use application.

Of particular concern is the useable open space and reduction of parking space. This project borders Bixby Av and is adjacent to 29th street. These streets are full of cars already and parking can be difficult for those living in the area. The combined effect of reducing the parking spaces on this property and increase in population by ~100 people (average per bedroom population will likely be higher than a 1:1) will put severe pressure on the street parking which is already full a large part of the time. Add visitors to the mix and the car count will likely reach, or exceed 100. This is not a good idea and one which will never be reversed, should it be approved.

The planning board should conduct an "environmental" parking assessment by studying the current % of occupied parking positions and superimpose 100 more cars that will need to park on the street. I think you will see quickly this is not in the best interest of the Boulder residents.

We respectfully request further study be conducted, should the planning board show initial favorable opinion towards approval. The results of which might prevent a bad situation from being approved.

Thank you for considering our opinion and request.

Jeff & Lisa Barber

From: [Chris Donnally](#)
To: [Walbert, Sloane](#)
Subject: Re: 2900 E Aurora Avenue // LUR2015-00107 & LUR2016-00009
Date: Monday, January 25, 2016 11:10:58 PM

Sloane:

I received an updated application announcement for Cavalier Apartments. I see that a site review will now be completed with regard to the parking reduction. That is an improvement...I think.

However, I just want to reemphasize that I am against the proposed parking plan and reduction allowance because:

- * This is a student oriented housing complex where students, either admittedly or not, are likely to own vehicle.
- * The new bedrooms have the potential to add up to 100 new vehicles to an already crowded situation.
- * The lack of parking will overflow onto the surrounding neighborhoods and hurt already tenuous street parking.
- * The applicant is going to get a hefty rental revenue increase out of the proposed addition. I'd estimate it at around \$900K a year. The least they can do is do some significant capital expenditure to improve the parking situation so that it doesn't impact the surrounding neighborhoods. I don't know if that looks like a parking garage or underground parking, etc. If they aren't willing to do the capital expenditure, I don't believe the City of Boulder should give them a free pass.
- * The applicant notes in their narrative that they are not changing the current parking non-conformity (9%) but this is disingenuous at best considering the bedroom expansion and the intended tenant audience of students.

Regard,
Chris Donnally
Owner of 745 31st Street
720.216.7287

From: Walbert, Sloane <WalbertS@bouldercolorado.gov>
Sent: Monday, November 23, 2015 12:17 PM
To: Chris Donnally

Subject: RE: 2900 E Aurora Avenue // LUR2015-00107

Dear Chris,

My sincere apologies for the delay in responding. I was out sick for a week and now I am playing catch up. Thank you for your input. It will be considered in staff's analysis and will be forwarded to the Planning Board for consideration. I will also be sure to include in all project updates.

The proposal is to remodel the buildings and provide additional bedrooms in some of the units. The proposal also includes converting the current leasing office structure into community center and existing maintenance buildings into long-term bike storage. The proposal will not add floor area or additional units. Technically, occupancy restrictions in the city are based on dwelling unit, not bedrooms, and the allowable occupancy of the property will not increase. That said they are undergoing a nonconforming use review to ensure that the proposal will not substantially adversely affect the surrounding area.

The applicant is currently proposing the addition of parking spaces. However, they would still be below the required amount. In general, the city supports parking reductions when the occupancy is primarily that of students. There is a well documented alternative transportation mode use by students, especially in this site's context within biking and walking distance to campus. The applicant is proposing to close one of the access points on Aurora Ave., increase landscaping and provide additional bike storage.

If you are interested, you can view the applicant's plans at <http://gisweb.bouldercolorado.gov/agswebsites/pds/development-review/>. Enter the case number (LUR2015-00107) or address (2900 E AURORA) in the upper right hand corner. Double click on the property and the application materials will be listed in the left column.

Current Development Review Cases in Boulder

gisweb.bouldercolorado.gov

The city uses the Development Review Process to evaluate proposed land uses and developments. Boulder community members have opportunities to comment on ...



Please let me know if you have additional questions or would like to provide additional input.

Regards,

Sloane Walbert

Planner I, Department of Community Planning and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791
(303) 441-4231 Direct
WalbertS@bouldercolorado.gov

From: Chris Donnally [mailto:cdonnally@hotmail.com]
Sent: Sunday, November 15, 2015 10:00 PM
To: Walbert, Sloane
Subject: 2900 E Aurora Avenue // LUR2015-00107

Sloane:

I am writing to you about the application to add 108 new bedrooms to the apartment community at 2900 E. Aurora Ave. I am against this application because it does not add additional parking or provide any information as to how parking will be allocated or improved. In counting up the parking spaces, it doesn't appear that there will be anywhere close to 1 space per bedroom for what is likely to be 80% plus student housing.

Therefore, the overflow parking is likely to impact surrounding residential single family home neighborhoods. As an owner of a single family home in the baseline neighborhood, I have serious concerns.

I also do not like the fact that this application appears to go for maximum density without remodeling the exterior of what is an eyesore building. It just seems like low investment improvements to take advantage of a hot student rental market. The information provided does not propose any mitigating factors to reassure long-term concerns from the surrounding neighborhoods.

Please contact me with any questions and I would like to be informed on the planning board's final decision.

Regards,
Chris Donnally
Owner of 745 31st Street
720.216.7287

From: [Paul Eltabib](#)
To: [Walbert, Sloane](#)
Subject: Cavalier Appartments
Date: Tuesday, January 26, 2016 7:21:55 PM

Please beware that any approval to increase bedrooms will creat a parking disaster, increase noise and crimes and reduce the property value in the area.

Best Regards,
Paul
303-641-4005

Sent from my iPad

From: [Anna P](#)
To: [Walbert, Sloane](#); [Spanish Towers HOA David Property Manager](#)
Subject: Cavalier Apartments Unit Expansion
Date: Wednesday, January 27, 2016 8:33:47 AM

Dear City of Boulder Council,

I would like to express my opinion and rejection in regards to Cavalier Apartments redesign and expansion of unit number. As one of the owners in Spanish Towers, I do see risks and issues associated with the redesign and increase in numbers of units of the Cavalier site proposed by Brickstone partners and Sloane Walbert.

First, I would like to note that the site already does not conform with current zoning. The area where Cavalier lies is zoned RH-5, which is intended for high-density residential. Cavalier already includes 220 units on a 4.64-acre piece of land on which current zoning would allow only 126 units. Brickstone's plan is to increase this number of units by converting one-bedroom to two-bedroom and two-bedroom to three bedrooms. Note, that there is no plan to add additional parking in the project.

Secondly, I think such approach will results in significant increase in traffic and might cause parking issues in the area, which already rather densely populated. The project also encompasses the removal of some walk passes from this complex to Bixby and 29th, which could results in increase in noise and even crime issues, considering mostly student population in the area.

To summarize I would strongly encourage the city of boulder to disapprove Cavalier unit increase.

Thank you for your consideration,

Kind Regards,

Anna Pishchulina

+1 (720) 507 6027

From: [Polly Palmer](#)
To: [Walbert, Sloane](#)
Subject: changes to Cavalier Apartments
Date: Wednesday, January 27, 2016 3:11:54 AM

Dear Mr. Walbert,

My husband and I own a unit in Spanish Towers (805 29th Street, Boulder) and want to register a strong protest against the redevelopment of and proposed changes to the Cavalier Apartments northeast of Spanish Towers.

Adding 96 bedrooms to the complex and reducing parking by 8% will pose too many problems to our area -- none the least is the lowering of the quality of life for residents of the Cavalier Apartments. Cramming more people into smaller and smaller units has the potential for fueling mental health issues as residents begin to feel more like animals in a cage than joyful human beings living in pleasant surroundings. With an increase in density also comes the potential for higher crime rates in the area, congested traffic flow, and another dip in quality of life.

We have owned our apartment in Spanish Towers for over 30 years and definitely consider it a special property. Please reconsider any changes to the Cavalier Apartments which negatively impacts the high quality of life which this portion of the city now enjoys.

Thank you for your kind consideration of our opinion,

Polly Palmer and Hamid Baghestani

From: [MSN](#)
To: [Walbert, Sloane](#)
Subject: Opposition to Expansion of Cavalier Apartments
Date: Wednesday, January 27, 2016 5:42:45 AM

To whom it may concern:

I would like to express my sincere and strong opposition to the proposed expansion of the Cavalier Apartments. I am an owner in Spanish Towers at 29th and Bixby, and have strong concerns in changing the zoning to increase the density in this area. This proposed expansion will, undoubtedly, increase congestion, traffic, crime, along with reduced parking availability contributing to all of the above. The area around 29th and Bixby currently has issues involving high density to include crime and parking. To change existing zoning would further exacerbate those current problems, increase costs to the city, reduce the quality of life in that area for the current residents, and diminish property values to the current property owners. I ask you take these issues into account and decline the request to change zoning for the Cavalier Apartments.

Sincerely,
Al Berlinberg
805 29th St Unit 554
Boulder, CO 80303

Sent from my iPad

From: [Stephen Daudt](#)
To: [Walbert, Sloane](#)
Subject: Cavalier Apartments
Date: Wednesday, January 27, 2016 6:47:04 AM

Dear Boulder Planning Department,

I am troubled by the planned expansion of the Cavalier Apartments. I need to park in the area about twice a month (for 10 years) and have found the available parking more and limited each year. If buildings are increased in density they must provide reasonable options for transportation to their facility.

The city must provide better roadways and transit; the property must provide more storage for any projected and increase in vehicles. The costs to do so must be carried by those who benefit from the change. Unless this is done the City and the properties are harming the residents, safety and quality of life in the City. The cities response of let the increase occur and people will reduce their driving is ignoring the problem not confronting it.

Stephen Daudt
720 236 0900

From: [Tom Tunner](#)
To: [Walbert, Sloane](#)
Cc: [Spanish Towers office](#); [Dave Shaw - ST HOA President 1/9/2012](#)
Subject: 2900 E Aurora Apartments zoning variance
Date: Wednesday, January 27, 2016 8:47:22 AM

Dear Sloane Walbert,

I'm an owner at 805 29th Street (Spanish Towers) near this project and I'm writing to express my concern about the potential zoning variance at 2900 E Aurora. My concern is parking. Parking is already congested and the new building currently under construction (another zoning variance) next to Spanish Towers is going to congest parking even further. Meanwhile 2900 E Aurora is going to add 96 new bedrooms and, although I don't quite understand the letter that was sent, it appears they're even proposing to reduce parking?!?!

I understand developers want to maximize their investments, often with no regard for the surrounding community, but that's why the city has zoning laws. If every requested zoning variance is approved by the city then why do we even have zoning laws?

Tom Tunner

805 29th Street

Boulder, CO 80303

tunner@sprintmail.com

303-808-4133

From: [Paul Eltabib](#)
To: [Walbert, Sloane](#)
Subject: Re: Cavalier Appartments
Date: Wednesday, January 27, 2016 10:40:16 AM

Thank you Sloane so much for your kind email and action
We all care and love the wonderful city of Boulder and we all try our best to improve the quality of life here.

We already have a huge apartment building in process on the 28 set frontage road west of Spanish towers and God knows what kind of impact will place on the area we need no more Please

Regards,
Paul

Sent from my iPad

On Jan 27, 2016, at 8:54 AM, Walbert, Sloane <WalbertS@bouldercolorado.gov> wrote:

Dear Paul,

Thank you for the feedback. Your comments will be taken into consideration during staff's review and will be forwarded to the Planning Board.

If you are interested, you can view the plans for the proposal at <http://gisweb.bouldercolorado.gov/agswebsites/pds/development-review/>. Input the address or case number in the upper right hand corner to search for the application. Once you select the property, the application materials and plans will be listed on the left hand side.

I will be sure to keep you updated as the projects progresses. Thank you,

Sloane Walbert, AICP
Planner I, Department of Planning, Housing and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791
(303) 441-4231 Direct
WalbertS@bouldercolorado.gov

-----Original Message-----

From: Paul Eltabib [<mailto:mailto:drsolom@aol.com>]
Sent: Tuesday, January 26, 2016 7:22 PM
To: Walbert, Sloane
Subject: Cavalier Appartments

From: [Maggi Trimble](#)
To: [Walbert, Sloane](#)
Subject: Cavalier Apartments Review Comments
Date: Wednesday, January 27, 2016 9:24:23 AM

Dear Sloane Walbert,

I am writing to you regarding the notice I recently received in the mail detailing proposed changes to the Cavalier Apartments. I am the owner of a unit in Spanish Towers, a nearby apartment complex. I am very opposed to the concept of having an additional 96 bedrooms in this complex while decreasing the amount of parking provided by the building. It is shocking to me that the city is even considering a plan like this. The parking in this area is already very crowded and has been for many years. I feel like the city is once again taking advantage of this area of Boulder and attempting to crowd a huge amount of people into a small area to raise their own tax income at the detriment of the residents. Adding this many residents to such a small area will increase crime in the area and decrease property values. Property values are already being negatively impacted by other apartment complexes being added and enlarged in the area. The other additional complexes are going to negatively impact parking problems in the area as well. My main concern though is the impact on the quality of life in the area by increasing parking problems, crime rates, and noise issues with such a huge influx in residences in the area.

It is also concerning that the city of Boulder thinks it is okay to continue to cram students in increasingly small spaces at a premium price. The fact that the city would consider a plan where two bedroom units are a total of 610 square feet is disturbing to me and clearly shows the lack of touch with reality of how small 610 square feet is. Before approving this plan, you should go into a 610 square foot apartment and visualize it as a two bedroom and you will see how ridiculous a concept this is. I understand that rent is high in Boulder but adding these bedrooms will not save money for students, it will just make more money for landlords. Boulder housing problems already take advantage of students as it is and setting a precedent by approving this plan will not help students. It will only help landlords.

Thank you for taking the time to hear my complaints.

I hope you reject the proposal for adding bedrooms to this already overcrowded and over-priced apartment complex. I also hope the city will not continue to review proposals which are so out of code. The zoning rules are there for a reason and should be enforced by the city.

Thank you.

Maggi Trimble
Owner of Spanish Towers Unit 304

From: [Susan Walanski](#)
To: [Walbert, Sloane](#)
Cc: [Spanish Towers](#); [Mia Borderie](#)
Subject: Proposed zoning changes for the cavalier apartments
Date: Wednesday, January 27, 2016 11:56:07 AM

Definitely not for the proposed update that will allow more residents and less parking at the Cavalier Apartments.

As a 20-year resident-owner at the Spanish Towers next door, I feel this area has been more than maxed out with the new condos up and down 28th st/frontage road including the very ugly, overly tall apartments going up where the Outlook Hotel once stood.

Frankly I think the builders in this area have been given way too many zone/ordinance exceptions for both height and occupancy over the last 10-15 years and I'd really like to see the Boulder City Planning board stick to the rules they created but seem to routinely ignore.

Thank you for the opportunity to submit my comments.

-- Susan Walanski
<http://SusansBakeryBoulder.com>
720-722-1137
orders@[SusansBakeryBoulder.com](mailto:orders@SusansBakeryBoulder.com)

<http://Facebook.com/susansbakery>

From: [Don](#)
To: [Walbert, Sloane](#)
Subject: Cavalier Apartmentswal
Date: Wednesday, January 27, 2016 2:24:00 PM

Hi Sloane,

I left a message for you to call me. I am in complete opposition to the nonconforming use being proposed as well as numerous owners at Spanish Towers. Parking is the main issue. Adding 96 beds obvious means more residents with vehicles. Already, there is an issue with parking along Bixby and 29th and this nonconformance is even implying a reduction of off street parking making the current situation significantly worse. Recently Spanish Towers owners were overruled with the construction of over 300 student beds to their west in some cases blocking incredible views of the front range. There is even talk of allowing stair access to the east of this construction that will provide additional parking pressure on Bixby and 29th. When are the hearings on this proposal scheduled?
Don

Sent from [Mail](#) for Windows 10

From: [Brian Field](#)
To: [Walbert, Sloane](#)
Subject: Cavalier apartments redevelopment
Date: Thursday, January 28, 2016 3:57:50 PM

Sloane,

I'm writing in regards to the proposed redevelopment of the Cavalier Apartments. I'm the neighboring property owner to the east along the entire property line. I developed and own the four properties just east of Cavalier Apartments. I'm opposed to allowing Cavalier to redevelop for a few reasons.

First the traffic on E. Aurora St. is getting very busy at the intersection of E. Aurora and 30th. St. My driveway is often blocked by the traffic traveling east on Aurora which makes for a very dangerous west turn on to Aurora when traveling south on 30th st. Turning west on to Aurora trying to get in to my driveway is a real problem and sometimes backs up traffic on to 30th st. The four buildings East of Cavalier has a total of 19 units, so this traffic problem is occurring on a regular basis. As you are aware the 30th st & Aurora intersection is already considered one of Boulder's most dangerous intersection before adding additional density to this block. Parking is a problem as well. The Cavalier Apartments have a very restrictive parking policy forcing many of their residents to park on the street. With all of the new development at the Frontage road at the West end of this block, the parking problem is getting bad. Additionally, the residents of this neighborhood are trying to use my property as a driving short cut, driving on my private property trying to avoid the traffic on 30th st. Again a very dangerous situation as some vehicles race through my property. There has been more than one accident on my private property due to this traffic. One accident that required evacuation of my building.

Also I find this consideration of allowing an already nonconforming property to become more nonconforming to be unfair. It was very difficult for me to develop my four buildings along 30th when I was going through this process. By allowing this already large property to become larger is just not right.

I just want to write to voice my opposition on this proposed project. At the very least I would like to make it a requirement for the redevelopment of the Cavalier Apartments to construct a permanent Fence, or Wall between our properties. The original fence was removed by the Cavalier Apartments a few years ago allowing their residents to trespass on to my property to use my garbage service and the garbage service of the neighbors across Bixby. Garbage service is privately paid for in Boulder and it is illegal for improper dumping. The Cavalier residents do not like to walk to their own trash service area so they use the closest dumpster in the neighborhood.

Thank you for taking the time to read my email and I hope my view will be taken in to consideration.

Brian Field

From: joannaindenver@hotmail.com on behalf of [Joanna F. Johnson](#)
To: [Walbert, Sloane](#)
Subject: Cavalier Apartments - use & site review
Date: Thursday, January 28, 2016 10:22:34 AM

Dear Sloane Walbert,

As a long-time condominium owner at 805 29th Street (Spanish Towers), I am writing to you to express my opinion that the City of Boulder's planning board should NOT allow a change to the occupancy/density rate of the Cavalier Apartments property.

This small section of the City is already very dense and adding additional bedrooms to the Cavalier Apartments property will only increase tension, parking problems, noise, trash and, in my opinion, a decrease to existing property values.

I encourage you and the City of Boulder Planning Department NOT to allow greater density/bedrooms at this property during your upcoming "NONCONFORMING USE REVIEW AND SITE REVIEW".

Thank you,

Joanna F. Johnson

P 303-522.3686 F 270.513.3686 E joanna@e2businessgifts.com

From: [Jmfuww](#)
To: [Walbert, Sloane](#)
Subject: CAVALIER APARTMENTS
Date: Friday, January 29, 2016 9:47:11 AM

REFERENCE # LUR2015-00107 and LUR2016-00009

Mr Walbert,

Good Morning. My name is John Faraone and my wife and I have owned a condominium at The Flat Irons at 2800 E. Aurora, next to the Cavalier Apartments since 2004. We are concerned about this potential project for a number of reasons. To start, if I read the notice correctly, the Cavalier is already "non conforming" use because it exceeds the maximum permitted density in the RH-5 zone District and useable open space per dwelling unit". Adding 96 Bedrooms with the potential of an additional 1.5 people per new unit (college students) that could equate to up to an additional 144 people within the complex.

Parking is already a challenge on Aurora with the Student population as it is. With the additional 96 units and the increase in cars to support those units along with a parking reduction of 8% in the residential zone district we believe is not a good overall decision.

We are all for the improvement to the surrounding area, but feel that building units just to maximize space with no plan to accommodate parking is not in the best interest and integrity of the Boulder Area. Therefore are asking that you deny this request.

If you would like to contact me, please feel free to email me or call me at 213 361 4531

Thank you

John Faraone
Owner
2800 E. Aurora Ave
Boulder Colorado
#202

From: [Mike Sandham](#)
To: [Walbert, Sloane](#)
Subject: remodel of Cavalier Apartments
Date: Friday, January 29, 2016 10:39:53 AM

Mr. Walbert,

I just received a notice that there is a proposal by the Cavalier Apartments to add additional 96 bedrooms to that facility. I am a native of Boulder and have witnessed the recent development of the area east of the University of Colorado campus. It has exploded. If you walk or drive through this area, you will become aware of how incredibly crowded it has become along 28th, 29th, and Bixby streets not only with new apartments but with the availability of parking spaces for the residents and workers in the area.

The zoning board instituted regulations for this area for a reason, so I am not sure why this regulation is even being considered for any changes!

I would think that adding more bedrooms to what already exists could jeopardize the safety of the area in terms of increased crime, increased traffic, and lack of already crowded parking.

I strongly oppose this proposal.

Sincerely

Joyce Sandham
Property Owner at Spanish Towers

From: [Monique](#)
To: [Walbert, Sloane](#)
Subject: Cavalier Apartments - Protest
Date: Saturday, January 30, 2016 1:38:18 PM

Dear Mr. Walberts

I am writing in regards to information that I just received detailing the proposed changes to the Cavalier Apartments just to the northeast of Spanish Towers.

I have several rental units in Spanish Towers and am contacting you to beseech you to not let this continue. The changes that include adding 96 bedrooms but reducing the parking to not conform to the current zoning use! This will greatly impact our property by increasing traffic, parking, and noise issues. Please do not let this proceed!

We already suffered with the rebuilding at the Outlook Hotel location.

Thank you for your consideration

Sincerely

R. Monique Simons

NSB Rentals LLC

From: [Family Shaw](#)
To: [Walbert, Sloane](#)
Subject: Cavalier Apartments review request
Date: Sunday, January 31, 2016 3:15:46 PM

To Planning & Development Services
Attn: Sloane Walbert

I am writing this letter to state my objections to the review requests by Cavalier Apartments (review # LUR2015-00107 and LUR2016-00009).

I believe these requests should be denied because of the negative impact to the well being of the neighborhood. Providing a variance so that the developer can make a better return for his investment does not help the neighborhood or the city. The neighborhood and city should have top priority. Spanish Towers and Kensington Apartments charge tenants to use the apartment's parking so some tenants choose to park along Bixby and 29th Street. The ACC complex along 28th Street is constructing stairs and walkways so that tenants can leave the ACC complex and cut through the Spanish Tower's parking lot in order to access their parked cars along Bixby and 29th Streets. It is a given that if the Cavalier Apartment requests are granted, Cavalier tenants will have more impact to the parking along Bixby and 29th Streets. Adding 96 additional tenants and reducing the parking at the Cavalier Apartment complex does not make sense. Providing a long term bike storage for Cavalier tenants would not do enough to balance the very negative impact on the neighborhood's well being.

Besides the neighborhood's well being, the quality of life and living environment for the tenants should be considered. The Cavalier Apartments should not provide another dormitory for the University of Colorado. The Cavalier Apartments should provide rental options for the general public. The city should recognize that by packing renters into smaller units with more tenants in the building, the quality of life and living conditions deteriorates. (More trash, noise, congestion)

I strongly object to granting these requests and hope that they are denied for the sake of the neighborhood's well being and the quality of life for the tenants. This would be in the best interest for our city.

Sincerely,
Alice Shaw

From: [Kent & Diane Zaitz](#)
To: [Walbert, Sloane](#)
Cc: zaitz@q.com
Subject: Cavalier Apartments Nonconforming Use Review
Date: Monday, February 01, 2016 9:49:47 AM

To: City of Boulder Planning and Development
Re: Nonconforming Use Review and Site Review for 2900 E. Aurora Ave, Cavalier Apartments

Hello Sloane,

We appreciate the opportunity to address the Cavalier Apartments proposed changes. This request to add 96 additional bedrooms to a complex that is *already above the maximum permitted density* currently is of grave concern to us. This area is already congested and parking is an ongoing issue. Converting to higher density *is not warranted or allowed* from a zoning perspective, and will impact and add additional stress to the area and surrounding property values and quality of living.

As a homeowners at Montclair Court Condominiums, we consider this to be a zoning, property right and quality of life violation. Please do not grant this nonconforming use, and note that our neighborhood adamantly opposes this application. We trust that this will not be approved.

Thank you for your time and efforts,
Kent and Diane Zaitz
Montclair Court Condominiums
2850 E. Aurora Ave #309
303-444-7591
zaitz@q.com

From: [Scott Barton](#)
To: [Walbert, Sloane](#)
Subject: Nonforming use notice- Cavalier Apartments- 2900 E. Aurora Ave- Review # LUR2015-00107 and LUR2016-00009
Date: Wednesday, February 03, 2016 7:41:23 AM
Attachments: [image003.png](#)

Mr. Walberts,

We received a letter of non-conforming use review with the above review numbers and address. Jeff Lawson is the applicant.

However, we do not own Cavalier Apartments.

We own The Province at Boulder and The Lotus, both of which are nearby but have different addresses.

Is this notice being sent to us as a nearby property owner?

Sincerely,
Scott

Scott Barton
VP of Acquisitions and Development



999 South Shady Grove Road, Suite 600

Memphis, TN 38120

(NYSE: EDR)

(901) 259-2582

www.EdRtrust.com

John Schott

Voicemail

Proposal is against the zoning.

He is against the proposal.

They should actually add parking.

David Bright

Voicemail

Opposed to proposal. Area is already overcrowded.

From: [Dave Bright](#)
To: [Walbert, Sloane](#)
Subject: Comments on Cavalier Apartment Reconfiguration
Date: Thursday, February 04, 2016 5:56:15 PM

Ms. Walbert:

I am an owner of Unit 202 in the Montclair Court Condominiums, and I received your call on Feb 4, 2016, in response to the voice mail I left you on Jan 25.

I am adamantly opposed to the application for increasing the density of units and reducing the parking at the Cavalier Apartments at 2900 E. Aurora Ave.

The City of Boulder has already approved substantial increases in the density of student rental units in this area without adequate associated parking and supporting amenities, at the Outlook Hotel Redevelopment, and the 2885 E Aurora Ave student housing projects. Approving yet another high density redevelopment project in this area would be irresponsible, would substantially overload the market with rental units, would further exacerbate the already inadequate parking, and would undoubtedly degrade property values.

The City of Boulder Planning Department is charged with developing and enforcing reasonable zoning requirements that ensure the quality of new developments and the interests of existing property owners. As such, it should not grant variances to established zoning requirements for redevelopment proposals such as the Cavalier Apartments, which essentially subdivide existing properties into much higher density projects without adding parking and amenities that would improve the values and quality of a neighborhood, rather than degrade them.

Please contact me at (970) 349-6190, or dbright@roadrunner.com if you would like further input from me on this issue.

David Bright

From: [Kent & Diane Zaitz](#)
To: [Walbert, Sloane](#)
Subject: Re: Cavalier Apartments Nonconforming Use Review
Date: Tuesday, February 16, 2016 10:50:28 AM

Sloane,

Thank you for responding to my phone message. I went on your site and also looked at the floor plans. I am sure there are many questions, but one thing that jumps out is that the interior bedrooms do not have any windows. Is that allowable? I still think the density is going to be way too great for the area as the past management practices have demonstrated.

The area has students and local workers packed into the complex. At what stage in the process is the application at this time?

Thank you for your time,

Kent

From: "Sloane Walbert" <WalbertS@bouldercolorado.gov>
To: "Kent & Diane Zaitz" <zaitz@q.com>
Sent: Thursday, February 4, 2016 3:35:18 PM
Subject: RE: Cavalier Apartments Nonconforming Use Review

Dear Kent,

In response to your voicemail, a Nonconforming Use Review is a staff level decision with a 14-day call-up period in which a member of the Planning Board or a member of the public can "call-up" the application for a public hearing. If the application is called-up for a public hearing I will schedule a hearing during a regularly scheduled Planning Board meeting and the Board will make the final decision on the proposal. I will be sure to keep you updated up the progress of the proposal. Also, I can accept public comment up until the final decision. Let me know if you have any questions or need clarification. Thank you,

Sloane Walbert, AICP
Planner I, Department of Planning, Housing and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791
(303) 441-4231 Direct
WalbertS@bouldercolorado.gov

From: Walbert, Sloane
Sent: Thursday, February 04, 2016 2:36 PM
To: 'Kent & Diane Zaitz'
Subject: RE: Cavalier Apartments Nonconforming Use Review

Dear Kent and Diane,

Thank you for the feedback. A full traffic study and parking study are currently being done for the proposal. The parking study should demonstrate the amount of parking currently being used by the development and what parking would be necessary for the proposal. It should also discuss the current parking situation on the surrounding streets.

The plans for the proposal at <http://gisweb.bouldercolorado.gov/agswebsites/pds/development-review/>. Input the address or case number in the upper right hand corner to search for the application. Once you select the property, the application materials and plans will be listed on the left hand side. I will post the traffic study and parking study to the website once city staff receives them.

I will be sure to keep you updated as the projects progresses. Thank you,

Sloane Walbert, AICP
Planner I, Department of Planning, Housing and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791
(303) 441-4231 Direct
WalbertS@bouldercolorado.gov

From: Kent & Diane Zaitz [<mailto:zaitz@q.com>]
Sent: Monday, February 01, 2016 9:50 AM
To: Walbert, Sloane
Cc: zaitz@q.com
Subject: Cavalier Apartments Nonconforming Use Review

To: City of Boulder Planning and Development
Re: Nonconforming Use Review and Site Review for 2900 E. Aurora Ave, Cavalier Apartments

Hello Sloane,

We appreciate the opportunity to address the Cavalier Apartments proposed changes. This request to add 96 additional bedrooms to a complex that is *already above the maximum permitted density* currently is of grave concern to us. This area is already congested and parking is an ongoing issue. Converting to higher density *is not warranted or allowed* from a zoning perspective, and will impact and add additional stress to the area and surrounding property values and quality of living.

As a homeowners at Montclair Court Condominiums, we consider this to be a zoning, property right and quality of life violation. Please do not grant this nonconforming use, and note that our neighborhood adamantly opposes this application. We trust that this will not be approved.

Thank you for your time and efforts,
Kent and Diane Zaitz
Montclair Court Condominiums

**CITY OF BOULDER
MEETING OF THE PLANNING BOARD**

MEETING DATE: March 17, 2016

AGENDA TITLE

Reconsideration of Initial Screening of a Map Change Request at 2801 Jay Road (Request #29) as part of the Boulder Valley Comprehensive Plan Major Update

REQUESTING STAFF:

David Driskell, Executive Director, Planning, Housing & Sustainability
Susan Richstone, Deputy Director, PH&S
Lesli Ellis, Comprehensive Planning Manager, PH&S
Jeff Hirt, Planner II, PH&S
Caitlin Zacharias, Associate Planner, PH&S
Nicole Wobus, Long Range Planning Manager, Boulder County
Pete Fogg, Senior Planner, Boulder County
Abigail Shannon, Senior Planner, Boulder County
Steven Giang, Planner I, Boulder County

OBJECTIVE:

This is a continuation of the initial screening of public requests. The public hearing for this item was held on Feb. 2, 2016.

PURPOSE

At the Feb. 29, 2016 meeting, City Council requested that Planning Board reconsider 2801 Jay Road (Request 29) for the list of public requests to be analyzed further as part of the major update to the BVCP. This memo provides information on the actions taken by City Council on Feb. 29, 2016 and includes details on both requests that regard **2801 Jay Rd.**, including #29 (a request for change from PUB to MXR).

SUMMARY OF CITY COUNCIL ACTION ON FEB. 29, 2016

On Feb. 29, 2016, City Council provided the following input and took the following actions.

1. Asked Planning Board to reconsider Request 29, a land use change for 2801 Jay Road which is the subject of this memo and further described in the analysis section that follows. Eight of the council members expressed interest in further study because: (1) the land use is transitioning from a public use; (2) the BVCP major update is the opportune time to explore a land use change; and (3) it might be an appropriate site for housing which is a community need; and (4) the analysis should not presuppose the outcome.

In addition, council:

2. Did not recommend further consideration and analysis of Request 30, a service area contraction at 2801 Jay Rd. because the property has been in Area II and developed for over 25 years (no action taken).
3. Approved moving forward four requests for analysis as part of the BVCP major update:
 - 3261 3rd St. (*Request 25*)
 - 3000 N. 63rd St. & 6650 Valmont Rd. (Valmont Butte #1) (*Request 26*)
 - 6655 & 6500 Twin Lakes Rd., 0 Kalua Rd #2 (*Request 35*)
 - 6655 & 6500 Twin Lakes Rd., 0 Kalua Rd #3 (*Request 36*)
4. Passed a motion to support a facilitated process for Twin Lakes (Requests 35 and 36). (See [Attachment B](#).)
5. Decided to not further consider and analyze Request 32, a service area contraction request, for 5399 Kewanee Drive and 5697 South Boulder Road (Hogan-Pancost) to change the properties from Area II and III (a vote of 5 to 4).

BACKGROUND – 2801 Jay Road

Planning Board has previously received information about the two 2801 Jay Road requests (29 and 30) in the [Feb. 2, 2016 memo](#). Additionally, the presentation and public comments from the joint public hearing with City Council on Feb. 2 can be found on the Boulder Channel 8 archive, [here](#).

Request 29 for a land use change from Public (PUB) to either Medium (MR) or Mixed Density (MXR) Residential was put forward for the purposes of creating a mixed density affordable housing project, with the applicant expressing flexibility to determine the appropriate use of the site.

On Oct. 1, 2015, as part of a concept review, Planning Board indicated that a residential use could potentially be supportable on this site and that the BVCP process may be the appropriate venue to evaluate the kind of land uses appropriate and future intensity. Staff originally recommended further analysis of Request 29 to determine the appropriate intensities for the property as it transitions from a public church use to a future use. The property has been developed and used as a place of worship since 1990.

On Feb. 2, 2016, Planning Board expressed concerns about intensifications of the site, not recommending further analysis of Request 29, and asking for further study of the alternative Request 30.

Request 30 is a request to change the property designation from Area II to Area III-Planning Reserve because of concerns related to consistency of redevelopment with neighborhood character, incremental development, traffic, and safety, among other reasons. The purpose of the Planning Reserve is to maintain the option of future service area expansion and is an interim classification until it is decided whether the property should be placed in Area III-Rural or in the Service Area (Area II). Because of existing urban development on the property, Area II and Public land use designations, and contiguity with the city's existing service area, staff did not recommend further analysis of Request 30. The BVCP also does not contain clear criteria regarding how to change the designation of a property from Area II to Area III-Planning Reserve.

SUMMARY OF ACTIONS TO DATE ON INITIAL SCREENING

Based on results from initial screening hearings, the following requests will move forward for additional analysis:

Land use map changes in Area I

- 2130 Arapahoe Ave. & 6287 Arapahoe Ave. (Naropa) (*Request 1*)
- 385 Broadway (member of the public) (*Request 3*)
- 0, 693, & 695 S. Broadway (Table Mesa Shopping Center) (*Request 12*)
- 3485 Stanford Ct. (Mt. Calvary Lutheran Church) (*Request 13*)

Note: The requestor withdrew 4801, 4855, 4865, 4885, and 4895 Riverbend Rd. (Boulder Community Health), so Request 10 will not move forward as part of the BVCP.

Land use map changes for Area II, Area III:

- 3261 3rd St. (*Request 25*)
- 3000 N. 63rd St. & 6650 Valmont Rd. (Valmont Butte #1) (*Request 26*)
- 6655 & 6500 Twin Lakes Rd., 0 Kalua Rd #2 (*Request 35*)
- 6655 & 6500 Twin Lakes Rd., 0 Kalua Rd #3 (*Request 36*)

Note: City Council passed a motion to recommend a facilitated process occur for the two Twin Lakes requests above, so that process is being scoped and will proceed concurrently with staff analysis. (See [Attachment B](#).)

Policy and text requests:

- Enhance public benefit (Ch. 2: Built Environment) (*Request 16*)
- Clarification re: ditches (Ch. 2: Built Environment, Ch. 9: Agriculture and Food, and VI: Urban Service Criteria and Standards) (*Request 17*)
- Reflect public interest in renewable energy and reduction of carbon footprint (Ch. 4: Energy and Climate) (*Request 18*)

Level of Detail and Analysis

In general, the BVCP analysis following the initial screening has focused on issues such as intensity of development, mix of uses, and ability to provide urban services to a property or area. Criteria for further analysis will be based on BVCP criteria that are outlined in the Amendment Procedures, including consistency with the policies and overall intent of the comprehensive plan, compatibility with the surrounding area, and minimal effect on service provision, among others. [Attachment A](#) contains additional information about the approach for analysis of the above requests and reports to be produced.

[Attachment B](#) contains the motion by City Council regarding the Twin Lakes facilitated process.

Attachments

- A. [Analysis Approach for Public Requests](#)
- B. [City Council Motion for a Facilitated Process for Twin Lakes](#)

Attachment A: Approach to Analysis of BVCP Public Requests

This section helps to clarify what to expect regarding level of detail and timing for analysis of the public requests. Staff is currently sorting the requests according to level of complexity, required review (two or four-body), and expected level of community engagement, among other factors to determine when hearings might take place. This is information that was shared with City Council as part of the Feb. 29, 2016 memo.

In general, the BVCP analysis following the initial screening has focused on issues such as intensity of development, mix of uses, and ability to provide urban services to a property or area. Criteria for further analysis will be based on BVCP criteria that are outlined in the Amendment Procedures (p. 59, land use map changes, 2010 BVCP) and minor adjustments to the service area boundary (p. 61, 2010 BVCP)). These criteria include consistency with the policies and overall intent of the comprehensive plan, compatibility with the surrounding area, and minimal effect on service provision, among others.

Specifically, analysis during the further analysis phase in past major updates has entailed the following:

1. Summary Data: zoning and future BVCP land use designations, parcel acreage, square footage of existing buildings, and dwelling units and jobs based on current and proposed land use designations
2. Site Location and Context: including a description of what is permitted under the current land use designation, surrounding land uses, transit, and any environmental concerns
3. Discussion of relevant history and key issues: key issues vary by property and may included the following, among others: land use discrepancy with BVCP, development potential after floodplain re-mapping, consistency with adopted area plans, previous council direction, preservation of rural or historic character, and compatibility with surrounding area
4. Summary points from public engagement: most requests involved a public engagement component

In past updates, staff has not provided detailed analysis regarding environmental resources, hydrology, or site design. In addition to the criteria in the Amendment Procedures, compatibility with policies and land use designations in existing subcommunity or area plans and priorities for the major update are among additional considerations used in the further analysis phase. In 2010, for example, staff recommendations were based on prior or ongoing detailed studies or adopted plans and did not include any new detailed studies for the BVCP process (e.g., recommendations based on adopted plans (TVAP and the North Boulder Subcommunity Plan) and prior studies (RH-2 zoning district study, University Hill Study)). In general, the 2010 staff recommendations cite existing policies and regulations without conducting technical analysis to comprehensively examine the implications of potential alternative land use designation and zoning scenarios.

In 2010, the volume of public comment was substantially less for final decisions than seen for the 2015 requests. Nevertheless, of the ten 2010 requests that made it to the final stages, four had at least one public meeting, and some had several focused smaller group meetings with community members.

Attachment B: Twin Lakes Facilitated Process

Language from the Motion as Passed by City Council

Move that BVCP Requests #35 and #36 be further considered and analyzed, with the following request: That Boulder County Housing Authority, Boulder Valley School District, and Twin Lakes Action Group engage in an open and transparent facilitated discussion comprised of representatives of each group who are vested with the authority to speak for and bind their respective constituents. Each group should have equal representation and the discussion should be facilitated by an independent facilitator selected by the City of Boulder, with facilitator compensation shared between the City of Boulder and Boulder County. Boulder Valley School District shall be requested to be part of the process and if agreeable to pay an equitable share of the costs.

The three groups are expected to do the following, with the timing of work to align with the BVCP process:

1. Jointly formulate recommendations for areas of expertise and selection of experts to inform the desired land use patterns for the area. The areas for study should include the suitability for urban development, desired land use patterns, and environmental constraints.
2. Jointly recommend the appropriate range of potential housing units with consideration given to intensity and community benefit, regardless of who holds title to the property.
3. Following the outcome of the BVCP process and 1 and 2 above, jointly recommend a timeline for the formulation of a set of guiding principles to inform next steps.

While Council requests these groups engage in such good faith facilitated discussions, the failure of such discussions, for any reason, shall not affect Council's determination that BVCP Requests #35 and #36 be further considered and analyzed.

**CITY OF BOULDER
PLANNING BOARD AGENDA ITEM**

MEETING DATE: March 17, 2016

AGENDA TITLE: Public hearing to consider a recommendation to City Council on an ordinance amending Title 9, "Land Use Code," B.R.C. 1981, to allow for changes to the city's sign code related to lettering heights in the Boulder Valley Regional Center and compliance with a recent United States Supreme Court ruling regarding content based signage regulations.

REQUESTING DEPARTMENT:

Planning, Housing + Sustainability

Tom Carr, City Attorney

David Driskell, Executive Director

Susan Richstone, Deputy Director

Charles Ferro, Development Land Use Review Manager

Hella Pannewig, Assistant City Attorney

OBJECTIVES:

1. Hear Staff presentation
2. Planning Board discussion
3. Recommendations on changes to the code

PURPOSE

The purpose of this item is Planning Board consideration of a recommendation to City Council on the following two proposed code changes to the city's signage regulations:

1. To allow for letter heights on canopies and awnings of 24" inches in the Boulder Valley Regional Center where a maximum letter height of 12" currently exists.
2. To bring the city's sign code into compliance with a recent United States Supreme Court ruling regarding content based signage regulations.

BACKGROUND / ANALYSIS:

In February, 2016, The Dairy Center for the Performing Arts applied for a permit for a canopy sign that is not consistent with the city's sign code regulations. Currently, lettering heights for such signs are limited to 12" in height. On February 29, 2016, City Council requested that staff bring forward an amendment to the city's sign code to allow for larger, 24" letter heights in the Boulder Valley Regional Center (BVRC). The boundaries of the BVRC are as follows:

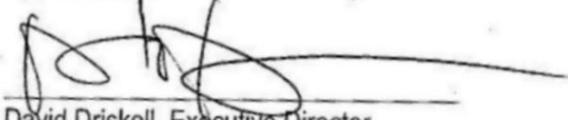


Sign codes are restrictions on speech and therefore must conform to the First Amendment to the United States Constitution. A government may impose reasonable time, place and manner restrictions on speech if there is a rational basis for the restriction. For sign codes, the rational basis is generally esthetics and the need to limit distractions for drivers. Such restrictions have been upheld to the extent that they regulate the manner of speech, but not the content. That is, the government can restrict how a party speaks, but not what the party says. To restrict the content of speech there must be a compelling government interest. During the 2015 term, the United States Supreme Court struck down the sign code for the Town of Gilbert, Arizona as a content-based restriction on speech. *Reed v. Town of Gilbert*, 135 S. Ct. 2218 (2015). The court took a broad view of what constituted a content-based regulation. The holding in *Reed* was that if one needed to read the sign to determine whether the code applied, the code was a content-based regulation. The city's current sign code includes certain exceptions which make it vulnerable to the *Reed* decision. These include exemptions for signs for lost animals, real estate signs and garage sale signs currently found in Section 9-9-21(c)(1)(C) B.R.C. 1981. One could argue that because the city needs to read the sign to determine whether the exemption applies makes the city's sign code a content-based regulation. Thus, if staff were to recommend that signs advertising performing arts organizations be exempt, the ordinance could be considered a content-based regulation, hence the additional proposed changes to the city's sign code found in [Attachment A](#).

STAFF RECOMMENDATION (MOTION LANGUAGE):

Staff recommends that Planning Board recommend approval to the City Council of an ordinance amending Title 9, "Land Use Code," B.R.C. 1981 to allow for changes to the city's sign code related to lettering heights in the Boulder Valley Regional Center and compliance with a recent United States Supreme Court ruling regarding content based signage regulations.

Approved By:

A handwritten signature in black ink, appearing to read 'David Driskell', written over a horizontal line.

David Driskell, Executive Director
Department of Community Planning and Sustainability

ATTACHMENTS

- A. [Draft ordinance](#)

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ORDINANCE NO. 8108

AN AMENDING CHAPTER 9-9-21, "SIGNS," BY ELIMINATING ANY CONTENT-BASED RESTRICTIONS AND AMENDING THE RESRICTION ON AWNING SIGNS TO ALLOW AWNING SIGNS IN THE BOULDER VALLEY REGIONAL CENTER TO INCLUDE LETTERS OF NOT GREATER THAN TWENTY-FOUR INCHES IN HEIGHT AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Section 9-9-21 is amended to read as follows:

9-9-21. - **Signs.**

(a) Application and Legislative Intent:

(1) Application of Section: This section applies only to signs erected on private property by the owner or lessee in possession of that property, or by persons acting with the permission or at the request of the owner or lessee. It applies only to signs which are visible beyond the boundaries of the property upon which they are located. There are two exceptions to this rule which are most conveniently included in this section: signs erected on private property as part of a sign program which was a condition of approval of development under this title; and signs on private vehicles located on public property. This section does not apply to a sign carried by a person, whether on public or private property. This section does not apply to signs, other than those on vehicles, on public property.

(2) Intent: The purpose of this section is to protect the health, safety, and welfare of the residents of the city by regulating the design, construction, and installation of private signs in the city. The city council recognizes that signs are necessary means of visual communication for the public convenience and that businesses and individuals have the

1 right to identify themselves and convey messages by using signs that are accessory and
2 incidental to the use on the premises where the signs are located. In this section the
3 council intends to provide a reasonable balance between the right of a business or an
4 individual to identify itself and to convey its message and the right of the public to be
5 protected against the visual discord that results from the unrestricted proliferation of
6 signs, especially off-premises billboards. The ability to convey messages by signs is
7 important to the proper and efficient functioning of society. However, the natural desire
8 to speak more "loudly" through signs which are more numerous, larger, higher, and
9 closer to the street than the signs used by one's neighbors and competitors requires a set
10 of rules applicable to all similarly situated. With a level playing field the community as
11 a whole benefits and no individual is disadvantaged in communicating. The council also
12 intends by this section to ensure that signs are compatible with adjacent land uses and
13 with the total visual environment of the community and that the value of nearby
14 property and the economic health of the community as a whole are protected from
15 visual blight. Another purpose of this section is to protect the public from hazardous
16 conditions by prohibiting signs that: are structurally unsafe, particularly in light of the
17 unique wind hazards in the city, obscure or distract the vision of motorists, or compete
18 or conflict with necessary traffic signs and warning signals. In adopting this section, the
19 council recognizes that the size of signs that provide adequate identification in
20 pedestrian-oriented areas differs from that necessary in vehicular-oriented areas where
21 traffic is heavy, travel speeds are greater, and required setbacks are greater.

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23
24 (A) The city council recognizes that since the sign code was originally enacted in 1971,
25 most nonconforming signs have been eliminated through attrition and through the

1 amortization provision of chapter 48 of the Revised Code of the City of Boulder,
2 Colorado 1965. But nonconforming signs may enter the city as it annexes
3 developed land, and code changes may make conforming signs nonconforming.
4 The council recognizes that permitting the continuation of such nonconforming
5 signs provides an unfair competitive advantage over persons whose signs conform
6 to the section requirements and intends that signs that do not conform with this
7 section be eliminated as expeditiously as practicable to protect the public safety and
8 welfare and the visual environment.

9
10 (B) The city council recognizes the right of residents of the city to fully exercise their
11 right to free speech by the use of signs containing noncommercial messages that are
12 subject to minimum regulations regarding size, number, structural safety and visual
13 setbacks.

14 (C) The city council finds that certain types of signs are not appropriate for regulation
15 by permit under this section because they:

16 (i) Would not create a structural safety or traffic safety hazard;

17 (ii) Would promote public safety or the dissemination of public information;

18 (iii) Would not give rise to aesthetic or traffic concerns;

19 (iv) In the case of art, are deemed a privilege of individual creative expression;

20 (v) In the case of other noncommercial signs, are accessory to the exercise of first
21 amendment rights;

22 ~~(vi) With respect to real estate signs, the council finds that a small "for sale" or "for~~

23 ~~rent" sign is an important means of advertising real estate and does not create a~~

1 ~~traffic hazard. In fact, appropriate real estate signs prevent traffic hazards by~~
2 ~~easing the task of the motorist looking for the property. In addition, the council~~
3 ~~finds that a substantial portion of such rentals occur as a result of prospective~~
4 ~~tenants examining areas of interest to them looking for signs indicating that~~
5 ~~space is for rent, and that approximately fifty four percent of the dwelling units~~
6 ~~in the city are rental units;~~

7
8 ~~(vii) With respect to permitted construction warning signs, the council finds that~~
9 ~~such signs are essential to warn persons entering the property of dangers~~
10 ~~created by the construction and that their prompt and unfettered use constitutes~~
11 ~~a compelling governmental interest and requires a different form of regulation;~~

12 ~~(viii) With respect to permitted garage sale signs, the council finds that sporadic~~
13 ~~"garage sale" signs for garage sales permitted under this title do not constitute~~
14 ~~a commercial use of residential property and do not compromise the residential~~
15 ~~values served by the restrictions on home occupations, and that other means of~~
16 ~~advertising such sales are unacceptably burdensome. The need for such sales in~~
17 ~~the City, and the attendant signs on the premises where the occupant lives and~~
18 ~~is holding the sale, is particularly high because of the large college student~~
19 ~~population (approximately one fourth of the City's population), and the high~~
20 ~~proportion of persons living in rental housing as opposed to owner occupied~~
21 ~~housing (approximately fifty four percent of the dwelling units in Boulder are~~
22 ~~rental units), and who have from time to time a pressing need to unburden~~
23 ~~themselves from possessions they have determined they cannot reasonably take~~
24 ~~with them to their new place of abode;~~
25

1 ~~(ix) With respect to permitted lost animal signs, the council finds that notices in~~
2 ~~newspapers or other means of communicating this information are inadequate,~~
3 ~~and that notice of the animal's loss near the site of the loss is necessary to~~
4 ~~increase the likelihood and timeliness of the animal's return to its owner, and~~
5 ~~promotes the government's interest in avoiding euthanasia and the other costs~~
6 ~~attendant upon stray animals;~~

7
8 (vix) With respect to permitted private traffic signs, the council finds that such
9 signs serve a compelling governmental interest in the safe movement of traffic
10 in private parking lots and drives and serve a function which cannot effectively
11 be served in any other manner;

12 (viixi) With respect to signs required by law, the council finds that the law
13 requiring the sign is sufficient regulation of the sign, and that it is inappropriate
14 for the government to require a sign to be posted but count it against allowable
15 private signage, and that such signs by definition serve a compelling
16 governmental interest in a site-specific manner which cannot otherwise be
17 served as effectively;

18
19 ~~(xii) With respect to small permitted residential wind signs, the council finds that~~
20 ~~the safety valve for personal expression provided by such signs serves a~~
21 ~~compelling governmental interest and is within the penumbra of the First~~
22 ~~Amendment;~~

23 (vxiiii) With respect to permitted utility warning signs, the council finds that the
24 dispersed nature of utility lines throughout all the community does not lend
25

1 itself to the property by property regulation otherwise used in this code, and
2 that warning of the location of utilities and of their hazards so that persons will
3 not be injured thereby, so that fire, police, and other public emergency services
4 may be conducted expeditiously and safely, and so that the essential public
5 functions served by such utilities will not be impaired constitutes a compelling
6 governmental interest and requires a different form of regulation;

7
8 (~~v~~iv) With respect to permitted vehicular signs, the council finds that regulation
9 of bumper stickers and other forms of personal expression is inappropriate in a
10 free and highly mobile society and that such signs are ordinarily small,
11 whereas regulation of commercial signs on motor vehicles, which the council
12 finds are often large, is appropriate for those who have chosen to engage in
13 commerce within the City and serves a substantial governmental interest in
14 aesthetics and traffic safety;

15
16 (~~x~~v) With respect to permitted window signs, the council finds that such signs
17 present no structural hazards and provide a method by which messages may be
18 displayed on short notice by the property owner or tenant as that person
19 perceives the need to communicate without need for any government role in
20 the protection of the broader public interest, and that within the limitations
21 given have not and will not cause aesthetic blight or traffic hazards of the sort
22 unacceptable to the community; and

23 (~~x~~vi) With respect to signs on bicycles, the council finds that the use of signs on
24 bicycles will not cause aesthetic blight or traffic hazards of the sort
25 unacceptable to the community and will service a substantial governmental

1 interest by reducing the cost of an environmentally beneficial transportation
2 option that will relieve vehicular congestion, reduce greenhouse gas emissions
3 and improve public health by providing opportunities for exercise; and

4 ~~(xvii) — Because of the extraordinary importance, amounting to a compelling
5 societal and governmental interest, of election campaigning for public office
6 and of voting on initiatives and referenda, and because political speech has its
7 fullest and most urgent application during a political campaign from the time a
8 candidate is nominated for electoral office until the day after the election, and
9 from the time an initiative or referendum is placed on the ballot until the day
10 after the election, the limit of one noncommercial residential sign within the
11 residential noncommercial sign setback should not apply to signs urging the
12 election or defeat of such candidates, or the passage or defeat of such
13 measures, and the applicable provisions of this sign code reflect this
14 determination. Without in any way limiting the applicability of the general
15 severability provisions of section 1-1-4, "Severability of Parts of Code,"
16 B.R.C. 1981, but mindful of the possibility that a reviewing court might
17 disregard such an otherwise clear expression of legislative intent because of its
18 generality, the city council intends that this exception for signs during
19 campaigns be considered severable from the remainder of the sign code should
20 it for some reason be found wanting under the state or federal constitutions,
21 just as it intends all other provisions of this sign code to be severable.~~

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23
24 (D) Council finds that commercial signs towed over the City by aircraft are a
25 distraction to motorists, pedestrians, and other users of the public streets and ways,

1 and impair traffic safety, and constitute unfair competition for earthbound
2 advertisers who comply with the City's sign code when made by multiple passes
3 over the City, and therefore are detrimental to the health, safety, and welfare of the
4 people of the City, and urges the Federal Aviation Administration to place suitable
5 restrictions upon any certificate of waiver to prohibit towing such signs over the
6 City.

7
8 (b) Prohibitions and Prohibited Signs:

9 (1) Conformity With Sign Code Required: No person shall display, construct, erect, alter,
10 use, or maintain any sign in the City except in conformance with the provisions of this
11 section. No person shall display, alter, use, maintain, or enlarge any legal,
12 nonconforming sign except in conformity with the provisions of this section. No person
13 shall perform or order the performance of any act contrary to the provisions of this
14 section or fail to perform any act required by the provisions of this section.

15
16 (2) Sign Permit Required: Except as provided in subsection (c) of this section, no person
17 shall display, construct, erect, alter, or relocate any sign without first applying to the
18 city manager and obtaining a permit under this section.

19 (3) Specific Signs Prohibited: No person shall erect, install, post, display, or maintain any
20 of the following signs:

21 (A) Animal: A sign that involves the use of a live animal.

22
23 (B) Flashing: A sign with lights or illuminations that flash, move, rotate, scintillate,
24 blink, flicker, vary in intensity, vary in color, or use intermittent electrical
25 pulsations.

1 (C) Height: A sign twenty-five feet or more above the ground level.

2 (D) High Window: A window sign exceeding four square feet in area twelve feet or
3 more above the ground level.

4 (E) Illuminated: An illuminated sign with any of the following characteristics:

5
6 (i) A beam or ray of light used to illuminate the sign shines directly from the sign
7 onto the surrounding area.

8 (ii) Direct or reflected light from any light source associated with the sign creates a
9 traffic hazard or distraction to operators of vehicles or pedestrians on the
10 public right-of-way.

11 (iii) The sign is directly illuminated and is in a residential or an agricultural zoning
12 district.

13 (iv) If a sign is indirectly or internally illuminated and is in a residential or an
14 agricultural zone, the illumination may not continue between the hours of
15 11:00 p.m. and 7:00 a.m., unless the illumination is required for safety
16 purposes.

17 (v) No illuminated sign visible from and located within three hundred feet of any
18 property in a residential zoning district may be illuminated between the hours
19 of 11:00 p.m. or one-half hour after the use to which it is appurtenant is closed,
20 whichever is later, and 7:00 a.m.; but this time limit does not apply to any light
21 primarily used for the protection of the premises or for safety purposes.
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1 (F) Illusion: A sign with optical illusion of movement by means of a design giving the
2 illusion of motion or changing of copy, including, without limitation, a sign that
3 presents a pattern capable of reversible perspective.

4 (G) Moving: A sign with visible moving, revolving, or rotating parts or visible
5 mechanical movement of any description or other apparent visible movement
6 achieved by electrical, electronic, or mechanical means, except for gauges and dials
7 that may be animated to the extent necessary to display correct measurement.
8 Electronic signs which change the message not more than once per minute are
9 considered copy changes and not prohibited moving signs. Vertical rotating
10 cylindrical signs, in which the text or graphic is on the surface of the cylinder, and
11 nothing beyond the radius of cylinder surface rotates, whose rotating part does not
12 exceed twelve inches in diameter and thirty inches in height, are not considered
13 prohibited moving signs.
14

15 (H) Non-Appurtenant or Off-Premises: An off-premises commercial sign not
16 appurtenant and clearly incidental to the principal use of the property where
17 located.
18

19 (I) Obstructing: A sign or sign structure that obstructs or interferes in any way with
20 ingress to or egress from or use of any standpipe, fire escape, required door,
21 required window, or other required exit way; or any sign that obstructs any window
22 to such an extent that light or ventilation is reduced to a point below that required
23 by any provision of this code or other ordinance of the City.

24 (J) Projected Image: A sign that incorporates a projected image.
25

1 (K) Roof: A roof sign, except as specifically permitted by subsection (d)(11) of this
2 section.

3 (L) Sound: A sign or building that emits any sound, except for a non-commercial
4 signwork-of-art located in a zoning district other than an agricultural or a residential
5 district, which may emit noncommercial human voice or music recordings which
6 do not exceed fifty dBA, measured at the nearest property line, between 8:00 a.m.
7 and 6:00 p.m.

8
9 (M) String of Lights: A string of light bulbs used in connection with commercial
10 premises for commercial purposes and attached to or suspended from a structure.
11 This prohibition does not apply to a string of lights in a window for which a permit
12 has been issued under subparagraph (d)(14)(I) of this section, concerning wall
13 signs.

14 (N) Traffic Vision Obstruction: A freestanding sign or sign structure between a height
15 of two and one-half feet and ten feet above the street elevation, other than a pole
16 twelve inches or less in cross-sectional area, within the corner triangular areas
17 described in Section 9-9-7, "Sight Triangles," B.R.C. 1981.

18
19 (O) Unsafe: A sign or structure that constitutes a hazard to safety or health including,
20 without limitation, any sign that is structurally inadequate by reason of inadequate
21 design, construction, repair, or maintenance, is capable of causing electrical shock
22 to persons likely to come into contact with it, or has less than three feet horizontal
23 or eight feet vertical clearance from overhead electric conductors that are energized
24 in excess of seven hundred fifty volts.
25

1 (P) Vehicular: A sign displayed on a motor vehicle if:

2 (i) The vehicle is not in operable condition;

3 (ii) The sign is roof-mounted and has more than two faces or any face exceeds four
4 square feet in area;

5 (iii) More than two signs are mounted on the roof of the vehicle;

6 (iv) The sign, if not roof-mounted, is not painted on or securely affixed on all edges
7 to the surface of the side of the body of the vehicle;

8 (v) The principal use of the vehicle at the time of the display is for display of the
9 sign;

10 (vi) It is a commercial sign which does not identify the owner of the vehicle or a
11 good or service which may be purchased from the owner;

12 (vii) It is a commercial sign and the vehicle is not being operated in the normal
13 course of business;

14 (viii) It is a commercial sign and the vehicle is not parked or stored in the normal
15 course of business in an area appropriate to the use of the vehicle for delivery
16 or another commercial purpose; or

17 (ix) It is a commercial sign and the vehicle, if parked on private property, is not
18 parked within the setback requirements of this section, unless no other
19 reasonable provision can be made for such parking.

20 (x) It is a specific defense to a charge of violation of subparagraph (b)(3)(P)(vi) of
21 this section that the vehicle was licensed by the Colorado Public Utilities
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1 Commission for the commercial transportation of passengers, or was engaged
2 in such transportation but was exempt from such licensure.

3 (Q) Wind: A wind sign, except as permitted for flags in subparagraph (c)(1)(B) of this
4 section, or in a residential or agricultural zone as permitted in subparagraph
5 (c)(1)(I) of this section.

6
7 (R) Bicycles: A sign displayed on a bicycle if:

- 8 i. The bicycle is not in operable condition; or
- 9 ii. The signs exceed two square feet in area.

10
11 (c) Signs Exempt From Permits:

12 (1) Specific Signs Exempted: The following signs are permitted in all zoning districts and
13 are exempt from the permit requirements of this section, but shall in all other respects
14 comply with the requirements of this code except as expressly excepted below:

15 (A) Construction ~~site signs~~ ~~Warning~~: A sign not exceeding sixteen square feet erected
16 by a licensed construction contractor on property on which it is working ~~to warn of~~
17 ~~danger or hazardous conditions~~. Such sign is also exempt from the setback,
18 limitation on number of freestanding signs, and total sign area regulations of this
19 section.

20
21 (B) Flags: Up to three different flags per property, subject to the following restrictions:

- 22 (i) The total area of all flags shall not exceed seventy square feet;

1 (ii) The area of each such flag shall be exempt from the sign area limitations of
2 paragraph (d)(2) of this section, but shall not exceed forty square feet, with no
3 one dimension of any flag greater than eight feet;

4 (iii) The flag pole or other structure on which such a flag is displayed shall be
5 treated as part of any building to which it is attached for all height
6 computations and not as an appurtenance or a part of the sign;
7

8 (iv) No freestanding flagpole shall exceed twenty feet in height outside of the
9 principal building setbacks or thirty-five feet in height within the principal
10 building setbacks; and

11 (v) No flag bearing an explicit commercial message shall constitute an exempt
12 flag.
13

14 (C) Garage Sale: One ~~garage sale~~ sign per property in an agricultural or residential
15 district placed on private property owned or leased by the person holding ~~at~~
16 ~~garage~~ sale, for a period not to exceed ten consecutive days and not more than
17 twice in a calendar year. The sign must be within the total signage permitted for the
18 parcel. This provision does not restrict the content of the sign.

19 (D) Lost Animal: One ~~lost animal~~ sign per property placed on private property with the
20 permission of the owner for a period not to exceed ten consecutive days, in an
21 agricultural or residential district and within the total signage permitted for such
22 parcel. This provision does not restrict the content of the sign.
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1 (E) Noncommercial: A ~~sign work of art~~ that in no way identifies or advertises a
2 product, service, or business or impedes traffic safety, a political sign, or any other
3 noncommercial sign.

4 (F) Private Traffic: A private traffic directional sign guiding or directing vehicular or
5 pedestrian traffic onto or off of a property or within a property that does not exceed
6 three square feet per face in area and six feet in height, does not contain any
7 advertising or trade name identification, and is not illuminated, internally
8 illuminated, or indirectly illuminated. But a private traffic control sign that
9 conforms to the standards of the state traffic control manual defined in subsection
10 7-1-1(a), B.R.C. 1981, may exceed three square feet per face in area but shall not
11 exceed seven square feet per face or eight feet in height. Such sign also is exempt
12 from the setback, limitation on number of freestanding signs, and total sign area
13 regulations of this section.
14

15 (G) Real Estate: At any time that a property is offered for sale or rent. ~~One~~ temporary,
16 non-illuminated ~~real estate~~ sign per property or per dwelling unit street frontage, set
17 back at least eighteen inches from the nearest public sidewalk, that does not exceed
18 six square feet per face in area and a total of twelve square feet in area and four feet
19 in height in the RR, RE, RL, RM, RMX, RH, and MH zones or sixteen square feet
20 per face and a total of thirty-two square feet in area and seven feet in height in any
21 other zone, but only if the sign remains in place no more than seven days after sale
22 or rental of the subject property. The area of such a sign shall not be deducted from
23 the allowable sign area or number of freestanding signs for the building or business
24 unit. If the property owner or tenant is not using this real estate sign allowance,
25

1 such person in possession of the property may place a noncommercial sign
2 conforming ~~to with~~ these limitations in lieu of such a real estate sign. This
3 provision does not restrict the content of the sign.

4 (H) Sign Required by Law: A sign required or specifically authorized for a public
5 purpose by any federal, state, or city law of any type, including, without limitation,
6 the number, area, height above grade, location or illumination authorized by the
7 law under which such sign is required or authorized. But no such sign may be
8 placed in the public right-of-way unless specifically authorized or required by law.
9 Except for a warning sign or barricade of a temporary nature, any such sign shall be
10 securely affixed to the ground, a building, or another structure. So much of such a
11 sign as is required by law also is exempt from all other provisions of this section.

12 (I) Residential Wind Sign: A wind sign in a residential or an agricultural zone, within
13 the limitations set forth in subsection (d) of this section, notwithstanding the
14 prohibition of subparagraph (b)(3)(Q) of this section.

15 (J) Utility Warning: A sign not exceeding sixteen square feet erected by a public utility
16 within a utility easement on property on which it is working to warn of danger or
17 hazardous conditions or to indicate the presence of underground cables, gas lines,
18 and similar devices. Such a sign also is exempt from the setback, limitation on
19 number of freestanding signs, and total sign area regulations of this section.

20 (K) Vehicular: A sign displayed on a motor vehicle if not prohibited by this section.

21 (L) Window: A non-illuminated window sign of no more than four square feet in area
22 and placed no more than twenty-five feet above finished grade, if the total area of
23
24
25

1 such signs fills less than twenty-five percent of the area of the architecturally
2 distinct window, and such signs do not exceed twenty-five percent of the total
3 allowable sign area for the building or business unit. The area of a window sign not
4 exempt from permit requirements under this subparagraph is calculated as a part of
5 and limited by the total allowable sign area for the premises.

6 (M) Cottage Foods and Fresh Produce Signs. On any premises meeting the
7 requirements of Chapter 6-17, a sign meeting the size restrictions applicable to
8 residential detached dwellings in Table 9-13 of this section. This provision does not
9 restrict the content of the sign.

10
11 (2) Copy Change and Maintenance: No permit is required for copy changes or maintenance
12 on a conforming sign if no structural changes are made. This exception does not apply
13 to copy changes in signs covered by a private sign program as specified in subsection
14 (k) of this section.

15 (d) Size Limitations and Other Rules for Certain Signs:

16
17 (1) Awning: An awning sign that extends more than fifteen inches beyond a wall of a
18 building shall comply with the following conditions:

19 (A) The total area of such awning sign may not exceed the lesser of one hundred fifty
20 square feet or one square foot of sign area for every linear foot of awning length.
21 Awning length is that portion of the awning that is parallel to the building wall on
22 which it is located.

1 (B) No awning sign may project above, below, or beyond the face of the architectural
2 projection on which it is located, except for an awning sign that meets the
3 following standards:

4 (i) An awning sign may project horizontally beyond the face of a marquee or
5 canopy no more than twelve inches, measured from the bottom of the sign, if
6 necessary to accommodate the letter thickness and required electrical
7 equipment;

8
9 (ii) An awning sign composed entirely of individual opaque alphanumeric
10 characters twelve inches or less in height, or for any awning sign in the
11 Boulder Valley Regional Center twenty-four inches or less in height, may
12 project above the point at which they are attached to the marquee or canopy by
13 no more than the height of the character plus two inches;

14 (iii) The canopy or marquee to which the awning sign is attached must be located
15 over an entry to the building; and

16
17 (iv) The awning sign shall be substantially parallel with the building wall to which
18 the canopy or marquee is attached.

19 (C) Awning signs that extend fifteen inches or less from a wall of a building shall be
20 considered to be wall signs, subject to the requirements of paragraph (d)(14) of this
21 section.

22
23 (D) Permission to construct, install, and maintain an awning sign over the public right-
24 of-way must be obtained from the city manager pursuant to section 4-18-3,

1 "Sidewalk Banner or Awning Permit Required," B.R.C. 1981, prior to the issuance
2 of the sign permit.

3 (E) For purposes of determining projection, clearance, height, and materials, an awning
4 sign shall be considered a part of and shall meet the requirements for a marquee,
5 canopy, or awning, as specified in the city building code, chapter 10-5, "Building
6 Code," B.R.C. 1981.

7
8 (F) If an awning sign is located on a marquee, canopy, or awning and is internally
9 illuminated through translucent material, the entire illuminated area of the awning
10 or awning sign shall be included in the calculation of the area of the sign.

11 (2) Banner: A banner is permitted for any permitted use in a business or industrial zoning
12 district if the person wishing to display such sign applies therefore and obtains a permit,
13 but such sign may be displayed for a maximum period of thirty consecutive days at the
14 same location, one time during the first year of such use by the occupant. The area of
15 the single sign permitted under this exception shall not exceed fifty square feet in total
16 area and shall not exceed twenty feet in height, including, without limitation, the
17 appurtenance on which the banner is displayed. Such a sign shall be firmly attached on
18 at least all four corners.

19
20 (3) Downtown Pedestrian District:

21 (A) An application for a permit for a sign to be located in the downtown pedestrian
22 district, as shown on the map in appendix E, "Downtown Pedestrian District," of
23 this title, and which otherwise complies with all applicable provisions of this
24 section and is not exempted under subparagraph (d)(3)(B) of this section shall be
25

1 presented by the city manager to the downtown management commission for
2 comment. The downtown management commission shall return the application
3 within ten working days to the manager with its comments. The manager shall
4 forward the comments to the applicant, who may resubmit the application to the
5 manager in its original form or as amended based upon the downtown management
6 commission's comments. If the downtown management commission fails to give its
7 comments to the manager by the ten-working-day deadline, or if the applicant
8 resubmits the original application unaltered after considering the downtown
9 management commission's comments, the manager shall issue the permit. If the
10 application is resubmitted with amendments, the manager shall issue the permit if
11 the amended application still complies with all other applicable provisions of this
12 section.
13

14 (B) Sign permit applications which meet the following criteria are exempt from the
15 downtown management commission comment procedure of subparagraph (d)(3)(A)
16 of this section:

- 17 (i) The top of the sign is located no higher than the windowsill level of the second
18 story of the building;
- 19 (ii) The sign is not internally illuminated;
- 20 (iii) If the sign is indirectly illuminated the light source must not be visible to
21 pedestrians on public property, and all mounting hardware and electrical
22 ducting must be concealed or integrated into the sign design;
- 23 (iv) If the sign is illuminated by neon, it does not exceed four square feet in area;
- 24
25

- (v) The sign is not painted directly on the wall of a structure;
- (vi) The sign uses a commercially available typeface;
- (vii) The sign is rectangular or circular;
- (viii) The sign is composed of colors from a palette approved by regulation by the downtown management commission; and
- (ix) If a freestanding sign, it does not exceed seven feet in height or twenty square feet in area per sign face.

(4) Construction site: A sign erected by a licensed contractor at a construction site at which the contractor is working identifying the type, duration, and responsible party of construction of a property in any zoning district is permitted only if it is:

(A) Limited to a freestanding, wall, or window sign or signs not exceeding thirty-two square feet in total area and sixteen square feet per face and seven feet in height, with no riders or attachments in nonresidential zones, and twelve square feet in total area and six square feet per face and four feet in height in residential zones. Such signs are exempt from the sign area regulations of this section;

(B) Displayed only on the property to which the sign pertains, and no more than one such sign per street upon which the property has frontage; and

(C) Displayed only for the duration of construction for which a building permit has been obtained until issuance of a certificate of occupancy.

(D) A construction site sign may be erected only if an exempt real estate sign is not displayed on the same property.

1 (5) Fence-Wall: A sign displayed upon a fence, or upon a wall that is not an integral part of
2 a building or that is used as a fence, shall be erected or mounted in a plane parallel to
3 the fence or wall and shall not extend above the top of the fence or wall or project more
4 than fifteen inches from the face of the fence or wall. Such sign is subject to all
5 requirements of this section applicable to freestanding signs, including, without
6 limitation, maximum area per sign, maximum sign height, minimum setback, and
7 number of permitted signs.

8
9 (6) Freestanding:

10 (A) A freestanding sign in any zoning district shall be set back the following distances,
11 and no point on any such sign may extend beyond the required setback line:

12 (i) Except in BMS, DT, and MU-1 districts, a sign up to and including seven feet
13 in height shall be set back ten feet from any property line adjacent to a street.
14 In the BMS, DT, and MU-1 districts, no setback is required for such a sign, but
15 no sign may be located within eighteen inches of a public sidewalk or obstruct
16 the view of motor vehicle operators entering or leaving any parking area,
17 service drive, private driveway, street, alley, or other thoroughfare.

18
19 (ii) A sign over seven feet in height shall be set back at least twenty-five feet from
20 any property line adjacent to a street in all zones.

21 (iii) No sign in a business or industrial district may be located less than twenty-five
22 feet from any adjacent residential zoning district line.

23
24 (B) In addition to any other permitted signs on the property, no more than one
25 freestanding sign may be maintained for each street frontage of the property.

1 (C) If a property has more than one street frontage, the freestanding sign permitted for
2 each frontage must be located adjacent to that frontage, and the minimum
3 permissible horizontal distance between freestanding signs on the same property is
4 seventy-five feet.

5 (D) Except as otherwise provided in subparagraph (d)(6)(K) of this section, the
6 maximum permissible total area of any freestanding sign is one hundred square
7 feet; and the maximum permissible area of any one face of any freestanding sign is
8 fifty square feet. For buildings with a linear frontage of less than or equal to one
9 hundred feet, the maximum permissible sign area of all freestanding signs on a
10 property is one and one-half square feet of sign area for every linear foot of
11 building frontage up to a maximum of one hundred square feet per sign and fifty
12 square feet per face. For a building with a linear frontage greater than one hundred
13 feet, the allowable sign area for freestanding signs shall be deducted from the total
14 allowable sign area for all signs for the building.

15 (E) Unless otherwise specified in subsection (e) of this section, the maximum
16 permissible height of freestanding signs is the lesser of: twenty-five feet or one and
17 one-fourth times the height of the principal building on the property where the sign
18 is located.

19 (F) The horizontal distance between freestanding signs on adjacent properties must be
20 not less than the height of the taller sign.

21 (G) The area of the support structure of a freestanding sign is counted in the total area
22 of the sign to the extent that the support structure exceeds the minimum required
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1 for the support of the sign. But if the sign is less than seven feet in height, a plain
2 pedestal for a freestanding sign shall not be counted in the total area of the sign.

3 (H) A flag on flagpole shall not be subject to this paragraph, but shall be regulated as
4 set forth in subparagraph (c)(1)(B) of this section.

5 (I) Supports for a freestanding sign shall be designed in accordance with the
6 requirements of this code and shall not be placed upon any public right-of-way or
7 public easement, except pursuant to the terms of a lease to the adjacent property
8 owner.

9 (J) Where a freestanding sign is located in a vehicular parking or circulation area, a
10 base or barrier of concrete or steel, not less than thirty inches high, shall be
11 provided to protect the base of the sign from damage by vehicles.

12 (K) The maximum total sign area for freestanding signs may be increased by one-third
13 when such signs are located adjacent to the following major streets or specified
14 portions thereof:

15 (i) Arapahoe Avenue - from 28th Street to the east city limits;

16 (ii) Baseline Road - from Broadway to Foothills Parkway;

17 (iii) 28th Street - from Arapahoe Avenue to Iris Avenue;

18 (iv) 30th Street - from Arapahoe Avenue to the Diagonal Highway;

19 (v) 63rd Street - from the north city limits to the south city limits; and

20 (vi) Lookout Road - from the west city limits to the east city limits.

1 But the increased sign area permitted in this subparagraph does not include any
2 increase in sign height.

3 (L) All freestanding signs located within two hundred fifty feet of the nearest right-of-
4 way line of Foothills Parkway (Colorado State Highway 157) or Pearl Parkway east
5 of Foothills Parkway and visible from such parkway shall be further limited to a
6 maximum height of twelve feet.
7

8 (7) Historic District or Building: In addition to satisfying the provisions of this section,
9 signs installed or maintained on a historic building or in a historic district must comply
10 with the provisions of chapter 9-11, "Historic Preservation," B.R.C. 1981.

11 (8) Noncommercial Nonresidential: A noncommercial sign, including, without limitation, a
12 work of art or a political sign in all nonresidential zoning districts that does not impede
13 traffic safety is exempt from the total sign area and setback limitations of this section,
14 except the following:
15

16 (A) Noncommercial freestanding, projecting, suspended, and awning signs are subject
17 to the total sign area and setback limitations of this section.

18 (B) Prior to placing a noncommercial wall sign of more than nine square feet in area on
19 an exterior wall, the building owner shall give thirty calendar days' notice to the
20 city manager by delivery or by first class mail, effective on mailing, including the
21 building address and a colored representation of the sign. The city manager may
22 comment on the sign but shall have no power to prevent it from being placed on the
23 building wall.
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25

1 (C) Noncommercial signs on temporary construction barriers not located in the public
2 right-of-way shall be deemed not to be wall or freestanding signs subject to
3 regulation under this section during that period of time for which a building permit
4 for the property which necessitated the barrier is valid.

5 (9) Noncommercial Residential: A noncommercial sign, including, without limitation, a
6 work of art or a political sign, in all residential zoning districts, that does not impede
7 traffic safety is exempt from the total sign area and setback limitations and wind sign
8 prohibitions of this section, subject to:

9 (A) Noncommercial signs shall be set back at least eighteen inches from any public
10 sidewalk adjacent to a street or from the curb or outer edge of the roadway if there
11 is no such sidewalk.
12

13 (B) Noncommercial signs within twenty-five feet of any public sidewalk adjacent to a
14 street, or thirty feet of the curb or outer edge of the roadway if there is no such
15 sidewalk, shall not exceed seven feet in height or thirty-two square feet in total
16 area, with no face larger than sixteen square feet, and there shall be only one such
17 sign. However, during a political campaign from the time a candidate is nominated
18 for electoral office or nominated or certified for a primary election, or a recall
19 election date is set, until the day after the election, and from the time an initiative or
20 referendum or other measure to be voted upon by the electors is placed on the
21 ballot until the day after the election, this limit of one noncommercial residential
22 sign in the setback shall not apply ~~to signs urging the nomination, election, or~~
23 ~~defeat of such candidates or recall of such officials, or the passage or defeat of such~~
24 ~~measures.~~ These ~~election~~ signs in the setback in excess of the one otherwise
25

1 permitted may not exceed twelve square feet in total area per sign, with no face
2 larger than six square feet.

3 (C) There are no setback, number, or area limitations in residential zoning districts for
4 noncommercial signs which are set back farther than twenty-five feet from the
5 property line. If a side of a residential building is closer than thirty feet to the public
6 sidewalk, or thirty-five feet to the curb or outer edge of the roadway if there is no
7 such sidewalk, then that area within five feet of such building side shall be
8 excluded from the restrictions of subparagraph (d)(9)(B) of this section, if
9 applicable.
10

11 (D) Reference in this paragraph to sidewalks, curbs, and roadway edges does not
12 authorize placement of signs off premises on public property or in the public right-
13 of-way.
14

15 (10)Projecting: A projecting sign shall comply with the following conditions:

16 (A) Signs projecting over public property may not project more than thirty-six inches
17 from a wall of a building, and the maximum permissible total area for such a sign is
18 the lesser of:

19 (i) One square foot of sign area for each linear foot of frontage of the building
20 upon which such sign is displayed; or

21 (ii) Eighteen square feet per sign, with no face of the sign exceeding nine square
22 feet.
23

24 (B) Signs projecting over private property may not project more than six feet from a
25 wall of a building nor beyond the minimum required building setback line and may

1 not exceed twenty-four square feet in total area, and no face of a sign shall exceed
2 twelve square feet.

3 (C) Projecting signs must have a minimum clearance above the sidewalk of eight feet
4 and may not extend twelve feet or more above the sidewalk nor above the roof line.

5
6 (D) Any end panel on a projecting sign is considered a face of the sign and included in
7 the area of that sign if the end panel is twelve inches or more in width.

8 (E) No more than one projecting sign may be maintained per tenant space frontage at
9 the ground level of a building. The minimum horizontal distance between
10 projecting signs on a building shall be twenty-five feet.

11 (11)Roof: A sign may be erected upon or against the side of a roof having an angle of forty-
12 five degrees or more from the horizontal, but must be architecturally integrated with the
13 building and roof by a dormer or similar feature. Such a sign is a wall sign and must
14 comply with the provisions of paragraph (d)(14) of this section concerning wall signs,
15 and must not project more than a total of fifteen inches horizontally, measured at the
16 bottom of the sign, from the side of the roof upon which it is displayed.

17
18 (12)Subdivision: In addition to other such signs that may be allowed, signs erected at the
19 time of identifying a subdivision of a property in any zoning district may be issued a
20 sign permit if they comply with the following:

21 (A) A freestanding, wall, or window subdivision sign not exceeding thirty-two square
22 feet in total area and sixteen square feet per face, not exceeding seven feet in
23 height, and set back at least ten feet from any public right-of-way, with no riders or
24 attachments;
25

1 (B) Displayed only on the subdivision for which a subdivision plan has been filed~~to~~
2 ~~which the sign pertains~~, no more than one such sign per street frontage, and with a
3 minimum distance between such signs in a single subdivision or property of one
4 thousand feet;

5 (C) Displayed on or after the date of filing of the subdivision plan and removed within
6 two years from the date of issuance of the first building permit in the subdivision or
7 within thirty days from the time that seventy-five percent of the properties or
8 dwellings in the subdivision or filing thereof have been sold, whichever is sooner.

9
10 (13) Suspended: A suspended sign may not exceed ten square feet in total area or five square
11 feet per face; may not project beyond the outside limits of the architectural projection to
12 which it is attached; and shall have a minimum clearance above the sidewalk of eight
13 feet. The minimum permissible horizontal distance between suspended signs is fifteen
14 feet.

15
16 (14) Wall: A wall sign shall comply with the following conditions:

17 (A) The total area of all wall signs on a face of a building may not exceed fifteen
18 percent of the area of that portion of the building face between ground level and the
19 roof line or a line twenty-five feet above grade level, whichever is less.

20 (B) The total area of all wall signs on an architecturally distinct wall, where two or
21 more such walls form a face of a building, shall not exceed twenty-five percent of
22 such wall.

23
24 (C) No part of a wall sign may be located more than twenty-five feet above grade level.
25

1 (D) No wall sign may be attached to or displayed against any parapet wall that does not
2 extend around the entire perimeter of the roof enclosed by the parapet. No sign on
3 such a parapet wall may extend more than twenty-four inches above the roof
4 elevation immediately behind the sign, unless approved as part of a site review
5 under section 9-2-14, "Site Review," B.R.C. 1981.

6 (E) No wall sign may extend above the roof line of a building except as permitted on a
7 parapet wall. No wall sign may be displayed on the wall of a mechanical room or
8 penthouse or other such enclosed space which is not habitable by the occupants of
9 the building.

10 (F) The length of a wall sign shall not exceed seventy percent of the length of the wall
11 or the width of the leased space of the wall on which it is located, whichever is less.

12 (G) The lettering height for wall signs located within two hundred fifty feet of the right-
13 of-way of Foothills Parkway (Colorado State Highway 157) or Pearl Parkway east
14 of Foothills Parkway, and visible from such parkway, shall not exceed twenty-four
15 inches.

16 (H) The lettering height for wall signs located within the B.V.R.C. and the BMS, MU-
17 3, DT, and BT-2 zoning districts shall not exceed twenty-four inches for single
18 lines of copy and a total of thirty-two inches for multiple lines of copy, and any
19 graphic symbol may not exceed thirty inches in height.

20 (I) A string of lights which extends on or around the perimeter of a window is subject
21 to the following conditions: the linear length of a string of lights counts as fifty
22

percent of the allowable square footage for wall signs. The maximum linear length of all strings of lights in windows cannot exceed ninety feet.

(e) Limitations on Area, Number, and Height of Signs by Use Module:

(1) Use Modules: The use modules set forth in section 9-6-1, "Schedule of Permitted Land Uses," B.R.C. 1981, apply to this section, and the boundaries of such districts are determined by reference to the zoning map of the city and to interpretation of such map under section 9-5-3, "Zoning Map," B.R.C. 1981.

(2) Maximum Sign Area Permitted: The maximum sign area permitted per property, maximum area per sign face, maximum number of signs, and maximum height of freestanding signs in the use modules in the city are as in Table 9-13 of this section, except as modified by other provisions of this section.

TABLE 9-13: LIMITATIONS ON AREA, NUMBER, AND HEIGHT OF SIGNS BY USE MODULE

Maximum Sign Area Permitted Per Property	Maximum Area Per Sign Face	Maximum Number Signs Permitted	Maximum Height of Freestanding Signs
Residential and Agricultural Districts (RR, RE, RL, RM, RMX, RH, and A)			
For detached dwelling uses: 4 square	2 square feet	1 per use	7 feet

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feet			
For attached dwelling uses: 32 square feet	16 square feet	1 per street frontage	7 feet
For other uses permitted by zoning chapter 9-6, "Use Standards," B.R.C. 1981: 32 square feet	16 square feet	1 per street frontage	7 feet
For other uses permitted by special review and for lawful nonconforming uses: the lesser of 50 square feet or the maximum sign area for the use in the zoning district in which the use is permitted by chapter 9-6, "Use Standards," B.R.C. 1981	16 square feet	The lesser of 1 per street frontage or 2 per use	7 feet
Public District (P)			
The greater of: 15 square feet or 1/2 square foot of sign area for each foot of street frontage	50 square feet for freestanding signs. See subsection (d) of this section for	1 per street frontage for freestanding signs. 1 per ground level tenant for	7 feet

	limits on other signs	projecting signs. No limit on other signs	
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Downtown, Mixed Use, and Business - Transitional Districts (BMS, BT, MU, DT)

Any use that is permitted in a residential zone shall be regulated as in the residential zoning districts

For any use not permitted in residential zones, other than MU-3, in addition to freestanding signs, as permitted in paragraph (d)(6) of this section, 1.25 square feet of sign area for each linear foot of total building frontage for the first 200 feet of frontage, plus 0.5 square feet of sign area for each foot of frontage thereafter	See subsection (d) of this section for area restrictions	1 per street frontage for freestanding signs. 1 per ground level tenant for projecting signs. No limit on other signs	See paragraph (d)(6) of this section for height restrictions
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Business - Community, Business - Commercial Services, Business - Regional, and Industrial Districts not in the B.V.R.C. (BC, BCS, BR, IS, IG, IM, and IMS)

For any use permitted in residential	See subsection (d)		Varies with
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<p>zones, as regulated in residential zoning districts</p>	<p>of this section for area restrictions</p>		<p>setback; see paragraph (d)(6) of this section</p>
<p>In addition to freestanding signs, as permitted in paragraph (d)(6) of this section, 2 square feet sign area for each linear foot of total building frontage for the first 200 feet of frontage, plus 0.5 square foot sign area for each linear foot of frontage, except as provided in subparagraph (d)(6)(D) of this section</p>	<p>See subsection (d) of this section for area restrictions</p>		<p>See paragraph (d)(6) of this section for height restrictions</p>
<p>Boulder Valley Regional Center and Regional Business Districts</p> <p>Properties zoned BR-1 and properties located within the Boulder Valley Regional Center unless zoned BT-1 or BT-2</p>			
<p>For any use not permitted in residential zones, in addition to freestanding signs, as permitted in paragraph (d)(6) of this section, 1.5</p>	<p>See subsection (d) of this section for area restrictions</p>	<p>1 per street frontage for freestanding signs. 1 per ground level</p>	<p>See paragraph (d)(6) of this section for height</p>

1	square feet of sign area for each linear		tenant for	restrictions
2	foot of total building frontage for the		projecting signs.	
3	first 200 feet of each frontage, plus ½		No limit on other	
4	square foot sign area for each		signs	
5	additional linear foot of each frontage			
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9 (f) Computation of Signs and Sign Area:

10 (1) Regular Shape: In computing the area of a sign, this section shall be administered using
 11 standard mathematical formulas for regular geometric shapes, including, without
 12 limitation, triangles, parallelograms, circles, ellipses, or combinations thereof.

13 (2) Irregular Shape: In the case of an irregularly shaped sign or a sign with letters or
 14 symbols directly affixed to or painted on the wall of a building, the area of the sign is
 15 the entire area within a single continuous rectilinear perimeter of not more than eight
 16 straight lines enclosing the extreme limits of any writing, representation, emblem, or
 17 any figure of similar character, together with any material or color forming an integral
 18 part or background of the display if used to differentiate such sign from the backdrop or
 19 structure against which it is placed, but if a freestanding sign structure is not a fence
 20 which functions as such, the sign area shall be the area of the entire structure.

21 (3) Sign Structures: In computing the area of a sign, the portion of the sign structure to be
 22 included is that which is visible and viewed in the same plane as the sign face and
 23 which is made a part of the background of the display.

- 1 (4) More Than One Element: The total surface area of signs composed of more than one
2 sign element includes the vertical and horizontal spacing between each element of the
3 sign.
- 4 (5) Three-Dimensional: For three-dimensional figure signs, the sign area is the total area,
5 projected on a vertical plane, of each side of the sign that is visible beyond the
6 boundaries of the property upon which the figure is located. For purposes of this
7 paragraph, a figure is considered to have a side for each ninety degrees or part thereof
8 of visibility from a public right-of-way.
- 9 (6) Attachments: Any temporary or permanent rider or attachment to a sign or sign
10 structure is included as part of the total sign area for the sign to which it is attached.
- 11 (7) Two Faces: A sign is computed as having two display faces if the angle between two
12 faces is equal to or less than sixty degrees. If a sign has two or more display faces, the
13 area of all faces and all noncontiguous surfaces is included in determining the sign area.
- 14 (8) Number of Signs: For the purpose of determining the number of signs that may be
15 subject to the provisions of this section, a sign shall be considered to be a single display
16 surface or display device containing elements clearly organized, related, and composed
17 to form a unit. Where elements are displayed in a random manner without an organized
18 relationship of elements or where there is reasonable doubt about the relationship of
19 elements, each element shall be considered to be a single sign.
- 20 (9) One Use of Building Frontage: Building frontage used as the basis of determining
21 permitted sign area for one use may not be used again as the basis for determining the
22 permitted sign area for another use, but nothing in this paragraph shall be construed to
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1 prohibit the additional use from erecting a sign that would otherwise be authorized by
2 the provisions of this section.

3 (10) More Than One Frontage: For the purpose of determining the total allowable sign area
4 for buildings with more than one frontage, the following criteria apply:

5 (A) If a building has more than one frontage, the maximum sign area for the building is
6 based on the total horizontal length of not more than two contiguous frontages; and
7

8 (B) Signs may be located on any side of the building, but the total sign area on any one
9 side of the building may not exceed the area permitted on the basis of that frontage
10 considered independently of other frontages.

11 (g) Permits and Applications:

12 (1) The owner or tenant of property on which a sign is to be located or an authorized agent
13 thereof or a sign contractor licensed by the city shall apply for a sign permit in writing
14 on a form furnished by the city manager, shall sign the application, and shall pay the fee
15 prescribed in section 4-20-21, "Sign Contractor License Fees and Sign Permit Fees,"
16 B.R.C. 1981. There is no fee for signs placed by a homeowner on residential property,
17 for banners, or for exempt signs.
18

19 (2) The owner of a multi-tenant or multiple use property or an agent of the owner shall
20 apply for all sign permits for the property or shall develop a plan for apportioning
21 permitted sign area among tenants and file such plan with the city manager, in which
22 case each tenant may apply for a sign permit in conformity with the plan.
23

24 (3) The applicant shall submit the following information as part of the application:
25

1 (A) The name, address, and telephone number of the owner or persons entitled to
2 possession of the sign and of the sign contractor or installer;

3 (B) The street address or location of the proposed sign;

4 (C) Complete information required on application forms provided by the city manager,
5 including a site plan and elevation drawings of the proposed sign, copy of the
6 proposed sign, and other data pertinent to the application;

7 (D) Plans indicating the scope and structural detail of the work to be done, including
8 details of all connections, guy lines, supports, footings, and materials to be used;

9 (E) Complete application for an electrical permit for all electric signs if the person
10 building the sign is to make the electrical connection; and

11 (F) Statement of the sign's valuation.

12 (4) Within five working days of the date of the application, the city manager will either
13 approve or deny the application or refer it back to the applicant for further information.

14 (5) No person issued a sign permit under this section shall change, modify, alter, or
15 otherwise deviate from the terms or conditions of the approved application or permit
16 without first requesting and obtaining approval to do so from the city manager.

17 (6) If the sign conforms to all other applicable requirements of this section, no permit is
18 required for maintenance of the sign.

19 (h) Expiration of Permit:

20 (1) If a person to whom a permit is granted under this section has not commenced work on
21 the sign within sixty days from the date on which the permit was issued or if substantial
22

1 building operations under such permit are suspended for a period of 60 consecutive
2 days, the permit automatically expires, but the city manager may grant an extension of
3 the time limits provided in this paragraph for construction delays that are not the result
4 of willful acts or neglect by the permittee, upon a written request for such an extension
5 received by the manager before expiration of the permit.

6
7 (2) The city manager shall not refund any permit fees paid under this section if any permit
8 is revoked pursuant to subsection (t) of this section, or expires under this subsection.

9 (i) Inspections:

10 (1) In enforcing the provisions of this section, the city manager may enter any building,
11 structure, or premises in the city at reasonable times to perform any duty imposed by
12 this section.

13
14 (2) The city manager may require footing inspections on the day of excavation for a
15 freestanding sign.

16 (3) The city manager may require inspection of an electrical sign before its erection within
17 forty-eight hours after being notified that the sign is ready for inspection.

18 (4) A permit holder or agent thereof shall notify the city manager when a sign is complete
19 and ready for final inspection, which shall be no more than sixty days after work is
20 commenced.

21
22 (j) Licensed Sign Contractor Required to Install Signs: No person other than a sign contractor
23 licensed under chapter 4-21, "Sign Contractor License," B.R.C. 1981, shall install any sign
24 for which a permit is required under this section, except:

1 (1) A homeowner may install a sign on the premises of such person's residence, for which a
2 permit is otherwise required, if the homeowner obtains a permit and complies with all
3 requirements of this section other than that of licensed sign contractor installation.

4 (2) Banner signs for which permits are required.

5 (3) Window signs for which permits are required.
6

7 (k) Signs in Approved Site Review Developments:

8 (1) A sign located in an approved site review development shall conform to all
9 requirements of this section, including those of the district in which the property is
10 located, except for those subsections dealing with sign setbacks from property lines and
11 spacing between projecting and freestanding signs if alternative setbacks and spacing
12 are specifically shown on a site plan approved under section 9-2-14, "Site Review,"
13 B.R.C. 1981, or approved as part of a sign program for the site review project. In no
14 case may the total square footage for signage permitted under this section be increased
15 through a site review or sign program.
16

17 (2) Sign lettering and graphic symbol height as specified in subparagraph (d)(14)(H) of this
18 section concerning wall signs may also be varied in accordance with paragraph (k)(1) of
19 this section.

20 (3) If a condition of site review development approval requires a uniform sign program, the
21 following additional conditions shall apply:
22

23 (A) The owner or developer of the site review development shall submit a uniform sign
24 program to the city manager for approval prior to the issuance of any sign permits
25 within the planned unit development. Such program shall include, as a minimum:

1 (i) Type of sign permitted (wall sign, projecting sign, awning sign, window sign,
2 etc.).

3 (ii) Type of construction (individual letters, cabinet, internal or indirect
4 illumination, etc.).

5 (iii) Color.

6 (iv) Size of sign (maximum height of letters, maximum length of sign, and
7 maximum size).

8 (v) Location of sign.

9 (B) The aggregate area of all signs and the size of any freestanding sign shall not
10 exceed that permitted in subsection (e) of this section.

11 (C) The owner or developer of the site review development shall notify all potential
12 tenants or property owners of the sign program at the time of sale or lease of the
13 property.

14 (D) The property owner or developer or an authorized representative shall review all
15 signs for compliance with the sign program prior to a tenant applying for a sign
16 permit and shall countersign the application signifying such compliance.

17 (E) The sign program may not be altered without written permission of the city
18 manager. In addition, no changes may be made without the written permission of a
19 majority of tenants whose existing signs are in compliance with the previously
20 established sign program.
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1 (4) The city manager shall apply the following standards in approving or denying a sign
2 program or request to alter a sign program:

3 (A) All signs shall be in compliance with law;

4 (B) The program shall ensure a reasonable degree of sign uniformity and coordination
5 within the program area and will enhance the visual quality of the area;

6 (C) The program shall be simple, clear, and to the point;

7 (D) The program shall limit the number of signs allowed for each tenant of the area;

8 (E) Signs shall be compatible with the area in color, shape, and materials;

9 (F) A color plan for signs is required;

10 (G) Signs are simple and clearly legible; ~~and~~

11 (H) Freestanding signs are integrated in appearance with their surroundings; and

12 (I) The city manager shall not consider the content of the sign.

13
14
15
16 (5) The city manager may write uniform sign program guidelines to serve as an example of
17 a sign program which meets the requirements of this subsection.

18 (l) Structural Design Requirements:

19
20 (1) Signs and sign structures shall be designed and constructed as specified in this
21 subsection to resist wind and seismic forces. All bracing systems shall be designed and
22 constructed to transfer lateral forces to the foundations. For signs on buildings, the dead
23 and lateral loads shall be transmitted through the structural frame of the building to the
24 ground so as not to overstress any of the elements thereof. The overturning moment
25 produced from lateral forces may not exceed two-thirds of the dead load resisting

1 moment. The structural frame of the building or the anchoring of the sign shall be
2 adequate to resist uplift due to overturning. The weight of earth superimposed over
3 footings may be used in determining the dead load resisting moment, if it is carefully
4 placed and thoroughly compacted.

5 (2) Signs and sign structures shall be designed and constructed in compliance with the city
6 building code, chapter 10-5, "Building Code," B.R.C. 1981, including all requirements
7 to resist seismic forces.

8 (3) Wind loads and seismic loads need not be combined in the design of signs or sign
9 structures. Signs shall be designed to withstand the loading that produces the larger
10 stresses. Vertical design loads, other than roof live loads, shall be assumed to be acting
11 simultaneously with the wind or seismic loads.

12 (4) The design of structural members shall conform to the requirements of the city building
13 code, chapter 10-5, "Building Code," B.R.C. 1981. Vertical and horizontal loads exerted
14 on the soil shall not produce stresses exceeding those specified in the city building code.

15 (5) The working stresses of wire rope and its fastenings shall not exceed twenty-five
16 percent of the ultimate strength of the rope or fastening. Working stresses for wind
17 loads combined with dead loads may be increased as specified in the city building code,
18 chapter 10-5, "Building Code," B.R.C. 1981.

19 (m) Construction Standards:

20 (1) Signs and sign structures shall be securely built, constructed, and erected in conformity
21 with the requirements of this subsection.

- 1 (2) Supports for signs or sign structures shall not be placed on property not owned or leased
2 by the sign owner.
- 3 (3) Materials of construction for signs and sign structures shall be of the quality and grade
4 specified for buildings in the city building code, chapter 10-5, "Building Code," B.R.C.
5 1981. Plastic materials shall be those specified in the building code that have a flame
6 spread rating of 0-25 or less and a smoke density no greater than that obtained from the
7 burning of untreated wood under similar conditions when tested in accordance with the
8 building code standards in the way intended for use. The products of combustion shall
9 be no more toxic than the burning of untreated wood under similar conditions.
- 10 (4) All sign structures, except for construction signs, those signs specifically excepted in
11 subparagraphs (c)(1)(A), (c)(1)(E), (c)(1)(G), (c)(1)(H), (c)(1)(J), and (c)(1)(L) of this
12 section, window signs, and signs located inside buildings, shall have structural members
13 of heavy timber or incombustible material. Wall signs, projecting signs, and awning
14 signs shall be constructed of incombustible material, except as provided in paragraph
15 (m)(5) of this section or as specifically approved by the city manager. No combustible
16 materials other than approved plastic shall be used in the construction of electric signs.
- 17 (5) Nonstructural elements of a sign may be of wood, metal, approved plastic, or any
18 combination thereof.
- 19 (6) Members supporting unbraced signs shall be so proportioned that the bearing loads
20 imposed on the soil either vertically or horizontally do not exceed safe values. Braced
21 ground signs shall be anchored to resist specified wind or seismic loads acting in any
22 direction. Anchors and supports shall be designed for safe bearing loads on the soil for
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1 effective resistance to pull-out amounting to a force of twenty-five percent greater than
2 the required resistance to a depth of not less than three feet. Anchors and supports shall
3 be guarded and protected when near driveways, parking lots, or similar locations where
4 they could be damaged by moving vehicles.

5 (7) Signs attached to masonry, concrete, or steel shall be safely and securely fastened
6 thereto by means of metal anchors, bolts, or approved expansion screws of sufficient
7 size and anchorage to support safely the loads applied.
8

9 (8) No anchor or support of any sign, except flat wall signs, shall be connected to or
10 supported by an unbraced parapet wall.

11 (9) Display surfaces in all types of signs shall be of metal or other approved materials.

12 (10) Signs intended for temporary placement of less than six months and which have no
13 electrical or other special features:
14

15 (A) If less than six square feet per face and under four feet in height, may be
16 constructed of any sturdy material and shall be anchored securely to the ground or a
17 building, fence, or other structure and may be supported by any suitable support
18 which will withstand the wind loading.

19 (B) A freestanding sign more than six square feet in area or four feet or more in height
20 shall have at least two supports pounded at least two feet into the ground.

21 (C) Construction ~~warning site~~ signs placed over concrete or asphalt or other materials
22 into which posts may not conveniently be driven may instead be held in place by
23 weights sufficient to withstand the wind.
24
25

1 (11) The city manager may approve the use of any material if an applicant submits sufficient
2 technical data to substantiate such proposed use and if the manager determines that such
3 material is satisfactory for the use intended.

4 (12) Where any freestanding sign has a clearance of less than eight feet from the ground,
5 there shall be provided a barrier or other adequate protection to prevent hazard to
6 pedestrians and motorists.

7
8 (n) Electric Signs:

9 (1) An electric sign shall be constructed of incombustible material. An electric sign shall be
10 rain tight, but service holes fitted with waterproof covers may be provided to each
11 compartment of such sign. All electric signs installed or erected in the city shall bear the
12 label of Underwriters Laboratories, Inc., on the exterior of the sign.

13
14 (2) No electric sign shall be erected or maintained that does not comply with the city
15 electrical code, chapter 10-6, "Electrical Code," B.R.C. 1981.

16 (3) No electric equipment or electrical apparatus of any kind that causes interference with
17 radio or television reception shall be used in the operation of an illuminated sign.
18 Whenever interference is caused by a sign that is unfiltered, improperly filtered, or
19 otherwise defective, or by any other electrical device or apparatus connected to the sign,
20 the city manager may order the sign disconnected until it is repaired.

21
22 (o) Sign Maintenance: No person shall fail to maintain a sign on such person's premises,
23 including signs exempt from the permit requirements by subsection (c) of this section, in
24 good structural condition at all times. All signs, including all metal parts and supports
25 thereof that are not galvanized or of rust-resistant metals, shall be kept neatly painted. The

1 city manager is authorized to inspect and may order the painting, repair, alteration, or
2 removal of a sign that constitutes a hazard to safety, health, or public welfare because of
3 inadequate maintenance, dilapidation, or obsolescence, under the procedures prescribed by
4 subsection (t) of this section.

5 (p) Continuation of Legal Nonconforming Signs: A legal nonconforming sign that is not
6 required to be discontinued under the provisions of subsection (q) of this section, may be
7 continued and shall be maintained in good condition as required by subsection (o) of this
8 section, but it shall not be:
9

- 10 (1) Structurally changed to another nonconforming sign, to a degree that would require a
11 sign permit;
- 12 (2) Structurally altered in order to prolong the life of the sign, except to meet safety
13 requirements;
- 14 (3) Altered so as to increase the degree of nonconformity of the sign;
- 15 (4) Expanded;
- 16 (5) Re-established after its discontinuance for ninety days;
- 17 (6) Continued in use after cessation or change of the business or activity to which the sign
18 pertains;
- 19 (7) Re-established after damage or destruction if the estimated cost of reconstruction
20 exceeds fifty percent of the appraised replacement cost as determined by the city
21 manager; or
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23
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25

1 (8) If the landmarks board finds that a sign which otherwise would violate this section was,
2 before January 6, 1972, an integral part of a building, since designated as a landmark, or
3 in a historic district since designated, pursuant to chapter 9-11, "Historic Preservation,"
4 B.R.C. 1981, and is a substantial aspect of the pre-1972 historic character of such
5 building, then such a sign is exempt from the provisions of paragraphs (p)(2), (p)(6),
6 and (p)(7) of this section, and the period of discontinuance for such a sign in paragraph
7 (p)(5) of this section shall be one year.

8
9 (q) Discontinuance of Prohibited Legal Nonconforming Signs:

10 (1) Except as provided in paragraph (q)(2) or (q)(3) of this section, a legal nonconforming
11 sign prohibited by subsection (b) of this section shall be removed or brought into
12 conformity with the provisions of this section within sixty days from the date on which
13 the sign became nonconforming.

14 (2) A legal nonconforming sign described in subparagraph (b)(3)(C), (b)(3)(D), (b)(3)(H),
15 or (b)(3)(K) of this section is subject to the amortization provisions of subsection (r) of
16 this section, unless excepted by paragraph (q)(3) of this section.

17
18 (3) Existing legal signs in the city which became nonconforming solely because of a
19 change in this sign code enacted by Ordinance No. 5186 (1989) or Ordinance No. 6017
20 (1998) are subject to all the requirements of subsection (p) of this section, but are not
21 subject to the sixty-day discontinuance provisions of paragraph (q)(1) of this section or
22 the amortization provisions of subsection (r) of this section. Such amortization
23 provisions are also inapplicable to lawfully permitted nonconforming advertising
24 devices, as those terms are defined and applied in the Outdoor Advertising Act, 43-1-
25

1 401 et seq., C.R.S. The city manager is authorized, subject to appropriation, to remove
2 such devices by eminent domain proceedings.

3 (r) Amortization Provisions: Except for signs described in paragraph (q)(1) or (q)(3) of this
4 section, or a temporary sign, a legal nonconforming sign shall be brought into conformity or
5 removed under the following schedule:

6
7 (1) A sign that exceeds the maximum area or height limitations of this section by twenty
8 percent or less will be treated as a conforming sign and need not be removed or altered,
9 but if such sign is replaced or renovated it shall conform to all requirements of this
10 section.

11 (2) A sign having an original cost of \$100.00 or less shall be brought into conformity with
12 the provisions of this section or removed within sixty days after the date on which the
13 sign became nonconforming under this section.

14
15 (3) A sign having an original cost exceeding \$100.00 that is nonconforming only in the
16 respect that it does not meet the requirements of this section concerning height, setback,
17 distance between signs on the same or adjacent properties, or limitations on window
18 signs, shall be brought into conformity with the requirements of this section or removed
19 or a contract for timely completion of such work shall be executed within one hundred
20 eighty days after the date upon which the sign became nonconforming under this
21 section.

22 (4) A sign having an original cost exceeding \$100.00 that is nonconforming as to permitted
23 sign area or any other provision of this section that would require the complete removal
24
25

1 or total replacement of the sign may be maintained for the longer of the following
2 periods:

3 (A) Three years from the date upon which the sign became nonconforming under the
4 provisions of this section by annexation or code amendment; or

5
6 (B) A period of three to seven years from the installation date or most recent renovation
7 date that preceded the date on which the sign became nonconforming. But if the
8 date of renovation is chosen as the starting date of the amortization period, such
9 period of amortization shall be calculated according to the cost of the renovation
10 and not according to the original cost of the sign. The amortization periods in Table
11 9-14 of this section apply according to the original cost of the sign, including
12 installation costs, or of the renovation:

13
14 TABLE 9-14: AMORTIZATION SCHEDULE

15

Sign Code or Renovation Cost	Permitted Years From Installation or Renovation Date
\$ 101 through \$1,000	3 years
\$1,001 through \$3,000	4 years

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<p>1 \$3,001 through</p> <p>2 \$10,000</p> <p>3</p>	<p>5 years</p>
<p>4 Over \$10,000</p> <p>5</p>	<p>7 years</p>

6

7

8 (5) To be eligible for an amortization period longer than three years pursuant to

9 subparagraph (r)(4)(B) of this section, the owner of a sign shall, within one year from

10 the date on which the sign became nonconforming, file with the city manager a

11 statement setting forth the cost of such nonconforming sign, the date of erection or the

12 cost and date of most recent renovation, and a written agreement to remove or bring the

13 nonconforming sign into conformity with all provisions of this section at or before the

14 expiration of the amortization period applicable to the sign.

15 (s) Appeals and Variances:

16

17 (1) Any aggrieved person who contests an interpretation of this section which causes denial

18 of a permit, or who believes a violation alleged in a notice of violation issued pursuant

19 to paragraph (t)(2) or (t)(3) of this section, to be factually or legally incorrect, may

20 appeal the denial or notice of violation to the BOZA or board of building appeals in a

21 manner provided by either such board under the procedures prescribed by chapter 1-3,

22 "Quasi-Judicial Hearings," B.R.C. 1981, or may, in the case of a denial, request that a

23 variance be granted. An appeal from a denial and a request for a variance may be filed

24 in the alternative.

1 (A) An appeal from an interpretation which causes denial of a permit or from a notice
2 alleging a violation of subsections (l), (m), (n), and (o) of this section shall be filed
3 with the BOZA.

4 (B) An appeal from any other interpretation alleging any other violation of this section
5 shall be filed with the BOZA.

6
7 (C) An appellant shall file the appeal, request for variance, or both in the alternative
8 with the BOZA within fifteen days from the date of notice of the denial or the date
9 of service of the notice of violation. The appellant may request more time to file. If
10 the appellant makes such request before the end of the time period and shows good
11 cause therefore, the city manager may extend for a reasonable period the time to
12 file with either board.

13 (2) No person may appeal to or request a variance from the BOZA if the person has
14 displayed, constructed, erected, altered, or relocated a sign without a sign permit
15 required by paragraph (b)(2) of this section. The boards have no jurisdiction to hear an
16 appeal nor authority to grant any variance from the permit requirements of this section.
17 But the BOZA has jurisdiction to hear an appeal of a notice of violation alleging
18 violation of the permit requirements if the appeal is from the manager's interpretation
19 that a permit is required, and the appellant's position is that the device is not a sign or
20 that it is exempt from the permit requirements under subsection (c) of this section.
21

22 (3) An applicant for an appeal or a variance under this subsection shall pay the fee
23 prescribed by subsection 4-20-47(b), B.R.C. 1981.
24
25

1 (4) Setbacks, spacing of freestanding and projecting signs, and sign noise limitations are the
2 only requirements which the BOZA may vary. If an applicant requests that the BOZA
3 grant such a variance, the board shall not grant a variance unless it finds that each of the
4 following conditions exists:

5 (A) There are special physical circumstances or physical conditions, including, without
6 limitation, buildings, topography, vegetation, sign structures, or other physical
7 features on adjacent properties or within the adjacent public right-of-way that
8 would substantially restrict the effectiveness of the sign in question, and such
9 special circumstances or conditions are peculiar to the particular business or
10 enterprise to which the applicant desires to draw attention and do not apply
11 generally to all businesses or enterprises in the area; or
12

13 (B) For variances from the noise limitations of subparagraph (b)(3)(L) of this section,
14 the proposed variance is temporary in duration (not to exceed thirty days) and
15 consists of a temporary exhibition of auditory art; and
16

17 (C) The variance would be consistent with the purposes of this section and would not
18 adversely affect the neighborhood in which the business or enterprise or exhibition
19 to which the applicant desires to draw attention is located; and
20

21 (D) The variance is the minimum one necessary to permit the applicant reasonably to
22 draw attention to its business, enterprise, or exhibition.

23 (5) If an applicant requests that the board of building appeals approve alternate materials or
24 methods of construction or modifications from the requirements of subsections (l), (m),
25 (n), and (o) of this section, the board may approve the same under the standards and

1 procedures provided in the city building code, chapter 10-5, "Building Code," B.R.C.
2 1981.

3 (6) Except as provided in paragraph (s)(7) of this section, the BOZA has no jurisdiction to
4 hear a request for nor authority to grant a variance that would increase the maximum
5 permitted sign area on a single property or building, or from the prohibitions of
6 paragraph (b)(3) of this section. But the BOZA has jurisdiction to hear an appeal of a
7 permit denial or of a notice of violation alleging that a sign would exceed the maximum
8 permitted sign area or is prohibited if the appellant's position is that the sign does not
9 exceed such area or is not prohibited by such paragraph.
10

11 (7) The BOZA or board of building appeals may make any variance or alternate material or
12 method approval or modification it grants subject to any reasonable conditions that it
13 deems necessary or desirable to make the device that is permitted by the variance
14 compatible with the purposes of this section.
15

16 (8) The city manager's denial or notice of violation becomes a final order of the BOZA or
17 board of building appeals if:

18 (A) The applicant fails to appeal the manager's denial or order to the board within the
19 prescribed time limit;

20 (B) The applicant fails to appeal the order of the board to a court of competent
21 jurisdiction within the prescribed time limit; or
22

23 (C) A court of competent jurisdiction enters a final order and judgment upon an appeal
24 filed from a decision of the board under this section.

25 (t) Enforcement:

1 (1) The city manager may enforce the provisions of this section in any one or more of the
2 following ways:

3 (A) by issuing a criminal summons and complaint, followed by prosecution in
4 municipal court.

5
6 (B) If the city manager desires to use self-help to remove a sign for which a permit has
7 been issued, by issuing a notice of violation, revoking a permit, removing a sign,
8 and collecting the cost of removal pursuant to paragraph (t)(2) of this section.

9 (C) If the city manager desires to use self-help to remove or correct a sign for which no
10 permit has been issued, by issuing a notice of violation, correcting the violation,
11 and collecting the cost of correction pursuant to paragraph (t)(3) of this section.

12 (D) by removing any sign posted in violation of subsection 5-4-15(a), B.R.C. 1981,
13 concerning posting signs on government property. Such signs are a public nuisance.
14 After such removal the manager may also file a civil complaint in municipal court
15 against the person who posted the sign or the beneficiary of the sign or both. The
16 court shall award the city as damages the costs of removal of the sign and
17 restoration of the surface upon which it was posted. This judgment shall be
18 enforceable as any civil judgment.

19 (E) by filing a civil complaint for declaratory or injunctive relief in District Court.

20 These remedies are cumulative and not exclusive, and use of one does not foreclose use
21 of any other also.

22
23
24 (2) If the city manager finds that any sign for which a permit has been issued does not
25 comply with the permit or approved permit application or violates any provision of this

1 section or any other ordinance of the city, the manager may send a notice of violation to
2 the owner of the sign by first class mail to the address on the sign permit application.
3 The notice shall state the violation, and any required corrections, and that if the
4 corrections are not made within thirty days or an appeal filed within fifteen days
5 pursuant to subsection (s) of this section, the permit shall be revoked, and the manager
6 may then proceed as specified in paragraphs (t)(4) and (t)(5) of this section.

7
8 (3) The city manager may issue a notice of violation ordering the sign owner or possessor
9 or property owner to alter or remove a sign which is in violation of this section and for
10 which no permit has been issued within thirty days from the date of the notice. Notice
11 under this paragraph is sufficient if it is mailed first class to the address of the last
12 known owner of the real property on which the sign is located as shown on the records
13 of the Boulder County Assessor. The notice shall state the violation, order removal of
14 the sign or state any reasonable corrections which would bring the sign into compliance
15 with this section, and that if removal or correction is not accomplished within thirty
16 days or an appeal filed within fifteen days pursuant to subsection (s) of this section, the
17 manager may proceed as specified in paragraphs (t)(4) and (t)(5) of this section. If the
18 violation is of paragraph (b)(2) or (b)(3) of this section, the manager may require
19 removal of the illegal sign within one day from the date of actual notice or five days
20 from the date of mailing of mailed notice.

21
22 (4) If the property owner or sign owner or possessor fails to complete alteration or removal
23 as required by the notice given as prescribed by paragraph (t)(2) or (t)(3) of this section,
24 or to appeal pursuant to subsection (s) of this section, or loses such appeal and it
25 becomes a final order pursuant to paragraph (s)(8) of this section, the city manager may

1 cause such sign to be altered or removed at the expense of the owner or possessor of the
2 property or sign and charge the costs thereof to such person.

3 (5) If any property owner fails or refuses to pay when due any charge imposed under this
4 subsection, the city manager may, in addition to taking other collection remedies,
5 certify due and unpaid charges, including interest, to the Boulder County Treasurer to
6 be levied against the person's property for collection by the county in the same manner
7 as delinquent general taxes upon such property are collected, as provided in section 2-2-
8 12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer
9 for Collection," B.R.C. 1981.

10
11 (6) The penalty for violation of any provision of this section is a fine of not more than
12 \$2,000.00 per violation. In addition, upon conviction of any person for violation of this
13 section, the court may issue a cease and desist order and any other orders reasonably
14 calculated to remedy the violation. Violation of any order of the court issued under this
15 subsection is a violation of this subsection, and is punishable by a fine of not more than
16 \$4,000.00 per violation, or incarceration for not more than ninety days in jail, or both
17 such fine and incarceration.

18
19 (u) Rules and Regulations: The city manager is authorized to adopt reasonable procedural rules
20 and interpretive regulations consistent with the provisions of this section to aid in its
21 implementation and enforcement.

22 (v) Compliance With State Law Required: In addition to compliance with this section, all signs
23 to which the provisions of the Outdoor Advertising Act, 43-1-401 et seq., C.R.S., and its
24
25

1 supplemental regulations apply shall comply with such Act and regulations. ^[18] Signs which
2 do not so comply shall be deemed illegal nonconforming signs under this section.

3 (w) Substitution Clause: It is the intention of the city council that this sign code not favor
4 commercial over noncommercial messages. However, all sign codes are complex, and
5 sometimes when provisions which do not appear to be related are read together, unintended
6 results may occur. If any provision of this code is judicially construed to allow a commercial
7 message but not a noncommercial message, then the property owner may substitute any
8 noncommercial message under the same limitations as to physical characteristics and
9 location of the sign as would apply to a commercial message on such sign.
10

11 Section 2. The following definitions in section 9-16-1 are amended as follows, all other
12 definitions remain unchanged.

13 ~~Construction sign means a temporary sign announcing development, construction, or~~
14 ~~other improvement of a property by a building contractor or other person furnishing services,~~
15 ~~materials, or labor to the premises, but does not include a real estate sign. (Signs)~~
16

17 ~~Political sign means a noncommercial sign concerning candidates for public office or~~
18 ~~ballot issues in a primary, general, municipal, or special election.~~

19 ~~Real estate sign means a sign indicating the availability for sale, rent, or lease of the~~
20 ~~specific property, building, or portion of a building upon which the sign is erected or displayed.~~
21 ~~(Signs)~~
22

23 Section 3. This ordinance is necessary to protect the public health, safety, and welfare of
24 the residents of the city, and covers matters of local concern.
25



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MEMORANDUM

To: Planning Board

From: Karl Guiler, Senior Planner/Code Amendment Specialist

Re: Pilot Form-Based Code (FBC) for Boulder Junction update

Date: March 17, 2016

Planning Board discussed the pilot Form-Based Code (FBC) for Boulder Junction Phase I at a public hearing on Oct. 29th and provided substantial input on the content of the FBC. Staff returned on Dec. 17, 2015 to follow up on items related to affordable housing requirements and energy code considerations. Staff felt an update to the Planning Board was prudent given the amount of time passed since these discussions.

Staff and the consultant have been working on revisions to the FBC as well as an ordinance to adopt and make the FBC part of the Land Use Code with the goal of returning to Planning Board on April 14, 2016. In this time, staff has been working on the following:

- Intensive editing of the FBC- changing language to be more regulatory like the Boulder Revised Code (BRC)
- Trouble shooting of code standards –
 - trying not to lose effective implementation techniques that work through Site Review
 - removing conflicts with current code and Design & Construction Standards (DCS)
 - increasing the level of understanding of the new standards
 - determining what should stay and what should go
- Coordination with Public Works on the content of the FBC Public Realm section and Transit Village Area Plan (TVAP) changes
- Coordination with the consultant on re-formatting of FBC and updates to FBC graphics
- Coordination with city attorney's office (CAO) on draft ordinance to link FBC with current code
- Consulting with design staff on Building Design requirements
- Coordination with Mapping staff on TVAP changes

The general content of the FBC will be similar to that previously reviewed by the Planning Board with the following changes:

- Legal wording and format like the BRC;

- Addition of “alternative compliance” standards to allow additional flexibility to specific standards in the FBC;
- Clarification to “intent” statements so that the basis of the regulations is better understood;
- Clarification to code graphics and written content;
- The Public Realm section has been revised to be a Site Design section that eliminates some infrastructural elements in the public right-of-way that conflict with the DCS and continues to include the following elements:
 - Requirements for public ways, including new design standards for paseos breaking up blocks;
 - Streetscape design requirements for sidewalks, bulb-outs and sight triangle requirements;
 - Outdoor space requirements similar to previous iteration;
 - Site access requirements (e.g., alley access, frontage considerations), and
 - Elements of the public realm map have been added to the Regulating Plan
- Three-story maximum requirement added to buildings west of Junction Place and north of Goose Creek in order to be more compatible with existing development at Steel Yards;
- Addition of requirements to encourage multiple cap types;
- Restriction on the location of towers compared to the previous version, and
- Update to building design and material requirements to address Planning Board and urban design staff suggestions.

In addition, staff has continued to work with Dave Thacker, the City Building Official and Kendra Tupper, the city’s Energy Services Manager on the possibilities of adding enhanced energy code standards in the FBC. Staff continues to believe that it is advisable to use the application of the city adopted building and energy codes, instead of the FBC, as the mechanism for addressing energy efficiency requirements (see this [link](#) for the previous memo: *LF8Prod2 > Central Records > Boards & Commissions > Planning Board > 2015 > 12 DEC > 12.17.15*). Staff has already undertaken an in-depth study of potential changes and engaged an energy consultant to assist with the analysis.

Staff has already set up the timeline for moving forward on the changes and this is found in [Attachment A](#). Further, Dave Thacker and Kendra Tupper are planning to attend the April 14th public hearing on the FBC to answer any questions on the matter.

In the meantime, staff is moving forward on finalizing the latest draft of the FBC, working with architects on the testing, drafting the proposed ordinance and conducting additional public outreach. Should Planning Board have any questions on the FBC pilot project, Karl Guiler, the project manager, can be contacted at guilerk@bouldercolorado.gov or at 303-441-4236.

Project Schedule

Assumes that work will begin Feb 22, 2016, and weekly check in calls will be held for all tasks. Also, this schedule is being driven by the need to have the long term strategy developed first, and then to make the short term code updates after the 2018 IgCC and IBC codes come out.

Task 1: Develop special permit application for lighting requirements from the Building Performance Ordinance (BPO)

Tasks/Deliverables	Schedule
Meeting with key city staff to determine needs	1 st week of March 2016
Draft Materials: Permit application materials, including job aides for commercial lighting alterations that meet the City's BPO	March 30, 2016
Final materials	April 30, 2016
Training for plans examiners	May 2016

Task 2: Develop a long term strategic plan for Commercial and Residential Energy Codes (formerly Tasks 3 and 4 in the RFP)

Tasks/Deliverables	Schedule
Meeting with key city staff to determine scope, needs and key stakeholders. Identify what type of information needs to be gathered from the open house.	Week of Feb 22-26 th
Develop materials for the council study session, as well as the open house. These materials should include: <ul style="list-style-type: none"> • Interviews with subject matter experts as needed (e.g., with other cities who have adopted IgCC to inform the pro and cons of options) • High level options (plus pros and cons) for residential and commercial codes, including what base code is used moving forward and the proposed update cycles. • Recommended amendments for 2018 adoption (high level). Explain what wouldn't be covered by the base codes and why it's necessary to get on the path to net zero. • Need and options for offsite renewables or trade-offs necessary to reach ZNE. • Develop summary materials for council study session memo and Open House presentations (including large poster boards for "voting" at the open house. • A clear definition of "net zero" for the purpose of the energy codes, and justification of the use of this definition versus other interpretations. 	Draft to city for review: March 25, 2016 Final materials: April 1, 2016
Gather and summarize initial feedback from stakeholders <ul style="list-style-type: none"> • Noresco organizes open house (in coordination with Climate Commitment team) with stakeholders and key advisory boards to inform strategic direction. • Synthesize feedback and key takeaways from Open House in 	Open House: April 6, 2016 City Council Study Session: May 24, 2016 Meeting with City staff to

Tasks/Deliverables	Schedule
<p>a concise manner for inclusion in the study session memo</p> <ul style="list-style-type: none"> • City staff presents to council at study session (NORESO attends and synthesize feedback) • Meet again with key city staff and revise scope of work and timeline if necessary. 	<p>discuss and decide on direction: May 26, 2016</p>
<p>Develop final strategy materials</p> <ul style="list-style-type: none"> • Develop the strategy and pathway for residential and commercial energy codes out to 2031 • Develop more detailed 5 year implementation plans, highlighting key actions that have to happen in the near term (including compliance/permit form options) • Identify potential conflicts with other city codes and propose high level solutions • Develop a proposed rebate for net zero buildings (prior to 2031) in the units of \$/additional metric ton CO2 saved. • Develop content for a council memo (and accompanying slides) that provides background on the purpose, projected outcomes and implementation plans and clearly outlines the proposed strategy for energy codes out to 2031. 	<p>Draft to city for review: June 30, 2016</p> <p>Final materials for council: July 17, 2016 Go to council under matters (for acceptance) – Tentative meeting date: Sept 6, 2016</p>

Task 3: For the 2017 code updates (residential and commercial), develop detailed proposed code language updates, and improve implementation and field compliance (formerly Tasks 2 and 5 in the RFP)

Tasks/Deliverables	Schedule
<p>Meeting with key city staff to determine scope, needs and key stakeholders.</p>	<p>Aug 1, 2016 (Held following development of final council materials for strategy)</p>
<p>Conduct needs assessment to understand compliance roadblocks. Provide summary of needs assessment findings, including performance-based solution ideas for each finding.</p>	<p>Assessments: Aug 2016 Summary and solutions: December 30, 2016</p>
<p>Proposed 2017 additions and changes based on the long term strategic direction decided on by the team.</p> <ul style="list-style-type: none"> • Provide the city with options of how major renovations should be handled, as well as options for specific amendments, with justification of why a certain change or update should happen in the 2017 update. - This should result in the developing of all 2017 updates and additions in “layman’s” terms • Coordinate with Subject Matter Experts to inform specific amendments and appropriate code language 	<p>Draft: Nov 1, 2016 Revision based on city feedback: Dec 15, 2016</p>
<p>Assess new 2018 codes and make necessary revisions</p> <ul style="list-style-type: none"> • Review new 2018 codes. • Meet with city and revise and finalize (in concept) 	<p>Jan 15, 2017</p>

Tasks/Deliverables	Schedule
2017 updates based on the release of the 2018 codes	
Develop new prescriptive path for commercial buildings, and determine who will be able to use this pathway (e.g. only small buildings or major renovations). Review with City Staff.	Draft: Feb 15, 2017 Final: March 15, 2017
Draft content for board/council memo including: <ul style="list-style-type: none"> • Clearly outline the proposed changes for 2017 and how this fits into the long term strategic plan for energy codes. • Redlined updates to 2018 building code language, historic preservation guidelines, and the city's Design and Construction Standards. • Proposed code language for any amendments beyond the base codes. • Updated prescriptive path for commercial buildings smaller than 20,000 sf. 	Draft to city for review: March 1, 2017 Final materials for council and board presentations: April 1, 2017
City attorney review and revisions (No Activity for NORESCO, other than to answer clarifying questions if needed)	April 2017
City staff will present options and recommendations to various boards and city council. <ul style="list-style-type: none"> • Noresco will attend the meetings and summarize and capture the feedback and key takeaways 	May 2017: Environmental Advisory Board, Landmarks Board, Planning Board Meeting
Present to city council for adoption (No Activity for NORESCO)	July 2017
Develop content for City to post to website explaining the 2017 energy code requirements, highlighting all new changes. (No web development will be conducted)	Aug 2017
Develop up to five new permit forms and process for new code requirements. Additional forms will be negotiated between the City and Consultant.	Nov 2017
Implement prioritized compliance improvement solutions <ul style="list-style-type: none"> • Implement new processes etc • Develop training and guidance materials for service providers, code official, plans reviewers and inspectors • Deliver at least one training to each of the following: plans reviewers, inspectors, and design professionals 	Dec 2017