



CITY OF BOULDER
PLANNING BOARD MEETING AGENDA
DATE: May 1, 2014
TIME: 6 p.m.
PLACE: Council Chambers, 1777 Broadway

1. CALL TO ORDER

2. APPROVAL OF MINUTES

The following minutes are scheduled for approval: [January 30](#), [February 6](#), [February 20](#), [February 27](#), and [April 3](#), 2014.

3. PUBLIC PARTICIPATION

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

- A. [Information Item: TEC2014-00017](#): Final Plat for the elimination of the lot lines between lots 23, 24, and part of lot 25 to create one lot addressed as 2925 4th Street. The project site is zoned Residential - Low 1.
- B. [Call Up: Minor subdivision review, case no. LUR2013-00035](#), for the creation of a second residential lot fronting on 7th Street. Lot 11A is proposed to be 10,013 square feet and Lot 12A is proposed to be 16,242 square feet. This approval is subject to call-up on or before **May 1, 2014**
- C. [Call Up: USE REVIEW \(LUR2014-00024\)](#): Request to allow a new 3,788 square foot indoor athletic facility within an existing office building. The property is located at 5500 Central Ave. in the IG zone district. The call-up period expires on **May 8, 2014**.

5. PUBLIC HEARING ITEMS

- A. [Public hearing to consider a recommendation to City Council on an ordinance implementing recommended actions of the Economic Sustainability Strategy \(ESS\) by amending Title 9, "Land Use Code," B.R.C. 1981, in particular:](#)
 - 1. Revising the land use regulations to allow, through Site Review, on properties that are subject to right-of-way dedications consistent with adopted right-of-way plans the density and floor area that would be permitted in the absence of such dedications (Action 3.5, ESS), and
 - 2. Updating the land use regulations that require site improvements and upgrades if a project exceeds a certain percentage of the value of any existing structures on the property by allowing the value of existing structures to be established through a professional appraisal of the fair market value of such structures (Action 3.6, ESS).
- B. [Public hearing and consideration of a recommendation to City Council for an ordinance to modify intensity standards; along with consideration of Site and Use Review applications for 2200 Broadway, referred to as the Trinity Commons](#), to redevelop the existing surface parking lot with a new Fellowship Hall; 24 permanently affordable attached senior housing units; office space for the Trinity Lutheran Church and other non-profit organizations; and partially below grade parking. The parking will be shared with other off-site users through a Use Review management plan. The application includes a condition of approval for landmarking the existing, historic portion of the Trinity Lutheran Church. The applicant is requesting vested rights. The project is reviewed under two separate case no. LUR2013-00048 and LUR2014-00013.

Applicant: Hartronft Associates

Property Owners: Trinity Evangelical Lutheran Church of Boulder, Colorado

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

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 (5 minutes maximum*)
- b. Applicant presentation (15 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
January 16 and 30, 2014
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: <http://www.bouldercolorado.gov/>

PLANNING BOARD MEMBERS PRESENT:

Aaron Brockett, Vice Chair
Bryan Bowen
Crystal Gray
Leonard May
John Putnam- present for January 30, 2014 continuation meeting

PLANNING BOARD MEMBERS ABSENT:

John Putnam- absent for January 16, 2014 meeting

PLANNING BOARD MEMBERS ABSENT:

STAFF PRESENT:

Susan Richstone, Deputy Director for CP&S
Hella Pannewig, Assistant City Attorney
Charles Ferro, Development Review Manager for CP&S
Chandler Van Schaack, Planner I
Susan Meissner Administrative Specialist III
David Thompson- Civil Engineer II, Transportation
Scott Kuhna- Development Review Supervisor

1. CALL TO ORDER

Vice-Chair, **A. Brockett**, declared a quorum at 6:08 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

The December 5, 2013 minutes were scheduled for approval.
On a motion by **C. Gray**, seconded by **L. May**, the Planning Board approved 4-0, (**J. Putnam** absent) the December 5, 2013 Planning Board minutes.

3. PUBLIC PARTICIPATION

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

Staff Level Site Review (LUR2013-00042): 909 Walnut Street. Expires: January 16, 2014

This item was not discussed.

5. PUBLIC HEARING ITEMS

- A. Public hearing to consider Concept Plan, LUR2013-00058, for the redevelopment of a 3-acre site located at the intersection of Baseline Rd. and 27th Way with a new four story, 180,000 square foot office building and a 70,000 square foot, 100-room hotel. The site is zoned Business Community- 2 (BC-2).

Applicant: Bruce Dierking
Property Owner: West Baseline Investors, LLC

Staff Presentation:

- C. **Ferro** introduced the item.
C. **Van Schaack** presented the item to the board.

Applicant Presentation:

Bruce Dierking, the applicant, presented to the board.

Board Questions:

C. **Van Schaack** answered the board's questions.

Public Hearing:

1. **Dan King, 255 Manhattan Dr**, the prior owner of the Boulder Outlook Hotel spoke in favor of the project and hotel proposed for the site.
2. **Karl Matz, 4687 Ingram Ct.**, spoke in opposition due to the scale of the project and its impact on the neighborhood.
3. **David Takaahashi, 326 29th Street**, spoke in opposition due to environmental concerns.
4. **John Jugl, 3052 6th Street**, spoke in support of the project. There is demand and this is a viable due to the location and tenant base in Boulder.
5. **Lois Lacroix, 2835 Elm Ave**, spoke in opposition due to the discrepancy in scale between the neighborhood and proposed development and its spillover impact.
6. **Jeff Hohensel, 242 High Lake Dr.**, a representative from Alliance for a Sustainable Colorado spoke in favor of the development per the BVCP, accessibility to public transportation and walkability, and sustainability bias.
7. **Chris Stanley, 1419 E. Dry Creek Rd.**, a representative from the Starwood Hotel group, described the proposed concept for the development.
8. **Jordan Karp, 2850 Baseline Rd.**, spoke in favor of the development. As a business owner in the vicinity, he did not think that the area needed more retail.
9. **Scott Woodard, 3080 Galana Road**, the owner of a building in the Williams Village Center spoke in support of the project and thought that it would improve property values in the area.
10. **Chris Beckman, 3485 Martin Drive**, spoke in opposition and wanted to better understand how it would affect the neighborhood.
11. **Tom Masterson, 250 31st Street**, spoke in opposition. He did not think that the proposed development fits the BC-2 code designation and would be a detriment to the neighborhood.

12. **Raymond Bridge, 435 S. 38th St.**, spoke on behalf of PLAN Boulder County. He noted that the BC-2 zoning should serve the surrounding community. The proposed development would serve the region and adversely affect the existing neighborhood.
13. **Ron DePugh, 180 S. 34th Street** (pooled with **Rafael Bracero, Andrea Bracero**), a representative from the Martin Acres Neighborhood Association (MANA), gave background on the neighborhood and spoke in opposition to the project as proposed.
14. **Scott McCarey, 140 S. 32nd St.** (pooled with **Matt Tucker, Anna Cereti, Jill Marce**), spoke about the neighborhood's traffic concerns.
15. **Jennifer Farmer, 345 S. 40th St.** (pooled with **Leah Corroe-Luzeur, William Farmer, Susie Anderson**), spoke in opposition to the scale and height of the proposed project.
16. **Tim Pegg, 365 S. 42nd Street** (pooled with **Dave Kampert, Kate Fuller**), spoke in opposition due to zoning and use issues with the development.
17. **Gordon McCurry, 12004 Albion Rd.** (pooled with **Nancy McCurry, Lisa Harris**), spoke in opposition from a hydrological perspective.
18. **Ilene Flax, 2836 Elm Ave.** (pooled with **Mercedes Bracero**), spoke in opposition to the project due to parking issues.
19. **Mike Marsh, 265 31st Street** (pooled with **Jeanette Denfeld, Thomas Denfeld, Cecilia Girz**), spoke in opposition to the project due to the omission of retail and neighborhood service uses in the vicinity.
20. **Sara Tucker, 15 South 32nd Street** (pooled with **Laurie Frain**), spoke in opposition due to bike and pedestrian concerns.
21. **Bill Flinchbaugh**, (pooled time with **Carol Anderson**), summed up the neighborhood's comments in opposition of the project.
22. **Kara Godbere, 700 17th Street**, an attorney spoke on behalf of MANA.
23. **Erin Groon, 65 S. 35th St.**, spoke about transportation and access concerns within the neighborhood due to in-commuters from the south.
24. **Zoe Zimmermann, 65 S. 35th Street**, noted that Moorhead Drive is the only means for conveniently accessing Martin Acres. She was concerned about the impacts of the new development.
25. **Bob Porath, 345 27th Street**, was concerned about the loss of neighborhood service uses.
26. **Ed Fuller, 2790 Moorhead Ave.**, will have a veterinarian practice directly across Moorhead from the proposed hotel. He was concerned about parking shortages.
27. **Michelle Leifer, 370 32nd Street**, looks forward to a nice development on that corner but felt that the proposal will not contribute to the neighborhood.
28. **Angelique Espinoza, 2440 Pearl Street**, with the Boulder Chamber, spoke in favor of the project due to the need for such office space in the community. She also noted that some issues brought up by the speakers from the neighborhood need to be addressed.
29. **Shannon Baker, 3845 Elmhurst Place**, spoke on behalf of eight households in the neighborhood that were generally supportive of the project.
30. **Kevin Crouse, 2815 Elm Avenue**, shares some concerns but is generally in support of the project. He would like to see improved bike and pedestrian infrastructure and retail space.

ADJOURNMENT

The Planning Board adjourned the meeting at 9:03 p.m.

CONTINUATION ON JANUARY 30, 2014:

Board Discussion:

Compliance with BVCP and Use

C. Gray requested greater clarification regarding some sections of code from the staff memo as they apply to this application. Per section 2.33 Environmentally Sensitive Urban Design, she asked how the carbon emissions generated by in-commuters will be addressed. Areas that she did not find consistent with the BVCP: 5.03 Diverse Mix of Uses and Business Type, she did not find this consistent with the BVCP. Per 2.05 Design of Community Edges and Entryways, she noted that this building will mark an entry to a residential neighborhood, a condition similar to the Nature Conservancy building. She would like to see a better incorporation of mechanical systems, variety of building heights and less conspicuous materials. 2.10 Preservation and Support for Residential Neighborhoods. She thought that the site should better transition in height and use to the neighborhood. Per 2.13 Protection of Residential Neighborhoods Adjacent to Non-residential Zones, she noted that there were impacts posed by traffic that could adversely affect the neighborhood. Per 2.30 Sensitive Infill and Development, she thought that a mixed use and 15 minute neighborhood would be applicable to this site. There are currently only two uses that do not serve the neighborhood. Per 2.32 Physical Design for People, she did not think that the proposed project had enough of a pedestrian scale. And, per 6.08 Transportation Impact, she thought that it could have a negative impact on the adjacent residential neighborhood.

A. Brockett thought neighborhood-serving retail should be added to the building program. The characterization of the zoning aims to serve a local as opposed to a regional clientele. He understood that the hotel and office are allowable by right but would like the project to include a use that is compatible with the neighborhood.

J. Putnam agreed with **A. Brockett** and expressed concern that the uses are not connected to the neighborhood. He thought that retail could be viable in this location and suggested incorporating uses that could serve office workers, hotel guests, and the neighborhood. Conference rooms could be made available to the community during off hours and/or look into teaming with a community bike organization for a bike share.

B. Bowen agreed with the previous comments and noted that the difference between a regional and neighborhood center is important. He thought the current uses are appropriate but the formal design as a gateway to the city and neighborhood need to be considered. He thought that it would be important to have neighborhood-serving businesses and encouraged the applicant to consider opportunities that could serve both the office workers and neighbors.

L. May asked about what other uses are allowed by-right in the BC-2 zone district and what other zone districts are similar.

Massing, Scale and Height:

B. Bowen did not think that the height or blunt instruments like undulating roofs were necessary. He liked the building design and felt that a 55' building was appropriate for the western portion

of the site, but thought that the mass and scale needed to be stepped down to create an appropriate transition to the neighborhood.

J. Putnam did not feel that he had enough information to judge the height at this point, but noted that there will be a relationship between the allowed height and transportation studies. More important than the height, he felt that the transition to the neighborhood is currently too abrupt.

A. Brockett thought the height issues were relevant to neighborhood compatibility. The site straddles two very different uses and intensities: a major highway and arterial, and a residential neighborhood. He thought that 55 feet was appropriate along the arterial edge but that scale was not appropriate on the neighborhood side. It needs to step down more appropriately.

L. May thought that this was a good location for a larger scale building in some areas but not throughout. He did not want to see a monolithic height of 55 feet; it must respect the character of Boulder and relate to the adjacent neighborhoods per the BVCP.

C. Gray noted that height drives intensity. Intensity of use will have the largest impact on the adjacent neighborhood. Normally the largest buildings are located in our regional centers. She would prefer to see a lower building that transitions into the neighborhood. The Law School building is not perceived as too large because it has a variety of heights.

L. May noted that almost every new commercial development is proposed at 55 feet. We need to look at the trend. A new 55 foot datum will start to dull Boulder's small city ambiance.

Transportation and Proposed Parking Reduction:

C. Gray was concerned by the potential volume of people coming to this site by car. She does not think that the majority will use public transportation when coming to a class A office building and would like to see a traffic study addressing this and the effects on Moorhead. The biggest cut through traffic will be from the office users coming up from the south. Community Cycles noted that the property is currently used to access other bike paths; she thought it would be appropriate to discuss the underpass at Moorhead at this time.

L. May thought that this development will have a big impact on parking in the neighborhood. He noted that there is a conflict between the parking, the traffic burden and the fact that the neighborhood has to pay for any traffic calming improvements. He supported the applicant's request for a parking reduction to disincentivize people from driving. He asked that the applicant address vehicular site access issues and their impacts on pedestrians and bicycles.

A. Brockett supported making driving less convenient but did not think it could be done at the expense of the neighbors. He was concerned about the proposed scope; this is not downtown. Pool the parking between the hotel and office to achieve the proposed ambitious parking reductions. Cut through traffic is of concern. Revise the site plan to encourage access from the 27th Way or Baseline. Provide a right only exit from the office garage and make it inconvenient to turn left onto Moorhead. Reduce the number of curb cuts on Moorhead for bikes and pedestrians. Consider adding a bike route to the east and northeast, or provide a good multi-use path along the south side with attention to the curb cuts. Keep the future underpass in mind.

Change or soften the ramp down to a parking garage that is located directly adjacent to the neighborhood.

J. Putnam thought an underpass at Moorhead was critical and should be considered by the developer and city. Connect the site to the underpass to minimize bicycle, pedestrian and vehicular interactions. Think about how it will be integrated. To justify a parking reduction, he needs to see solid proof that it will be warranted through the traffic study and TDM plan. This is a tough and awkward location for traffic. He is intrigued but skeptical that this can be accomplished. It must be vetted with the city and developer.

B. Bowen requested that the developer study traffic and circulation patterns as thoroughly as possible including the number of curb cuts, the location of the bike path, etc. These will be some of the crux issues due to the geometry of the site.

C. Gray expressed concern about a parking reduction because spillover parking could adversely impact the neighbors. She requested more data regarding the number of cars the hotel would accommodate and noted that residential hotels are different from more typical short-stay hotels. She thought the parking reduction and miles traveled were laudable, but wanted to know how the employees could afford pay parking and where would they actually park. She liked the idea but was afraid that the surrounding neighborhood would bear the brunt. She thought that the neighborhood needed to know that there is a possibility of instating a parking district; there is no fee for a neighborhood parking program but there are annual fees of \$18 for parking hangers.

Energy:

B. Dierking, the applicant, answered questions from the board.

L. May noted that there will be tradeoffs with highly energy efficient buildings. He thought that the board should look closely at the clause 9.2.4.h.f.11 at Site Review and set a performance benchmark to assure that the building will perform better than code.

A. Brockett appreciated the applicant's commitment to sustainability and looked forward to seeing more detail in the future.

J. Putnam applauded the applicant for looking at sustainability this early in the process. In response to **L. May's** comment, he cautioned that we should not seek perfection at the cost of the greater good.

B. Bowen was impressed with YRG's presentation and hopes that they can accomplish what they aspire to do. He suggested that they set an EUI for the project and do a study to see how it could work with the City's new energy code. They have some challenges with shading and passive solar but thought that studies by RMI could improve rents.

C. Gray appreciated the attention to sustainability and wanted to assure that there is a true commitment to it. She noted that Class A office and hotels normally draw in-commuters from further away and asked how that would relate to energy goals.

Flood:

L. May wanted to assure that the board is aware of the implications of allowing buildings in the floodplain. Flood data is based on historical information but that new flood models should show how the displacement of water affects those downstream, even if a project in a floodway is not affected.

J. Putnam noted that much of the city's infrastructure is subject to the City Council's Critical Facilities Ordinance. He thought that the board would reserve judgment until it sees its impacts.

C. Gray agreed that this project will need to comply with the Critical Facilities Ordinance. She was concerned about the hotel and people trying to leave in cars during a flood event. She thought that the proposal did a good job addressing Skunk Creek.

Summary:

The board thought that there were significant issues with compatibility... listen.

The project site is a good location for office and hotel uses but also needs to incorporate neighborhood-serving uses. Consider food, bike and community uses.

Most board members thought that the 55 foot height was appropriate in at least part of the site.

The board agreed that there needs to be more variation in height and better transition to the neighborhood.

The board expressed concerns about potential cut through traffic and mitigation.

There was interest in parking reduction but skepticism that it can be done well.

Consider creating a connection to proposed Moorhead underpass

The board pointed out potential conflicts between curb cuts and pedestrians and bicycle traffic.

Improve pedestrian and bike circulation patterns.

Consider changing traffic patterns to discourage people from using Moorhead.

Keep the floodplain in mind.

Provide an idea of flood impacts on the surrounding neighborhood.

A. Brockett appreciated the applicant's efforts and looked fwd to seeing it move forward. He thanked the neighbors for their attendance.

C. Gray thanked the neighbors and their presentations. She also appreciated that the applicant plans to do more outreach.

Bruce Dierking, the applicant, thanked the board and neighbors for the feedback. He noted that they wanted to ramp up the community dialogue to find more common ground.

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

The APA request for photo and message from the Planning Board will be addressed once the board gets new members in March.

S. Richstone explained the board's conference opportunities.

7. DEBRIEF/AGENDA CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 7:17 p.m.

APPROVED BY

Board Chair

DATE

DRAFT

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
February 6, 2014
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

Aaron Brockett, Vice Chair
Bryan Bowen
Crystal Gray
Leonard May
John Putnam

STAFF PRESENT:

Hella Pannewig, Assistant City Attorney
Charles Ferro, Development Review Manager for CP&S
Elaine McLaughlin, Senior Planner
Susan Meissner Administrative Specialist III
David Thompson- Civil Engineer II, Transportation
Heidi Hansen, Civil Engineer I
Jessica Stevens, Civil Engineer II
Chandler Van Schaack- Planner I

1. CALL TO ORDER

Vice-Chair, **A. Brockett**, declared a quorum at 6:06 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

There were no minutes scheduled for approval.

3. PUBLIC PARTICIPATION

No one from the public spoke.

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

- A.** Wetland Permit (LUR2013-00067) 3100 Nevada Road – OSMP, Expires Feb. 7, 2014
- B.** Wetland Permit (LUR2013-00069) Skunk Canyon Trails – OSMP, Expires Feb. 7, 2014
- C.** Subdivision Replat (TEC2013-00066) 1520 Kalmia, Expires Feb. 14, 2014
- D.** Information Item: ROW Vacation request at 3211 Pearl Street.

None of these items were called up.

5. PUBLIC HEARING ITEMS

- A. CONCEPT PLAN REVIEW AND COMMENT:** Request for public and Planning Board comment on a proposal for the redevelopment of 1750 14th Street. Proposed to include reuse of existing James Travel Building along with residential, commercial and office space.

Applicant: Kyle McDaniel
Owner: B&H, LLC

Staff Presentation:

- C. Ferro** introduced the item.
E. McLaughlin presented the item to the board.

Board Questions:

- E. McLaughlin** answered to questions from the board.
D. Thompson answered questions from the board.

Applicant Presentation:

- Scott Holton**, the applicant, presented to the board.
Rick Epstein, the architect, presented to the board.

Board Questions:

- Scott Holton**, the applicant, answered questions from the board.
Rick Epstein, the architect, answered questions from the board.

- H. Pannewig** recommended that this item be continued to another meeting due to a flaw in the noticing requirements to allow for another opportunity for public comment.

Public Hearing:

Stephen Sparn, 1731 15th Street, owns the property adjacent to this project. He spoke in favor of the project and would like to have this project as a neighbor. He would like to see the existing garage demolished.

Amory Narvaes, 1528 Grove Street, a neighbor living in the Goss Grove neighborhood spoke in support of the project. He applauded the connectivity that the path would provide the neighborhood.

Chris Silvestri, 5301 Bayberry Ct., an entrepreneur in the area spoke in support of the incubator and micro studio concept. He likes the idea of being able to grow into a space.

Richard Polk, 1155 Canyon, spoke in support because it provides affordable rentals without compromising the quality of materials and the experience.

Brady Burke, 5454 Conestoga Ct., was a former neighbor of the project. He spoke in support of the project. He thought the multi-use path would provide a very helpful connection.

Don James, 1920 13th Street, the former owner of the James property and current owner of an adjacent property spoke in support of the project. He thought the walkability of the site and proposed walkway provided great opportunities. He also supported the affordability and thought the density was appropriate.

Board Questions:

J. Stevens answered questions from the board.

Board Discussion:

B. Bowen thought that this was a good project across the board and that most issues have been addressed to date. Establishing the corridor along the farmers ditch will create a great zone fronted by office space. He liked the micro units clustered around open space but cautioned that the way that they front courtyard space needs to allow for a confluence between users in office and residential spaces while respecting privacy. He liked that it does not try to replicate an historic building and thought it fits with the existing context.

L. May generally thought that the project was good and met the city's planning goals. He liked the affordable housing accommodation on site and thought that it warranted the proposed additional height.

J. Putnam agreed with the previous comments. Boulder needs more of this model of affordability, walkability and size.

C. Gray noted that the discussions on issues of density, mass and scale downtown have lacked intensity to date. She has been concerned about the small business spaces in the downtown areas and is pleased to see startup micro office space. She would have liked to see even more. She also thought that the micro housing units hit a need.

A. Brockett also liked the project. He thought there was a need for more of this model downtown and hopes that there will be more of them. He appreciated the contemporary design.

Mass and Scale compatible with existing context

J. Putnam thought the transportation component along the ditch was critical. He thought the shed had lost its context and that it will be important to demolish it to assure security in the area. Look at the fringe along the ditch as an opportunity for congregation for those at the James and the wider community. Assure that it is not so attractive that it causes safety and security issues.

A. Brockett agreed that the shed should be removed.

L. May was reluctant to dispose of the shed. He thought that it could be given a use that would be an asset to the community. He noted that the lack of context should allow for a freer hand on the design.

C. Gray agreed with **J. Putnam's** comments. She referenced emails from the public that requested a bridge be built across the ditch and facilitated crossing at 15th Street. She thought that these connections and opportunities on 14th Street should be considered.

A. Brockett hoped that the applicant and staff would work together to seek opportunities for enhanced connections.

L. May cited 2.4 of the Downtown Guidelines, noting that it is important to maintain a variety of

heights in the downtown area. The height limit breeches will change the character of Boulder and he cautioned against doing it freely. He thought that this project reached the bar to warrant a height variance given the amenities that it provides to the block. He would like to see a bit more variation in the height of this particular project and hopes that future projects be held to this level of development.

C. Gray agreed with **L. May**. She thought that keeping the James building adds interest. She noted that it might be difficult to vary the roofline with the current design but would like to see it if possible. She liked the 14th Street elevation and the fact that the mechanical systems will be hidden from view.

A. Brockett also liked the retention of the James Building.

J. Putnam noted that the interest on all four sides is very important given the fact that it is located in a transitional zone. He thought the existing building provides some interest.

Architecture:

L. May liked the modern aesthetic. He thought that the different architectural vocabulary and treatment of the different sections of the building are good but a little confused at the moment; though they need some tightening, he did not want to dissuade the applicant from going in this direction.

J. Putnam noted that the NW corner felt hard and sharp and asked that it be given some visual relief. He thought the treatment of the garage on the eastern side of the property would be important.

A. Brockett was interested in seeing the treatment of the screening on the west elevation of the building in more detail. The James building is different but nice. It could be good to let it stand out a bit more than it does now. He liked the salvaging of the tree as long as it can survive and the two story entry. He thought that the entry view could be a bit too long as it pulls the pedestrian's attention in a bit too far. He thought that screening on the north and east side would be important. Assure that the wall is not blank as one drives down Canyon. He liked the roofline.

C. Gray liked the NW elevation, the setback on the top level, and exterior open decks. She cautioned that it could be challenging to enliven the interior courtyard and to make it a real place but thought that the concept of a shared community will likely help to enliven it. That would be more of a concern to future residents. She was ambivalent about the screening on the James and cautioned that it be done with care.

J. Putnam liked the project better in the elevation as opposed to the plan and thought there was a lot of room for creativity.

B. Bowen encouraged the applicant to go for it.

L. May thought the screen on the west side seemed too planar and recommended that it be wrapped to the north facade to become more of an element. Provide a small visual break on the

north elevation and interrupt the roofline in the east and west quadrants where the rest of the building breaks.

A. Brockett and **B. Bowen** liked the design of the roofline as it stands and did not think it needed a break.

B. Bowen thought the green screen on the back of the building would be okay and recommended that it become a baseline for green screens that enter the interior of the building as vertical gardens.

Site Plan

A. Brockett suggested adding retail to 14th Street to enliven the streetscape and suggested making the walkway more interesting where it currently doglegs to avoid the tree. He thought that it was important to unbundle the parking. Consider reducing the number of parking spaces in order to provide slightly larger offices.

J. Putnam noted that the parking took a lot of space for one use. He suggested providing some flexibility in the garage through modularity next to the offices. If spaces are not needed for parking at some point, they could provide space for other community or businesses uses. The bike storage could also include racks for tuning up bikes and skis. That could be attractive to tenants and good for fostering community.

B. Bowen echoed **A. Brockett's** idea that the entry plaza location could be supported by the sidewalk jog.

Flood:

C. Gray's concerns were addressed by **J. Stevens**.

L. May thought that this project achieves many of Boulder's objectives better than any other in Boulder.

A. Brockett agreed that this is a great project. He was happy to see micro units.

C. Gray agreed that this was the best project that she has seen to date.

Summary:

- The board felt generally positive about the project
- There was some disagreement on the fate of the shed but most members wanted to get rid of it
- There was interest in making transportation connections where possible but the board felt that it is a compatible project in general
- There was disagreement as to whether the NW corner needed more attention
- Look carefully at the screens on the west facade
- Consider green screens
- Look at revisions to the atrium
- Go for it
- Consider an interruption in the northern roofline

- Consider adding retail along 14th street
- The board liked the idea of repurposing parking spaces
- Consider adding a workshop to the bike room

A. Brockett noted that the applicant does not need to be present for the public hearing continuation.

On a motion by **J. Putnam**, seconded by **C. Gray**, the Planning Board voted 5-0 to continue the Public Hearing portion of the meeting to comply with proper noticing requirements.

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

A. Brockett noted that the Boulder Meadows has a broken connection due to fencing put up by the owner of the mobile home park. Though City Council is working on the issues, he asked if there is anything that the Planning board can do to help.

J. Putnam agreed that the city should look into it to encourage walkability. He liked **L. May's** idea to contact City Council in support of the issue. **A. Brockett** will email Council claiming unanimous support from the board.

A. Brockett asked whether the board would like to get an additional member for the March 6th meeting due to a quasi-judicial. The board members agreed that an additional member would be helpful.

On a motion by **B. Bowen**, seconded by **J. Putnam**, the Planning Board voted 5-0 to request that City Council permit an additional member for the March 6, 2014 Planning Board meeting.

C. Gray asked to see Council's goals for 2014. **S. Meissner** will email copies to the board and mail **C. Gray** a paper copy.

A. Brockett is interested in attending the APA Conference in Atlanta. Other members will let **S. Meissner** know of any interest.

7. DEBRIEF/AGENDA CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 8:14 p.m.

APPROVED BY

Board Chair

DATE

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
February 20, 2014
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: <http://www.bouldercolorado.gov/>

PLANNING BOARD MEMBERS PRESENT:

Aaron Brockett, Vice Chair
Bryan Bowen
Crystal Gray
Leonard May

PLANNING BOARD MEMBERS ABSENT:

John Putnam

PLANNING BOARD MEMBERS ABSENT:

STAFF PRESENT:

Hella Pannewig, Assistant City Attorney
Charles Ferro, Development Review Manager for CP&S
Elaine McLaughlin, Senior Planner
Sara Finrock, Administrative Supervisor
David Thompson- Civil Engineer II, Transportation

1. CALL TO ORDER

Vice-Chair, **A. Brockett**, declared a quorum at 6:04 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

There were no minutes scheduled for approval.

3. PUBLIC PARTICIPATION

No one from the public spoke.

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

- A. Call-up: Wetland Permit (LUR2014-00004) Fourmile Canyon Creek Realignment. Expires February 21, 2014.
- B. Call-up: Floodplain Development Permit (LUR2014-00005) Fourmile Canyon Creek Realignment. Expires February 21, 2014.
- C. Call-up: Floodplain Development Permit (LUR2014-00006) Bear Canyon Creek Pedestrian Bridge Replacement. Expires February 21, 2014.

D. Call-up: Wetland Permit (LUR2014-00007) Bear Canyon Creek Pedestrian Bridge Replacement. Expires February 21, 2014.

E. Information Item: TECHNICAL DOCUMENT REVIEW: Final Plat for the elimination of the lot lines between Lot 1, 2, and 3, and Lots 4 and 5, (also known as Lots 4 and 5 Fractional Block 65, West Boulder), Block 65, Boulder and Lot 6, Fractional Block 65, West Boulder and the elimination of the lot lines between the east half of Lot 8 and Lots 9 & 10, Block 65 Boulder, to create two lots addressed as 1048 Pearl Street and 1023 Walnut Street respectively. The project site is zoned Downtown – 5 (DT-5). Case no. TEC2013-00084.

None of these items were called up.

A. **Brockett** requested that staff provide flood plain maps with call ups where appropriate in the future.

5. PUBLIC HEARING ITEMS

There were no public hearing items for discussion.

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

H. **Pannewig** asked if the board would like to request an additional member for the February 27th meeting for the Site Review based upon L. **May's** absence.

A. **Brockett** made a motion, seconded by **B. Bowen** 4-0 (**J. Putnam** absent) to request that the mayor allow for an additional Planning Board member for the February 27, 2014 Planning Board meeting.

C. **Gray** has a Planning Board interview scheduled during the March 6th Planning Board meeting. The board agreed to take a recess during her interview.

A. North Boulder Subcommunity Plan Update

Staff Presentation:

J. **Hirt** presented the item.

Board Questions:

J. **Hirt** answered questions from the board.

Public Participation:

Dick Wilson, 1027 Rosewood Avenue, a local business owner in the area, expressed concerns regarding the floodplain and the amount of sand that was carried downstream in the flood and deposited on Open Space will cause future flooding problems. He did not think that North Broadway could handle more traffic. He noted that there is a conflict of interest between industrial and artistic uses in the area.

Board Comments:

C. Gray encouraged staff to meet with artists to determine what zoning issues are standing in the way of their needs. Be creative and look where we can go beyond the current zoning to make it attractive for developers to leverage community benefit. Look at micro loft units, etc. She recommended that the city create a unifying plan to incorporate art into urban design, specifically at the entry points to the city. She would like to see a report or response from transportation reflecting that they are responding to the neighborhood concerns about traffic and connectivity along North Broadway. She would like to see office spaces for small tech-type groups into micro spaces. Their current spaces downtown are slated for redevelopment and this would be a good use for North Boulder. She did not think Class A office space was appropriate for this area.

B. Bowen liked the shift toward the action plan approach. He thought that many small traffic calming devices along Broadway would greatly increase the quality of life for NoBo residents. There is a lot of low hanging fruit. He thought the floodplain mapping would be minimally connected to the village center concept. The neighborhood is already linear in form; lean toward a corridor versus a center and facilitate movement along the corridor.

A. Brockett noted that a corridor as opposed to a singular center has developed in North Boulder; it makes sense to continue with that corridor approach. It might require a slight shift in focus and some potential rezoning but he cautioned against rezoning until the flood and mitigation information has been collected.

L. May did not think that changes to zoning should be dependent on the completion of new floodplain mapping. One can anticipate the new flood area boundaries. It is more important to adopt a plan and/or new design guidelines to assure that development is consistent with the city's goals for the area.

B. Bowen noted that the by-right projects don't often support the city's goals. He thought that the use tables were a culprit. Document the intention of a corridor. He noted that the flood changed the entire landscape above the area.

A. Brockett recommended that staff document the intentions behind rezoning decisions. Consider some kind of code change to make the zoning more flexible. MU-1 cuts down on the economic viability of businesses because the allowed retail component is too small.

C. Gray agreed with **A. Brockett's** comment about loosening the zoning regulations for retail space in the North Boulder area. She recommended that it be done as an overlay so it would not affect other areas with the same zoning.

A. Brockett recommended lowering the community benefit requirement for commercial annexations to make it a bit more attainable.

L. May recommended broadening the definition of community benefit as opposed to lowering the standards.

C. Gray thought that the community benefit requirements for annexations should be met because they serve a purpose in meeting the city's goals and plans.

L. May discussed the village center versus the corridor. He did not think that one was necessarily exclusive of the other. He wanted to know more about the history of the design. He suggested that staff consider a center with a Main Street. He noted that community services are often allowed along main streets in other cities. Services like auto mechanics provide needed uses in the community. Don't focus too much on retail.

B. Bowen thought North Boulder could have a Main Street with several centers; the neighborhood cannot support a mile of storefronts along Broadway.

C. Gray noted that development along East Arapahoe was spurred by reducing parking requirements and changing zoning to allow for more use-by-right development. Developers of housing projects should be encouraged to include a mix of uses.

A. Brockett would like to create a structure to allow new developments to pool parking or create a parking district to make the commercial strip more vibrant. He thought multiple pedestrian crossings would be very important; couple them with interesting, creative solutions and traffic calming devices. Though Broadway is a thoroughfare, traffic needs to slow down for a few blocks to make it viable for pedestrians and to help traffic turn onto Broadway from side streets. Businesses currently struggle along the west side currently.

L. May suggested looking at some of the tools used in Sustainable Streets and Centers. They could be applied fairly readily.

B. Bowen suggested that art might be better incorporated through institutional partnering. He recommended that it be considered for the west side of Broadway.

A. Brockett commended staff for their efforts and noted that art will also be an important component in North Boulder.

L. May agreed that artists are important, but noted that it is important to keep a variety of businesses in that area. Excluding the car mechanics and garden center, etc. would work against the Climate Commitment Goals; people need to have access to local services.

C. Gray noted that people tend to stop and spend time in blocks with articulated street frontages, street trees and moveable or fixed street furniture. She recommended that these factors be considered. She would like to better understand whether zoning changes would cause the current village center to decrease in intensity. She would like to see something that unites the east and west sides of the streets and a means for crossing the road.

A. Brockett was interested in looking at potential zoning changes from Lee Hill Drive to Sumac before the flood information is complete. After the flood mapping is complete, this can be revisited but areas that won't be affected by the mapping exercise can be changed now.

L. May noted that zoning changes may not be required to make this plan come to fruition, but if they are, they should be done soon and prior to the completion of the flood mapping. The purpose of the zoning changes would be to allow for uses such as retail, neighborhood services

and artist studios that support the city's goals and help to make the plan envisioned for the neighborhood come to fruition. Allow retail to have a finer grain and a greater mix of uses.

A. Brockett thought it would be good to take some of the mixed opinions to Council. They will have the ultimate say. It is still murky. Consider changing the land use map in the plan. The RMX zoning south of Violet might be reconsidered though it could be addressed as part of a larger Comp Plan.

C. Gray did not like that the neighbors did not have a say in transitional housing in North Boulder and would like to look at different housing types in the area. She would like to see it addressed in the study area.

B. Bowen agreed with **C. Cray**.

Only limited zoning changes can occur within this 18 month period. Therefore, board would like to see tweaks to the zoning in the short term, such as providing more flexibility within the existing zoning scheme, and was interested in bigger changes after the completion of flood mapping. Larger zoning changes will have to be entertained with other planning tools.

C. Gray requested that the six topics that staff has identified may not be set in stone. She wanted staff to invite public comment as it that would provide opportunities to offer additional suggestions.

L. May noted that the sooner these ideas are vetted and taken into consideration, the better off staff will be for future direction.

2014 Work Plan

S. Richstone explained Council's work plan for 2014 and staff's response.

7. DEBRIEF/AGENDA CHECK

C. Gray will be absent for the first meeting in April, if reappointed to the board.

8. ADJOURNMENT

The Planning Board adjourned the meeting at 10:14 p.m.

APPROVED BY

Board Chair

DATE

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
February 27, 2014
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: <http://www.bouldercolorado.gov/>

PLANNING BOARD MEMBERS PRESENT:

Aaron Brockett, Vice Chair
Bryan Bowen
Crystal Gray
Danica Powell
John Putnam

PLANNING BOARD MEMBERS ABSENT:

Leonard May

PLANNING BOARD MEMBERS ABSENT:

STAFF PRESENT:

Hella Pannewig, Assistant City Attorney
Charles Ferro, Development Review Manager for CP&S
Elaine McLaughlin, Senior Planner
Sara Finfrock, Administrative Supervisor
David Thompson, Civil Engineer II, Transportation
Jessica Stevens, Civil Engineer II
Edward Stafford, Development Review Manager for PW

1. CALL TO ORDER

Vice-Chair, **A. Brockett**, declared a quorum at 5:07 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

There were no minutes scheduled for approval.

3. PUBLIC PARTICIPATION

No one from the public spoke.

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

There were no items for discussion.

5. PUBLIC HEARING ITEMS

- A.** Continuation for Public Comment Only: Request for public comment on a Concept Review proposal for the redevelopment of 1750 14th Street. Proposed to include reuse of existing James Travel Building along with residential, commercial and office space.

Applicant: Kyle McDaniel
Owner: B&H, LLC

Public Hearing:

No one from the public spoke.

- B. 2nd CONCEPT PLAN REVIEW AND COMMENT:** Request for public and Planning Board comment on a proposal for the redevelopment of 2930 Pearl Street (case no. LUR2014-00011); this is a Second Concept Plan Review, requested by the Planning Board at the first review public hearing was on Nov. 7, 2013 (case no. LUR2013-00045). Proposal is for the redevelopment of the property generally located at the southwest corner of 30th and Pearl Streets (2920 and 2930 Pearl St., 2077-2079 and 2111 30th St.) with three new four story buildings of 100,000 square feet each for a total of 300,000 square feet for corporate offices with below grade parking.

Applicant: Collin Kemberlin, Tryba Architects

Property Owner: Pearl Place Associates, LLC and Peregrine Ridge, LLC

J. Putnam recused himself from the board discussions for Item 5B

Staff Presentation:

C. Ferro introduced the item.

M. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin answered questions from the board.

Applicant Presentation:

Collin Kemberlin, the applicant, presented the item to the board.

Board Questions:

David Tryba, the project architect, answered questions from the board.

Kevin Foltz, from Forum Real Estate Group, answered questions from the board.

Collin Kemberlin, applicant, answered questions from the board.

Public Hearing:

1. **Sue Prant, 3172 29th Street**, opposed removing the Slough Trail.
2. **Charles Brock, 4057 St. Petersburg Street**, opposed the project due to lack of access for bicyclists, and too many parking spaces.

Board Comments:

C. Gray asked to add the building design to the key issues. She thought that some of the positive elements from first Concept Plan had been taken out. She liked the idea of activating space at rooftop level.

A. Brockett felt that there were positive responses to the original concept plan. He noted the number of access points was reduced but the locations haven't changed. The south side access works great.

D. Powell encouraged that applicant to pick up on other placemaking efforts in the area. She thought the parking-heavy proposal missed an opportunity to encourage people to not drive or park in an already congested area.

C. Gray noted that the area is transit-rich and encouraged the applicant to consider keeping the parking under the south side.

- A. Brockett** was less concerned about the parking because it will be underground, but thought the number of spaces could be reduced.
- B. Bowen** recommended that the office parking garage could be accessed from 29 North. Add a pedestrian way.
- A. Brockett** noted that the applicant could request a parking reduction at Site Review.
- C. Gray** referenced BVCP guideline 3.1.A. She did not think that this was consistent with the Multi-modal connection requirement in the guidelines.
- A. Brockett** recommended that the applicant consider incorporating active uses on ground floor.
- D. Powell** also encouraged the applicant to incorporate active uses on the ground floor; it is a good design quality that will be inviting to the neighborhood. There is a lot of opportunity for restaurant uses on ground floor.
- B. Bowen** supported retail that would be accessed by pedestrians; discourage automobile access.
- D. Powell** did not think that the circle drive in the middle would make a great public space. Many people use the multi-modal path.
- B. Bowen** would prefer that the circle drive be omitted. The Slough provides opportunities for pedestrian use and as a natural resource but it is not currently being tapped.
- A. Brockett** encouraged the applicant to utilize bike access in both directions.
- C. Gray** would like to see more direct east/west access to the Slough.
- B. Bowen** discussed the site design and the importance of activating the central courtyard. People need to engage the space daily to feel familiar with it and to use it. Think about how people move through it efficiently.
- C. Gray** thought the building design concepts are exciting. She liked the idea of breaking the buildings up and thought they should be more exciting, not more of the same. This area should be transit rich and have interesting architecture. The mechanical system should be screened, imbedded, or minimized.
- A. Brockett** agreed that this is an opportunity to do something different, exciting, and modern. The setback doesn't need to be courtyard focused on the west side. Shift the setback on the eastern side of courtyard. The 30th street façade could be set back further.
- B. Bowen** thought that the building should be less trendy; he encouraged more enduring design and materials. Setbacks on upper floors create habitable spaces that are well shaded. The third stories and modulation work well. It's a big, simple, clean building. The bridge connections are a huge opportunity to allow for more whimsical architecture.
- D. Powell** thought the materials were interesting and intriguing. They could set the tone for a "second downtown space".
- C. Gray** asked the applicant to quantify energy goals at Site Review. She would like to see a parking reduction due to the location and an alternative to pulling cars into the site.

A. Brockett thought this site posed an opportunity for a larger employer. He would like to see more protected bike parking.

B. Bowen would like to see resolution on the access to the parking garage and organization of the site. It should be well thought-out and justifiable.

A. Brockett summarized the board's comments:

- Add a path to western side of the site;
- Improve bike permeability;
- Reduce the current amount of parking;
- Add covered bike parking;
- Consider adding retail that caters to people who live and work in the area but wouldn't change above-ground parking demand;
- Consider exciting and different architecture;
- Make it inviting;
- Provide more details on energy.

C. Public hearing and consideration of a Site Review application for 1301 Walnut Street, referred to as the Wencil Building, case no. LUR2013-00053, to redevelop the site including the existing surface parking lot on the site with a new four-story building. The project site includes the existing buildings referred to as the former James Hotel and the former Peyton Insurance Company building, not planned for redevelopment as well as the existing Colorado Building, also not planned for redevelopment but proposed to be landmarked along with a small historic carriage house at the rear of the property.

Applicant: Jeff Wingert

Property Owners: APLZA LLC; 1916 LLC; Lookout LLC; and 1919 Street LLC

Staff Presentation:

S. Richstone introduced the item.

M. McLaughlin presented the item to the board.

Board Questions:

E. McLaughlin answered questions from the board.

Applicant Presentation:

Jeff Wingert, architect, presented the item to the board.

Board Questions:

Jeff Wingert and Bill Reynolds, the architects, answered questions from the board.

D. Thompson answered questions from the board.

Public Hearing:

Scott Sarbaugh, 1320 Pearl, spoke in support of the project

Sean Maher, 3565 Catalina, spoke in support of the project

Conor O'Neill, 1922 13th Street, spoke in support of the project

Board Comments:

Site Review Criteria discussion:

J. Putnam thought that the proposal met the criteria.

C. Gray agreed that it met the Site Review criteria and the requirements of the zone, and considered historic buildings nearby.

D. Powell agreed with **C. Cray** and thought the setbacks create consistency. The buildings are well-designed and the scale is appropriate.

B. Bowen noted that there is nothing in the design to nit-pick; it went through BDAB cleanly. Open the alley for opportunities to create art.

A. Brockett thought it met the Site Review Criteria, makes a strong statement and achieved an appropriate scale. He commended the applicant for working with neighbors to find a successful solution. Lighting and security need to be addressed.

D. Powell thought this project creates complexity and provides a diversity of office space.

J. Putnam said the project is consistent with zoning and livens up that section of downtown; it is friendly to pedestrians and will keep people interested and engaged. It is right at the hub of transit and will anchor the area.

A. Brockett noted BDAB has already covered the requirements for the downtown design guidelines.

C. Gray thought it was a successful design and good way of treating the corner.

D. Powell commented that the building on 13th and Walnut is a strong stoic building; it blends into buildings next to it.

B. Bowen thought this provided an opportunity for a creative retail ground floor.

J. Putnam thought the proposed solution is the best way to handle the site constraints. The “flex” space at the back will help. He appreciated the applicant’s willingness to think about spaces for covered bike spots for visitors. The pedestrian safety issue is important.

C. Gray expressed concern about the curb cut on Walnut and would prefer that it be a one-way turn in. There will need to be work-arounds for trucks needing access to businesses.

A. Brockett agreed with the parking off of the alley given the constraints of the site.

B. Bowen noted that the issues of ingress versus egress is important. He would like to see 16 parking spaces instead of 18 to allow for trees.

D. Powell thought this was a good use of space given the constraints.

B. Bowen suggested that the western strip of parking lot be used for small shared office spaces.

C. Gray thought this project is appropriate for that area, will positively contribute to downtown and benefit the city as a whole. The board likes to approve places, not just projects.

Motion:

On a motion by C. Gray, seconded by J. Putnam, the Planning Board voted 5-0 (L. May absent, D. Powell appointed temporary alternate board member) to approve Site Review No. LUR2013-00053 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact and subject to the following recommended conditions of approval which are conditions 1, 2, 3, and 4 in the memo.

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

7. DEBRIEF/AGENDA CHECK

8. ADJOURNMENT

The Planning Board adjourned the meeting at 8:23 p.m.

APPROVED BY

Board Chair

DATE

DRAFT

CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
April 3, 2014
1777 Broadway, Council Chambers

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PLANNING BOARD MEMBERS PRESENT:

Aaron Brockett
Bryan Bowen
Crystal Gray
John Putnam
Mary Young, Chair
Sam Weaver
Leonard May

STAFF PRESENT:

Charles Ferro, Development Review Manager for CP&S
David Gehr, Assistant City Attorney
Chandler Van Schaack, Planner I
Karl Guiler, Senior Planner
Heidi Hansen, Engineer I
Elaine McLaughlin, Senior Planner
Susan Meissner, Administrative Assistant III

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

There were no minutes scheduled for approval.

3. PUBLIC PARTICIPATION

No one from the public spoke.

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

- A. Call up: 2245 Pine Street. Expires April 4, 2014
- B. Call Up Item: Wetland Permit (LUR2014-00018): US 36 Wetlands Mitigation. Expires April 10, 2014.

Neither item was called up.

5. PUBLIC HEARING ITEMS

- A. Public hearing and consideration of a Use Review application, no. LUR2012-00101, for expansion of the Family Learning Center located at 3164 34th St. in the Residential

Medium-One (RM-1) zone district. The proposal includes a new, 2,427 square foot classroom addition as well as site, landscaping and parking lot improvements.

Applicant/Owner: The Family Learning Center

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.

C. Ferro answered questions from the board.

Board Comments:

J. Putnam thought that this item complied with all of the criteria.

A. Brockett thought that this was a great project and organization.

Motion:

On a motion by **J. Putnam**, seconded by **J. Gerstle**, the Planning Board voted 6-0 (**C. Gray** absent) to approve Use Review application No. LUR2012-00101 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact and subject to the following recommended conditions of approval 1, 2 and 3.

B. Public hearing and consideration of a Use Review application, no. LUR2013-00065, for approval of an 11-space parking lot as a second principal use in addition to a proposed 3-unit residential townhome development at 2360 Grove St. in the RH-2 zone district (see LUR2013-00051 for associated Site Review).

Applicant: Peter Stewart

Owner: Grove 3, LLC

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.

C. Ferro answered questions from the board.

Motion:

On a motion by **J. Putnam**, seconded by **L. Payton**, the Planning Board voted 6-0 (**C. Gray** absent) to approve Use Review application No. LUR2013-00065 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact and subject to the following recommended conditions of approval 1 and 2.

- C. Public hearing to consider application #LUR2014-00003 to amend the previous Site and Use Review approval (case #LUR2008-00083) for the Washington Village project, located at 1215 Cedar Avenue, which allowed 33 dwelling units and 2,950 square feet of office/commercial space on the ground floor of a new building along Broadway and community facilities on the 3-acre site. The following modifications within the RH-2 (Residential High – 2) zoning district are requested:
- Addition of three dwelling units bringing the site total to 36 dwelling units (30 dwelling on the RH-2 side);
 - Additional floor area within the Broadway Building and North Building totaling 5,059 square feet (1,152 square feet would be above grade with the remaining space in basements and storage).
 - Reconsideration of the previously approved Use Review to change a condition of approval to reduce parking by one parking space in light of a proposed 300 square feet reduction in the commercial space; and
 - A parking reduction of 11 percent.

Applicant: Adrian Sopher, Sopher Architects

Property Owner: Washington School Development Company, LLC

B. Bowen recused himself from this item.

Staff Presentation:

C. Ferro introduced the item.

K. Guiler presented the item to the board.

Board Questions:

K. Guiler answered questions from the board.

C. Ferro answered questions from the board.

Applicant Presentation:

Jim Leach, the developer, presented to the board.

Adrian Sopher, the architect, presented the item to the board.

Board Questions:

K. Guiler answered questions from the board.

Chris McGranahan, parking consultant, answered questions from the board.

D. Gehr answered questions from the board.

Adrian Sopher answered questions from the board.

Jim Leach answered questions from the board.

Public Hearing:

1. **David Carson, 3085 6th Street**, spoke in favor of the application. He and his wife are waiting to move into a Washington Village apartment. He noted that this amendment will allow for more moderately priced residences in the area and open larger housing stock for families.

2. **Kathy Icenogle, 2905 13th Street** (pooled time with **M. Christensen**), a resident of Washington Village, spoke in favor of the project. She spoke to the integrity of the developer and noted that parking should not be an issue. She did not think that the pedestrian path will be an important thoroughfare.
3. **Joan Brody, 2950 Broadway**, spoke in opposition to the project citing the negative impacts from solar shading and increased density. She requested that the developer construct a fence along the northwest edge of the development for safety and privacy.
4. **Stan Kyed, 2945 13th Street**, a neighbor to the north of the development, noted that the conditions of approval from 2009 are very important and encouraged the board not to change them. He opposed the project but could live with the project with the current conditions. He wanted to know the hydrological implications on the neighborhood with more excavation.

Board Comments:

Site Review

L. May thought the proposal was an improvement and highly supportable. It generally fit the site review criteria and city's goals for infill and density around transit corridors. He noted that the trade off in parking between daytime and nighttime use is not relevant to the application as it has already been settled through the previous processes.

J. Putnam agreed with **L. May**. This meets the zoning and provides a good transition between the corridor along Broadway and the adjacent neighborhood. He thought that the reduction of unit size to increase affordability was appropriate and aligned with city goals.

L. Payton encouraged the applicant to address Joan Brody's concerns.

A. Sopher noted that the fence permit has been pulled and must be built on Mr. Kyed's property per condition of approval prior to obtaining a Certificate of Occupancy. He noted that the new construction should not cast a shadow on the Red Arrow property.

L. Payton spoke in favor of the increased number of smaller, affordable units and approval per staff's recommendations and the conditions of approval. She would like to see the fence extended to meet Ms. Brody's request.

A. Brockett thought that this proposal was an improvement from the existing application. He thought the addition of smaller unit better meets the city's goals. The impacts regarding site and bulk meet the site review criteria.

J. Gerstle thought the aesthetic changes to the Broadway building were acceptable given that they will only affect the eastern facade. The continuation of the fence to along the Red Arrow development was a reasonable condition of approval.

L. May thought that the fence should be worked out between the Washington Village and Red Arrow property owners. He did not want to make it a condition of approval.

J. Putnam agreed with **L. May**. He would strongly encourage the property owners to work out a fence solution. He noted that only one resident spoke on behalf of the Red Arrow complex.

J. Gerstle thought that it would be appropriate for the Washington Village to pay for the fence if the majority of Red Arrow residents agreed with Ms. Brody.

A. Brockett agreed with **L. May**. He did not think the fence should be a condition of approval and should be worked out between the property owners.

J. Gerstle thought that the addition of three units was sufficient rationale for the change.

L. May did not feel that there was a strong argument to change the path per site review criteria. He thought the permeability issues could have been better addressed but those issues have already been decided in previous site reviews. He did not think that the pathway was of consequence and should be left up to the applicant.

J. Putnam agreed with **L. May**. He thought that the changes were minor and should be left up to the applicant and staff. He encouraged them to remove the step for better handicap accessibility.

L. Payton supported the path as approved. She thought it was an important remnant of the old school path.

A. Brockett had a minor preference toward the staff recommendation but thought that the impacts of the pathway on the Red Arrow privacy should be taken into account in the final placement decision.

J. Gerstle thought that the staff recommendation was appropriate.

Parking

J. Putnam thought that the parking reduction easily met the requirements, was appropriate and moderate.

L. Payton supported the parking reduction. She noted the importance of neighbors' input because they know the realities better than anyone. She was glad to know that there were reserved parking spaces to alleviate potential problems.

A. Brockett thought that the project could be over-parked but advocated for keeping it as is to avoid any negative impacts on the neighborhood.

J. Gerstle thought the parking, as proposed, was appropriate.

L. May thought the parking reduction was appropriate. He noted that the neighborhood is taking a load from Ideal Market and in-commuter but did not think that Washington Village should be responsible for bearing the external burden. He thought that this should be seen through a prism of climate change; we should make parking more difficult. Neighborhoods will have to bear an interim burden until people drive less.

The board found no issues with the reduction in the amount of commercial space.

Motion:

On a motion by **A. Brockett**, seconded by **J. Putnam**, the Planning Board voted 4-1 (**C. Gray** absent, **B. Bowen** abstained, and **L. Payton** opposed) to approve Site and Use Review No.

LUR2014-00003 incorporating the staff memorandum and the attached Site Review Criteria Checklist as findings of fact and subject to the following recommended conditions of approval which are conditions 1, 2, 3, and 4 in the memo.

On a friendly amendment by **J. Putnam** seconded by **A. Brockett**, proposed to amend the proposed Condition of Approval 3b to say, “A final site plan illustrating the approved site configuration for the environs, the Broadway building, and North building including an adequate path as well the curb ramp to be constructed to the Broadway signal”.

L. Payton opposed because she did not agree with the friendly amendment.

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

A. Brockett will allow for more time in the hearing for the applicant to rebut the public’s comments. This will be left up to the chair.

L. Payton asked for clarification on the role of the Planning Board ex-officio board member on the Landmarks board.

L. May thought that it would be important for the Planning Board to provide more input to Council on the Comprehensive Housing Strategy.

7. DEBRIEF MEETING/CALENDAR CHECK

L. May will represent the Planning Board at the Resilient Cities workshop.

8. ADJOURNMENT

The Planning Board adjourned the meeting at 7:56 p.m.

APPROVED BY

Board Chair

DATE

MEMORANDUM

TO: Planning Board
FROM: Sloane Walbert, Case Manager
DATE: April 16, 2014
SUBJECT: **Informational Item:**

TECHNICAL DOCUMENT REVIEW: Final Plat for the elimination of the lot lines between lots 23, 24, and part of lot 25 to create one lot addressed as 2925 4th Street. The project site is zoned Residential - Low 1 (RL-1). Case no. TEC2014-00017.

Attached is the disposition of staff approval (Attachment A) for a Technical Document Review to allow the elimination of the lot line between Lot 49 (2079 Hardscrabble Drive) and Lot 50 (2069 Hardscrabble Drive) in the Shanahan Ridge Six P.U.D. This replat, Shanahan Ridge Six Replat of Lot 49 and Lot 50 Lot Line Elimination, will dissolve and eliminate the current lot line from the City records and replace the two lots with one 9,870 square foot lot, 49A, as shown in Attachment B. Please refer to the attached plat for more information. A lot line elimination is required to permit development of both lots as one building site.

The subject approval meets all of the requirements of Section 9-12-4, B.R.C. 1981 for a Lot Line Elimination.

Pursuant to section 9-12-4, B.R.C. 1981, staff is required to notify planning board of the disposition of a replat application. The subject approval is not subject to call-up or appeal.

Questions about the project or decision should be directed to Elizabeth Lokocz at (303) 441-3138 or lokocze@bouldercolorado.gov.

Attachments:

Attachment A: [Staff Disposition](#)

Attachment B: [Lot Line Elimination Plat](#)



Vicinity Map

Address: 2069 Hardscrabble Dr



**CITY OF BOULDER
Community Planning & Sustainability**

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

**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 section 9-12-3, B.R.C. 1981, as applied to the proposed development.

| | |
|--------------------|--|
| DECISION: | Approved |
| PROJECT NAME: | 2925 4TH ST |
| DESCRIPTION: | Lot line elimination - Lots 23, 24, and part of lot 25 (as shown on ILC) to be merged into one lot. |
| LOCATION: | 2925 4TH ST |
| COOR: | N04W08 |
| LEGAL DESCRIPTION: | Lots 23,24 and 20 feet of 25, Block 46, Subdivision NEWLANDS City of Boulder, County of Boulder, Colorado |
| APPLICANT: | ERIC AND DENISE SPARKS |
| OWNER: | ERIC AND DENISE SPARKS |
| APPLICATION: | TEC2014-00017 Lot Line Elimination |
| ZONING: | RL-1 |
| CASE MANAGER: | Elizabeth Lokocz |

THIS IS NOT A SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND NO VESTED PROPERTY RIGHT IS CREATED BY THIS APPROVAL.

Approved On: APRIL 16, 2014
Date

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

CONDITIONS OF APPROVAL
none

NEWLAND ADDITION REPLAT – BLOCK 46

FOR THE ELIMINATION OF LOT LINES BETWEEN LOT 23, LOT 24, AND THE SOUTH 20 FEET OF LOT 25, BLOCK 46, NEWLAND ADDITION,
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M.,
 CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

TOTAL AREA = 8,741 SQ.FT.
 SHEET 1 OF 2

PARCEL DESCRIPTIONS

EXISTING LEGAL DESCRIPTION

LOTS 23, 24, AND THE SOUTH 20 FEET OF LOT 25, BLOCK 46,
 NEWLAND ADDITION
 COUNTY OF BOULDER,
 STATE OF COLORADO.

RESULTING LEGAL DESCRIPTION

ALL OF LOTS 23, 24, AND THE SOUTH 20 FEET OF LOT 25, BLOCK 46,
 NEWLAND ADDITION AS DESCRIBED AT RECEPTION NO 88000077 DATED
 MARCH 27, 1891, BEING A PART OF THE NORTHWEST QUARTER OF SECTION
 25, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL
 MERIDIAN, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO,
 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF BLOCK 46 TO BEAR NORTH 89°51'07"
 EAST, A DISTANCE OF 319.95 FEET BETWEEN A FOUND NO 4 REBAR AND A
 FOUND NO 6 REBAR WITH ALUMINUM CAP "ORTHMAN PLS 15315", WITH ALL
 BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE SOUTHEAST CORNER OF BLOCK SAID BLOCK 46, BEING
 A FOUND NO 6 REBAR WITH ALUMINUM CAP "ORTHMAN PLS 15315",
 THENCE ALONG THE EAST LINE OF SAID BLOCK 46, NORTH 00°29'29"
 WEST, A DISTANCE OF 179.88 FEET TO A POINT ON THE NORTH LINE OF LOT 22,
 BLOCK 46 EXTENDED; THENCE ALONG SAID NORTH LINE EXTENDED, SOUTH
 89°51'07" WEST, A DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER
 OF SAID LOT 22 AND THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY LINE OF SAID LOT 22, SOUTH 89°51'07"
 WEST, A DISTANCE OF 124.95 FEET TO A POINT ON THE EASTERLY ALLEY
 RIGHT-OF-WAY LINE;

THENCE ALONG SAID EAST LINE, NORTH 00°29'29" WEST, A DISTANCE OF
 69.96 FEET TO A POINT 5 FEET SOUTH OF THE NORTHWEST CORNER OF
 LOT 25, BLOCK 46;

THENCE PARALLEL, WITH SAID NORTHERLY LINE, NORTH 89°51'08" EAST, A
 DISTANCE OF 124.95 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 4TH
 STREET;

THENCE ALONG SAID RIGHT-OF-WAY, SOUTH 00°29'29" EAST, A DISTANCE
 OF 69.96 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 8,741 SQ.FT. OR 0.20 ACRES, MORE OR LESS.



VICINITY MAP
 1" = 500'

OWNERS CERTIFICATE

ANTHONY E. SPARKS AND DENISE M. SPARKS, BEING THE OWNERS OF LOT 23, 24, AND THE SOUTH 20 FEET OF LOT 25,
 BLOCK 46, NEWLAND ADDITION, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, DO HEREBY APPROVE THIS
 LOT LINE ELIMINATION PLAN AS SHOWN HEREON.

BY: _____
 ANTHONY E. SPARKS

ACKNOWLEDGMENT

STATE OF _____)
 COUNTY OF _____) SS
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____ BY
 ANTHONY E. SPARKS, OWNER.
 WITNESS MY HAND AND SEAL.
 MY COMMISSION EXPIRES: _____

[SEAL] _____
 NOTARY PUBLIC

BY: _____
 DENISE M. SPARKS

ACKNOWLEDGMENT

STATE OF _____)
 COUNTY OF _____) SS
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____
 20____ BY DENISE M. SPARKS, OWNER.
 WITNESS MY HAND AND SEAL.
 MY COMMISSION EXPIRES: _____

[SEAL] _____
 NOTARY PUBLIC

NOTES

1. OLD REPUBLIC NATIONAL INSURANCE COMPANY FOR LAND TITLE GUARANTEE COMPANY COMMITMENT NUMBER 00705077121877, DATED OCTOBER 16, 2013 AT 5:00 P.M. WAS ENTIRELY RELED 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.
2. 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.
3. THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
4. BASIS OF BEARINGS: A BEARING OF NORTH 89°51'07" EAST ALONG THE SOUTH LINE OF BLOCK 46, AS SHOWN ON THE PLAN OF NEWLAND ADDITION, RECORDED AT RECEPTION NO 88000077 DATED MARCH 27, 1891 OF THE BOULDER COUNTY RECORDS, BETWEEN A FOUND NO 4 REBAR AT THE INTERSECTION OF THIRD STREET AND CEDAR AVENUE, AND A FOUND NO 6 REBAR WITH ALUMINUM CAP "ORTHMAN PLS 1531" AT THE INTERSECTION OF 4TH STREET AND CEDAR AVENUE, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.
5. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT AND/OR BOUNDARY MONUMENT OR ACCESSORY, COMETS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE, C.R.S. SEC. 18-4-508.
6. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
7. FLOOD INFORMATION: THE SUBJECT PROPERTY IS LOCATED 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. 08013C0393A, DATED DECEMBER 18, 2012. THE MAP DOES NOT DIFFERENTIATE BETWEEN ZONE X UNSHADED AND ZONE D. FLOOD INFORMATION IS SUBJECT TO CHANGE.
8. DATES OF FIELDWORK: NOVEMBER 26, 2013 (CURRENT); OCTOBER 11, 2012 (FLATRONS SURVEYING JOB #12-60,682).
9. 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.
10. THE TOTAL AREA OF THE SUBJECT PARCELS IS 8,741 SQ.FT. OR 0.20 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.
11. PREVIOUS FLATRONS SURVEY (LS-12-0131) FOR BLOCK 45 WAS USED IN CONSIDERATION FOR THE NORTHWEST INTERSECTION POINT OF BLOCK 46.

SURVEYOR'S CERTIFICATE

I, JOHN B. GUYTON, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLATRONS, INC., TO ANTHONY E. & DENISE M. SPARKS THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON APRIL 01, 2014, THAT SAID SURVEY ON THE ATTACHED PRINT HEREON WAS MADE IN SUBSTANTIAL COMPLIANCE WITH C.R.S. 38-91-105 "LAND SURVEY PLAT".

JOHN B. GUYTON COLORADO P.L.S. #16408
 CHAIRMAN & CEO, FLATRONS, INC.

APPROVALS

DIRECTOR OF PLANNING _____

DIRECTOR OF PUBLIC WORKS AND UTILITIES _____

CITY MANAGER'S CERTIFICATE

IN WITNESS WHEREOF, THE SAID CITY OF BOULDER HAS CAUSED ITS SEAL TO BE HEREUNTO AFFIXED BY ITS CITY MANAGER THIS ____ DAY OF _____, 20____

ATTEST:

CITY CLERK _____ CITY MANAGER _____

CLERK AND RECORDERS CERTIFICATE

STATE OF COLORADO)
 COUNTY OF BOULDER) SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, ____ M., THIS ____ DAY OF _____, 20____ AND IS RECORDED AT RECEPTION # _____ FEES PAID \$ _____
 CLERK AND RECORDER _____ DEPUTY _____

| REVISION | DATE |
|--------------------|----------|
| 1 - CLIENT COMMENT | 03/07/14 |
| 2 - CITY COMMENT | 03/07/14 |
| 3 - CITY COMMENT | 03/07/14 |
| 4 - | |
| 5 - | |
| 6 - | |
| 7 - | |
| 8 - | |
| 9 - | |
| 10 - | |

LOT LINE ELIMINATION
 PREPARED FOR
ANTHONY E. & DENISE M. SPARKS
 &
 Others (See Note 3)

Flatrns, Inc.
 Surveying, Engineering & Geomatics
 www.FlratnsInc.com
 650 FORTUITO AVENUE, SUITE 200
 BOULDER, CO 80505
 PHONE: (303) 443-7001
 FAX: (303) 443-7002
 3640 DENVERING ST
 DENVER, CO 80209
 PHONE: (303) 776-1743
 FAX: (303) 443-4338



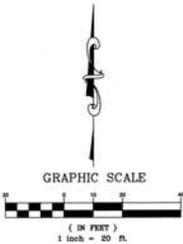
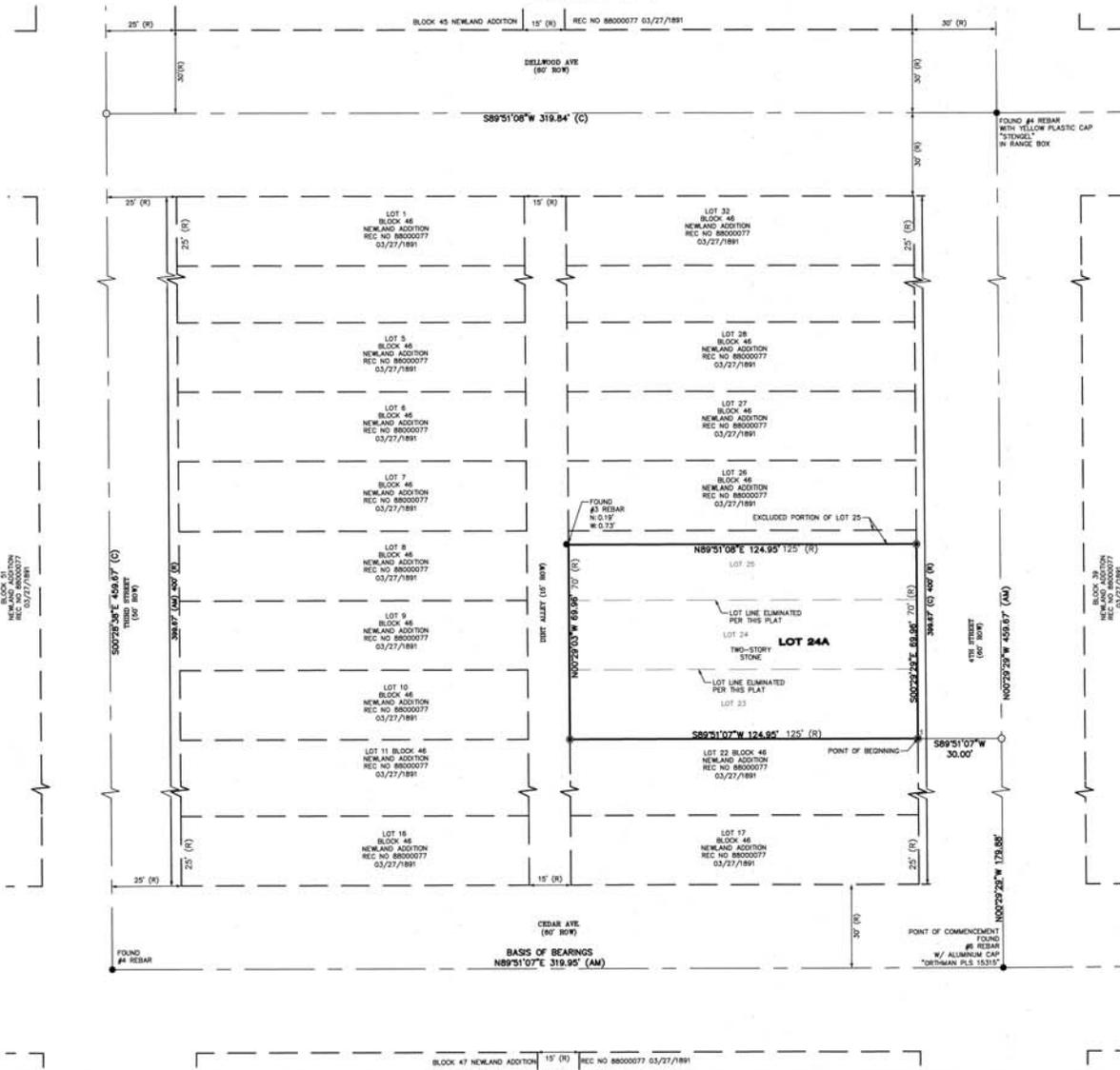
JOB NUMBER:
 13-62,724
 DATE:
 12-18-2013
 DRAWN BY:
 T. COLVIN
 CHECKED BY:
 J20/WW/ETB

NEWLAND ADDITION REPLAT – BLOCK 46

FOR THE ELIMINATION OF LOT LINES BETWEEN LOT 23, LOT 24, AND THE SOUTH 20 FEET OF LOT 25, BLOCK 46, NEWLAND ADDITION,

LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M.,
CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

SHEET 2 OF 2



| | |
|----------------------------------|---------------|
| EXISTING LOT 23 | 3,121 SQ. FT. |
| EXISTING LOT 24 | 3,121 SQ. FT. |
| EXISTING SOUTH 20 FEET OF LOT 25 | 2,499 SQ. FT. |
| RESULTING AREA OF LOT 24A | 8,471 SQ. FT. |

- Legend**
- FOUND MONUMENT AS DESCRIBED
 - SET #5 REBAR WITH 1 1/2" ALUMINUM CAP "FLATRONS SURV 16406"
 - SET 3/4" BRASS TAG "TS 16406"
 - CALCULATED POSITION (NOT FOUND OR SET)

Boundary Closure Report

| | |
|---------------------|-----------------|
| Course: S89°51'07"W | Length: 124.95' |
| Course: N00°29'03"W | Length: 69.96' |
| Course: N89°51'08"E | Length: 124.95' |
| Course: S00°29'29"E | Length: 69.96' |

Perimeter: 389.82' Area: 8741 Sq. Ft.
 Error Closure: 0.01 Course: S86°33'24"E
 Error North: -0.001 East: 0.009
 Precision: 1: 38982.00

| DATE | BY |
|----------|-------------------|
| 12/14/16 | ANTHONY E. SPARKS |
| 03/27/18 | ANTHONY E. SPARKS |

LOT LINE ELIMINATION
 PREPARED FOR
ANTHONY E. & DENISE M. SPARKS
 &
 Others (See Note 3)

Flatrons, Inc.
 Surveying, Mapping & Geomatics
 www.Flratrons.com
 655 FOURTH AVE. 3625 865 AVE. STE. 300 2660 DOMINGO ST.
 BOULDER, CO 80502 BOULDER, CO 80501 DENVER, CO 80202
 TEL: (303) 443-4355 FAX: (303) 443-9630 PH: (303) 938-1997



JOB NUMBER:
 13-62,724
DATE:
 12-18-2013
DRAWN BY:
 T. COLVIN
CHECKED BY:
 JZG/WW/ETB

SHEET 2 OF 2

MEMORANDUM

TO: Planning Board
FROM: Sloane Walbert, Case Manager
DATE: April 18, 2014
SUBJECT: **Call-Up Item:** Minor subdivision review, case no. LUR2013-00035, for the creation of a second residential lot fronting on 7th Street. Lot 11A is proposed to be 10,013 square feet and Lot 12A is proposed to be 16,242 square feet. This approval is subject to call-up on or before **May 1, 2014**.

Attached is the disposition of the conditional approval (see [Attachment A](#)) of a Minor Subdivision for the subdivision of a residential property to create an additional lot on 7th Street. The resulting Lot 12A will contain the existing single-family home at 637 Pennsylvania Avenue. Lot 11A will contain a 1,556 square foot building envelope suitable for future residential development. Pursuant to section 9-12-5(a), B.R.C. 1981, a Minor Subdivision is required in order to replat the property (see [Attachment B](#) for Approved Final Plat).

Background. The subject property is an approximately 0.6-acre lot located at the northwest corner of Pennsylvania Avenue and 7th Street (refer to *Figure 1, Vicinity Map*). The property is impacted by the floodplain of Gregory Canyon Creek. Any development within the floodplain is subject to the City's floodplain regulations and requires the approval of a floodplain development permit. All residential units must be elevated at or above the flood protection elevation (two feet above the 100-year flood). The site access for Lot 11A will cross the conveyance zone of Gregory Canyon Creek. If developed, the applicant will be required to demonstrate compliance with the City's regulations governing development within the conveyance zone, section 9-3-4 of the B.R.C.



Figure 1: Vicinity Map

The project site is zoned Residential - Low 1 (RL-1), which is defined as “single-family detached residential dwelling units at low to very low residential densities.” The minimum lot area in RL-1 zoning is 7,000 square feet. Both proposed lots meet this minimum requirement. Following subdivision both lots will be limited to a single

dwelling unit. Future development of Lot 11A will be subject to compatible development standards, including side yard bulk plane, side yard wall articulation, maximum building coverage, and FAR requirements.

Public Comment. Required public notice was provided in the form of written notifications to adjacent property owners of the subject property. In addition, a public notice sign was posted on the property. Therefore, all public notice requirements of section 9-4-3, "*Public Notice Requirements*," B.R.C. 1981 were met. Several inquiries were received from interested neighbors but there was no opposition to the proposal.

Conclusion. Staff finds that this application meets the Minor Subdivision criteria set forth in section 9-12-5(e), B.R.C. 1981. The subdivision meets the minimum lot area requirements (Table 8-1: Intensity Standards) and the Standards for Lots and Public Improvements (Section 9-12-12).

This application was approved by Planning and Development Services staff on April 17, 2014 and the decision may be called-up before Planning Board on or before **May 1, 2014**. There is a Planning Board meeting scheduled for the last day of the 14-day call-up period. Questions about the project or decision should be directed to Sloane Walbert at 303-441-4231 or via email walberts@bouldercolorado.gov.

Attachments.

Attachment A: [Disposition of Approval](#)

Attachment B: [Approved Final Plat for Mountain Park Addition Replat A](#)

ATTACHMENT A



CITY OF BOULDER
Community Planning & Sustainability

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

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 section 9-12-5, B.R.C. 1981, as applied to the proposed development.

| | |
|--------------------|--|
| DECISION: | APPROVED |
| PROJECT NAME: | MOUNTAIN PARK ADDITION REPLAT A |
| DESCRIPTION: | MINOR SUBDIVISION for the creation of a second residential lot fronting on 7th Street. Lot 11A to be 10,013 square feet and Lot 12A to be 16,242 square feet. |
| LOCATION: | 637 PENNSYLVANIA AVE. |
| COOR: | N02W07 |
| LEGAL DESCRIPTION: | The East 40.1 feet of Lots 7, 8, and 9 and Lots 11, 12, and 13, Block 1, together with the vacated alley abutting said Lots, Mountain Park Addition, County of Boulder, State of Colorado |
| APPLICANT/OWNER: | Keith Pearen |
| APPLICATION: | LUR2013-00035 |
| ZONING: | Residential Low-1 (RL-1) |
| CASE MANAGER: | Sloane Walbert |

THIS IS NOT A SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND NO VESTED PROPERTY RIGHT IS CREATED BY THIS APPROVAL.

Approved on: 4-17-14
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: 5/1/14

CONDITIONS OF APPROVAL

None.

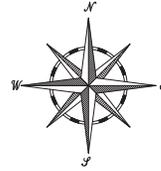
Address: 637 PENNSYLVANIA AVE.

MOUNTAIN PARK ADDITION REPLAT A

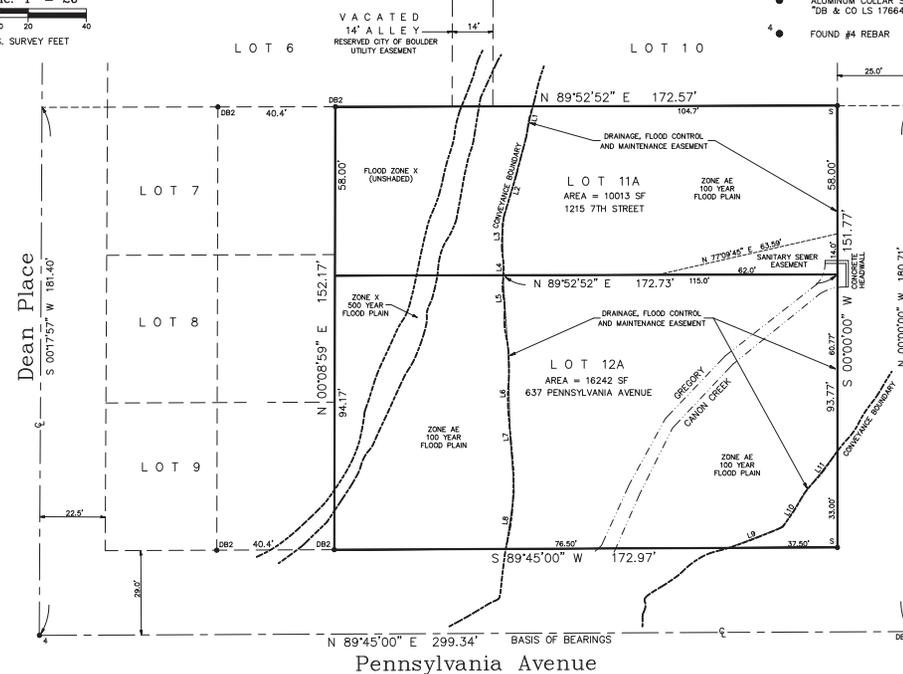
a resubdivision of the East 40.1 feet of Lots 7, 8 and 9, and Lots 11, 12 and 13, Block 1, together with the vacated alley abutting said Lots, MOUNTAIN PARK ADDITION, located within the Northeast Quarter of Section 36, Township 1 North, Range 71 West of the 6th P.M., City of Boulder, County of Boulder, State of Colorado

Sheet 1 of 1

TOTAL AREA = 26,255 SQUARE FEET



Scale: 1" = 20'
U.S. SURVEY FEET



Legend

- FOUND #5 REBAR WITH 1 1/2" DIAMETER ALUMINUM CAP STAMPED "SELLARS LS 27615"
- FOUND #5 REBAR WITH ALUMINUM COLLAR STAMPED "DB & CO LS 2149"
- FOUND #5 REBAR WITH ALUMINUM COLLAR STAMPED "DB & CO LS 17864"
- FOUND #4 REBAR

Dedication:

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNERS AND PROPRIETORS OF THE LAND SITUATED IN THE CITY OF BOULDER, AND LYING WITHIN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 71 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

THE EAST 40.1 FEET OF LOTS 7, 8 AND 9, BLOCK 1, LOTS 11, 12 AND 13, BLOCK 1, TOGETHER WITH THE ALLEY ABUTTING SAID LOTS VACATED BY ORDINANCE NO. 1952 OF THE CITY COUNCIL OF THE CITY OF BOULDER, ALL IN MOUNTAIN PARK ADDITION TO THE CITY OF BOULDER, COLORADO, STATE OF COLORADO.

HAVE CAUSED SAID REAL PROPERTY TO BE LAID OUT, SURVEYED, SUBDIVIDED AND PLATTED UNDER THE NAME OF "MOUNTAIN PARK ADDITION REPLAT A", A SUBDIVISION IN THE CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, AND BY THESE PRESENTS DO HEREBY GRANT TO THE CITY OF BOULDER FOR ITS USE, THAT REAL PROPERTY DESIGNATED AS A DRAINAGE, FLOOD CONTROL AND MAINTENANCE EASEMENT ON THE ACCOMPANYING PLAT AS AN EASEMENT FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR, AND REPLACEMENT OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS, INCLUDING WITHOUT LIMITING THE GENERALITY OF THE FOREGOING; CULVERTS, DRAINAGE DITCHES, DRAINAGE AND FLOOD CONTROL IMPROVEMENTS AND ALL APPURTENANCES THERETO.

THE UNDERSIGNED DO FURTHER GRANT TO THE CITY OF BOULDER THAT REAL PROPERTY DESIGNATED AS "SANITARY SEWER EASEMENT ON THE ACCOMPANYING PLAT AS AN EASEMENT FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT FOR SANITARY SEWER SERVICES AND ALL APPURTENANCES THERETO. IT IS EXPRESSLY UNDERSTOOD AND AGREED BY THE UNDERSIGNED THAT ALL EXPENSES AND COSTS INVOLVED IN CONSTRUCTING AND INSTALLING SANITARY SEWER WORKS AND LINES SHALL BE GUARANTEED AND PAID FOR BY THE SUBDIVIDER OR ARRANGEMENTS MADE BY THE SUBDIVIDER HEREOF WHICH ARE APPROVED BY THE CITY OF BOULDER, AND SUCH SUMS SHALL NOT BE PAID BY THE CITY OF BOULDER, COLORADO, AND THAT ANY ITEM SO CONSTRUCTED OR INSTALLED AND ACCEPTED BY THE CITY OF BOULDER, COLORADO, SHALL BECOME THE SOLE PROPERTY OF THE CITY OF BOULDER, EXCEPT ITEMS OWNED BY MUNICIPALLY FRANCHISED OR PERMITTED UTILITIES, WHICH ITEMS, WHEN CONSTRUCTED OR INSTALLED, SHALL REMAIN THE PROPERTY OF THE OWNER OF THE PUBLIC UTILITY, AND SHALL NOT BECOME THE PROPERTY OF THE CITY OF BOULDER.

FOR APPROVAL OF "MOUNTAIN PARK ADDITION REPLAT A" AND THE DECLARATIONS AND CONDITIONS WHICH APPLY THERETO THIS ____ DAY OF ____ 2014.

BY: KEITH L. PEAREN

BY: HOLLY C. PEAREN

Acknowledgement

STATE OF COLORADO }
COUNTY OF BOULDER } SS.
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF ____ 2014, BY KEITH L. PEAREN AND HOLLY C. PEAREN.

WITNESS MY HAND AND OFFICIAL SEAL:
MY COMMISSION EXPIRES: ____ DATE

[Seal] NOTARY PUBLIC

Lender's Consent and Subordination

THE UNDERSIGNED, A BENEFICIARY UNDER A CERTAIN DEED OF TRUST ENCUMBERING THE PROPERTY, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT, DEDICATION AND EASEMENTS SHOWN HEREON AND MAKES THE DEED OF TRUST SUBORDINATE HERETO. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER STATED BELOW.

COLE TAYLOR MORTGAGE,
A DIVISION OF COLE TAYLOR BANK

BY: AUTHORIZED REPRESENTATIVE

Acknowledgement

STATE OF COLORADO }
COUNTY OF BOULDER } SS.
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF ____ 2014, BY ____ AS AUTHORIZED REPRESENTATIVE OF COLE TAYLOR MORTGAGE, A DIVISION OF COLE TAYLOR BANK.

WITNESS MY HAND AND OFFICIAL SEAL:
MY COMMISSION EXPIRES: ____ DATE

[Seal] NOTARY PUBLIC

Surveyor's Statement

I, STEVEN J. SELLARS, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON BEHALF OF FLAGSTAFF SURVEYING, INC., THAT THE SURVEY OF THE SUBJECT PARCELS WAS PERFORMED BY ME AND UNDER MY DIRECT SUPERVISION, RESPONSIBILITY, AND CHECKING, AND THAT THIS PLAT HAS BEEN PREPARED IN COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

STEVEN J. SELLARS
COLORADO PLS 27615

DATE

Easement Line Table

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 12°50'32" W | 14.85' |
| L2 | S 15°35'00" W | 27.04' |
| L3 | S 01°41'00" E | 12.50' |
| L4 | S 01°10'00" W | 5.00' |
| L5 | S 03°53'52" E | 27.69' |
| L6 | S 01°11'00" E | 27.50' |
| L7 | S 04°23'00" E | 19.00' |
| L8 | S 08°27'42" W | 19.87' |
| L9 | N 69°02'00" E | 20.00' |
| L10 | N 32°38'00" E | 14.00' |
| L11 | N 38°06'55" E | 18.05' |

Approvals

DIRECTOR OF PLANNING

DIRECTOR OF PUBLIC WORKS AND UTILITIES

Notes:

- 1) FIRST COLORADO TITLE COMPANY CASE NO. 100147, DATED APRIL 4, 2013 AT 8:00 A.M. WAS ENTIRELY RELED UPON FOR RECORDED INFORMATION REGARDING EASEMENTS, ENCUMBRANCES AND RIGHTS-OF-WAY IN THE PREPARATION OF THIS SURVEY PLAT.
- EXCEPTION NO. 7 - REFERS TO RIGHTS AS MAY EXIST IN AND TO GREGORY CANNON CREEK OVER THE SUBJECT PROPERTY, AS SHOWN ON MAP OF LANDS BELONGING TO THE HEIRS OF MARINUS G. SMITH, DECEASED, RECORDED OCTOBER 15, 1902 IN PLAT BOOK 2 AT PAGES 189 AND 190, AS RECEPTION NO. 90019420.
- EXCEPTION NO. 8 - REFERS TO A RESERVATION BY THE CITY OF BOULDER OF AN EASEMENT FOR UTILITIES OVER THE VACATED ALLEY, AS SET FORTH IN ORDINANCE NO. 1952 RECORDED FEBRUARY 13, 1957 IN BOOK 1037 AT PAGE 54.
- 2) 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.
- 3) BASIS OF BEARINGS: ASSUMED NORTH 89°45'00" EAST, ALONG THE CENTERLINE OF PENNSYLVANIA AVENUE, SAID CENTERLINE BEING MONUMENTED AS SHOWN HEREON.
- 4) THE SUBJECT PROPERTY IS LOCATED WITHIN FLOOD ZONE X (UNSHADED) - NOT WITHIN THE 500 YEAR FLOOD PLAN, ZONE Y - WITHIN THE 500 YEAR FLOOD PLAN, AND ZONE AE - IN THE 100 YEAR FLOOD PLAN, ACCORDING TO THE CURRENT FEMA FLOOD INSURANCE RATE MAP, MAP NUMBER 08013C03933, DATED DECEMBER 18, 2012. FLOOD INFORMATION IS SUBJECT TO CHANGE.
- 5) THIS PLAT IS BASED UPON AN "IMPROVEMENT SURVEY PLAT" PREPARED BY ME DURING MARCH 2013.
- 6) THE SUBJECT PROPERTY IS LOCATED IN ZONE: RESIDENTIAL LOW (RL-1); USE MODULE R1; FORM MODULE D AND INTENSITY MODULE 4, ACCORDING TO THE CITY OF BOULDER WEBSITE.
- 7) SETBACKS FOR ZONE - RESIDENTIAL LOW (RL-1) ARE LISTED AS FOLLOWS: FRONT = 25', REAR = 25', SIDE INTERIOR = 5', AND COMBINED MINIMUM SIDE OF 15'.

Lender's Consent and Subordination

THE UNDERSIGNED, A BENEFICIARY UNDER A CERTAIN DEED OF TRUST ENCUMBERING THE PROPERTY, HEREBY EXPRESSLY CONSENTS TO AND JOINS IN THE EXECUTION AND RECORDING OF THIS SUBDIVISION PLAT, DEDICATION AND EASEMENTS SHOWN HEREON AND MAKES THE DEED OF TRUST SUBORDINATE HERETO. THE UNDERSIGNED REPRESENTS THAT HE OR SHE HAS FULL POWER AND AUTHORITY TO EXECUTE THIS LENDER'S CONSENT AND SUBORDINATION ON BEHALF OF THE LENDER STATED BELOW.

TCF NATIONAL BANK
A NATIONAL BANKING ASSOCIATION

BY: AUTHORIZED REPRESENTATIVE

Acknowledgement

STATE OF COLORADO }
COUNTY OF BOULDER } SS.
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF ____ 2014, BY ____ AS AUTHORIZED REPRESENTATIVE OF TCF NATIONAL BANK, A NATIONAL BANKING ASSOCIATION.

WITNESS MY HAND AND OFFICIAL SEAL:
MY COMMISSION EXPIRES: ____ DATE

[Seal] NOTARY PUBLIC

City Manager's Certificate

IN WITNESS WHEREOF, THE SAID CITY OF BOULDER HAS CAUSED ITS SEAL TO BE HEREUNTO AFFIXED BY ITS CITY MANAGER THIS ____ DAY OF ____ 2014.

ATTEST:

CITY CLERK CITY MANAGER

Clerk and Recorder's Certificate

STATE OF COLORADO }
COUNTY OF BOULDER } SS.
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT ____ O'CLOCK ____ M., THIS ____ DAY OF ____ 2014, AND IS RECORDED AT RECEPTION # ____ FEES PAID \$ ____
CLERK AND RECORDER DEPUTY

16292A-2.DWG JANUARY 20, 2014

Flagstaff Surveying Inc.

TABLE MESA SHOPPING CENTER
637 SOUTH BROADWAY, SUITE C
BOULDER, COLORADO 80305
303-499-9737

MOUNTAIN PARK ADDITION REPLAT A

Sheet 1 of 1

MEMORANDUM

TO: Planning Board
FROM: Chandler Van Schaack, Case Manager
DATE: May 1, 2014
SUBJECT: **Call Up Item:** USE REVIEW (LUR2014-00024): Request to allow a new 3,788 square foot indoor athletic facility within an existing office building. The property is located at 5500 Central Ave. in the IG zone district. The call-up period expires on **May 8, 2014.**

Background.

5500 Central Ave. is located just north of Arapahoe Avenue at the intersection of 55th Street and Central Avenue, with the Burlington Northern Santa Fe (BNSF) Railroad running adjacent to the southern edge of the property. The project site is comprised of a 1.94- acre lot containing an existing two-story office building and surface parking lot, and is zoned IG (Industrial - General), which is defined as "General industrial areas where a wide range of light industrial uses, including research and manufacturing operations and service industrial uses are located. Residential uses and other complementary uses may be allowed in appropriate locations" per section 9-5-2(c)(4)(B), B.R.C. 1981. The site is part of the Flatirons Industrial Park, which is a large IG-zoned industrial office park consisting primarily of industrial office, manufacturing and warehouse uses. The area across 55th St. to the west is zoned IM, Industrial – Manufacturing; otherwise, the site is surrounded by IG zoning. Please refer to **Figure 1** for a Vicinity Map.



Figure 1: Vicinity Map

The project site is part of the Flatiron Industrial Park West Subdivision, which was created in 1976. Currently, the site is fully developed with a roughly 45,000 square foot building containing a variety of professional and technical office uses as well as a surface parking lot containing 70 parking spaces. The subject tenant space, Suite 115, is approximately 3,788 square feet in size and formerly held an office use.

As discussed above, the current character of the area immediately surrounding the site is a mix of industrial manufacturing uses to the west and industrial office, manufacturing and warehouse uses in the surrounding area. The Ball Aerospace campus lies to the southwest across the railroad, and further to the south along Arapahoe Ave. is a variety of commercial and retail uses.

Project Proposal.

The applicant is requesting approval of a Use Review to allow for conversion of a vacant office space into a new 3,788 square foot indoor athletic facility to include a boxing club and gym. The proposed facility would be used for group fitness classes, personal training, boxing training and youth boxing programs. The hours of operation for the proposed use would be from 7:00 a.m. to 8:00 p.m., Monday through Saturday, with classes

offered primarily in the morning and evening hours. No exterior changes to the existing building are proposed, and the applicant is not requesting any modifications to the land use regulations. There are currently 70 vehicle parking spaces and 12 bicycle parking spaces available on-site, with 9 vehicle parking spaces reserved for use by the proposed facility as required by the parking standards for non-residential uses in the IG zone (refer to **Attachment C: Applicant's Proposed Plan**).

Review Process. Per the use standards found in section 9-6-1, B.R.C. 1981, approval of a Use Review is required for "indoor recreational or athletic facilities" to operate in the IG zone district. Per section 9-4-2, B.R.C. 1981, applications for Use Review are subject to call up by the Planning Board. The proposal does not trigger or require Site Review.

Analysis. The proposal was found to be consistent with the Use Review criteria found in subsection 9-2-15(e), "Criteria for Review." Refer to **Attachment A** for the Notice of Disposition and Management Plan and **Attachment B** for the complete Use Review 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. All notice requirements of section 9-4-3, "Public Notice Requirements," B.R.C. 1981 have been met. Staff has not received any public comments.

Conclusion. Staff finds that the proposed project meets the relevant criteria of section 9-2-15, "Use Review," B.R.C. 1981 (refer to **Attachment B**). The proposal was **approved** by staff on **April 24, 2014** and the decision may be called up before Planning Board on or before **May 8, 2014**. There is one Planning Board hearing scheduled during the required 14 day call-up period on **May 1, 2014**. Questions about the project or decision should be directed to the Case Manager, Chandler Van Schaack at (303) 441-3137 or at vanschaack@bouldercolorado.gov

Attachments:

- A. Signed Disposition with Management Plan
- B. Analysis of Use Review Criteria
- C. Applicant's Proposed Plan



CITY OF BOULDER
Community Planning and Sustainability

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
 phone 303-441-1880 • fax 303-441-3241 • www.bouldercolorado.gov

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: **The Corner Boxing Club**
 DESCRIPTION: **USE REVIEW for new indoor athletic facility in Suite 115.**
 LOCATION: **5500 Central Ave.**
 COOR: **N03E01**
 LEGAL DESCRIPTION: **Lot 4, Flatiron Industrial Park West, County of Boulder, State of Colorado**
 APPLICANT/OWNER: **Carrie Barry/Flatiron Investments, LP**
 APPLICATION: **Use Review, LUR2014-00024**
 ZONING: **IG**
 CASE MANAGER: **Chandler Van Schaack**
 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:

4-24-14
 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:

5-8-14

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

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans** dated April 21, 2014 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. The Applicant shall operate the business in accordance with the Written Statement and Management Plan dated April 8, 2014 which is attached to this Notice of Disposition.
 - b. The approved use shall be closed from 8:00 p.m. to 7:00 a.m., Monday through Saturday, and shall be closed Sundays.
 - c. Size of the approved use shall be limited to 3,788 square feet.
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

Written Statement & Management Plan
The Corner Boxing Club, LLC
5500 Central Ave, Boulder, CO
April 8, 2014

Summary:

The Corner Boxing Club will be a space for the community to come together and achieve their personal health and fitness goals through the skills and exercises of the sport of boxing. This will include one-hour group fitness classes, private training, boxing training, skills classes, corporate fitness classes, performance and rehab conditioning, and fitness classes for older clients. Additionally, The Corner Boxing Club will occasionally host youth events to help educate and encourage active and healthy lifestyles amongst Boulder youth. The gym will have a raised boxing ring, strength equipment, heavy bags, speed bags, and cardio equipment. The Corner Boxing Club has partnered with local non-profits such as The Family Learning Center, Justice High School, and Phoenix Multisport.

Operating Characteristics:

The intensity of the uses of 5500 Central Ave will be low. Amount of traffic generated will be minimal and primarily during the early morning prior to working hours and early evening. Hours of operation will be: Monday – Thursday 7:00 a.m. – 8:00 p.m., Friday 7:00 a.m. – 4:00 p.m. and Saturdays 8:00 a.m. – 12:00 p.m.

Fitness classes will be held 2-3 times a day and have 10-15 participants per class. This includes adult (15 participants), young adult (10-15 participants) and youth programming (10 or less participants from but not limited to the Family Learning Center).

The Corner Boxing Club will have two employees in the first year: owners Caroline Barry, Head Coach and Kirsten Barry, Manager.

Parking

12 bicycle parking spaces operate on a first come first serve basis. The Corner Boxing Club will have two bicycle locks and a bike available for use of members who also work in the Flatirons Park. Both Caroline & Kirsten are avid bike riders and will commute via bike.

Vehicle parking spaces dedicated to The Corner Boxing Club at 2.37 per 1000 sq feet in accordance to our lease terms. $3,788\text{sqft} / 1000\text{sqft} = 3.788 * 2.37 = 9$ dedicated parking spaces (8.98).

Class Schedule:

M – F: 7:00 a.m. - 8:00 a.m.

M – F: 12:00 p.m.

T: 10:00 a.m.

M, W & TR: 5:00 – 8:00 p.m.

Sat: 10:00 a.m. – 12:00 p.m.

Other Building Occupants:

HGST- 58 Employees

Excel Outsourcing – 10 Employees

BolderBoulder – 10 Employees

USE REVIEW CRITERIA

Section 9-2-15, B.R.C. 1981

(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 proposed use is categorized as an indoor recreational or athletic facility, and is to be located in the IG (Industrial- General) zoning district, which is defined in section 9-5-2 as "*general industrial areas where a wide range of light industrial uses, including research and manufacturing operations and service industrial uses are located. Residential uses and other complementary uses may be allowed in appropriate locations.*" Pursuant to section 9-6-1, the proposed use is allowed in the IG zone if approved through a Use Review.

(2) **Rationale:** The use either:

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

The proposed facility will provide direct service to the surrounding uses and neighborhoods. Currently, the site is fully developed with a roughly 45,000 square foot building containing a variety of professional and technical office uses. The area immediately surrounding the site is comprised of a mix of industrial manufacturing uses to the west and industrial office, manufacturing and warehouse uses in the surrounding area. The Ball Aerospace campus lies to the southwest across the railroad, and further to the south along Arapahoe Ave. is a variety of commercial and retail uses. The property is in an ideal location to serve employees of nearby offices, and its location along a major roadway makes it accessible to residents of the residential neighborhoods to the south of Arapahoe as well.

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;

Being located within an existing tenant space in a fully developed and highly active industrial office park, the proposed boxing facility will have minimal impact on the surrounding uses. The proposed facility is to be located in a former office space, and will only require minor interior alterations. The proposed facility would employ only 2 people, both owners and trainers, and would include group fitness classes, personal training, boxing training and youth boxing programs. The hours of operation for the proposed use would be from 7:00 a.m. to 8:00 p.m., Monday through Saturday, with classes offered primarily in the morning and evening hours. No exterior changes to the existing building are proposed, and the applicant is not requesting any modifications to the land use regulations. There are currently 70 vehicle parking spaces and 12 bicycle parking spaces available on-site, with 9 vehicle parking spaces reserved for use by the proposed facility as required by the parking standards for non-residential uses in the IG zone. In the event that there are more than 9 clients driving to the site at a time, the staggered hours of operation with the existing office uses, the availability of on-street parking on Central Ave. and the proximity of a shared parking lot on the adjacent site would provide adequate spill-over parking. Overall, the operating characteristics of the proposed use are such that it will be compatible with and have a minimal negative impact on the use of surrounding properties.

✓ (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 use is to be located in an existing tenant space, so there will be no additional impacts to infrastructure in the surrounding area.

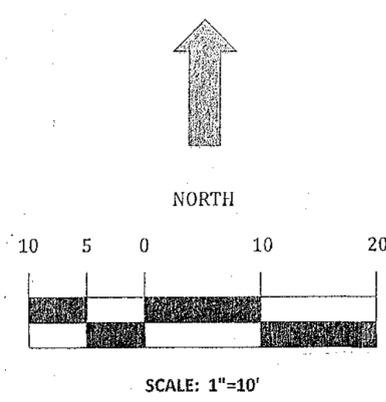
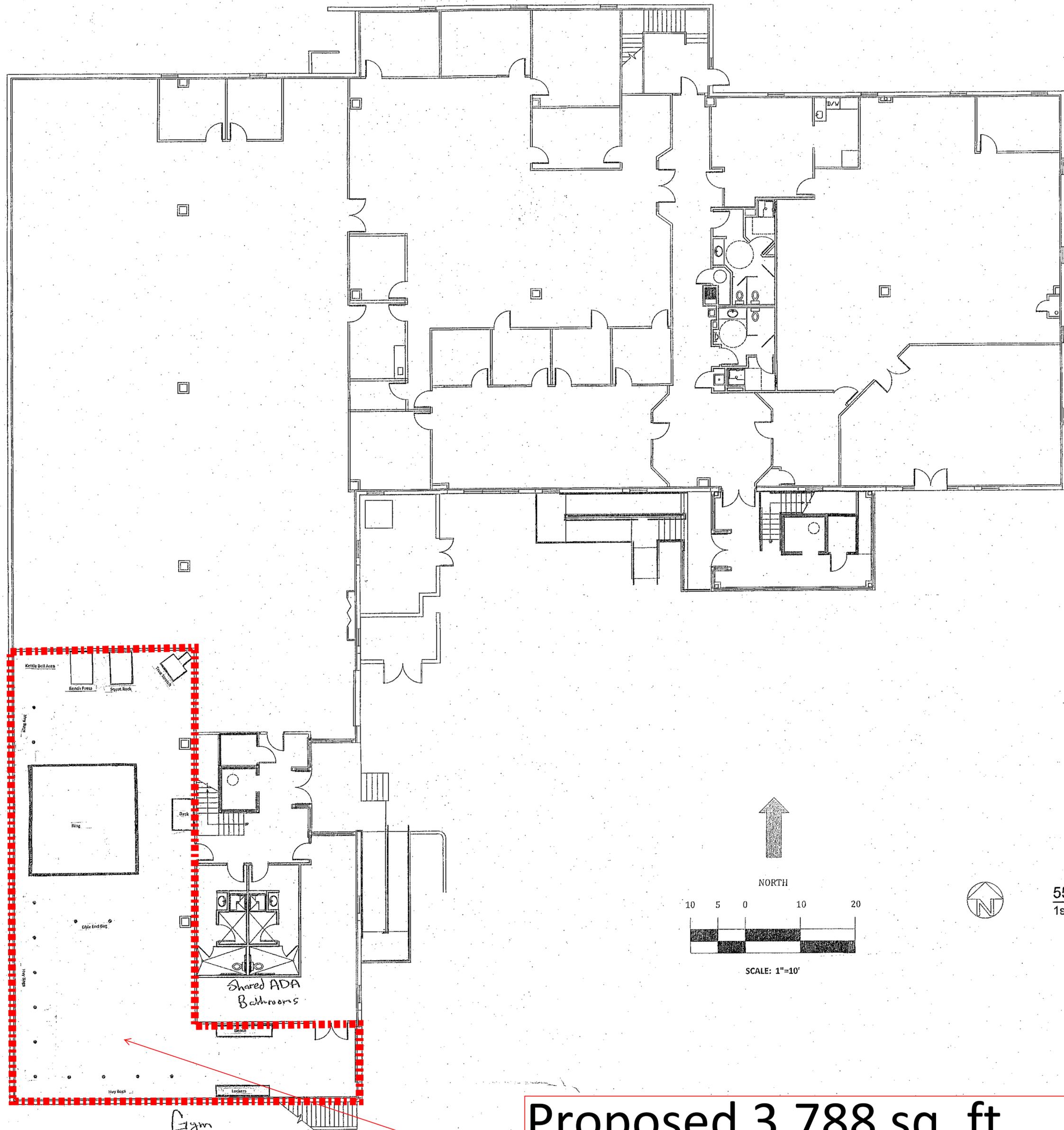
✓ (5) Character of Area: The use will not change the predominant character of the surrounding area; and

As discussed above, the current character of the area immediately surrounding the site is a mix of industrial manufacturing uses to the west and industrial office, manufacturing and warehouse uses in the surrounding area. The Ball Aerospace campus lies to the southwest across the railroad, and further to the south along Arapahoe Ave. is a variety of commercial and retail uses. As the proposal does not include any exterior modifications to the building or site, there will be no physical change to the character of the surrounding area. In addition, the proposed class schedule which loads classes in the morning and evening times will make it so that there will not be a large degree of overlap between the existing office uses and the proposed facility.

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. The existing use of the building is for office space, so no residential uses will be impacted by the proposal.



550
1st f

**Proposed 3,788 sq. ft.
“Corner Boxing Club”**

**CITY OF BOULDER
PLANNING BOARD AGENDA ITEM**

MEETING DATE: May 1, 2014

AGENDA TITLE: Public hearing to consider a recommendation to City Council on an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) by amending Title 9, "Land Use Code," B.R.C. 1981, in particular:

1. Revising the land use regulations to allow, through Site Review, on properties that are subject to right-of-way dedications consistent with adopted right-of-way plans the density and floor area that would be permitted in the absence of such dedications (Action 3.5, ESS), and
2. Updating the land use regulations that require site improvements and upgrades if a project exceeds a certain percentage of the value of any existing structures on the property by allowing the value of existing structures to be established through a professional appraisal of the fair market value of such structures (Action 3.6, ESS).

REQUESTING DEPARTMENTS:

David Driskell, Executive Director of Community Planning and Sustainability
Susan Richstone, Deputy Director of Community Planning and Sustainability
Charles Ferro, Land Use Review Manager
Karl Guiler, Senior Planner/Code Amendment Specialist
Hella Pannewig, Assistant City Attorney

OBJECTIVES:

1. Hear Staff presentation
2. Planning Board discussion
3. Recommendations on changes to the code

EXECUTIVE SUMMARY

In efforts to implement recommended actions of the [Economic Sustainability Strategy \(ESS\)](#), adopted by City Council on Oct. 29, 2013, and to continually update the Land Use Code to implement the Boulder Valley Comprehensive Plan (BVCP) and achieve high quality design results, staff is proposing the following changes:

1. Add a new intensity standard to Chapter 9-8, "Intensity Standards," B.R.C. 1981, to permit land dedicated as right-of way consistent with either BVCP right-of-way plans or other right-of-way plans approved by City Council to be included in the zoning calculations for lot area to determine allowable density (dwelling units per acre) and Floor Area Ratio (FAR) as well as open space requirements on lots, and
2. Create an additional method of property valuation for the determination of whether proposed work on a property triggers upgrades to lighting, landscaping, site access and non-conforming drive-throughs under the Land Use Code.

The proposed changes, which are discussed in more detail below, are meant to implement specific recommended actions of the ESS and are born out of suggestions from customers to encourage redevelopment in areas subject to right-of-way plans and to provide another, in some cases more accurate, method of valuating structures for purposes of certain upgrade thresholds.

The ESS is found in the web link provided above and the proposed Land Use Code changes are found within the attached draft ordinance ([Attachment A](#)).

ANALYSIS

The ESS was developed as a result of the Primary Employer Study and was adopted by City Council on Oct. 29, 2013. The ESS is a cross-cutting and “place-based” approach to economic vitality. It seeks to create vibrant, amenity-rich business districts that vary in their focus and intensity, and offer environments that support key industry clusters, retain talented workers and enhance a unique and sustainable “Boulder” quality of life. The strategies and actions are organized into three sections:

- **People** – social and workforce amenities (addresses arts, culture, etc.)
- **Place** – physical environment (addresses public realm infrastructure/amenities, buildings, etc.)
- **Process** – ease of doing businesses (addresses city processes and procedures)

The strategies describe how the city can best respond to issues and challenges raised while furthering the Economic Sustainability Strategy vision and the goals articulated in the Boulder Valley Comprehensive Plan (BVCP). The strategies are based on a “place based” approach to economic vitality, improving city codes and process and addressing broader policy issues.

The strategies help to prioritize the action items, which would be updated each year based on resources available (city work plan and budget). The ESS includes a number of different holistic recommended actions with Page 17 listing recommended actions specific to changes to the Land Use Code. Four in particular relate to changes to the code and all are in progress at this time – two of which are addressed in the attached ordinance. The two proposed changes are meant to implement the following actions:

1. Action 3.5, page 17, ESS - Revise the land use regulations to allow, through Site Review, the density and floor area that would otherwise be permitted prior to the dedication of land for public right-of-way in areas where the city has adopted connections plans.
2. Action 3.6, page 17, ESS - Update the land use regulations for required site improvements and upgrades by changing how the assessed value is calculated by allowing the option of using the professionally appraised fair market value of the structure.

Each proposed change is described as follows.

New land use intensity standard

The following code change is intended to implement recommended Action 3.5. In recent years following adoption of the North Boulder (NoBo) Subcommunity Plan, the Transit Village Area Plan (TVAP) and other adopted transportation network plans, redevelopment of sites has been somewhat constrained by required dedications of rights-of-way for new streets, alleys, sidewalks and paths for pedestrians and bicycles in areas subject to right-of-way plans. Area plans and transportation network plans include connection plans

to realize a more gridded, interconnected pattern of streets and paths. Areas designated in right-of-way plans for right-of-ways must be reserved and cannot be developed with any structures. Where dedication of such areas as right-of-way is necessary to adequately serve the proposed development with public infrastructure or is roughly proportionate in scope and nature to infrastructure impacts generated by a development, dedication will be required as part of the development approval. That is frequently the case for projects in the Site Review process and much less frequently the case for smaller projects.

Figure 1 below shows adopted area plans within Boulder. Most of the plans that have connection plans associated with them are in areas outside of downtown or University Hill where more large lot, large block areas are intended to be broken up with more street connections. Figure 2 shows adopted transportation network connection (TNP) plans outside of area plans. These areas are effectively in redeveloping areas along 28th Street.

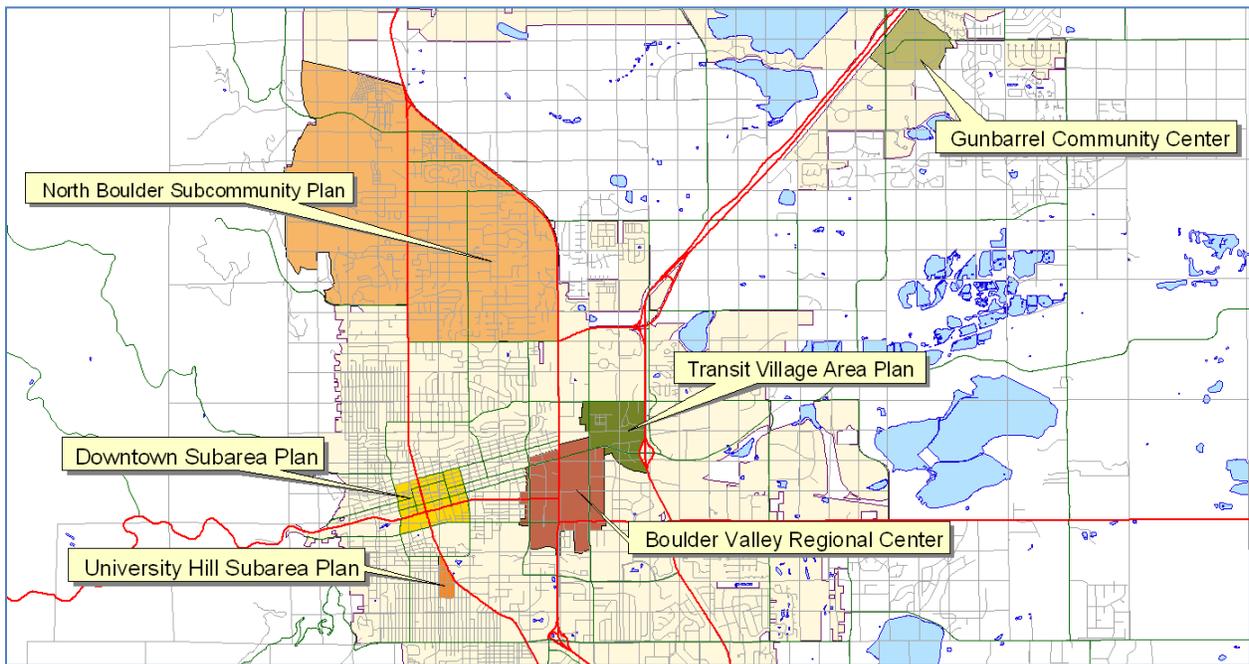


Figure 1- Adopted area plans in Boulder.

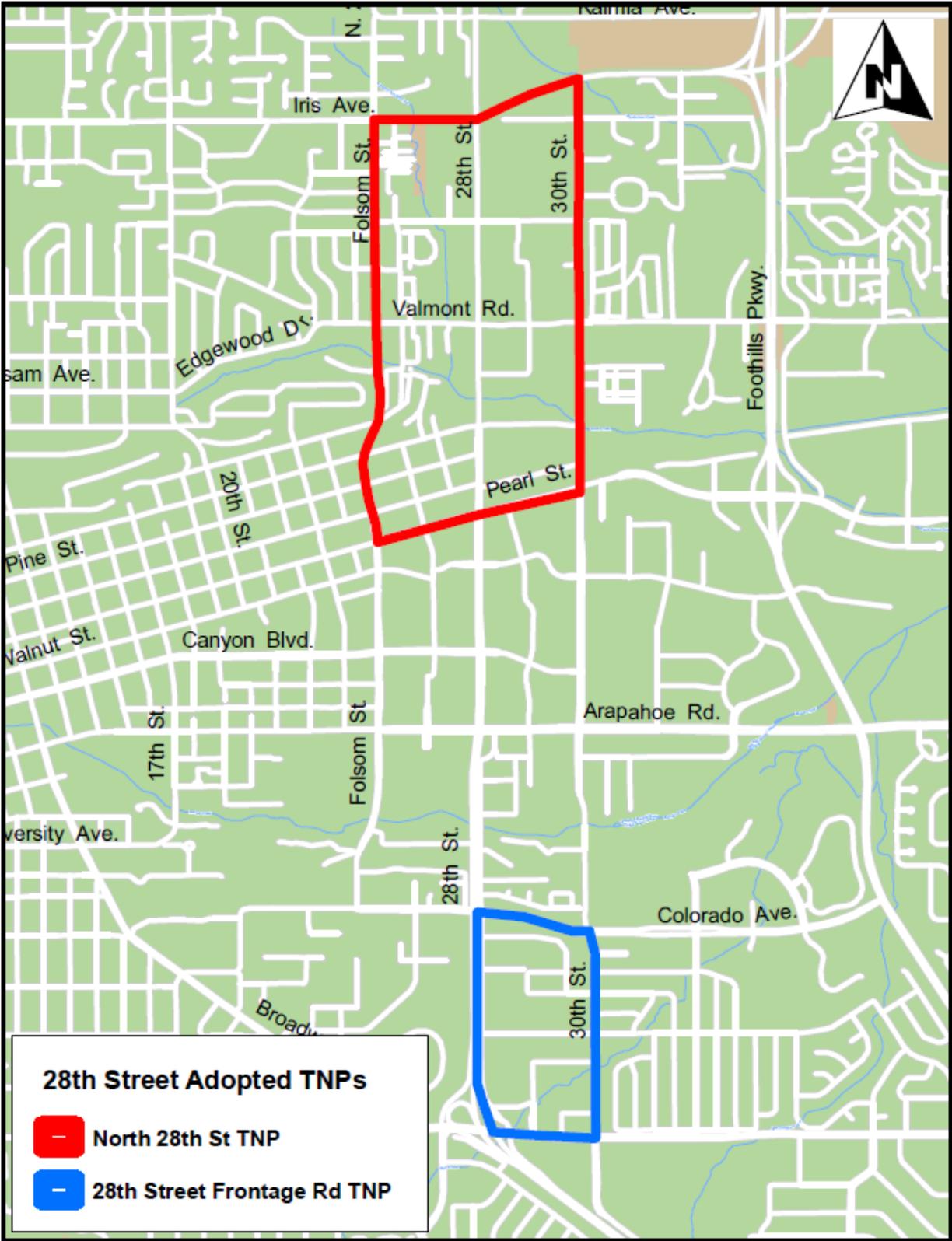


Figure 2- Transportation Network Plans (TNP) outside of area plans.

Because dedications can result in significantly smaller project sites, the dedication requirements can be a disincentive for redevelopment. These deductions effectively reduce allowable density (dwelling units per acre) and/or the allowable floor area of a development. Without incentives it makes it difficult for the city to realize the connections envisioned within the adopted plans. In some zoning districts, lot area governs the number of units permitted and the total permitted FAR.

To present an idea of how much land is necessary for dedication in area plan areas, staff has analyzed the following projects to provide a reference:

Table 1: Percentage of land dedicated in example projects.

| Project | Zoning district | Type of density limitation | Percentage of land dedicated |
|--------------------------------|---|----------------------------|------------------------------|
| Gunbarrel Center | BR-2 (Business Regional – 2) | Open space | 14% |
| Dakota Ridge | RM-1 (Residential Medium – 1) | Open space | 28% |
| Holiday | RMX-2 (Residential Mixed – 2) | Open space | 30% |
| Uptown Broadway | BMS/MU-2 (Business Main Street/Mixed Use – 2) | Open space | 27% |
| 1000 Rosewood | RM-1 (Residential Medium – 1) | Open space | 35% |
| 820 Lee Hill | RL-2 (Residential Low – 2) | Open space | 17% |
| Violet Crossing | RM-2 (Residential Medium – 2) | Lot area | 3% |
| 4051 Broadway | RL-2 (Residential Low – 2) | Open space | 17% |
| Kalmia Estates (Harper Hollow) | F (Flex) | Open space | 31% |
| Pearl Place | MU-4 (Mixed Use – 4) | Open space | 21% |
| Depot Square | MU-4 (Mixed Use – 4) | Open space | 18% |

As the majority of large projects are occurring in developing areas, the applicable zoning districts tend to use open space to determine density as opposed to older zoning districts in established areas that are based on lot area. However, as some BR-1 areas like Twenty Ninth Street or the Village may redevelop in the future, those calculations would be related to lot area.

Based on Table 1 above, the percentage of land dedicated in projects ranges from 3 percent to 35 percent and averages 22 percent. Through pre-application meetings on other yet to be redeveloped project sites, staff has heard concerns about the extent of land dedications – particularly in the Boulder Junction area. For example, it was determined through one pre-application submission that over 42 percent of one project site would have to dedicate land to public right-of-way in order to redevelop. Staff has included a diagram that shows the extent of dedication on the site (i.e., 3085 Bluff) in [Attachment B](#). Attachment B is also accompanied by a letter from the developer seeking code flexibility to develop the site. Another site (i.e., 2700 Bluff) would require potentially over 50 percent of its land area in dedications.

Recognizing the impact that dedications have on the feasibility of redevelopment and to encourage redevelopment in areas that are expected to change as anticipated by adopted land use plans and right-of-way connections plans, staff is proposing a new standard within chapter 9-8, “Intensity Standards,” B.R.C. 1981, which would enable developers to count land that they are required to dedicate into the lot area calculations for the purposes of calculating density and floor area.

Depending on the zone district, density (e.g., dwelling units per acre) can be determined by either minimum lot area per dwelling or by minimum open space per dwelling. Some examples are RM-1, which requires 3,000 square feet of open space per dwelling unit and RL-2, which requires 6,000 square feet of open space per dwelling unit. Open space also generally determines building intensity by virtue of the amount of land needed to meet a minimum percentage of open space.

The proposed code section would enable an applicant to count up to 70 percent of any right-of-way to be dedicated as open space. The allowance to count up to 70 percent of the land being dedicated from an open space perspective enables an increase in density of up to 30 percent, which is a reasonable incentive and ensures that the density increase is commiserate with the amount of land being dedicated. The resulting density would also have to conform with the BVCP Land Use Designation limitations per Site Review criterion 9-2-14(h)(1)(B), B.R.C. 1981, which states:

(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:

(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 9-8](#), "Intensity Standards," B.R.C. 1981.

Some examples of how the proposed code changes would have affected the allowed density in projects that were recently approved, had the proposed code changes been in effect at the time of approval of such projects, are contained within Table 2 below:

Table 2- Examples of possible densities in projects if new standards were in place.

| Project | Zone District | Allowed density per code | Possible density through proposed change |
|-----------------|---------------|--------------------------|--|
| Dakota Ridge | RM-1 | 412 units (7.2 du/ac) | 571 units (10 du/ac) |
| 1000 Rosewood * | RM-1 | 16 units (6.8 du/ac) | 24 units (10.5 du/ac) |
| 820 Lee Hill | RL-2 | 31 units (5 du/ac) | 36 units(5.8 du/ac) |
| 4051 Broadway | RL-2 | 8 units (3.2 du/ac) | 10 units (4 du/ac) |

*1000 Rosewood was permitted to have 18 dwelling units per special ordinance to reduce open space requirements.

The proposed change would only permit the alternate intensity calculation as part of any Site Review project and therefore, projects would have to meet the Site Review criteria and ultimately demonstrate that building design and massing as well as overall site design would be consistent with the character of the area and open space on the site would continue to be high quality and useable to residents and visitors.

The new language can be found in [Attachment A](#) and an excerpt of the specific modification is provided below:

(1) Public right-of-way, including but not limited to streets, alleys, sidewalks, bike paths, paths, and

landscaped areas, may be counted as lot area and useable open space as specified in paragraphs (1)(A) and (1)(B) below, if the criteria of paragraph (2) are met:

(A) Lot area to meet the minimum lot area and minimum lot area per dwelling unit requirements and to calculate allowed floor area under the floor area ratio standards of Chapter 9-8, "Intensity Standards," B.R.C. 1981; and

(B) Useable open space to meet the open space per dwelling unit and minimum open space on lots requirements of Table 8-1 of Section 9-8-1, "Intensity Standards," B.R.C. 1981. Such dedicated areas shall constitute no more than 70 percent of the required useable open space.

(2) Criteria for qualification:

(A) The property is not in the RR-1, RR-2, RE, RL-1, A, and P zoning districts;

(B) The land is dedicated to the city as designated in the Boulder Valley Comprehensive Plan or other right-of-way plan approved by city council and as part of the project under review;

(C) The dedication is recorded with the Boulder County Clerk and Recorder's office after , 2014;

(D) The project under review is a new development project or a redevelopment project exceeding one hundred percent of the value of any existing structures based on their actual value assessed by the Boulder County Assessor or their fair market value determined by a real estate appraiser licensed in Colorado; and

(E) The project is approved through a site review pursuant to Section 9-2-14, "Site Review," B.R.C. 1981.

As indicated by the code language above, the proposed standards would only apply to limited areas that are expected to see change as anticipated through area plans and would not be possible in more established areas for which no right-of-way plans have been adopted. This is reflected within the proposed ordinance that would prohibit such modifications in the following rural and low density residential and public and agricultural zones: RR-1, RR-2, RE, RL-1, A, and P. Most of these zones require large minimum lot sizes and permit very low density, so dedications have a lesser impact on total density. Further, these zones typically are within established residential areas that are more insulated from change and are not generally in areas where redevelopment is occurring.

RL-2, a low density residential zone, is included in the zones where the modification can be requested, because the density is determined by open space. Typically, these types of zones are in areas where redevelopment is occurring around the perimeter of the city limits. Further, RL-2 properties are distinguished by the fact that RL-2 zones permit a diversity of housing types (e.g., townhomes, multi-family dwellings) in addition to single-family dwellings (unlike other low density zoning districts) and often have common open space areas similar to what can occur in other developing zones subject to area plans. RL-2

is also in the R2 Use Module, which is more in the medium density range. The residential zoning districts cited above are all R1 Use Module.

Conclusion

Staff finds that the proposed density standard will encourage redevelopment in areas expected to see redevelopment with additional density and intensity and recommends the proposed change as the most effective way to carry out Action 3.5 of the ESS.

Valuation update

The following code change is intended to implement recommended Action 3.6. The Land Use Code ties certain site improvement requirements, such as landscaping and outdoor lighting upgrades, for properties that are being redeveloped to the size of an expansion or value of the planned improvements relative to the value of existing structures on the site. For instance, certain site improvements like landscaping and outdoor lighting upgrades would be required if the value of a project exceeds a specified percentage of the value of the existing structure on the site. Oftentimes, the extent of required upgrades is dependent on this percentage. The web links below show the applicable sections where valuations are used and the thresholds that determine the level of upgrade:

- ⇒ [Site Access Control](#) (see section 9-9-5, B.R.C. 1981)
- ⇒ [Landscaping](#) (see section 9-9-12(b), B.R.C. 1981)
- ⇒ [Outdoor lighting](#) (see section 9-9-16(c), B.R. C. 1981)
- ⇒ [Nonconformance standards](#) (see section 9-10-2, B.R.C. 1981)

The code uses the actual Boulder County assessed value as the comparative figure to the development project cost. Some customers have pointed out that the value assessed by the County Assessor does not accurately represent the fair market value of a structure as the Assessor assesses the value of a structure for tax purposes while, in reality, the fair market value of a structure is typically higher. This has led to inconsistent property improvements over time. The fair market value determined by an appraiser is already used to determine whether the threshold for improvements required under the city's floodplain regulations has been met. These can be accessed at the following web link: [floodplain regulations concerning valuation](#)

The proposed changes to the code would add this option to other parts of the Land Use Code. Staff finds that it is appropriate to allow this alternative method of valuation, because city codes are already considered aggressive in what is required from a qualitative perspective. Even minor changes to a building may trigger expensive site upgrades that can become cost prohibitive and may discourage building retrofits. The site improvements and adjustments may not be proportionate to the level of work proposed for the building when assessing against the Boulder County Assessor figures. Of greatest concern is that such standards may discourage ordinary upkeep and maintenance of buildings and thus, can make leasing difficult.

Staff has been working with property owners to better understand the issue. Tebo Development has provided some examples of where building values (see [Attachment C](#)), created for tax purposes, is accessed at a low value relative to the overall property value – in some cases only around 2 percent of the total land value. With these low accessed values for buildings, the trigger for more expensive improvements on a site is often easily triggered. If expensive site improvements become required for relatively modest upgrades to buildings, improvements may be deferred or canceled.

Therefore, staff has proposed the following new language that would add this assessment figure as an option to the applicable sections discussed above:

For purposes of this paragraph (1), the applicant may demonstrate the value of the existing structure by submitting, in the discretion of the applicant, either the actual value assessed by the Boulder County Assessor or the fair market value determined by a real estate appraiser licensed in Colorado.

Attachment A includes the specific sections with the proposed language within their context and reflect the recommended action specified in the ESS.

STAFF RECOMMENDATION (MOTION LANGUAGE)

Staff recommends that Planning Board recommend approval to the City Council of an ordinance implementing recommended actions of the Economic Sustainability Strategy (ESS) by amending Title 9, "Land Use Code," B.R.C. 1981, in particular:

1. Revising the land use regulations to allow, through Site Review, on properties that are subject to right-of-way dedications consistent with adopted right-of-way plans the density and floor area that would be permitted in the absence of such dedications (Action 3.5, ESS), and
2. Updating the land use regulations that require site improvements and upgrades if a project exceeds a certain percentage of the value of any existing structures on the property by allowing the value of existing structures to be established through a professional appraisal of the fair market value of such structures (Action 3.6, ESS).

Approved By:



David Driskell, Executive Director
Department of Community Planning and Sustainability

ATTACHMENTS

- A. [Draft ordinance](#)
- B. [Diagram of 2700 Bluff showing extent of dedications required](#)
- C. [Tax assessment figures provided by Tebo development](#)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 9, "LAND USE CODE," B.R.C. 1981, TO AMEND DENSITY AND INTENSITY STANDARDS FOR SITE REVIEW PROJECTS INVOLVING DEDICATION OF RIGHT-OF-WAY CONSISTENT WITH ADOPTED RIGHT-OF-WAY PLANS AND TO ADD A VALUATION METHOD FOR EXISTING STRUCTURES FOR DETERMINATION OF UPGRADE REQUIREMENTS UNDER TITLE 9, B.R.C. 1981, AND SETTING FORTH RELATED DETAILS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

Section 1. Table 8-1 of Section 9-8-1, "Schedule of Intensity Standards," B.R.C. 1981, is amended to read:

TABLE 8-1: INTENSITY STANDARDS

| Zoning District | Intensity Module | Minimum Lot Area (in square feet unless otherwise noted) ^(c) | Minimum Lot Area Per Dwelling Unit (square feet) ^(c) | Number of Dwelling Units Per Acre | Minimum Open Space Per Dwelling Unit (square feet) ^(c) | Minimum Open Space on Lots (Residential Uses) ^(c) | Minimum Open Space on Lots (Nonresidential Uses) ^{(a)(c)} | Minimum Private Open Space (Residential Uses) (square feet) | Maximum Floor Area Ratio ^(c) |
|-----------------|------------------|---|---|-----------------------------------|--|--|--|---|---|
| | | | | | See Section 9-9-11 for additional open space requirements. For mixed use developments, use the requirements of either the residential or nonresidential standards that result in the greatest amount of open space | | | | |
| A | 1 | 5 acres | 5 acres | 0.2 | 0 | – | 10 - 20% | 0 | 0 |
| RR-1, RR-2 | 2 | 30,000 | 30,000 | 1.4 | 0 | – | 10 - 20% | 0 | See Table 8-3 |
| RE | 3 | 15,000 | 15,000 | 2.9 | 0 | – | 10 - 20% | 0 | See Table 8-3 |
| RL-1 | 4 | 7,000 | 7,000 | 6.2 | 0 | – | 10 - 20% | 0 | See Table 8-3 |
| P | 5 | 7,000 | 7,000 | 6.2 | 0 | – | 10 - 20% | 0 | 0 |
| RL-2 | 6 | 0 | 0 | – | 6,000 | – | 10 - 20% | 0 | See Table 8-3 |
| RMX-1 | 7 | 6,000 | 6,000 | 7.3 | 600 | – | 10 - 20% | 0 | See Table 8-3 |
| RMX-2 | 8 | 0 | 0 | 10 (up to 20 by | 0 | 15% | 15% | 60 | 0 |

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| | | | | review) | | | | | |
| RM-1 | 9 | 0 | 0 | – | 3,000 | – | 10 - 20% | 0 | 0 |
| IS-2 | 10 | 0 | 0 | – | 600 | – | 10 - 20% | 60 | 0.5:1 |
| IS-1 | 11 | 7,000 | 0 | – | 0 | – | 10 - 20% | 60 | 0.5:1 |
| RH-1 | 12 | 0 | 0 | – | 1,600 | – | 10 - 20% | 0 | 0 |
| RH-2 | 12.5 | 6,000 | 3,000 | 14 (up to 27.2 by review) | 600 | – | 10 - 20% | 0 | 0 |
| RM-2, RM-3 | 13 | 6,000 | 3,500 | 12.4 | – | – | 10 - 20% | 0 | 0 |
| RH-3, RH-7 | 14 | 0 | 0 | – | 0 | 60% ^(b) | 60% ^(b) | 60 | 0 |
| RH-4, BT-1, BC-1 | 15 | 0 | 0 | – | 1,200 | – | 10 - 20% | 0 | 0 |
| BR-2 | 16 | 0 | 0 | – | 0 | 40% | 10 - 20% | 60 | 0 |
| BMS | 17 | 0 | 0 | – | 0 | 15% | 15% | 60 | 0.67 (1.85 if within CAGID or UHGID) |
| RH-6 | 17.5 | – | 1,800 | – | 600 | – | – | – | |
| MU-1, MU-2, IMS | 18 | 0 | 0 | – | 0 | 15% | 15% | 60 | 0.6:1 |
| RH-5, BC-2 | 19 | 6,000 | 1,600 | 27.2 | 600 (400 by site review if in a mixed use development) | – | 10 - 20% | 0 | 0 |
| IM | 20 | 7,000 | 1,600 | 27.2 | 600 | 40% (20% if within a park service area) | 10 - 20% | 60 | 0.4:1 |
| BT-2 | 21 | 6,000 | 1,600 | 27.2 | 600 | – | 10 - 20% | 0 | 0.5:1 |
| IG | 22 | 7,000 | 1,600 | 27.2 | 600 | 40% (20% if within a park service area) | 10 - 20% | 60 | 0.5:1 |
| BR-1 | 23 | 6,000 | 1,600 | 27.2 | 0 | – | 10 - 20% | 0 | 2.0:1 |
| MU-3 | 24 | 0 | 0 | – | 0 | 15% | 15% | 60 | 1.0:1 |
| MU-4 | 24.5 | 0 | 0 | – | 0 | 15% | 15% | 60 | 2.0 |
| DT-1 | 25 | 0 | 0 | – | 0 | – | 10 - 20% | 60 | 1.0:1 |
| DT-2 | 26 | 0 | 0 | – | 0 | – | 10 - 20% | 60 | 1.5:1 |
| DT-3, DT-4, DT-5 | 27 | 0 | 0 | – | 0 | – | 10 - 20% | 60 | 1.7:1 |
| BCS | 28 | – | – | – | – | – | 10 - 20% | – | – |

Footnotes:

- (a) This requirement may increase based on building height pursuant to Subsection 9-9-11(c), B.R.C. 1981.
- (b) Open space may be reduced using the standards in Sections 9-8-3, "Density in the RH-1, RH-2, RH-3 and RH-7 Districts," and 9-9-11, "Useable Open Space," B.R.C. 1981.

1 (c) Lot area, open space, and floor area ratio may be calculated according to the standards in Section 9-8-8, “Density and Intensity Standards on
2 Properties subject to Right-of-Way Plans,” B.R.C. 1981.

3
4 Section 2. Chapter 9-8, “Intensity Standards,” B.R.C. 1981, is amended by the addition
5 of a new section to read:
6

7 **9-8-8 Density and Intensity Standards on Properties subject to Right-of-Way Plans.**

8 (a) Public right-of-way, including but not limited to streets, alleys, sidewalks, bike paths, paths,
9 and landscaped areas, may be counted as lot area and useable open space as specified in
10 paragraphs (a)(1) and (a)(2) of this section if the criteria of subsection (b) of this section are
11 met.

12 (1) Lot area to meet the minimum lot area and minimum lot area per dwelling unit
13 requirements and to calculate allowed floor area under the floor area ratio standards of
14 Chapter 9-8, “Intensity Standards,” B.R.C. 1981; and

15 (2) Useable open space to meet the open space per dwelling unit and minimum open space
16 on lots requirements of Table 8-1 of Section 9-8-1, “Intensity Standards,” B.R.C. 1981.
17 No more than seventy percent of the total area dedicated may count as useable open
18 space.

19
20 (b) Criteria for qualification:

21 (1) The property is not located in the RR-1, RR-2, RE, RL-1, A, and P zoning districts;

22 (2) The land is dedicated to the city as designated in the Boulder Valley Comprehensive Plan
23 or any other right-of-way plan approved by city council and as part of the project under
24 review;
25

1 (b) Access for Properties Subject to Annexation: Each parcel of land under a single ownership at
2 the time of its annexation will be reviewed in terms of access as one parcel (regardless of
subsequent sales of a portion) unless the property is subdivided at the time of its annexation.

3 (c) Standards and Criteria for Site Accesses and Curb Cuts: Any access or curb cut to public
4 rights-of-way shall be designed in accordance with the City of Boulder Design and Construction
Standards and the following standards and criteria:

5
6 (1) Number of Access Points Permitted: One access point or curb cut per property will be
7 permitted, unless a site plan or traffic study, approved by the city manager, demonstrates
8 that additional access points and curb cuts are required to adequately address
accessibility, circulation, and driveway volumes, and only where additional accesses and
curb cuts would not impair any public use of any public right-of-way, or create safety or
operational problems, or be detrimental to traffic flow on adjacent public streets.

9
10 (2) Access Restrictions: On arterial and collector streets, or if necessary for the safe and
11 efficient movement of traffic, all accesses shall be designed and constructed with
12 physical improvements and appropriate traffic control measures to assist or restrict
13 turning movements, including, without limitation, acceleration or deceleration lanes,
access islands, street medians, and signage, as may be required of the development if the
city manager finds that they are necessary to preserve the safety or the traffic-carrying
capacity of the existing street. The city manager shall determine the length and degree of
the required access restriction measures for the property.

14
15 (3) Residential Access to Arterial and Collector Streets Restricted: No residential
16 structures shall have direct access onto an arterial. However, if no alternative street
17 access is possible, an access may be permitted subject to the incorporation of any design
standards determined to be necessary by the city manager to preserve the safety and the
traffic-carrying capacity of the arterial or collector.

18
19 (4) Access From Lowest Category Street Required: A property that has frontage on more
20 than one street, alley or public access shall locate its access or curb cut on the lowest
category street, alley or public access frontage. If more than one access point or curb cut
is necessary, an additional access or curb cut will be permitted only where the proposed
access or curb cut satisfies the requirements in this section.

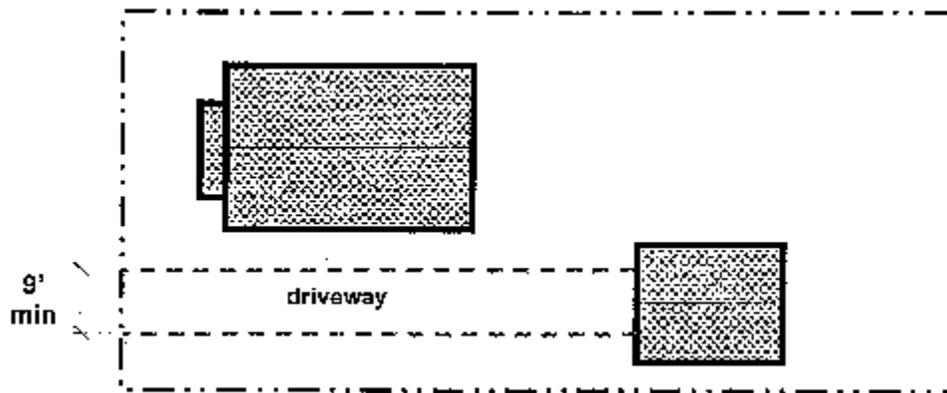
21
22 (5) Property Right to Access: If a property cannot be served by any access point or curb
cut that satisfies this section, the city manager will designate the access point or curb cut
for the subject property based on optimal traffic safety.

23
24 (6) Multiple Access Points for Single-Family Residential: The city manager will permit
25 multiple access points on the same street for single-family residential lots upon finding
that there is at least one hundred linear feet of lot frontage adjacent to the front yard on
such street, the area has a limited amount of pedestrian activity because of the low
density character, and there is enough on-street parking within three hundred feet of the
property to meet the off-street parking needs of such area. The total cumulative width of

1 multiple curb cuts shall not exceed the maximum permitted width of a single curb cut.
2 The minimum spacing between multiple curb cuts on the same property shall not be less
3 than sixty-five feet.

4 (7) Shared Driveways for Residential Structures: A detached single-family residential lot
5 that does not have frontage on the street from which access is taken may be served by a
6 shared driveway that meets all of the standards and criteria for shared driveways set forth
7 in the City of Boulder Design and Construction Standards.

8 (8) Minimum Driveway Width: The minimum width of a driveway leading to an off-
9 street parking space shall not be less than nine feet. A driveway, or portion of a driveway,
10 may be located on an adjacent property if an easement is obtained from the impacted
11 property owner. (See figure 9-1 of this section.)



12
13
14
15 **Figure 9-1: Minimum Driveway Width**

16 (9) Exceptions: The requirements of this section may be modified under the provisions of
17 [section 9-2-14](#)Section 9-2-14, "Site Review," B.R.C. 1981, to provide for safe and
18 reasonable access. Exceptions to this section may be made if the city manager determines
19 that:

20 (A) The topography, configuration of a lot, or other physical constraints makes
21 taking access from the lowest category street, alley or public access frontage
22 impractical, or the character of the existing area is such that a proposed or existing
23 access to the street, alley or public access frontage is compatible with the access
24 of properties in such area;

25 (B) The site access and curb cuts would not impair public use of the public right-
of-way; create safety or operational problems or be detrimental to traffic flow on
adjacent public streets; and

(C) The site access and curb cuts will minimize impacts to the existing on-street
parking patterns.

1 ...

2 Section 4. Section 9-9-12, "Landscaping and Screening Standards," B.R.C. 1981, is

3 amended to read:

4

5 **9-9-12 Landscaping and Screening Standards.**

6 ...

7 (b) Scope: This section and Section 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981,

8 apply to all nonresidential and multi-family residential developments unless expressly stated

9 otherwise.

10 (1) The standards in this section and Sections 9-9-13, "Streetscape Design Standards,"

11 and 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981, shall be met prior to a

12 final inspection for any building permit for:

13 (A) New development;

14 (B) Redevelopment involving expansion of the total building floor area which

15 exceeds twenty-five percent of the ~~Boulder County Assessor's actual~~-value of the

16 existing structure for any use except a property with three or fewer attached

17 dwelling units;

18 (C) Redevelopment involving the expansion of the total floor area for a property

19 that has three or fewer attached dwelling units, shall meet the landscaping

20 standards as follows:

21 (i) Redevelopment valued at more than twenty-five percent, but less than

22 fifty percent of the ~~Boulder County Assessor's actual~~-value of the existing

23 structure shall require compliance with the street and alley tree

24 requirements and the trash and parking screening requirements;

25 (ii) Redevelopment valued at fifty percent or more, but less than seventy-

 five percent of the ~~Boulder County Assessor's actual~~-value of the existing

 structure shall require compliance with the street and alley tree

 requirements and the trash and parking screening requirements and the

 front yard landscape requirements; and

1 (iii) Redevelopment valued at seventy-five percent or more of the ~~Boulder~~
2 ~~County Assessor's actual~~-value of the existing structure shall require
3 compliance with the landscape regulations.

4 (D) Redevelopment exceeding one hundred percent of the ~~Boulder County~~
5 ~~Assessor's actual~~-value of the existing structure and not involving expansion of
6 the total building floor area; or

7 (E) The addition of a dwelling unit.

8 For purposes of this paragraph (1), the applicant shall demonstrate the value of the
9 existing structure by submitting, at the discretion of the applicant, either the actual
10 value assessed by the Boulder County Assessor or the fair market value
11 determined by a real estate appraiser licensed in Colorado.

12 (2) When additional parking spaces are provided, or for a change of use where new off-
13 street parking spaces are provided, the provisions of Section 9-9-14, "Parking Lot
14 Landscaping Standards," B.R.C. 1981, shall be applied as follows:

15 (A) When the number of additional parking spaces that will be provided exceeds
16 twenty-five percent of the number of existing parking spaces on the site, all
17 standards in Section 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981,
18 shall be met for the entire parking lot (existing and new portions) prior to the final
19 inspection for a change of use or concurrent with the addition of the parking
20 spaces.

21 (B) When the number of additional parking spaces that will be provided is less
22 than twenty five percent of the number of existing parking spaces on the site, the
23 standards in Section 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981,
24 shall be met for the new portions of the parking lot prior to the final inspection for
25 a change of use or concurrent with the addition of the parking spaces.

...

20 Section 5. Section 9-9-16, "Lighting, Outdoor," B.R.C. 1981, is amended to read:

21 **9-9-16 Lighting, Outdoor.**

22 ...

23 (c) Scope: This section shall apply to all exterior lighting, including illumination from outdoor
24 signs that impact the outdoor environment. No person shall install any light fixture unless such
25 fixture meets the requirements of this section.

1 (1) Conformance at the Time of Building Permit Application: Compliance with the
2 requirements of this chapter shall be required for all new development. The following
3 outdoor lighting improvements shall be installed prior to a final inspection for any
4 building permit for any redevelopment which exceeds the following thresholds:

5 (A) When development or redevelopment exceeds twenty-five percent of the
6 ~~Boulder County Assessor's actual~~ value of the existing structure, then all existing
7 unshielded exterior light fixtures shall be retrofitted with shielding to prevent light
8 trespass.

9 (B) When development or redevelopment exceeds fifty percent of the ~~Boulder
10 County Assessor's actual~~ value of the existing structure, then:

11 (i) All exterior lighting, except existing parking lot lighting, shall be
12 brought into conformance with the requirements of this section; and

13 (ii) All existing parking lot light fixtures shall be retrofitted with shielding
14 to prevent light trespass.

15 (C) When development or redevelopment exceeds seventy-five percent of the
16 ~~Boulder County Assessor's actual~~ value of the existing structure, then all exterior
17 lighting fixtures shall be brought into full conformance with the requirements of
18 this section.

19 (D) For purposes of this paragraph (1), the applicant shall demonstrate the value
20 of the existing structure by submitting, at the discretion of the applicant, either the
21 actual value assessed by the Boulder County Assessor or the fair market value
22 determined by a real estate appraiser licensed in Colorado.

23 (2) Replacement of Fixtures: If an existing light fixture is removed, it shall only be
24 replaced with a conforming light fixture.

25 ...

Section 6. Section 9-10-2, "Continuation or Restoration of Nonconforming Uses and
Nonstandard Buildings, Structures and Lots," B.R.C. 1981, is amended to read:

**9-10-2 Continuation or Restoration of Nonconforming Uses and Nonstandard Buildings,
Structures and Lots.**

...

1 (d) Drive-Thru Facilities: A drive-thru facility that was established prior to July 31, 1986, on a
2 property not abutting Canyon Boulevard in the DT zoning districts, and has not expired pursuant
3 to subsection (a) of this section, shall be considered a nonconforming use, and may:

4 (1) Be renovated or remodeled, by improvements the cumulative total of which increases
5 the structure's fair market value by no more than twenty-five percent of the ~~Boulder
County Assessor's actual~~ value of the structure, without meeting the criteria for drive-thru
6 uses in ~~subsection-Subsection~~ 9-6-9(c), B.R.C. 1981;

7 (2) Be renovated or remodeled by improvements the cumulative total of which increases
8 the facility's structure's fair market value by more than twenty-five percent of the ~~Boulder
County Assessor's actual~~ value of the structure; or be relocated on site if the development
9 meets the criteria for drive-thru uses in ~~subsection-Subsection~~ 9-6-9(c), B.R.C. 1981; or

10 (3) Be relocated off site or expanded on site, subject to the conditional use requirements
11 for drive-thru uses. For the purposes of this paragraph, "expanded" means creation of an
12 additional drive-thru bay, lane, or teller window.

13 (4) For purposes of this subsection (d), the applicant shall demonstrate the value of the
14 existing structure by submitting, at the discretion of the applicant, either the actual value
15 assessed by the Boulder County Assessor or the fair market value determined by a real
16 estate appraiser licensed in Colorado.

17 Section 7. This ordinance is necessary to protect the public health, safety, and welfare of
18 the residents of the city, and covers matters of local concern.

19 Section 8. The City Council deems it appropriate that this ordinance be published by title
20 only and orders that copies of this ordinance be made available in the office of the city clerk for
21 public inspection and acquisition.
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INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY
TITLE ONLY this ____ day of _____, 20__.

Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED
PUBLISHED BY TITLE ONLY this ____ day of _____, 20__.

Mayor

Attest:

City Clerk

Guiler, Karl

From: Adrian Sopher [asopher@sopherarchitects.com]
Sent: Monday, November 25, 2013 10:17 AM
To: Guiler, Karl
Cc: Erin Sink Bagnall; Scott Holton; Kevin Knapp
Subject: 3085 Bluff
Attachments: SP.0.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Karl.

Attached is the analysis done from the pre-app, showing the required connections per the TVAP Connections Plan. 42.4% of gross area would have been required per that adopted plan. This was in part due to the inability to share the connections with adjacent properties, which I think will be standard for any early property developer.

Here, in the case where RH-6 density is a function of site area, this is a direct loss of allowed units. 3085 being an affordable housing project, the implicit impacts on the ability to fund the project with these kinds of exactions in both site area / density, as well infrastructure costs, are prohibitive.

But beyond that, any connection shared with the Service Commercial zone property will likely never be shared with that adjacent parcel, since the SC zone does not benefit from TVAP up-zoning, and therefore has no incentive to provide the exaction at all. Likewise, those properties will not likely allow for the termination of the required TVAP connections on their site, because all that occurs for them is the loss of site area. And since they cannot then improve their properties beyond the threshold amount, they can be expected to essentially leave these properties pretty much as they are, in perpetuity, otherwise the infrastructure would be exacted. This is a major flaw in the logic of the Connections Plan altogether, in my opinion.

Call me if you'd care to discuss.

Also, we would like to be informed of any hearing on this matter with either TAB or Planning Board.

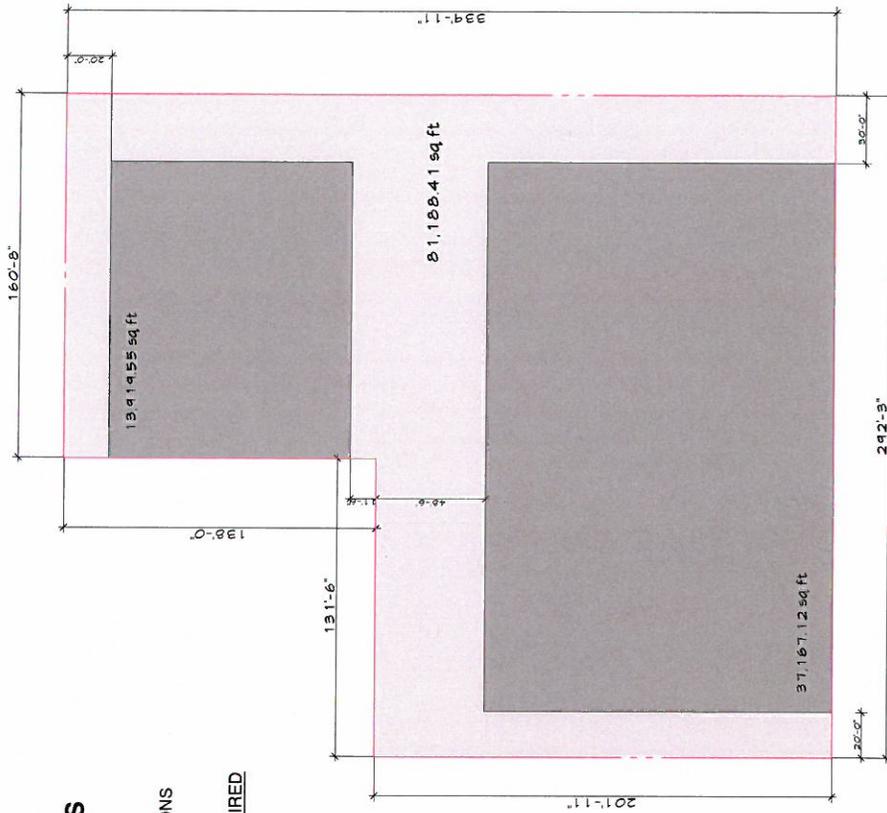
Thanks Karl,

Adrian

PS
Please note new email address.

SITE AREA CALCULATIONS

81,188 SF GROSS SITE AREA
 51,087 SF NET SITE AREA
 30,101 SF RIGHT-OF-WAY DEDICATIONS
 42.4% SITE DEDICATED TO ROW
 1,800 SF NET SITE AREA / DU REQUIRED
 28.38 DUs ALLOWABLE



MEMORANDUM

TO: City of Boulder Housing and Planning Staff

FROM: Element Communities

DATE: June 6, 2013

RE: Tandem at Boulder Junction (3085 Bluff St.) - Request for Density Bonus

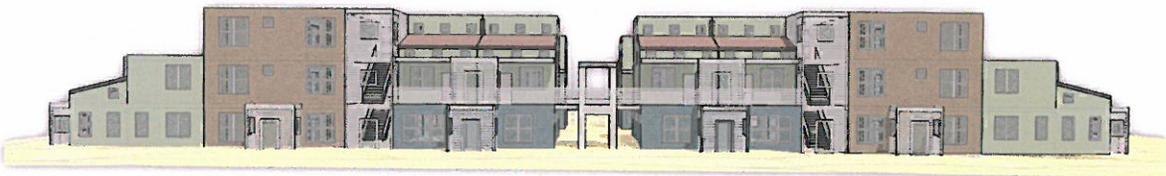
Element Communities, in collaboration with Mental Health Partners (MHP), has proposed a 41 unit development at 3085 Bluff Street to provide workforce and supportive housing for very low income members of the Boulder community. This project has been planned in accordance with the goals of Boulder's Transit Village Area Plan (TVAP) which we feel provides many land use amenities that are attractive to the diverse uses and incomes levels that the City anticipates for this area.

The currently proposed plan is consistent with the RH-6 zoning that requires 1,800 square feet of lot area and 600 square feet of open space per dwelling unit. We feel these restrictions unnecessarily constrain the property from meeting many of the diverse income goals of the TVAP. In particular, the project is penalized for including many smaller units that have proven to be most successful for the special needs population that Tandem intends to serve. Secondly, the necessary transit connections and infrastructure installations create an unrealistic financial burden for a development that intends to provide high quality affordable housing in accordance with the TVAP.

To allow for a financially feasible project, Element proposes a density bonus consistent with the following language found on page 18 of the TVAP:

A density bonus will be given to projects that exceed the affordable housing inclusionary zoning requirement in certain zones, which could increase the total affordable units.

The density bonus that Element proposes is to reduce the land area per dwelling unit and open space per unit by one-third. The resulting lot area requirement of 1,200 square feet and open space obligation of 400 square feet will allow for additional homes while the development remains 100% affordable. Element believes this density bonus, along with the intended use of the land, is consistent with Boulder's adopted vision, goals and objectives for the transit village. We appreciate staff's consideration and guidance as we prepare for the July 1 Low Income Housing Tax Credit application deadline.



Summary of info from Assessment Information Reports

7-Apr-14

| | | | <u>structure</u> <u>sf</u> | <u>actual value</u> <u>from assessment</u> | <u>% of actual</u> <u>value</u> | <u>structure</u> <u>value psf</u> |
|-------------------|-------------|-----------|-------------------------------|---|------------------------------------|--------------------------------------|
| Account#: 0004324 | 1580 Canyon | land | | \$1,316,000.00 | 97.79% | |
| | | structure | 6528 | \$29,800.00 | 2.21% | \$4.56 |
| | | total | | \$1,345,800.00 | 100.00% | |
| Account#: 0033583 | 236 Pearl | land | | \$686,181.00 | 98.37% | |
| | | structure | 1248 | \$11,400.00 | 1.63% | \$9.13 |
| | | total | | \$697,581.00 | 100.00% | |
| Account#: 0069297 | 2633 30th | land | | \$314,600.00 | 38.57% | |
| | | structure | 10408 | \$501,100.00 | 61.43% | \$48.15 |
| | | total | | \$815,700.00 | 100.00% | |

CITY OF BOULDER
AGENDA ITEM PLANNING BOARD
MEETING DATE: May 1, 2014

AGENDA TITLE:

Public hearing and consideration of a recommendation to City Council for an ordinance to modify intensity standards; along with consideration of Site and Use Review applications for 2200 Broadway, referred to as the Trinity Commons, to redevelop the existing surface parking lot with a new Fellowship Hall; 24 permanently affordable attached senior housing units; office space for the Trinity Lutheran Church and other non-profit organizations; and partially below grade parking. The parking will be shared with other off-site users through a Use Review management plan. The application includes a condition of approval for landmarking the existing, historic portion of the Trinity Lutheran Church. The applicant is requesting vested rights. The project is reviewed under two separate case no. LUR2013-00048 and LUR2014-00013.

Applicant: Hartronft Associates

Property Owners: Trinity Evangelical Lutheran Church of Boulder, Colorado

REQUESTING DEPARTMENT:

Community Planning and Sustainability

David Driskell, Executive Director

Susan Richstone, Deputy Director

Charles Ferro, Development Review Manager

Elaine McLaughlin, Senior Planner

OBJECTIVE:

Define the steps for Planning Board consideration of this request:

1. Hear Applicant and Staff presentations
2. Hold Public Hearing
3. Planning Board discussion
4. Planning Board recommendations to City Council on the proposed Ordinance.
5. Planning Board action to approve, approve with conditions, or deny the Site and Use Review applications.

PROPOSAL AND SITE SUMMARY:

Proposal: Site and Use Reviews along with a new ordinance to supersede Ordinance 7516 for redevelopment of the surface parking lot adjacent to the Trinity Lutheran Church to include a new Fellowship Hall, administrative offices, 24 permanently affordable attached senior housing units, and two levels of partially below grade parking for 86 spaces. The Use Review is requested to permit shared use of parking on the site by residential, church, and off-site users.

Project Name: Trinity Commons

Address: 2200 Broadway

Zoning: Business Transition (BT-2)

Comprehensive Plan: High Density Residential

KEY ISSUES:

Staff has identified the following key issues regarding the proposed project:

1. Is the proposed project and ordinance consistent with the Concept Plan?
2. Does the proposal meet Site Review Criteria, including Boulder Valley Comprehensive Plan (BVCP) policies?
3. Is the proposed parking use consistent with the Use Review Criteria?

I. INTRODUCTION AND BACKGROUND

In February 2007, a Concept Plan was reviewed for the proposed project. Following in April 2007, Ordinance 7516 was approved by City Council to permit up to 26 residential dwelling units on the property where the BT-2 zoning would have only permitted 22 units, with a minimum of 50 percent or 13 units to be onsite permanently affordable housing. The current application is consistent with the Concept Plan but incorporates changes to the project, altering the overall unit number to 24, with all of the units being permanently affordable. The project is proposed to be developed in three construction phases. The city has agreed to provide funding support for the first sixteen units, to be built in the first phase, with the potential for an additional eight units included in a future development phase. While the previous Concept Plan was not able to move forward due to market conditions, the revised plan, which will be enabled by the revised ordinance, keeps intact the significant community benefit presented in the original plan, with the added benefit of all the proposed residential units being permanently affordable (with 16 units in the first phase, and approval for eight additional units in the later phase).

Existing Site. The Trinity Lutheran Church owns the property that houses the church facilities along with the surface parking lot across the alley. The proposed redevelopment site has been a surface parking lot since the 1950s, and is shown in Figure 1. The parking lot is separated from the church by a small eastbound alley. The existing parking lot consists of 76 parking spaces, some used for the church and the remainder leased to other surrounding businesses. There is a change in elevation from northwest to the southeast of approximately nine feet from corner to corner and there are several mature trees within the right-of-way adjacent to the site that will be preserved. The site lies just outside the limits of the downtown and is also outside the Central General Improvement District (CAGID). While the redevelopment site is currently used as a shared parking lot for the church and other downtown users who lease spaces from the church, the church building is located across the alley from the parking lot. Only minor interior changes are proposed within the church. However, a proposal to landmark the church is offered as one of several community benefits of the proposed ordinance.



Figure 1: Images of the subject site: Church viewed from the north (left) and south (right) and parking lot

Trinity Lutheran Church Building. According to historic survey information provided by the Carnegie Branch of the Boulder Public Library, the late gothic-revival church was constructed in 1929 after designs by Margaret Read of the architectural office of Glen Huntington. While the church is considered notable for its 1920s gothic-revival architecture, it is also in an area known as Boulder's "church district." It is also considered significant as having been designed by one Margaret Read who was one of Boulder's first women architects. According to the Carnegie Branch of the Boulder Public Library, the congregation for the Trinity Lutheran Church was established in the City of Boulder in 1896, in a parish that was located nearby but is no longer standing.



Figure 1a: the original church (on right) and addition on left of photo



Figure 1b: the portion that is the original church

An undated photo of one of the events with the early congregation is shown in Figure 2, as provided by the archives of the Carnegie library with a caption indicating an original location at 2240 Broadway, north of the existing location prior to the construction of the 1929 church.

In 1966, a contemporary, “organic-style” addition was constructed at the north side of the church (refer to photo in Figure 3a). The addition was designed by local modernist architect, Hobart Wagener. Wagener designed over 200 public and private buildings, including Ball Brothers Industrial Park (1956-1964), an addition to the First United Methodist Church (1958-60), Midland Savings and Loan (the Atrium, 1968-78) and Fairview High School (1970). The Wagener addition is still visible at the rear of the church, as shown below in Figure 3.

In the mid-1980s, an entry addition was constructed at the west façade of the building. The neo-traditional design closely mimics the design and materials of the original 1929 portion of the church. However, the Wagener 1966 addition is obscured from the front of the building.

Figure 3: the “organic” form of the Wagener addition of 1966 is visible behind the 1980s neo-traditional design for the northern portion of the front, Broadway, elevation

The original historic portion of the church remains intact, and holds historic significance as having been designed by one of city’s first women architects. Therefore, the property is eligible for designation as a local historic landmark. A preliminary review of the proposed design indicates that that the proposed new construction across the alley and away from the original church will have no direct effect on the historic church building.



Figure 2:

Photo excerpt from Carnegie Branch: Boulder Public Library Reference
Caption: “Interior view of the Trinity English Evangelical Lutheran Church at 2240 Broadway. Shows the seated congregation, and a group of 8 young women and 4 young men at the front of the room with the minister for some special event.”



Staff finds the new construction indicates sensitivity to the historic building and overall context of the area. Because the church is eligible for landmark designation, per policy 2.30 *Preservation of Historic and Cultural Resources* of the Boulder Valley Comprehensive Plan, a condition of Site Review approval is included for the applicant to apply to landmark the historic portion of the building shown outlined in yellow in Figures 4a and 4b. Figure 4c is a photo of the original blueprints from Margaret Read's 1929 design.

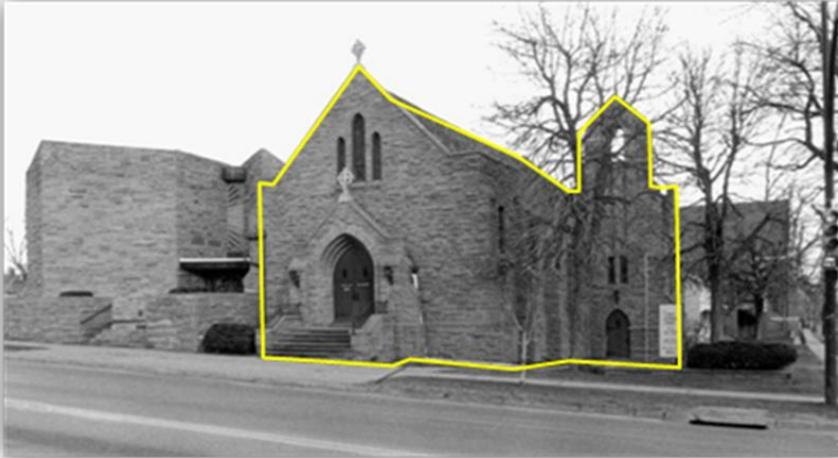
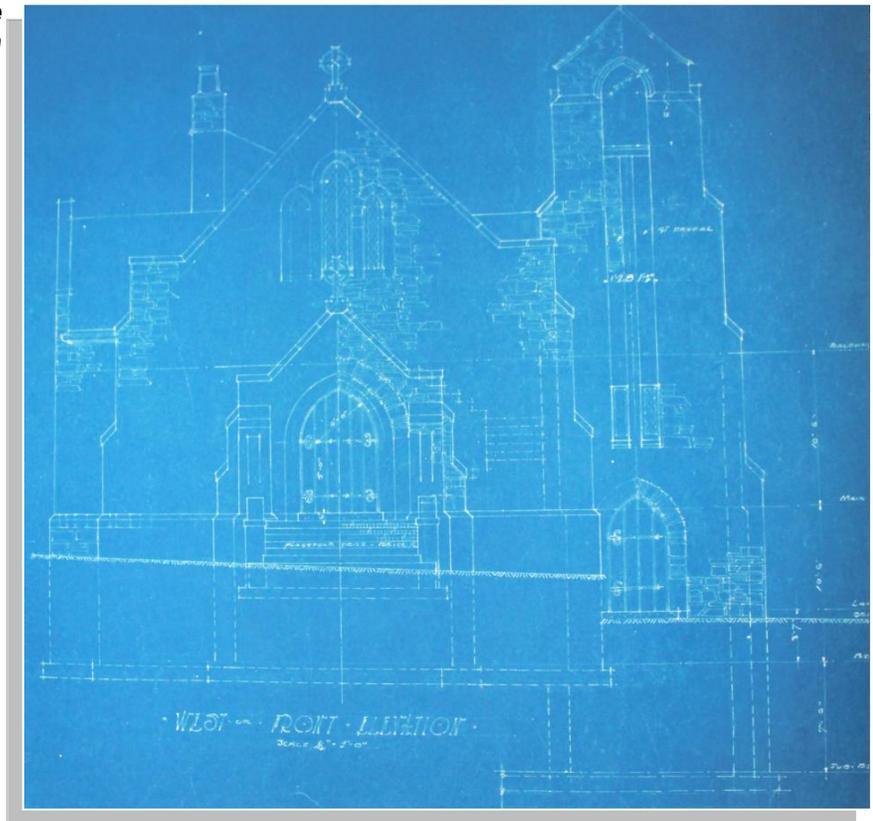


Figure 4a:
View of original portion of Church (on right) with 1966 addition (left);
(predates the north, front (Broadway) entry addition)



Figure 4b:
Aerial View of
Historic Portion of the Church

**Figure 4c: Photo of the
Original 1929 Blueprint of west elevation of church**



Surrounding Context. The site's surroundings are varied given the different zoning and redevelopment over time in the area. Adjacent to the site, Broadway is considered a major arterial with four lanes of traffic and dedicated left turn lanes. Across Broadway is the Boulder Museum of History (formerly a Masonic Temple) along with a small Victorian home and a small law office. The First Congregationalist Church is located across Broadway to the southwest; the Johnson Kightlinger and Co. Accountants office building is located to the north across Mapleton Street, and the First Church of Christ Scientist is located to the east, as are varying sizes of residential units and the parish and school of the Sacred Heart of Jesus Catholic Church. Development to the south is more intensive which is characteristic of the central business district, with four and five story buildings, and the Boulderado Hotel addition defining the corner of Pine and Broadway. Photos of the surrounding context are shown in Figure 5, keyed to an aerial to illustrate location.

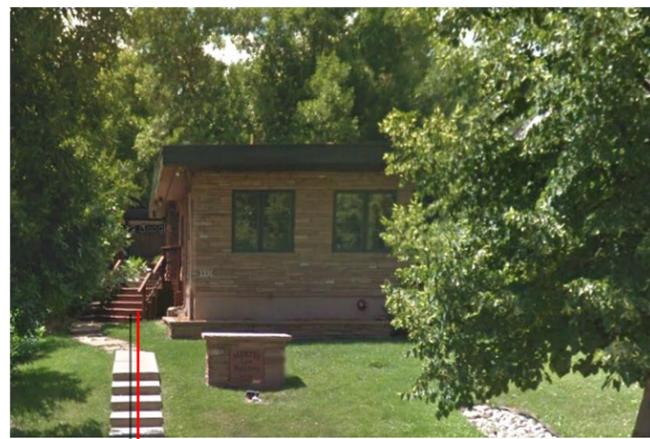


Figure 5: Site Surroundings

Boulder Valley Comprehensive Plan (BVCP) Designation:

The land use designation for the site is High Density Residential. In such areas, a density of 14 units per acre or more could be built, if appropriate and compliant with zoning and relevant BVCP policies. The BVCP land use designation map best distinguishes these areas. Mixed Density Residential is shown to the west and to the east, with Medium Density Residential and High Density Residential separating the site from those land use designations. Regional Business land use is located within a portion of the Boulderado Hotel property and adjacent business uses along Spruce Street. Figure 6 illustrates the BVCP land use of the site and surroundings.

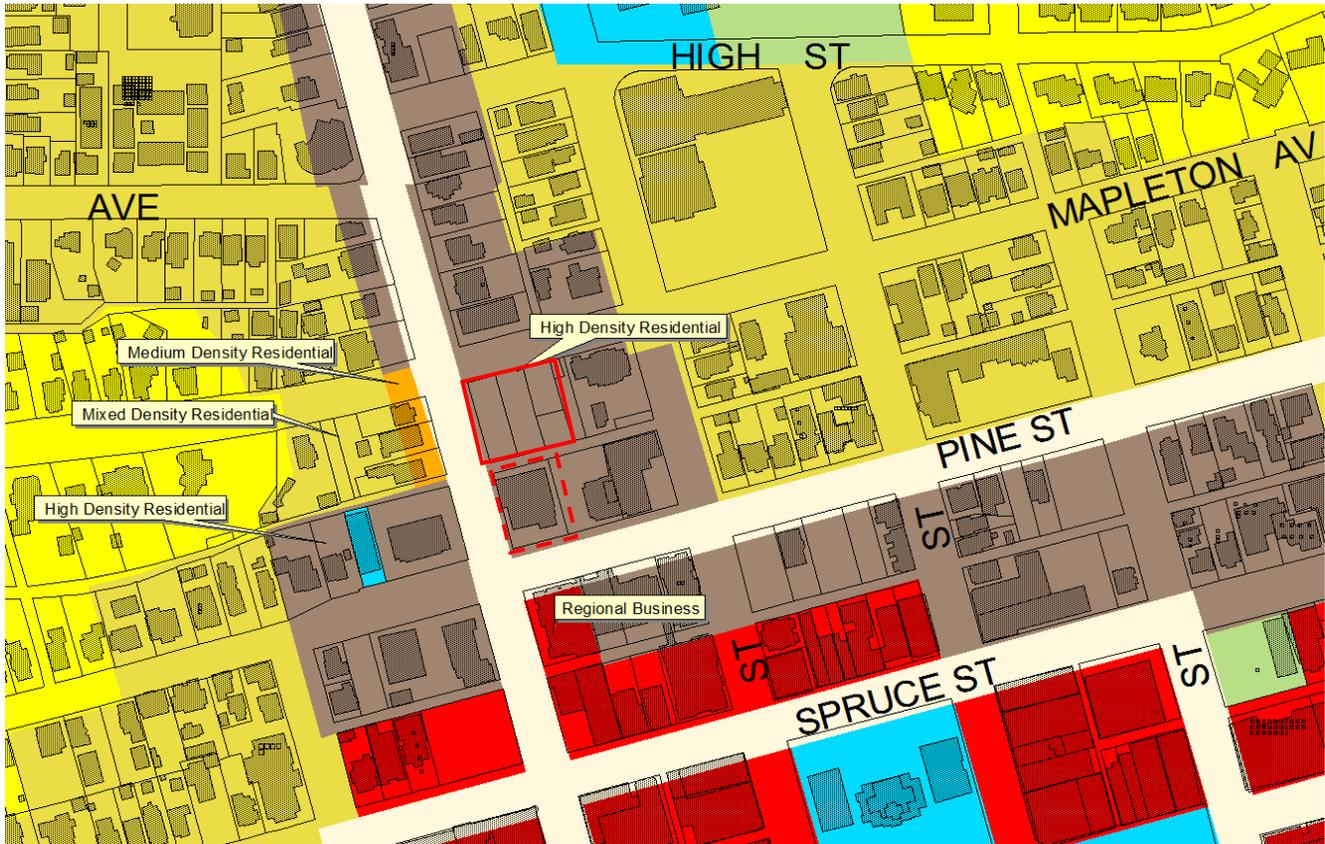


Figure 6: BVCP Land Use

Site Zoning and Existing Ordinance 7516:

As shown in Figure 7, the zoning on the site is BT-2, Business Transition – 2, defined as follows:

(E) Business - Transitional 1 and Business - Transitional 2: Transitional business areas which generally buffer a residential area from a major street and are primarily used for commercial and complementary residential uses, including without limitation, temporary lodging and office uses.

In April 2007, an ordinance was approved by City Council to permit a maximum of 26 residential dwelling units on the property where the BT-2 density would have only permitted 22 units (based on BT-2 intensity standards of 1,600 square feet of lot area per dwelling unit). An increase in density from a maximum 0.5 FAR to 1.25 FAR was also permitted. The intent in the ordinance was to meet several community benefit objectives:

- ✓ Provision of permanently affordable housing for seniors in the downtown near transit;
- ✓ Allow the church congregation to remain within the downtown area as it has for over 100 years;
- ✓ Redevelop an underutilized surface parking lot;
- ✓ Provision of office space for both the church and other non-profit organizations; and
- ✓ Application to landmark the historic portion of the church.

Since approval of Ordinance 7516, the global financial crisis that began in 2008 impacted the feasibility of implementing the original ordinance and its requirements. The proposed new ordinance establishes 24 units as permanently affordable, whereas the original ordinance established 13 units (or 50 percent of the original 26 units) as permanently affordable. Of the 13 units previously approved, specific affordability parameters were required. The new ordinance allows the applicant to achieve the city's goals for permanently affordable housing to meet or exceed the standards of Chapter 9-13, "Inclusionary Housing," B.R.C. 1981 for all the units and permits density up to a 1.0 FAR, with even greater community benefits offered in the original ordinance. Ordinance 7516 would be repealed with approval of the new ordinance.

The new ordinance will create 16 permanently affordable senior residential units, with a later phase of eight additional permanently affordable senior residential units for a total of 24 permanently affordable units. The city has agreed to provide funding to support the construction of the first 16 of these units. This compares to the previous approval of 26 units, of which half or 13 were proposed as permanently affordable with little or no city funding. Planning Board is asked to provide a recommendation of approval to City Council on the draft ordinance.

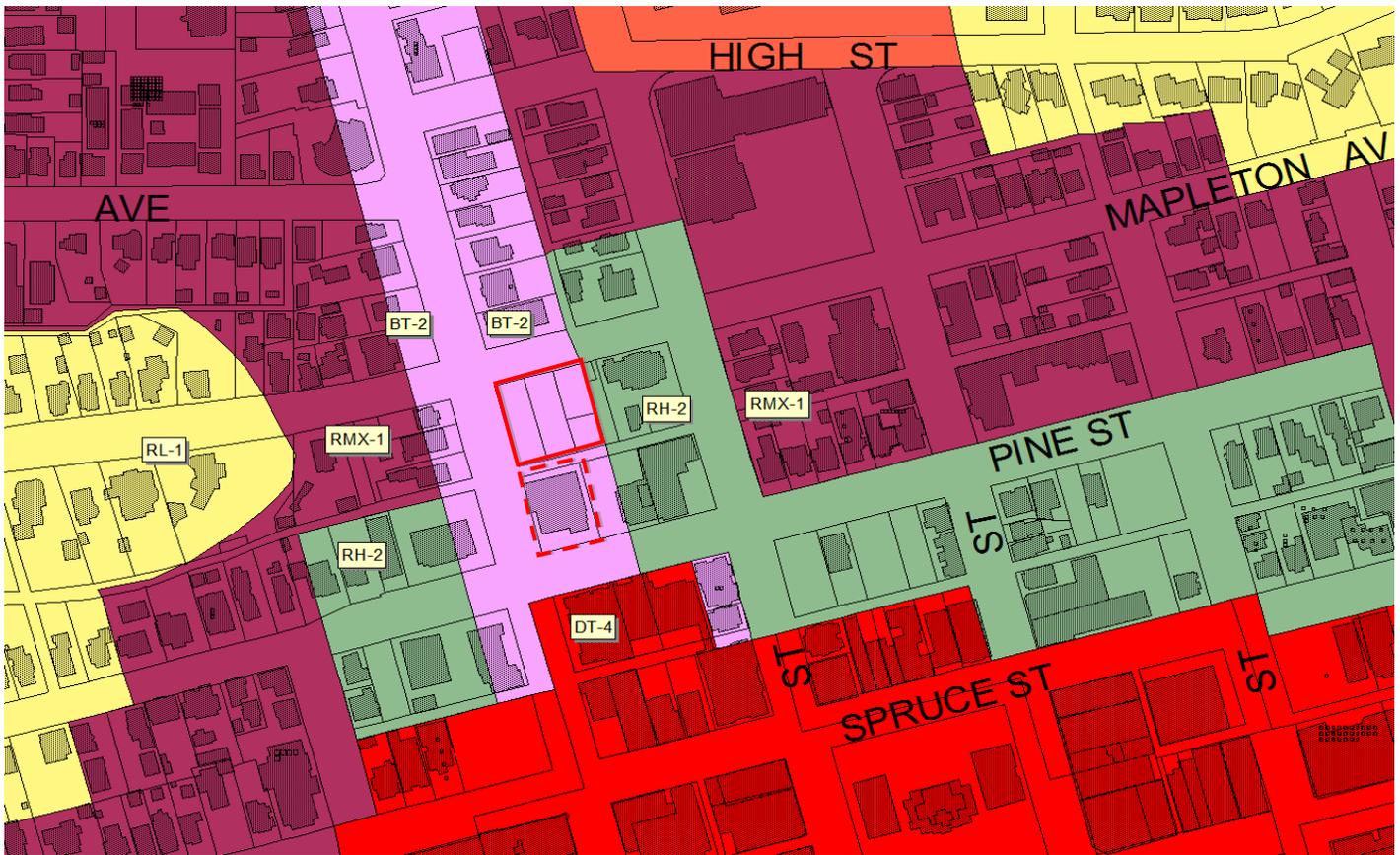


Figure 7: Zoning

Proposed Project Site Review. In keeping with the Concept Plan, the project is proposed as a three story building with a total of 24 permanently affordable senior residential units, 16 of which will be built now with the additional 8 included in a potential future development phase; along with 7,790 square feet of ancillary church meeting space (Fellowship Hall) and church offices. A parking structure is planned partially below grade for 86 parking spaces, where 104 spaces are required; the proposal includes a 17 percent parking reduction request. The proposed project also includes a request for Use Review approval for parking as a principal use for shared use of the parking facilities with other off-site users on days when the church is not using the parking. The Site Plan is provided in Figure 8, the

cross-hatched area shown on the church is the area to be landmarked as a part of the proposed project. Key Issue 1 includes a discussion of the proposed project consistency with the Concept Plan review.

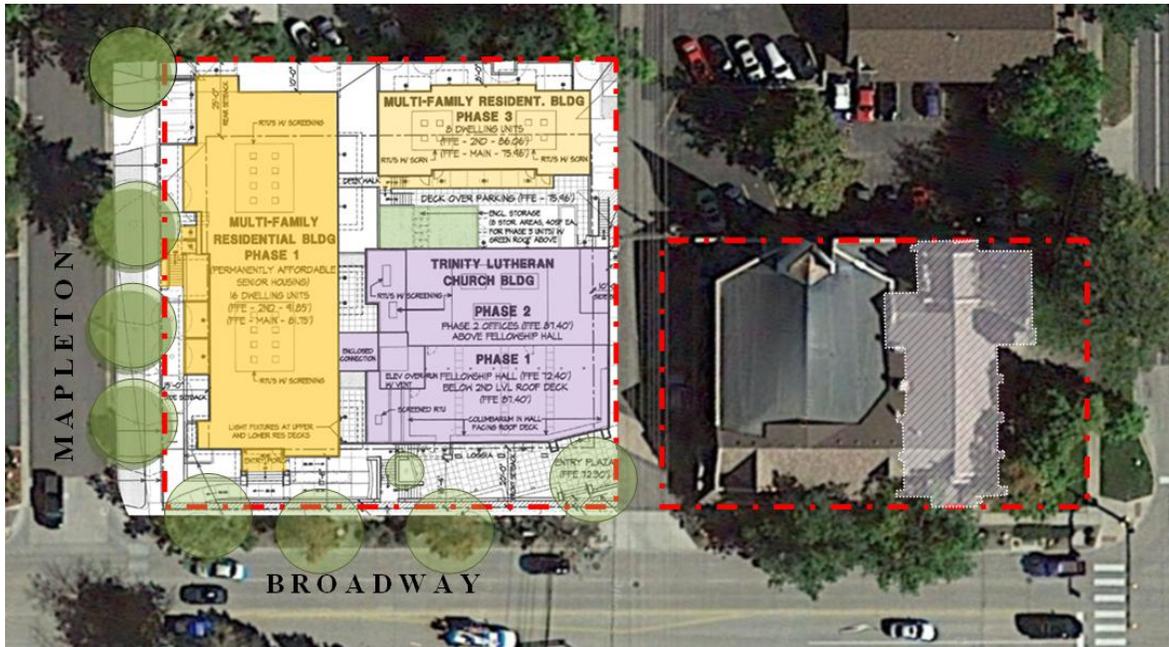


Figure 8 Site Plan, also illustrating area of existing church to be landmarked (in purple)

The portion of the building that is the Fellowship Hall is planned to be setback from Broadway by approximately 20 feet, to create an outdoor plaza and gathering space at the entry. In this location, the topography begins to rise toward the north and the plaza space will then rest slightly below grade, with a low retaining wall and steel rail picket fence enclosing a portion of the space that is below grade. The Fellowship Hall portion of the building is also designed with a style and materials in keeping with the church with similar arched entryways in red Lyons sandstone and red brick on surrounding walls.

The residential portion of the project is mostly separated from the Fellowship Hall except for enclosed connections on the first and second stories that also share an elevator access with the Fellowship Hall. The finish materials planned on the residential building are two similar tones of red brick to match the Fellowship Hall, along with areas of similarly-colored stucco above. Figure 9 presents a north elevation illustrating materials; perspective sketches are provided in Figures 10 and 11 to illustrate views from Broadway.



Figure 9: North Elevation



Figure 10: Perspective Sketch looking toward northeast at the proposed project



Figure 11: Perspective Sketch looking toward southeast at the proposed project

As shown in Figure 12, Phasing Plan, the project is intended to be phased: with the first phase including construction of the 16 permanently affordable senior residential units along Mapleton Avenue and the Fellowship Hall along Broadway. The second phase is planned for the offices above the Fellowship Hall including a rooftop deck above the Fellowship Hall, and the third phase is to construct eight additional permanently affordable senior residential units at the rear of the property along with an interior courtyard space. As indicated in the project plans, the applicant has stated that the intent in requesting phasing is to ensure project funding over time. Refer to [Attachment E](#) for written statement and plans.

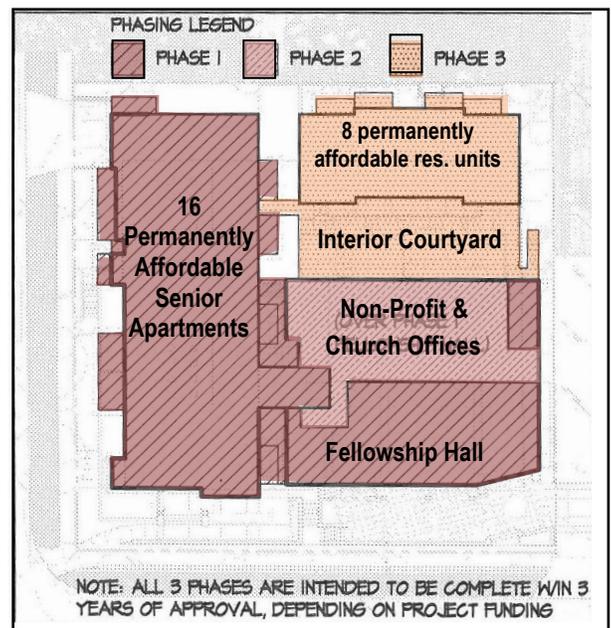


Figure 12: Proposed Phasing Plan (excerpt from sheet A1.00 of Plan Set for the Proposed Project)

Use Review for the Below Grade, Shared Parking as a Principal Use.

As part of the proposed project, a partially below grade structured parking area is planned in keeping with the Concept Plan. While there were 136 spaces planned as a part of the Concept Plan, there are fewer with the Site Review, with 86 spaces total. The 86 spaces represents a 17 percent parking reduction (104 spaces are required based on floor area and 26 residential uses) analyzed as a part of the site review. The applicant is requesting to continue to share parking as they do today (with the surface parking lot) with other downtown patrons during non-church attendance hours, generally Monday through Friday, 7:00 a.m. to 6:00 p.m. To do this, the parking qualifies as a "principal use" because users other than those on the site would utilize the parking. Therefore, parking as a principal use on the site requires a Use Review. An analysis under the Use Review criteria is provided as a part of [Attachment A](#).

As noted in the applicant's management plan for parking as a principal use, 24 parking spaces will be available for the residential units. A total of 55 spaces will be utilized for church activities on Sundays, or during evening hours. The church would also allow parking use for weddings or other functions associated with the church including occasional daytime funerals as now occurs. There are seven other spaces that the church exclusively would use for the office staff, the church van and volunteer use.

On weekdays, the church would share 55 parking spaces through a lease agreement with other downtown patrons, either through management by the Central Area General Improvement District CAGID or another parking management partner, as Trinity is in preliminary talks with CAGID to form a parking facility partnership at 2200 Broadway. The 55 spaces would be for Trinity's exclusive use in the evenings (after 5pm) and on weekends (functioning similar to the way Trinity uses its 52 leased parking spots in the current situation). This managed and 'unbundled' parking partnership would benefit both Trinity and other downtown users and would maximize the use of these valuable downtown parking spaces while still reducing parking usage overall through the parking reduction request. As noted in the applicant's written statement, "*Trinity recognizes that parking remains a critical issue as part of being a downtown church, and we are committed to continuing to seek creative ways to resolve our parking needs.*"

Key Issue 1: Is the proposed project and ordinance consistent with the Concept Plan?

On Sept. 7, 2006, the Planning Board reviewed and commented on a Concept Plan for the Trinity Commons, recommending that the concept be pursued with suggested changes to the design. Subsequently, on Feb. 1, 2007, the Planning Board reviewed a second Concept Plan and Planning Board then recommended to City Council that an ordinance be approved based on the Concept Plan. See [Attachment D](#). City Council approved Ordinance 7516 on May 1, 2007 that permits a modification to intensity standards of the BT-2 zoning district to allow 26 dwelling units where 22 were permitted by-right and up to a 1.25 FAR where 0.5 FAR is permitted by right. In the BT-2 zoning, there is no mechanism to increase density through Site Review therefore the ordinance was the only mechanism. The ordinance was supported by the council in that the project would further numerous City Council sustainability goals and the project would provide community benefits including 50 percent (or 13 units) of permanently affordable housing for seniors, community meeting space, office space for non-profits and intent to landmark the historic portion of the church. As noted in the previous staff memo for Ordinance 7516,

"The city has considered ordinances from time to time to modify city standards when a circumstance necessitated exceptions where either a public benefit would arise from the exception or an undue hardship on a property owner could be avoided. In the case of Trinity Commons, it is to allow the required number of units and floor area for a project with a higher ratio of affordable dwelling units in proximity to downtown. Allowing affordable housing projects in appropriate locations has necessitated deviations from the code in the past."

Ordinance 7516 required that the project plans be consistent with the Concept Plan no. LUR2006-000103, that was reviewed on May 1, 2007, as well as the Site Review criteria. Because the application meets the threshold for both Concept Plan and Site Review, a consistency analysis is provided of the Site Review to the Concept Plan. Shown in Table 1, is a comparison of the metrics of the Concept Plan to the Site Review. As can be noted, the building overall is planned to be shorter, with less parking and more affordable units.

Table 1: Comparison of Concept Plan to Site Review

| CONCEPT PLAN | PROPOSED SITE REVIEW | DIFFERENCE |
|--|---|---------------|
| Three story building | Two to Three story building | Slightly less |
| 46-foot height | 35-foot height | 11 feet lower |
| 26 units total | 24 units total | Two less |
| 13 units permanently affordable (50%) | 24 units permanently affordable (100%) | +50% |
| 4,700 sf community/church meeting space | 5,015 sf community/church meeting space | +315 sf |
| 1,460 sf office space | 2,775 sf office space | +1,315 sf |
| Total floor area: 44,564 sf * | Total floor area: 44,372 sf* | - |
| Floor Area Ratio: 1.0 FAR | Floor Area Ratio: 0.99 FAR | -0.2 FAR |
| Three levels parking, 136 parking spaces | Two levels parking, 86 spaces | -50 spaces |

*includes 17,894 sf of existing church building square footage

As shown in Figure 13, the perspective comparison between the Concept Plan and the proposed Site Review, the planned Fellowship Hall and offices are planned to be two stories in height and 35 feet rather than three. This allows the church building itself to present a more dominate stature and helps to transition from the overall taller four-story downtown buildings to the south to the overall two and three story buildings to the north.

The planned community benefits for the new ordinance remain the same from the Concept Plan and Ordinance 7516: provision of permanently affordable housing for seniors in the downtown near transit; landmarking the historic church; provide slightly larger amount of additional community meeting and office space for the church and other non-profit organizations; and a project that will allow the church congregation to remain within the downtown area as it has for over 100 years. The primary difference in the community benefits between the previous approval and the current proposal is the increased provision of affordable units. All of the community benefits are consistent with the city’s sustainability goals and policies, refer to [Attachment A](#), that cites specific BVCP policies.



Figure 13: Comparison of the perspective from Concept Plan (above) to the Site Review (below)

The new ordinance requires that covenants for permanent affordability be executed prior to application for each and any residential building permit to ensure that all units constructed per that permit are permanently affordable. Because Phase III construction of the eight additional units is dependent on funding and capital campaigns, there is a possibility that Phase III is not built. However, the first two phases will still be considered to be in compliance with the ordinance and the site review approval. If in the event that the Phase III, eight units of additional housing, is not implemented, staff is requiring a condition of approval such that if Phase III additional units are not

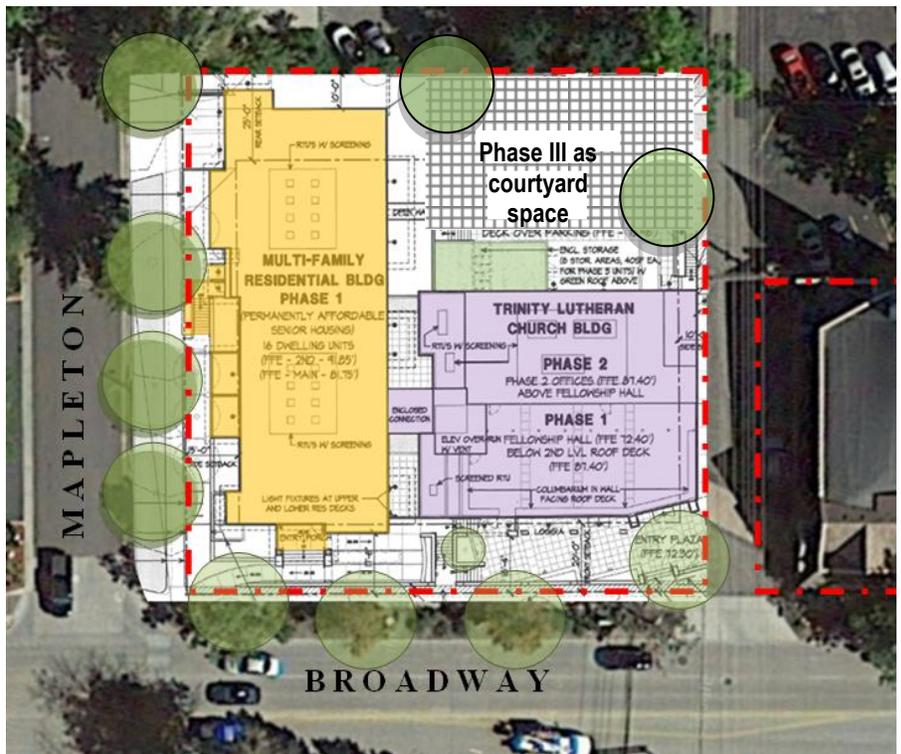


Figure 14: Phase III as open space if additional housing not implemented

implemented at the expiration of the phasing plan (nine years), that the 340 square foot area at the rear of the property where the third phase building would have been located revert to open courtyard space in compliance with the usable open space standards in the Land Use Code. Refer to Figure 14. The purpose in this requirement is to ensure that the rear of the property is either implemented as permanently affordable housing and utilize the floor area provided through ordinance, or the space would be for open space rather than permit any other use. While both the community hall and the offices are slightly larger than proposed at Concept Plan review, the net floor area ratio remains well within the 1.25 FAR proposed in the Concept Plan. The community hall is approximately 315 square feet larger, and the office space is approximately 1,315 square feet larger. However, the expansion of these uses will help to serve the intent of the spaces as meeting rooms accessory to the church, and as office space to benefit the church and other non-profit organizations. As indicated in the management plan provided in [Attachment E](#), the spaces will be utilized by groups that currently occupy some of the church space, including yoga instruction and support groups, and other groups as needed.

Key Issue 2: Does the proposed project, including the parking reduction proposed meet the Site Review Criteria including Boulder Valley Comprehensive Plan (BVCP) policies?

The project was found to be consistent with the Site Review Criteria of section 9-2-14(h), B.R.C. 1981 in that the proposed project will provide an attractive new permanently affordable senior apartment building with 16 units and the potential of 8 additional permanently affordable senior residential units constructed in a future development phase, along with a well designed and well integrated Fellowship Hall space, ancillary to the existing church, along with supporting offices for both church and non-profit agencies use. A consistency analysis of the proposed project with the site review criteria is provided in [Attachment A](#).

Key Issue 3: Is the proposed parking use consistent with the Use Review?

The project was found to be consistent with the Use Review Criteria of section 9-2-15, B.R.C. 1981 in that, the proposed parking facility will be a shared facility that is utilized at differing times of the day and week. The parking

reduction, analyzed as a part of the Site Review criteria, keeps parking to a minimum; the parking that is provided is efficiently utilized and staff finds that the parking needs of the on-site uses are adequately met. A consistency analysis of the proposed project with the Use Review criteria is provided at the end of [Attachment A](#).

PUBLIC NOTIFICATION

Three separate mailings were sent as required public notice for both the Site and Use Review applications along with the draft ordinance, in the form of written notifications to property owners within 600 feet of the subject property. In addition, a public notice sign was posted on the property. Therefore, all public notice requirements of section 9-4-3, "Public Notice Requirements," B.R.C. 1981 were met. Two comment letters were received, both articulating support for the proposed project and provided in [Attachment B](#).

Findings and Recommendation

Planning staff finds the ordinance consistent with the policies of the Boulder Valley Comprehensive Plan, and therefore, staff recommends that Planning Board provide a recommendation to City Council to approve the draft ordinance. Planning staff finds that the proposed applications for Site and Use Review meet the Site Review criteria found section 9-2-14(h), B.R.C., 1981, the Use Review Criteria of section 9-2-15, B.R.C. 1981, and are consistent with Concept Plan review of LUR2006-00103. Therefore, staff recommends that the Planning Board approve Site Review no. LUR2013-00048 and Use Review no. LUR2014-00013, incorporating this staff memorandum and the attached Site and Use Review Criteria Checklists as findings of fact, subject to the following recommended conditions of approval.

VI. Conditions on Case: Site Review

1. This approval shall be contingent upon **approval of an ordinance** granting authority to the approving authority of this site review to approve a development that may exceed the maximum residential density and the maximum floor area ratio allowed under the Business Transitional 2 (BT-2) zoning district and authorizing the City Manager to execute documents that will secure affordable housing and other land uses that will provide for community needs. The Applicant shall be in compliance with all conditions contained in such ordinance.
2. The Applicant shall ensure that the **development shall be in compliance with all approved plans** dated Feb. 3, 2014 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.
3. Prior to a building permit application, the Applicant shall submit a Technical Document Review application for the following items, subject to approval of the City Manager:
 - a. **Final architectural plans, including materials and colors, to ensure** compliance with the intent of this approval and compatibility with the surrounding area. The architectural intent shown on the approved plans dated Feb. 3, 2014 is acceptable.
 - b. A **final site plan** including building setbacks on fully dimensioned plans. A signed survey drawing should also be submitted.
 - c. A **final utility plan** meeting the City of Boulder Design and Construction Standards.
 - d. A **final storm water report and plan** meeting the City of Boulder Design and Construction Standards, which include information regarding the groundwater conditions (geotechnical report, soil borings, etc.) on the Property and all discharge points for perimeter drainage systems.

- e. **Final transportation plans** in accordance with City of Boulder Design and Construction Standards for all transportation improvements. These plans must include, but are not limited to: plan and profile drawings, signage and striping plans in conformance with the Manual on Uniform Traffic Control Devices (MUTCD) standards, transportation detail drawings, geotechnical soils report, and pavement analysis.
 - f. A **detailed landscape plan**, including size, quantity, and type of plants existing and proposed; type and quality of non-living landscaping materials; any site grading proposed; and any irrigation system proposed, to insure compliance with this approval and the City's landscaping requirements. Removal of trees must receive prior approval of the Planning Department. Removal of any tree in city right-of-way must also receive prior approval of the City Forester.
 - g. A **detailed lighting plan** showing location, size, and intensity of illumination units, indicating compliance with section 9-9-16, B.R.C. 1981.
4. Prior to issuance of a building permit, the Applicant shall dedicate to the City, at no cost to the City, all easements necessary to serve the development, including the following easements, as shown on the approved plans dated Feb. 3, 2014, meeting the City of Boulder Design and Construction Standards, as part of a Technical Document Review application, the form and final location of which shall be subject to the approval of the City Manager:
 - a. A **public access easement** varying from approximately 2.2-feet to 3.2-feet along Broadway Avenue between the alley and Mapleton Avenue.
 5. Prior to issuance of a building permit, the Applicant shall submit to the City, at no cost to the City, the following **lot line elimination** meeting the City of Boulder Design and Construction Standards, as part of a Technical Document Review application, and subject to the approval of the City Manager:
 - a. A lot line elimination between Lots 4-6, Block 149, Original Town of Boulder, County of Boulder, State of Colorado.
 6. Prior to a building permit application, the Applicant shall submit to the City an application for and pursue in good faith an **Individual Landmark designation** of the historic portion of the church building located at 2200 Broadway with a designation boundary as shown on sheet A1.00 of the approved plans dated Feb. 3, 2014.
 7. Prior to a building permit application, 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 eco-passes to the residents of the development 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.
 8. Prior to any building permit application, 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 eco-passes to the employees of the development for three years after the issuance of a certificate of occupancy.
 9. Prior to the issuance of any residential building permits, the Applicant shall execute **permanently affordable deed restricting covenants** and other required agreements, in a form acceptable to the City Manager, to ensure that all dwelling units being constructed per that permit on the property shall be permanently affordable and meet or exceed the standards of Chapter 9-13, "Inclusionary Housing," B.R.C. 1981.

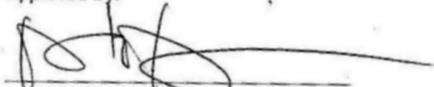
10. Pursuant to subsection 9-2-12(a), "Three Year Rule," B.R.C. 1981, the following **development/phasing plan** is approved:

- a. Phase I, to construct the Fellowship Hall and the 16 permanently affordable attached senior residential units, shall commence at the date of this approval and shall be substantially completed within three years.
- b. Phase II, to construct the offices, shall commence upon the expiration of Phase I and expires three years thereafter.
- c. Phase III, to construct the eight permanently affordable attached senior residential units, shall commence upon the expiration of Phase II and expires three years thereafter. Construction of eight permanently affordable attached senior residential units to be constructed in Phase III of the development/phasing plan, is approved, but shall not be required.
 - i) If the Applicant begins construction of any of these eight units during Phase III, then the Applicant must substantially complete all eight units by the expiration of Phase III.
 - ii) If the Applicant does not begin construction of any of these eight units prior to the expiration of Phase III, then the Applicant shall submit detailed plans, meeting the standards of Section 9-9-11, "Useable Open Space," 1981, and subject to approval of the City Manager, for landscaping and hardscaping improvements in the area where these eight units would have been constructed. The Applicant shall begin and substantially complete said landscaping and hardscaping improvements prior to the expiration of Phase III.

Conditions on Case: Use Review

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans dated Feb. 3, 2014 and the management plan dated March 13, 2014** 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. The number of parking spaces available for the principal use as parking on the site is 55, as shown on the project plans dated Feb. 3, 2014
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

Approved By:



David Driskell, Executive Director
Department of Community Planning and Sustainability

Attachments

- Attachment A: [Consistency with Site and Use Review Criteria](#)
- Attachment B: [Correspondence Received](#)
- Attachment C: [Draft Ordinance](#)
- Attachment D: [Concept Plan and Minutes from 2007](#)
- Attachment E: [Applicant Submittal Materials](#)

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 service area map and, on balance, the policies of the Boulder Valley Comprehensive Plan.

The proposed site plan is within the City limits (and Area I of the service area map) and is consistent with the High Density Residential land use map designation as well as the service area map. As a mixed use development on a major transit corridor that will provide ancillary uses for the Trinity Lutheran Church, along with 100 percent of the residential units proposed are for permanently affordable housing for seniors, the project is consistent with a number of specific policies of the BVCP and in particular with following policies:

- 1.03 Principles of Social Sustainability
- 2.01 Unique Community Identity
- 2.03 Compact Land Use Pattern
- 2.10 Preservation and Support for Residential Neighborhoods
- 2.13 Protection of Residential Neighborhoods Adjacent to Non-residential Zones
- 2.14 Mix of Complementary Land Uses
- 2.16 Mixed Use and Higher Density Development
- 2.18 Role of the Central Area
- 2.24 Preservation of Historic and Cultural Resources
- 2.32 Physical Design for People
- 2.37 Enhanced Design for Private Sector Projects:
 - a) The context
 - b) The public realm
 - c) Transportation connections
 - d) Human scale
 - e) Permeability
 - r) On-site open spaces
 - g) Buildings
- 7.01 Local Solutions to Affordable Housing
- 7.02 Permanently Affordable Housing
- 7.03 Populations with Special Needs
- 7.09 Housing for a Full Range of Households
- 7.13 Integration of Permanently Affordable Housing
- 8.05 Diversity

To review each policy statement, refer to the following link: **Boulder Valley Comprehensive Plan Policies**
<http://www.bouldercolorado.gov/files/PDS/bvcp2010/bvcp2010.pdf>

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:

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 required to meet other site review criteria.

The proposed project includes 16 permanently affordable senior residential units to be built in Phase 1, with a potential additional eight included in a future development phase, parking facilities and offices for both the church and non-profit use. The proposed project's success in meeting the broad range of policies cited above under "(A)" does consider the feasibility of implementing this project and the need for the types of affordable housing solutions in balance with the types of materials proposed, the site design and the ability for the residents to live in a downtown setting close to resources and services.

(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 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;

The applicant is proposing a creative means to achieve open space on the site with a variety of open space areas. The courtyard patio space at the entry to the Fellowship Hall, is slightly enclosed by virtue of the transitioning topography and the need for a retaining wall. This space will serve as an outdoor gathering space and forum to the entry into the Fellowship Hall space, a social gathering space for the church. There is another rooftop patio space planned atop the Fellowship Hall that can serve both the offices that open onto the space, as well as the church or other non-profit users. The residential units have individual outdoor balcony spaces and for the last phase of the project, the applicant proposes to construct additional residential units but will also create an interior courtyard space for the enjoyment of the residents and visitors to the site.

n/a (ii) Private open space is provided for each detached residential unit;

There are no detached residential units proposed within the project site.

n/a (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 known special status species on the site that has been developed for decades. There are several existing, long-lived trees that are considered healthy and which will be retained.

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

The proposed open space is reflective of an urban context, along the busy, highly traveled arterial of Broadway. The proposed courtyard patio space at the entries to the Fellowship Hall is partially enclosed by a retaining wall appropriate given the high volume of traffic along Broadway. These open space areas provide relief to the density of this project and surrounding development.

√ (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;**

There are a variety of open space areas primarily oriented to passive recreation. However, there are opportunities, particularly within the internal courtyard space of Phase III, where recreational amenities geared toward seniors could be added.

n/a (vi) **The open space provides a buffer to protect sensitive environmental features and natural areas; and**

There are no know sensitive environmental features or natural areas within this developed urban site.

√ (vii) **If possible, open space is linked to an area- or city-wide system.**

The existing walkways along Broadway, Mapleton, 13th and Pine streets are all part of the urban streetscape. The Broadway walkway connects the entry plaza space to the Fellowship Hall to the city-wide system.

√ (B) **Open Space in Mixed Use Developments (Developments that contain a mix of residential and non-residential uses)**

√ (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;**

There are a variety of open space areas, from internal courtyard spaces that are open and have southern exposure, to the Fellowship Hall entry courtyard patios and streetscapes, that all have accessibility and functionality that is appropriate to the context.

n/a (ii) **Private open space is provided for each detached residential unit;**

No detached dwelling units

√ (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;**

The proposed project will help to establish a new streetscape on Broadway and Mapleton by filling in gaps in the urban street tree canopy with added street trees.

n/a **(ii) Landscape design attempts 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;**

As an urban and developed site, there are no known native species or special status species on the site.

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

The applicant intends to preserve existing, healthy street trees along both Broadway and Mapleton, as well as provide additional landscaping and street trees that are in excess of the requirements.

√ (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 planned 20 foot setback of the Fellowship Hall portion of the project helps to establish not only an appropriate buffer from the highly traveled arterial of Broadway, it also creates a somewhat enclosed and protected courtyard gathering space, that acts as a staging area to the hall itself. The intent is to draw parishioners from the church service to the post service gatherings, and allow for outdoor space and cueing space within this courtyard area adjacent to the entries. This is an appropriate and attractive streetscape for the context.

The streetscapes, with detached walkways and tree lawns also augment the streetscape and will help to frame the streets with tree canopies.

√ (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;

Located within an urban context, and part of the urban street fabric, the narrowness of Mapleton Avenue, where access to the parking structure on the north is proposed, is a limiting factor for speed as is. In addition, access on the south to the parking structure is via the alley, where high speeds are also limited due to the narrowness of the alley.

√ (ii) Potential conflicts with vehicles are minimized;

The detached walkways along both Mapleton Avenue and Broadway channel pedestrians. The urban grid defines the vehicular movement and as such traffic movements are more predictable.

√ (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;

As part of the urban street grid, there are existing walkways that are already utilized by pedestrians and bicyclists that link to other city streets, walkways, and bus lines. They are safe and convenient connections that provide the desired multi-modal mobility through and between properties.

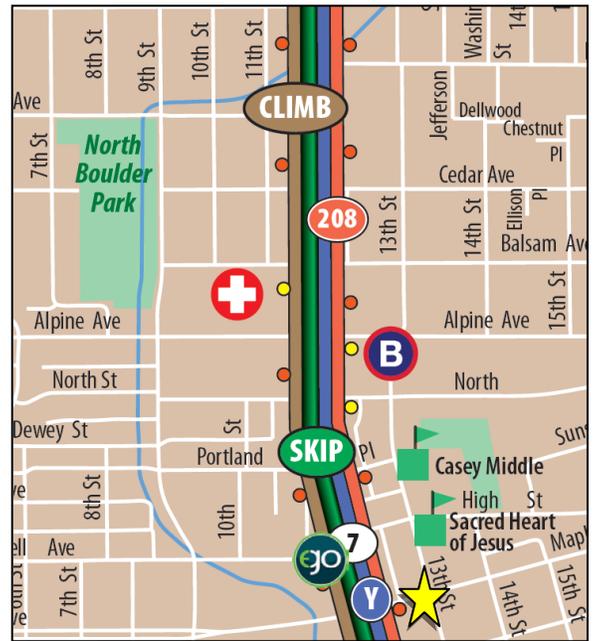
√ (iv) Alternatives to the automobile are promoted by incorporating site design techniques, land use patterns, and supporting infrastructure that supports and encourages walking, biking, and other alternatives to the single-occupant vehicle;

Bike parking is provided on site, both secured storage within the parking garage, as well as ‘U-racks’ outside of the buildings. Similarly, augmenting the streetscape with additional street trees and walkways will encourage residents to walk within the surrounding neighborhood. The location of a bus stop adjacent to the proposed project, with a number of bus routes available will also help to encourage alternatives to SOVs.

√ (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 travel demand management techniques include provision of eco-passes for residents and employees.

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

As shown on the RTD bus route map, the site is located on a major transit line with the Climb, Skip, 208 and Y buses all routed along Broadway in front of the site. There is an existing bus stop located at the corner of Mapleton and Broadway.



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

Given the urban context and the primarily below grade parking structure, the amount of land devoted to the street system is minimized.

√ (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.

There is a proposed semi-below grade parking structure that is separated from the units above.

√ (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 proposed project includes a partially below grade parking structure with access from both Mapleton Avenue and the alley. Given the narrowness of Mapleton Avenue and the existing and proposed detached

walkway, pedestrians can easily see and understand the vehicular movements in this urban context.

√ (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;

The applicant is requesting a 17 percent parking reduction that will both meet the parking needs of the proposed residential units, and provide weekend parking for the church activities. The parking structure will be shared between the residents, the church activities and other downtown patrons such as the Boulder History Museum, through shared parking agreements and as defined in the associated Use Review for the parking as a principal use.

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

Because the proposed parking structure is predominately below grade, the visual impact is reduced. However, given the existing topography, the east end of the parking structure is above grade. While this does represent a story, under the city's definitions, the applicant is maintaining by-right number stories (three stories) within the BT-2 zoning district, and is providing architectural detailing and brick as a finish material on the "exposed" portion of the garage. This will help to reduce the visual impact on adjacent properties.

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

Not applicable as the parking is at the rear and below grade.

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

√ i) The building height, mass, scale, orientation, and configuration are compatible with the existing character of the area or the character established by an adopted plan for the area;

The proposed building height is 35 feet and three stories. This is consistent with the surrounding building heights. Immediately to the east is the First Church of Christ Scientist, that is approximately 35 feet in height and two and ½ tall stories. While the built context is eclectic, there are a number of buildings in the vicinity that are three stories and taller, including single family residential buildings, churches, and office buildings.



√ (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 for the immediate area;

While there are no “projected heights” for the area, the approval of Ordinance 7615 was based upon a Concept Plan that illustrated a two- to three-story building mass for 26 residential units and offices. The adoption of that ordinance in effect approved the building height and intensity as long as the Site Review maintained the intent of the Concept Plan. As noted above in criterion “(i)” the proposed building height is 35 feet and three stories. is consistent with the surrounding building heights.

√ (iii) The orientation of buildings minimizes shadows on and blocking of views from adjacent properties;

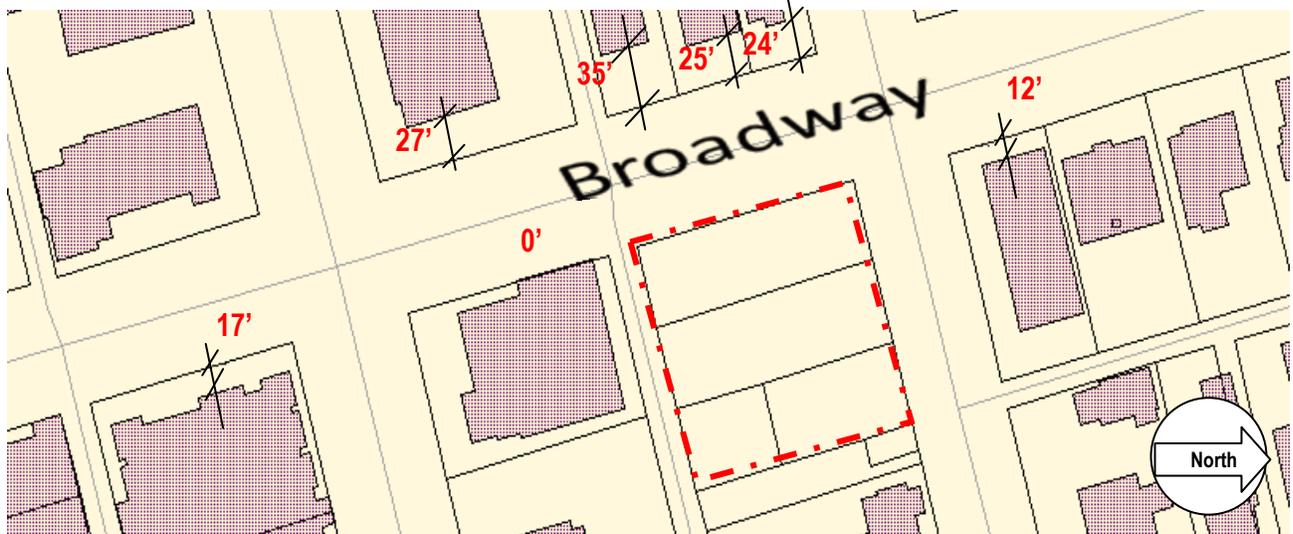
With regard to views, as shown, there is an existing view toward the Flatirons from the property. It is likely that the proposed three-story building will change the viewshed given the existing surface parking lot. However, this would likely be true given even a single story building given the angle and aspect to the views in this location.

√ (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 character of the area is eclectic. However, given the number of historic buildings in the area, many that utilize the indigenous red clay brick and/or the red Lyon’s sandstone, the use of red brick variations and stone, along with reddish tones for the stucco would be in keeping with the character of the area.

√ (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;

Generally, the criteria would point to a reduced front setback to establish a vibrant pedestrian experience. However, the criteria also points to context for reference for appropriate setbacks. The proposed Fellowship Hall is setback from Broadway approximately 20 feet. While the existing church building is located with a 0-lot line setback, properties along Broadway in the vicinity of the proposed buildings have variations in setbacks from 35-foot setbacks to 12-foot setbacks, mostly owing to the highly traveled arterial of Broadway, as shown.



There is pedestrian scaled detailing provided on building frontages along both Broadway and Mapleton Avenue. The Fellowship Hall portion of the building on Broadway utilizes similar Gothic-revival style arched building facades as the historic Trinity Lutheran Church building which provides pedestrian interest. The transitioning of the walkway topographically in this location also necessitated use of retaining walls that somewhat enclose the planned entry courtyard space in this location, this too adds interest in the pedestrian experience. The residential portion of the building, for the most part, along Mapleton employs human scale materials such as brick and detailed landscape plant materials within the ground floor level. Because of the residential nature of the use on Mapleton, the need for transparency at the pedestrian level is not as important along Broadway with the Fellowship Hall use. The need for privacy in the residential setting is appropriate for this context.



√ (vi) To the extent practical, the project provides public amenities and planned public facilities;

The establishment of a strong streetscape with detached walkways and augmented tree lawn plantings in this location, as well as construction of interesting and attractive buildings help to amenitize the public realm.

√ (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 proposed use of the site primarily for permanently affordable senior residential units will add to the variety of units within the city and help meet the City's goal of having 10 percent of the city's residential units as permanently affordable for low- and moderate-income people.

√ (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 majority of the residential units do not face onto Broadway, but rather face Mapleton Avenue or are internal to the site. This configuration helps to mitigate noise from external sources such as traffic noise on Broadway.

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

A lighting plan will be required at the Technical Document review stage to meet this factor.

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

There are no natural systems on the developed, paved surface parking lot. There are existing healthy street trees that will remain and be augmented with additional trees.

√ (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 proposed project will be required to meet the city's recently adopted, and rigorous standards for energy: the International Energy Efficiency Code (IECC) plus 30 percent additional efficiency.

√ (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;

The proposed project utilizes red tones of sandstone on the Fellowship Hall along with brick and areas of similarly colored stucco above the public realm for both the office uses and residential units.

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;

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

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.

√ (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:

√ (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.

The planned interior courtyard space is open to the south and will permit solar access into the open space for the benefit of the residents and tenants. This effectively protects the proposed buildings from shading within the development. Additionally, the applicant has demonstrated with the solar shadow analysis on page A5.10, that the building does not encroach past the 25 foot solar fence for the property to the east, with the Church of Christ Scientist at 2:00 p.m., Dec. 21st of the year, the point at which solar shadows cast their longest shadow.

√ (ii) 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.

In this context, the central interior courtyard space will create open solar access for the residential buildings that align Mapleton.

√ (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.

The building is designed with a flat roof and mechanical systems to accommodate any potential use of photovoltaic panels. The buildings are designed that two of the three buildings on the site have broad walls and windows facing south.

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

Existing and proposed deciduous tree species are planned as street trees on all three rights-of-way that will provide summer shading when the trees are in full-leaf; and winter solar capture when the branches are denuded of leaves. Therefore, shading effects of proposed landscaping on adjacent buildings are minimized as those street trees are far removed from the adjacent property that could be shaded.

n/a (H) **Additional Criteria for Poles Above the Permitted Height**

n/a (I) **Land Use Intensity Modifications**

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 9-9-6](#), "Parking 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 17 percent and meets the criteria below.

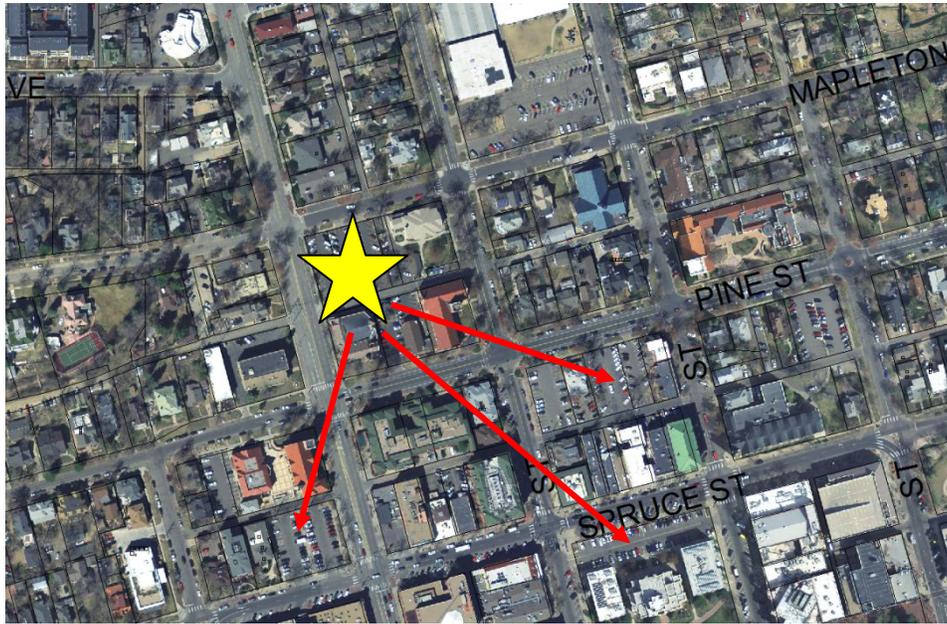
(ii) **Criteria:** Upon submission of documentation by the applicant of how the project meets the following criteria, the approving agency may approve proposed modifications to the parking requirements of [section 9-9-6](#), "Parking Standards," B.R.C. 1981 (see tables 9-1, 9-2, 9-3 and 9-4), if it finds 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 occupants of all of the constructed residential units will be seniors, likely on fixed incomes as the units will be permanently affordable. While there are 24 spaces set aside for the residential units, the excess 62 spaces (of the total 86) will provide opportunities for church functions and when not in use by the church can provide shared opportunities for parking for surrounding uses including the Boulder History Museum.

(b) The parking needs of any non-residential uses will be adequately accommodated through on-street parking or off-street parking;

A total of 55 parking spaces are planned for shared use between church functions and, when not in use by the church, parking for downtown visitors and surrounding uses including the Boulder History Museum. In addition, there is on-street parking on Mapleton, 13th, and Pine streets as well as streets further from the site in the downtown. There are three public parking lots in proximity to the site as shown below, that can also serve any "overflow" parking needs.



(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;

A total of 55 parking spaces are planned for shared use between church functions and, when not in use by the church, parking for downtown visitors and surrounding uses including the Boulder History Museum.

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

Maximum use of the parking by the church will be primarily on Sundays and during weekday evenings. The leasing of spaces by other downtown patrons will primarily occur Monday through Friday during daytime business hours.

(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 for the proposed 16 permanently affordable senior apartments will not change. The eight permanently affordable units will remain as residential, and the use of the Fellowship Hall for gatherings related to the church, after services and for special occasions such as weddings, funerals or other activities ancillary to the church functions will remain associated with the church.

9-9-6(f)(8), B.R.C. 1981. Parking Reductions for Religious Assemblies: The city manager will grant a parking reduction to permit additional floor area within the assembly area of a religious assembly which is located within three hundred feet of the Central Area General Improvement District if the applicant can demonstrate that it has made arrangements to use public parking within close proximity of the use and that the building modifications proposed are primarily for the weekend and evening activities when there is less demand for use of public parking areas.

With the potential use of the parking for CAGID, the applicant has demonstrated that they will arrange to use the parking on weekends and evenings. In addition, there is on-street parking on Mapleton, 13th, and Pine streets as well as streets further from the site in the downtown. There are three public parking lots in proximity to the site as shown in the analysis above, that can also serve any “overflow” parking needs.

USE REVIEW CRITERIA: PARKING AS A PRINCIPAL USE

Criteria for 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 non-conforming use;

The parking area as a primary use is required due to the potential opportunity to share the below grade parking with other downtown patrons and users, on off-peak church-use periods. The purpose of the BT-1 zoning district is defined as, “transitional business areas which generally buffer a residential area from a major street and are primarily used for commercial and complementary residential uses, including without limitation, temporary lodging and office uses.” Because the parking use will support the church as well as other non-profit organizations, including the Boulder History Museum and residential, all of the planned uses that will use the parking are considered by-right uses in the BT-1 zoning district. Similarly, the use was anticipated in the adoption of the Ordinance 7516, where below grade shared parking was proposed in the Concept Plan utilized to establish the ordinance. While the number of parking spaces planned has decreased, there has always been the church’s intent to continue to share parking as the church does today with their surface parking lot.

√ **(2) Rationale:** The use either:

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

The proposed shared parking would continue a direct service to downtown patrons during the weekdays by continuing to share parking with the church thereby continuing a convenient downtown parking option. The church has shared parking since the 1970s with downtown patrons, including new patrons such as the non-profit organization - the Boulder History Museum. Because parking is constrained at the Boulder History Museum property, the shared parking will be a direct convenience to the neighborhood and help to reduce adverse impacts to the surrounding neighborhood from parking spillover. The church has helped to mitigate neighborhood parking impacts by allowing shared parking since the 1970s.

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

While the project site is located within a Business zoning district, there are residential zoning districts nearby. Because impacts to surrounding neighborhood from on-street parking could occur without the continued shared parking on the site, the proposed parking can create greater compatibility between higher intensity and lower intensity uses. The proposal will continue shared parking but in a partially below grade, well designed building rather than a surface parking lot, and with a mixed use development that creates permanently affordable senior housing.

√ **(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;

The ability for the church property to provide affordable housing on the site for senior's helps to further BVCP social sustainability policies, and the ability to redevelop the property for this use is aided by the church's ability to lease parking. While indirect, the parking use helps to implement BVCP policies for mixed use in appropriate locations, affordable housing for special populations and allows the church to remain an important cultural asset in downtown Boulder.

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

Not applicable, not a legal non conforming use.

√ **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 parking is partially below grade and will not evident from Broadway, and only partially evident from Mapleton. Because the project is within a compatible scale with the surrounding neighborhood, not exceeding 35 feet the use of the site for below grade parking will have a minimal negative impact for nearby properties. The use is reasonably mitigated by provision of brick facades on those portions of the parking that extend above grade, and use of ample landscaping to soften wall space from the partially below grade structure.

√ **(4) Infrastructure:** As compared to development permitted under [Section 9-6-1](#), "Schedule of Permitted Uses of Land," B.R.C. 1981, in the zone, or as compared to the existing level of impact of a non-conforming 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;

There is an existing surface parking lot that has been shared with surrounding downtown patrons since the 1970s. The infrastructure is currently in place and the parking lot will not impact the street infrastructure.

√ **(5) Character of Area:** The use will not change the predominant character of the surrounding area or the character established by adopted design guidelines or plans for the area;

The character of the area is eclectic owing to the fact that there are various zoning districts nearby. However, the character of the area will be improved by the proposed project by converting a surface parking lot to a well designed, well integrated building into the existing context.

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 non-conforming use to another non-conforming 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, not converting dwelling units to non-residential units.*

Attachment B: Correspondence Received

-----Original Message-----

From: Irwin Neulight
Sent: Monday, September 09, 2013 10:10 AM
To: McLaughlin, Elaine
Cc: Barbara Neulight
Subject: Re: Trinity Commons development project

Dear Elaine - Thanks very much for your prompt / detailed reply. Needless to say, we are relieved by your comments and would have no objection whatsoever to permanently affordable senior residences.

Kind regards,
Irwin

On Sep 9, 2013, at 8:37 AM, "McLaughlin, Elaine" <McLaughlinE@bouldercolorado.gov> wrote:

> Hello Irwin-
>
> Thank you for the email. The Temporary Lodging is within the land use code definition of uses permitted in the zoning district, and is not what is proposed for the site. This application is for permanently affordable senior residential, and housing for the homeless is not a part of this application. I appreciate your concerns however.
>
> Kind Regards-
> Elaine
>
> Elaine McLaughlin, Senior Planner
> Department of Community Planning + Sustainability City of Boulder
> 1739 Broadway, 3rd Floor
> Boulder, CO 80306-0791
>
> 303-441-4130 (phone)
> 303-441-3241 (fax)
>
> <http://www.boulderplandevlop.net>
> <http://www.bouldercolorado.gov/>
>

> -----Original Message-----

> From: Irwin Neulight [<mailto:irwinneulight@gmail.com>]
> Sent: Friday, September 06, 2013 5:50 PM
> To: McLaughlin, Elaine
> Subject: Trinity Commons development project

> We received today your letter of Sept. 5 describing the subject project. It mentions 24 residential dwelling units and it also mentions that 'temporary lodging' is permitted in a BT-2 zone.

> Question: Are the residential dwelling units intended for use by the homeless?

> If so, we are firmly opposed to the project. We already have a number of homeless people in this neighborhood, day and night, who have at various times slept on the front porch, slept and ate - leaving garbage, blankets, pillows - in a rear stairwell and creating other issues too gross to detail.

> This project, if allowed, will only serve to exacerbate these problems.
> We look forward to your comments.

> Thanks you.

> Irwin Neulight
> 1045-C Spruce Street
> Boulder, CO 80302
> Tel: 303-443-3036

From: Leonard Johnson [mailto:ljohnson@jk-cpas.com]
Sent: Monday, March 17, 2014 1:40 PM
To: McLaughlin, Elaine
Subject: Trinity Church Proposed Development Project

Hello Elaine,

Our offices are directly across Mapleton to the north from the proposed project.

I have followed the thoughtful process Trinity Church has undertaken over several years in making this a reality.

I fully support the current proposed project and feel that it would be a tremendous improvement for the City and the Church.

Thank you.

Leonard

Leonard R. Johnson

Leonard R. Johnson, CPA

JOHNSON KIGHTLINGER & COMPANY

2300 Broadway

Boulder, CO 80304

303-449-3830

303-449-3889 (fax)

ljohnson@jk-cpas.com

ORDINANCE NO. _____

AN ORDINANCE GRANTING AUTHORITY TO THE APPROVING AUTHORITY UNDER TITLE 9, "LAND USE CODE," B.R.C. 1981, TO APPROVE A DEVELOPMENT THAT MAY EXCEED THE MAXIMUM RESIDENTIAL DENSITY AND THE MAXIMUM FLOOR AREA RATIO FOR A PROPERTY IN THE BUSINESS – TRANSITIONAL 2 DISTRICT (BT-2), LOCATED AT 2200 BROADWAY, GENERALLY CALLED "TRINITY COMMONS;" AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS THAT WILL SECURE AFFORDABLE HOUSING AND OTHER LAND USES THAT WILL PROVIDE FOR COMMUNITY NEEDS; REPEALING ORDINANCE NO. 7516; AND SETTING FORTH RELATED DETAILS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER, COLORADO:

A. On May 1, 2007, the City Council adopted Ordinance No. 7516, which granted authority to the approving authority under Title 9, "Land Use Code," B.R.C. 1981, to approve in Site Review a Trinity Commons Project, to be located at 2200 Broadway in the Business-Transitional District (BT-2), with modifications to residential density and floor area limitations provided that the overall development plan was consistent with Concept Plan No. LUR2006-00103 and the site review criteria set forth in Section 9-2-14(h), B.R.C. 1981. The ordinance also required that at least 50% of residential units on the Property be permanently affordable.

B. The national financial crisis following the adoption of Ordinance No. 7516 negatively affected the financial feasibility of the affordable housing configuration proposed in Concept Plan No. LUR2006-00103 and required under Ordinance No. 7516 for the property owner, a Colorado non-profit corporation.

C. In 2013, a Site Review application was filed for a Trinity Commons Project ("Project") under case No. LUR2013-00048 with modified plans for affordable housing rendering the overall development plan again financially feasible. This ordinance addresses the changes to the plans for affordable housing that were a prerequisite under Ordinance No. 7516. The Planning Board voted to conditionally approve Site Review LUR2013-00048 on May 1, 2014, with the condition that an ordinance is passed by City Council authorizing modifications to the residential density and floor area ratio limitations necessary for the approval of LUR2013-00048.

D. This ordinance shall repeal Ordinance No. 7516 and authorize the land use modifications necessary for the approval of Site Review No. LUR2013-00048.

E. This ordinance shall be effective only as to the parcels of land generally described as 2200 Broadway that are located between Mapleton Avenue and Pine Avenue on the east side of Broadway, which are approximately 34,746 square feet in size, more particularly described in Exhibit A, incorporated into this ordinance by this reference (the "Property").

F. This ordinance shall only be applicable to the owner of the Property, Trinity Evangelical English Lutheran Church, a Colorado non-profit corporation (the "Owner") or its successor.

G. The Project, although inconsistent with the underlying residential density and floor area limits of the BT-2, Transitional Business zoning district, is:

1. Consistent with the high density residential land use designation along Broadway;
2. Consistent with community policies contained within the Boulder Valley Comprehensive Plan related to affordable housing and neighborhood compatibility;
3. An opportunity to create affordable housing and community meeting and office space for non-profit entities near downtown Boulder; and
4. An opportunity to retain the church use downtown and landmark its historic building.

H. The Planning Board reviewed this ordinance on May 1, 2014, and after a public hearing, recommended that the City Council adopt this ordinance.

I. Allowing the Project on the Property by the Owner with modifications to the density and floor area limits of the BT-2 district that is otherwise in compliance with the Boulder Valley Comprehensive Plan, the Project is in the interest of the public health, safety, and welfare.

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

Section 1. Ordinance No. 7516, adopted by the City Council of the City of Boulder on May 1, 2007, is hereby repealed.

Section 2. The City Council finds that allowing the modifications to the density and floor area limits of the BT-2 zoning district described in this ordinance for the Property is in the interest of the public health, safety, and general welfare of the City of Boulder and consistent with the goals and policies of the Boulder Valley Comprehensive Plan.

Section 3. The City Council authorizes the approving authority, as described in Title 9, "Land Use Code," B.R.C. 1981, to modify the dwelling unit per lot area and floor area ratio requirements of Section 9-8-1, "Schedule of Intensity Standards," B.R.C. 1981, for the BT-2 zoning district for the Property as a part of the approval for Site Review LUR2013-00048 or for a site review with an overall development

plan for the Property that is consistent with the basic intent of the plans dated Feb. 3, 2014 on file in the City of Boulder Planning Department for the Project, subject to the following:

- a. The approving authority finds that the application meets all the requirements of its laws, except as modified by this ordinance, including the requirements necessary for the approval of a site review. The approving authority for the initial site review approval shall be either the Planning Board or the City Council.
- b. The residential density of the development on the Property shall not exceed 24 residential units. The floor area of the development on the Property shall not exceed a 1.25 floor area ratio.
- c. The approximately 5,015-square foot community meeting space area and the approximately 2,775-square foot office space shall be considered accessory uses of the church and shall be used in accordance with a management plan, subject to review and approval of the city manager. The Owner must operate these spaces for uses that are accessory to the religious assembly use and/or for uses that support non-profit organizations or other community uses.
- d. The Owner submits an application that is consistent with Chapter 9-11, "Historic Preservation," B.R.C. 1981 to have the historic church portion of the Property designated as an individual landmark and pursues that application in good faith.
- e. Any conditions required by this ordinance shall be included in the site review disposition approving the Project.

Section 4. Prior to the application for each and any residential building permit pursuant to an approval under this ordinance, the Owner shall execute deed restricting covenants and other agreements, in a form acceptable to the City Manager, to ensure that all dwelling units being constructed per that permit on the Property shall be permanently affordable and meet or exceed the standards of Chapter 9-13, "Inclusionary Housing," B.R.C. 1981. Not less than sixteen dwelling units shall be constructed on the Property as part of an approval under this ordinance.

The City Manager may modify the requirements on this section if the Owner demonstrates that it can, through an alternative plan, provide an affordable housing benefit equivalent to the benefit set forth in this section.

Section 5. This ordinance does not limit the ability of an approving authority to modify other development standards through the Site Review process. In the event that the Site Review application is called up for review by the City Council, the City Council retains the authority granted by this ordinance to

permit the modifications stated herein. This ordinance shall expire immediately if a site plan is approved that is found to be inconsistent with the Project or the conditions of this ordinance, or if the Owner allows a site review approval consistent with this ordinance to expire under the requirements of Chapter 9-2, "Review Processes," B.R.C. 1981.

Section 6. This ordinance shall be considered an amendment to Title 9, "Land Use Code," B.R.C. 1981. To the extent that this ordinance conflicts with any other ordinance of the city, such ordinance shall be suspended for the limited purpose of implementing this ordinance. Nothing in this ordinance shall be construed as a waiver of the City's police power.

Section 7. This ordinance is necessary to protect the public health, safety, and welfare of the residents of the city, and covers matters of local concern.

Section 8. The City Council deems it appropriate that this ordinance be published by title only and orders copies of this ordinance be made available in the office of the City Clerk for public inspection and acquisition.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED BY TITLE ONLY

this ____ day of _____, 20__.

Mayor

Attest:

City Clerk

READ ON SECOND READING, PASSED, ADOPTED, AND ORDERED PUBLISHED

BY TITLE ONLY this ____ day of _____, 20__.

Mayor

Attest:

City Clerk

Attachment A: Legal Description

ATTACHMENT A

LEGAL DESCRIPTION

THAT certain property, generally located at 2200 Broadway Avenue, Boulder, Colorado, 80302, in the City and County of Boulder, State of Colorado, and more specifically described as follows:

Parcel A:

All of Lots 4, 5 and 6, Block 149, Boulder, together with a strip of land 10 feet wide off the south side of Hill Street (now Mapleton Avenue) in the City of Boulder and contiguous to the north line of said Lots 4, 5, and 6, as vacated by Deed from the City of Boulder to the Trustees of the Seventh Day Adventist Church, recorded February 27, 1891 in Book 113 at Page 549 and by Ordinance No. 1069 recorded July 29, 1926 in Book 547 at Page 269 and re-recorded March 9, 1940 in Book 684 at Page 335 and described as follows:

Beginning at the northeast corner of said Lot 4; thence northerly along the easterly line of said Lot 4 extended northerly, a distance of 10 feet; thence westerly, parallel to the northerly line of said Lots 4, 5, and 6, a distance of 150 feet, more or less, to a point on the westerly line of said Lot 6 extended northerly; thence southerly, along the westerly line of said Lot 6 extended northerly, a distance of 10 feet to the northwest corner of Lot 6; thence easterly, along the northerly line of said Lots 4, 5, and 6, a distance of 150 feet, more or less, to the northeast corner of said Lot 4, and the Point of Beginning.

Parcel B:

Lot 7 and the Westerly 45 feet of Lot 8, Block 149, Boulder, except the East 5 feet along said Lot 8 as conveyed by Alonzo Macky to A. J. Chittenden by Deed recorded June 4, 1880 in Book 58 at Page 349.

**CITY OF BOULDER
PLANNING BOARD AGENDA ITEM**

MEETING DATE: February 1, 2007

AGENDA TITLE:

Public hearing and consideration of **Concept Plan LUR2006-00103, Trinity Commons.** The applicant is seeking additional comment from the Board in response to the Board's previous commentary on September 7, 2006 regarding the proposed development of the parking lot at the corner of Mapleton and Broadway. The revised concept is for a new three-story building containing 26 residential units (13 one-bedroom affordable units & 13 two-bedroom market rate units), a community/church meeting space of 4,700 square feet, and 1,460 square feet of office space. Three-levels of underground parking for 136 parking spaces would be directly below the new structure.

Applicant: OZ Architecture
Property Owner: Trinity Lutheran Church

REQUESTING DEPARTMENT:

Ruth McHeyser, Acting Planning Director
Robert O. Cole, Land Use Review Manager
Karl Guiler, Planner

OBJECTIVE:

Define the steps for Planning Board consideration of this request:

1. Hear applicant and staff presentations
2. Hold public hearing
3. Planning Board discussion of Concept Plan. No action is required by Planning Board.

STATISTICS:

Proposal: Concept Plan review and comment for the proposed development of a new three-story building containing 26 residential units (13 one-bedroom affordable units & 13 two-bedroom market rate units), a community/church meeting space of 4,700 square feet, and 1,460 square feet of office space. Three-levels of underground parking for 136 parking spaces would be directly below the new structure. The new development would occur on four church owned properties (currently used for surface parking), which total 22,493 square feet. When added to the existing church site (13,281 square feet), the entire development would total 35,774 square feet, or 0.82 acres.

Project Name: Trinity Commons
Location: 2200 Broadway (corner of Broadway & Mapleton)
Size of Tract: 0.82 acres (22,493 + 13,281 = 35,774 square feet)
Zoning: Transitional Business (BT-2).
Comprehensive Plan: High Density Residential.

KEY ISSUES:

- 1. Does the revised proposal address the Planning Board comments on September 7, 2006 in terms of the site usage, building scale, and architectural/site design?**
- 2. Would the Planning Board consider a rezoning or Special Ordinance to permit the proposed project?**

BACKGROUND:

Existing Site / Site Context

Please refer to the attached September 7, 2006 staff memorandum to the Planning Board regarding the site context. Also note the updated zoning designations. Aside from the designation changes, no zoning regulations applicable to the property have changed with the adoption of the updated Land Use Code.

Boulder Valley Comprehensive Plan (BVCP) Designation

The land use designation for the site is High Density Residential. In such areas, a density of 14 units per acre or more could be built, if appropriate and compliant with zoning and relevant BVCP policies. More specific to the area are policies to maintain the current neighborhood scale of development, which contrasts with the more intensive use of land immediately south in the downtown area (south of Pine Street) and the Community Plaza node of development to the north (north of Portland Place).

The BVCP land use designation map best distinguishes these areas. The zoning reflects the intention to limit mass, since both zoning districts in the immediate vicinity, BT-2 and RH-2, have floor area ratio (FAR) limits of 0.5. (RH-2 does not technically have that prescribed limit, but has residential floor area limits that equate to 0.5 FAR.)

Project Description:

Please refer to the attached September 7, 2006 staff memorandum to the Planning Board regarding the original project description. At the September 7th hearing, the Planning Board provided commentary on that concept, which are found in the attached minutes and are summarized below:

1. General Concept: The Planning Board appeared supportive of the overall concept given its location near downtown and along a major transit route. The project was found to be generally in line with the high density residential land use intended along Broadway. The Trinity Church's impetus of providing parking for the church through this project and funding the garage's construction with the market-rate units has not changed.
2. Architectural & site design: Some Board members felt that the proposed gable roofs were not necessarily unacceptable, despite staff's concern that the steeply sloped roofs contributed to the excessive height and mass of the building. Other members agreed that the roof forms may have to change. Most of the Board agreed, however, that a more interesting and perhaps a more distinctive design be explored that would stand alone, while also paying homage to the church without mimicking the church.

In regard to site design, the principal concern was the functionality of the interior courtyard and basic usability of the open space on the site. Improved entries to the interior space and building were also requested. There were also concerns about the effect of the project on several mature trees in the northeast corner of the site.

3. Building mass & height: Most of the Board agreed that the massing and height of the building was too excessive for the site, although the Board also agreed that the majority of the massing should be shifted to the Broadway side and concentrated closest to the church and away from the neighboring property to the east. It was also found that given the site's location at the limits of downtown where land use intensity and building scales decrease to the north, the site itself should reflect this change by including a level of transition on the site where massing should taper down on the property from the southwest corner to the north and northeast corners of the property.
4. Parking: Although not discussed in length, three members expressed reservation about the proposed 136 parking spaces. One thought the need for that number of spaces should be better demonstrated, and two others thought a reduction would be necessary; especially to aid in reducing the mass. However, another Board member felt it would bring more needed parking to the downtown.
5. Affordable unit size & number: Despite staff's concerns of the substandard unit sizes, the Board was generally in agreement that the size of the units around 500 square feet was acceptable and that the number of units would be an asset to the downtown and appropriate along the well-traveled SKIP bus line. The Board also agreed that the units should all be permanently affordable.
6. Rezoning vs. Special Ordinance: The results of this discussion were mixed. Although the project concept is supportable, its inability to meet the current zoning and possibly any feasible zoning for the property was viewed with caution. There was consensus that spot zoning should be avoided and that the

mechanism to allow the project must be appropriate. Overall, the Board felt that the original concept did not reach the extent of justifying a rezoning or Special Ordinance. Essentially, the Board found that the project would have to exceed the intent of the Site Review criteria while also attempting to match the intent of the current zoning. Landmarking the church was also considered an integral consideration in such policy changes.

Following the Planning Board meeting, the applicant met with staff to discuss possible changes to the concept to address those comments summarized above. Below is a list of the most prominent changes from the previous design. The Board should also review the applicant's list of changes on Page 16 of their submittal booklet.

1. Site Usage: The revised concept is nearly identical to the previous concept (including the three-story subterranean garage of 136 parking spaces) with the following exceptions:
 - a) The number of dwelling units has been decreased from a total of 28 units to 26 units. The current design would have 13 market-rate units and 13 affordable units. The latter units have been increased in size from roughly 525 square feet to 624 square feet and would all be permanently affordable.
 - b) The church function/community space has been reoriented to front along Broadway and has been increased from 3,981 square feet to roughly 4,700 square feet.
 - c) A new office space of 1,460 square feet has been added to the Broadway frontage. Although not expressed in the written narrative, the idea of using the space as a non-profit office has been discussed.
2. Building Scale: The massing of the building has been modified significantly. An evaluation of the floor plans and computer renditions show that the building mass has been concentrated in the southwest corner along Broadway where the existing alley separates the development site from the church. Away from the southwest corner, the building has been noticeably articulated as the height and scale of the building drops incrementally up to the north and northeast corners of the site. The overall building height has also been lowered from 54 feet to 46 feet.
3. Architectural and Site Design: The overall design scheme of the building has changed dramatically. The gable roofs have been eliminated entirely and shallow hip roof elements have been introduced over stairwells and the northwest corner. All other parts of the building are flat roofed. The southwest corner has been redesigned to emulate both existing brick facades in the downtown and the gothic elements and building materials of the adjacent church. The remainder of the building includes brick and stucco elements and recessed walkways with more intricate detailing and wall articulation as noted above.

Aside from the reorientation of the church function/community space, the site design and layout is similar to its predecessor with the exception that the interior courtyard space would open up to the Mapleton Avenue side. The architect is also indicating more plantings and possibly a fountain in that space. Private spaces for the dwelling units would no longer be at grade level along Broadway. The access off of Mapleton has been expanded in size to be a two-way access point.

ANALYSIS:

Key Issues:

The following Key issues have been identified by staff to help guide Planning Board discussion of this application. Planning Board may add to this list or provide additional comments on the Key Issues listed.

1. Does the revised proposal address the Planning Board comments on September 7, 2006 in terms of the site usage, building scale, and architectural/site design?

In summary, staff finds that the architect has done an impressive effort at meeting the requests of the Planning Board. The architect has articulated the building such that the requested massing transition on the site from south to north is very evident. In response to Board comments, the architect has concentrated mass along Broadway. Further, the design would be more compatible with the Mapleton frontage with lower building scales on that side compared to the south elevation and the open courtyard oriented in that direction. The design would also be more sensitive to the immediate neighbor to the east by dropping the height and mass down in that area to allow more light onto the neighboring lot; although it should be noted that more information and visuals of the east elevation would be necessary to affirm that conclusion. It should also be noted that the building would continue to be of a more downtown height and scale as compared to its immediate neighbors, which are generally smaller one to two story buildings on smaller lots; some originally single-family homes. This established character is what is intended to be protected by the floor area limit of 0.5 FAR (Floor Area Ratio) in that area. Although the massing would not be entirely comparable with these buildings (or in conformance with the 0.5 floor area limit for that matter), the building appears to meet the requests of the Board.

Architecturally, staff finds that the building would achieve the spirit of individuality and uniqueness requested by the Board, while also appropriately incorporating elements from the church. Although it could also be argued that the building relies too much on the precedent designs of other downtown buildings that integrate more historic elements into their designs, staff believes the building achieves a proper balance and would serve as an appropriate entry point to the downtown.

The courtyard opening up to the Mapleton side is a notable improvement to increasing permeability into the site, while also making the space more inviting and functional. However, staff continues to have lingering concerns that sunlight into the space would be blocked a majority of the time, which could affect its usability. Modifications to the height of the building on the south side may be necessary to allow more light infusion.

Further, more information may be needed to ascertain the impact the revised design may have on the mature trees in the northeast corner.

Staff finds that the reorientation of the church function/community space and introduction of office space to the Broadway side along with more obvious entries to the building on that side would aid in the pedestrian friendly character of the building along Broadway. This is a marked improvement over the previous design, which had private balcony spaces along the Broadway sidewalk and had a more fortified, disconnected facade.

From a site usage standpoint, the project continues to propose 50% affordable units, albeit one affordable unit less than the previous concept. Nevertheless, all the affordable units are now intended to be permanently affordable, as requested by the Board. This, along with the community space, could contribute to the overall community benefit aspects of the project. However, staff finds that to assess community benefit, more information on the community space and the office should be explored. This would require an analysis of the ratio of community events in the space versus church events. Further, it is not yet clear if the office space would be specifically for non-profits or not. These are issues that should be discussed at the February 1st hearing.

Parking was another element of discussion at the September 7th meeting. Based on the importance of parking to the church and as a core purpose of the project, the parking numbers have not been reduced, despite several Board members requests. The reasons for the parking are explicitly discussed on Pages 5 and 6 of applicant's submittal booklet. A parking analysis is also on Page 19, but has been found inconclusive, since staff is unsure the basis of the numbers. Staff understands the concerns of the amount of parking at this location, since it could be a draw for more vehicular traffic towards the downtown and could impact traffic on Broadway. However, staff also understands that this provision of parking could also add to the downtown parking stock and may alleviate on-street parking problems in the surrounding neighborhood. Because of these aspects and the previous concerns raised, this should be a principal topic of discussion at the February 1st hearing as well.

Lastly, the Board should note that the overall floor area of the project has increased from the previous project. This is despite the change in massing discussed above. Where the previous design was roughly a 1.1 FAR (Floor Area Ratio) for the overall development site (including the church property), this proposal would be 1.2 FAR. This is in an area currently restricted to a 0.5 FAR (BT-2 district). Although the project appears to achieve the Board's request to concentrate massing and development to the Broadway side and taper the mass down to be more sensitive to the surrounding neighborhood, it continues to not be compatible with most aspects of the existing zoning, which creates the most considerable barrier to allowing the project. This is discussed in more detail below.

2. Would the Planning Board consider a rezoning or Special Ordinance to permit the proposed project?

As noted above, the Board's thoughts on considering a rezoning or Special Ordinance to allow the project was largely inconclusive. However, it was clear that the Board wanted to avoid any semblance of spot zoning. From a zoning standpoint, the project would not be compatible with the current BT-2 zoning, or the adjacent RH-2 zoning. The previous

staff memorandum included a matrix discussing general aspect of possible zones for rezoning. In this case, staff has decided to include more detailed information to show the projects compatibility with high density residential zones. Please refer to Table 1 and 2 below:

Table 1 below is a summary comparing the proposal to various applicable zoning districts and their specific floor area limits, open space minimums, and parking space requirements. Setbacks are not included as they can be modified through Site Review if found compliant with the criteria in Section 9-2-14(h).

| | Density | # of Units | Floor Area | Open Space | Parking |
|--------------------------------|-----------------------------|------------|---|---|------------|
| Proposal | 31.7 du/ac | 26 | 44,564 sf | 15,912 sf | 136 spaces |
| BT-2 (formerly TB-E) | 27.2 du/ac | 22 | 17,887 sf (0.5 FAR limit) | 15,600 sf (26 units) & 13,200 sf (22 units) | 110 spaces |
| RH-2 (formerly HZ-E) | 27.2 du/ac (PB approval) | 22 | 17,887 sf (PB approval, does not include non-residential or communal areas) | 15,600 sf (26 units) & 13,200 sf (22 units) | 156 spaces |
| RH-5 (formerly HR-E) | 27.2 | 22 | Not limit other than the building envelope as determined by bulk standards and other requirements | 15,600 sf (26 units) & 13,200 sf (22 units), Only 10,400 square feet in mixed use developments for 26 units | 110 spaces |

Table 2 compares the proposal to those zoning districts where density is determined by open space. The open space column notes how much open space would be required to allow 26 units with the exception of RH-3, which is just a percentage of the site. Floor area limits and parking requirements are also included.

| | Floor Area | Open Space | Parking |
|---------------------------------|--|---|------------|
| Proposal | 44,564 sf | 15,912 sf | 136 spaces |
| RH-1 (formerly HR-X) | 20,800 sf if adequate open space provided. (800 sf X 26 unit) | 20,800 sf (26 X 800 sf) (PB approval) | 156 spaces |
| RH-3 (formerly HR1-X) | No limit, if site open space is met. Setbacks and height would also limit. | 60% of site = 21,464 sf 30% of site = 10,732 sf, if the provisions of Sec. 9-9-11(e)(3) are met. | 110 spaces |
| RH-4 (formerly HR-D) | No limit, if site open space is met. Setbacks and height would also limit. | 31,200 sf (26 X 1,200 sf) | 110 spaces |

Conclusion

Based on Tables 1 and 2, the only feasible zoning district to accommodate the project as proposed would be RH-3 (formally HR1-X). This is because of the possibility of the project to meet the required open space of 30% if the provisions of Section 9-9-11(e)(3) were satisfactorily met and further, due to its lack of a floor area limit. As noted above,

the RH-3 district also has a height limit of 40 feet, which is closer to the requested 46 feet. This district was discussed as a possibility in the past, but the Board and staff have found that district to be generally inappropriate for the subject site, since the RH-3 district was not intended for that area of the City, but for areas east of the University and possibly the Transit Village area. It is also uncommon for one particular building site to be zoned a different zone than its surroundings.

The problem that exists with other zoning districts are as follows:

1. *Density*- Most of the districts restrict the number of units to 22 units. An increase in open space could permit additional units in RH-1, but with a floor area limit less than half the proposed.
2. *Floor Area*- The only districts that do not restrict floor area are RH-3 (as discussed above), RH-4, and RH-5. The problem with the latter two is that RH-4 has a significantly higher requirement of open space and RH-5's density limit of 22 units.
3. *Parking*- Parking is less of a problem as the proposal would provide an ample amount; more than most of the district requirements. Only in the scenarios of RH-1 and RH-2 would a parking reduction or additional spaces to meet the requirements be necessary.

At this point, the following options exist:

- A) **Rezone property to RH-3:** This would create a situation where the subject site would not match the existing or surrounding zoning. Although this zone could accommodate the proposed project, staff has reservations about this option, since RH-3 was not originally intended for this location.
- B) **Rezone property to RH-5:** Like RH-3 above, this would create a situation where the subject site would not match the existing or surrounding zoning, which is generally one of the common factors in a rezoning. However, nodes of RH-5 exist along Broadway (see corner of Portland and Broadway and North Street east of Broadway) by Community Plaza, in contrast to RH-3, which does not exist, nor is intended for that area. This option would require the applicant to decrease the number of units to 22 units. As compliance with RH-5 could be achieved with a reduction of only 4 units, rezoning to this district may be the best alternative.
- C) **Rezone property to a flex zone:** This option appears unnecessary, as it would create a flex zone that is essentially similar to RH-3.
- D) **Special Ordinance:** A Special Ordinance could be precedent setting, where other developers may begin to disregard established zoning for greater density projects with Special Ordinance requests. Although, if the Board finds that this particular project is appropriate for the site, agrees with staff that the proposed design addresses their comments, and is essentially a rare opportunity for affordable housing and other included

community benefits and may be lost due to a mandated reduction of units, the Special Ordinance may be the most appropriate option. In this case, rare would mean that it would be unlikely or infrequent that other developers would be able to achieve this level of community benefit elsewhere. This option would require Planning Board and City Council approval.

GUIDELINES FOR CONCEPT REVIEW AND COMMENT:

The following guidelines are to be used to guide Planning Boards' discussion regarding the site. It is anticipated that issues other than those listed in this section will be identified as part of the Concept Plan review and comment process. The Planning Board may consider the following guidelines when providing comments on a Concept Plan.

- 1) Characteristics of the site and surrounding areas, including, without limitation, its location, surrounding neighborhoods, development and architecture, any known natural features of the site including, without limitation, mature trees, watercourses, hills, depressions, steep slopes and prominent views to and from the site;**

Given the close proximity to downtown, the site is generally urban in character, albeit at a lower scale than development within the downtown district. This is because the site is technically outside the Regional Business zoning and with restrictive floor area limits, actually reflects the lower scaled, single family nature of the surrounding Mapleton and Whittier neighborhoods.

There is no uniform architecture for this area, but rather is a mixture of predominantly single family homes ranging from the 1890's up to the 1920's. More contemporary structures are also found in the area. Nearby churches are of divergent styles. Most importantly, the Trinity Church to the south has a gothic appearance, which is craft-fully incorporated into the proposed building's design.

As a parking lot, the site itself contains no natural features, but does contain a mild slope which descends from the northwest corner to the southeast corner. There are views towards the Flatirons from the site.

- 2) Community policy considerations including, without limitation, the review process and likely conformity of the proposed development with the Boulder Valley Comprehensive Plan (BVCP) and other ordinances, goals, policies, and plans, including, without limitation, subcommunity and subarea plans;**

With a high density residential BVCP land use designation, the project would be consistent with the introduction of high density residential on the site. The project would also be consistent with BVCP policies promoting compact development and affordable housing. Its location near the downtown and along Broadway are also within the intent of the Plan.

The subject properties are located immediately outside the limits of downtown in an area that is predominantly built at a lower scale as evidenced by the more single-family character of Mapleton and Whittier. In efforts to protect the character of these core neighborhoods while allowing higher intensity uses near the downtown, limitations to the allowable floor area have been established. This project would be more than twice the allowable floor area for that area. In efforts to blend the project into the surroundings, the Planning Board and members of the public commented that a sense of transition should be reflected on the site in terms of building scale that should reflect a more urban downtown character along Broadway, but taper down in mass to the north and northeast. The architect has done a commendable job at designing under this parameter which enables the project to better fit within the aims of BVCP policies on protecting the character of existing established neighborhoods and encourage sensitive infill projects.

3) Applicable criteria, review procedures, and submission requirements for a site review;

The project would be subject to all the criteria in Section 9-2-14(h) of the Land Use Regulations. Submission requirements would be the same as any other Site Review and would have to satisfy the requirements of Section 9-2-14(d). However, staff has requested that a Preliminary Storm Water Report and Plan and a Preliminary Utility Connection Plan be submitted at the Site Review stage to ascertain compliance with the City of Boulder Design and Construction Standards. Trip generation figures as part of a Traffic Impact Study would also be evaluated at the Site Review stage to gauge for any possible transportation/circulation impacts.

Review would follow a three-week review track where comments or a decision would be rendered at the end of that time. If revisions were required, two additional review tracks could be scheduled. If the project required Planning Board review, it would be scheduled during that time. If the project could be decided by staff, it would be subject to Board or citizen call-up.

4) Permits that may need to be obtained and processes that may need to be completed prior to, concurrent with, or subsequent to site review approval;

Rezoning: If the project could not be redesigned to fit within the current zoning, a rezoning would be necessary, if the Planning Boards supported the proposed project. Any rezoning would have to be considered consistent with BVCP policies and must meet one of the criteria in Section 9-2-18(e) of the Land Use Regulations. If a rezoning is not possible/feasibility, the option of a Special Ordinance will be raised to the Planning Board for consideration.

Site Review: Either when the project was downsized to fit within zoning parameters or rezoned, the applicant could submit a Site Review application. Site Review is a more in-depth review where the detailed criteria of Section 9-2-14(h) would have to be met before approval.

Landmark Designation: The existing Trinity Lutheran Church is considered eligible as a local landmark designation because of its notable 1920's gothic-revival architecture and also since it was designed by one of the City's prominent women architects, Margaret Read. Per policy 2.30, Preservation of Historic and Cultural Resources, in the BVCP, it is recommended that the applicant be required to submit an application for landmark designation as a condition of Site Review approval.

Technical Documents: Following Site Review, technical documents including detailed engineering and architectural drawings would be submitted where final architecture, landscaping, drainage, lighting etc. would be evaluated. Engineering staff has indicated that City and/or State permits for storm water discharge would be required. Another consideration at this stage would be the undergrounding of the overhead power lines over the alley.

Once all the site conditions were found to be compliant with all applicable codes, a building permit for the new structure could be reviewed. However, staff is currently considering a process that would review both technical documents and building permits simultaneously to expedite project review.

- 5) Opportunities and constraints in relation to the transportation system, including, without limitation, access, linkage, signalization, signage, and circulation, existing transportation system capacity problems serving the requirements of the transportation master plan, possible trail links, and the possible need for a traffic or transportation study;**

Opportunities: The development would be accessed from the existing eastbound alley and Mapleton Avenue. This is preferred to access from Broadway. The existence of the alley and Mapleton are opportunities, since additional access to the heavily traveled Broadway would not be necessary. A transportation study is considered unnecessary at this point, however, trip generation figures would be evaluated at the Site Review stage to troubleshoot any possible issues with the proposed configuration. The applicant has also indicated their intentions to provide eco-passes for staff and residents and encourage bike facilities to lower vehicular dependence.

Constraints: The only identifiable constraints would be the one-way aspect of the alley and possible left turn problems from Mapleton onto Broadway, which could occur with intensified use of that intersection. Again, this would be evaluated further at the Site Review stage when trip generation figures are submitted.

- 6) Environmental opportunities and constraints including, without limitation, the identification of wetlands, important view corridors, floodplains and other natural hazards, wildlife corridors, endangered and protected species and habitats, the need for further biological**

inventories of the site and at what point in the process the information will be necessary;

Opportunities: The site is an existing parking lot in an urban location and therefore, contains no wetlands, floodplains, endangered or protected species and habitats, etc. As a low intensity use, it is an opportune location for redevelopment without any notable impacts to the environment.

Constraints: The construction of the building may increase run-off onto neighboring properties. Therefore, staff has required detailed plans be submitted at the Site Review stage to verify compliance with Best Management Practices and reliance that the project will be designed to properly channel water run-off.

7) Appropriate ranges of land uses;

Residential: The development site is designated for high density residential, which would be provided with this project, albeit at a density above what is permitted with current and any possible zoning of the property. As noted above, if the Planning Board found that the project was a notable community benefit that would be appropriate for the location, a rezoning could be considered to permit the project as proposed.

In this case, the community benefit would be the number of affordable units, which at 13 units, or 50% of the proposed total, exceeds the 20% requirement of the City.

Non-residential: A community/church meeting space is proposed. Given the need for more community space in Boulder, this addition would be asset for the community. Office space is also provided, however, minimal information of what type of office is discussed. Planning Board had noted that an office for non-profits would add more community benefit to the project.

8) The appropriateness of or necessity for housing.

The proposal is for 13 market rate two-bedroom units and 13 affordable one-bedroom units. Housing is an identified need, especially around the downtown area and high density housing along a major transit corridor is compatible with City goals for both housing and transportation. The addition of new, permanently affordable rental housing helps meet a need that is generally not met by inclusionary zoning which results in primarily for-sale affordable housing.

PUBLIC COMMENT AND PROCESS:

Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject site and a sign posted on the property for at least 10 days. All notice requirements of Section 9-4-10(g), B.R.C. 1981 have been met. An open house was done by Trinity Church on December 12, 2006. No written public comments on the project have been received at this time.

Staff met with the immediate neighbors, First Church of Christ Scientist, whose members continue to show apprehensions regarding the scale of the project and the affect it may have on their property.

STAFF FINDINGS AND RECOMMENDATION:

No action is required on behalf of the Planning Board, public comment, staff, and Planning Board comments will be documented for the applicant's use.

Concept Plan Review and comment is intended to give the applicant feedback on the proposed development plan and provide the applicant direction on submittal of the site review plans.

Approved By:



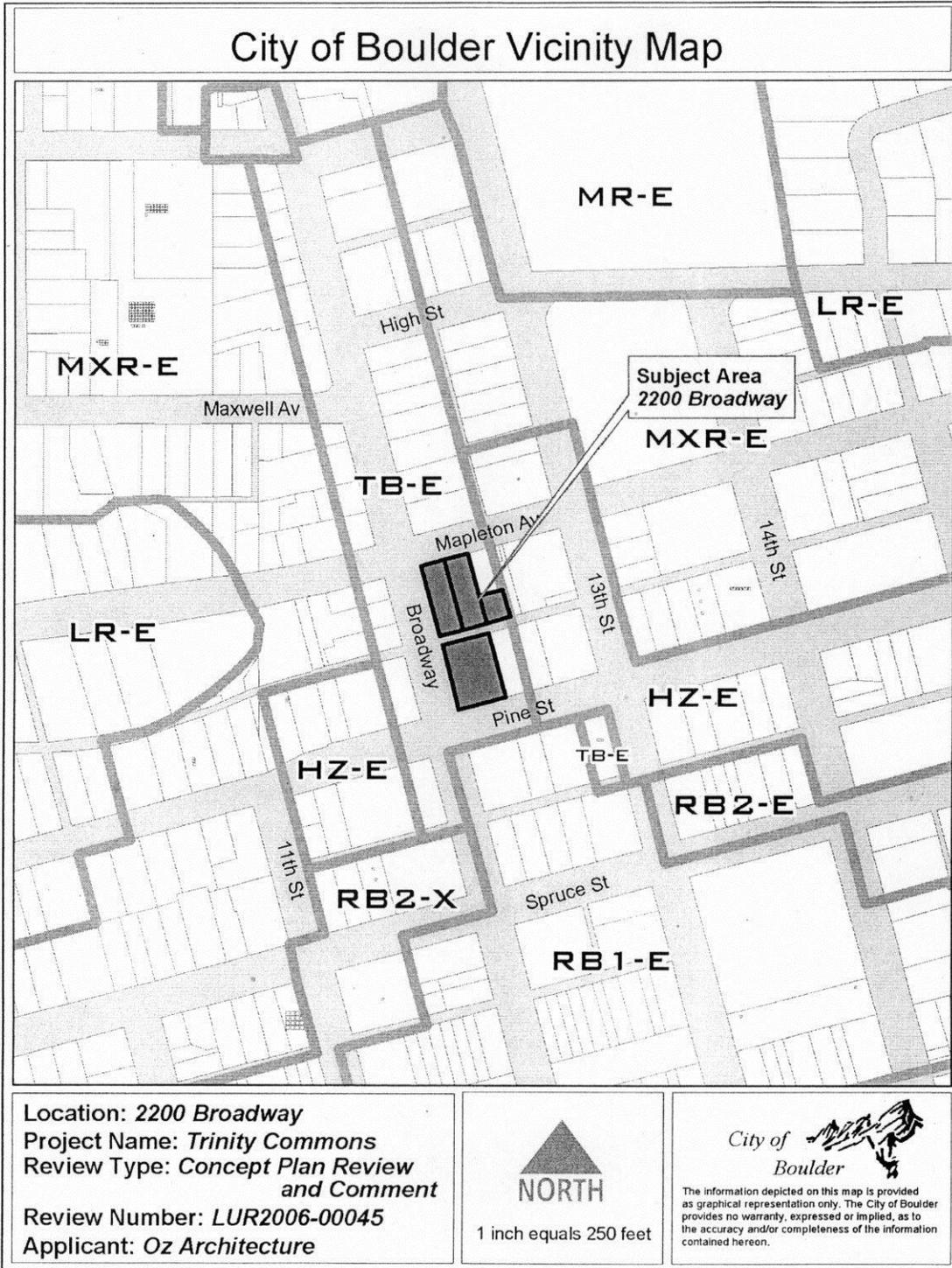
Ruth McHeyser, Acting Director
Planning Department

ATTACHMENTS:

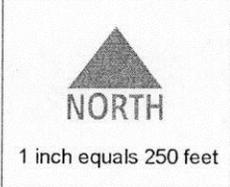
- A. Vicinity Map
- B. Applicable BVCP policies to the proposal
- C. Development Review Committee (DRC) comments on the proposal
- D. Marketing flyer for Trinity Commons
- E. Applicant's Written Statement
- F. Applicant's response to DRC Comments
- G. Concept Plans

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Attachment A



Location: 2200 Broadway
Project Name: *Trinity Commons*
Review Type: *Concept Plan Review and Comment*
Review Number: LUR2006-00045
Applicant: Oz Architecture



City of 
Boulder

The information depicted on this map is provided as graphical representation only. The City of Boulder provides no warranty, expressed or implied, as to the accuracy and/or completeness of the information contained hereon.

Attachment B

Applicable Boulder Valley Comprehensive Plan (BVCP) policies to the proposal

2.04 Compact Land Use Pattern

The city and county will, by implementing the comprehensive plan, ensure that development will take place in an orderly fashion, take advantage of existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development within the Boulder Valley. The city prefers redevelopment and infill as compared to development in an expanded service area, in order to prevent urban sprawl and create a compact community.

The proposed development would emulate high density development characteristic of the downtown with 26 dwelling units on a development site less than an acre. The site is an optimum infill site, because of its location near the downtown, along Broadway, and on a site that is more easily developed with only a parking lot to be demolished.

2.13 Support for Residential Neighborhoods

In its community design planning, the city will support and strengthen its residential neighborhoods. The city will seek appropriate building scale and compatible character of new development or redevelopment, desired public facilities and mixed commercial uses, and sensitively designed and sized rights-of-way.

As a prime infill site, the proposed usage would be beneficial to Boulder, based on its location on Broadway, walking distance to downtown, and its provision of affordable housing. Although a prime location for this type of development, it must take into consideration the change in character that occurs in this area from the high intensity land usage to the south to the smaller scaled development that is characteristic of historic Mapleton and Whittier to the north, east, and west. The project is appropriately scaled to focus most of the building mass to the southwest corner and essentially tapers its mass down to the north and northeast to match the neighborhood scales. This transitional aspect of the project would successfully blend the project into its surroundings by being more sensitive to the nearby established development along Mapleton and the stretch of Broadway before reaching Community Plaza.

a) Preservation of Community Character

The city will encourage the preservation of community character as reflected in the development pattern and relative affordability of the existing housing stock in Boulder's varied neighborhoods.

Based on the existing character of Boulder's Whittier and Mapleton neighborhoods, regulations have been put in place to preserve their historic nature and more subdued scale, while also encouraging appropriate uses in proximity of the downtown. The proposed project exemplifies a more downtown scaled development, but nevertheless, provides an appropriate reduction of massing and scale toward the north and northeast portions of the property to better blend into the established neighborhoods thereabouts.

2.19 Mixed Use

The city will encourage well designed mixed use development that incorporates a substantial amount of affordable housing in appropriate locations, including some

The *commercial centers, corridors and industrial areas*. In reviewing mixed use projects, the city will consider impacts to adjacent neighborhoods. project is mixed-use with its provision of dwelling units, office and community meeting space. Half the units would be permanently affordable and would be located in an appropriate location near the downtown and along the major corridor of Broadway. Massing of the project would be focused in the southeast corner by the church and would taper down appropriately to the north and northeast where more sensitivity to the smaller-scaled character in that area is warranted.

2.33 Preservation of Historical and Cultural Resources

Buildings, districts, and sites of historical, architectural, archaeological, or cultural significance will be identified and protected. The city and county will encourage preservation of such resources through incentives programs, designation of landmark buildings and districts, design review, public improvements and other tools. Protection will be required by the city when a proposed action by a public entity involves a potential important resource. Protection of important resources will also be sought by the city when a proposal by the private sector involves discretionary development review (e.g., site review, use review, rezoning).

The Trinity Lutheran Church building was built in 1929 and has been identified as a building eligible for designation as a local historic landmark for the following reasons:

- The church's notable 1920's gothic-revival architecture.
- It's location in Boulder's 'church district.'
- Church was designed by one of the City's prominent women architects, Margaret Read of the architectural office of Glen Huntington.

2.39 Sensitive Infill and Redevelopment

Overall, infill and redevelopment will be expected to provide significant benefits to the community and the neighborhoods. The city will develop tools such as neighborhood design guidelines to promote sensitive infill and redevelopment. The city will work with neighborhoods to protect and enhance neighborhood character and livability.

With half of the number of units proposed to be affordable, the project would provide benefits to the community. Further, the leased parking could alleviate some of the parking pressures on neighboring streets. The massing of the project is skillfully done to create an appropriate transition of building scale and land uses such that most of the mass and intensity is focused away from the established neighborhoods to the north, west, and northeast.

2.42 Enhanced Design for the Built Environment

Through its policies and programs, the city will encourage or require quality architecture and urban design in private sector development that encourages alternative modes of transportation, provides a livable environment and addresses the elements listed below.

a) The context

Projects should become a coherent part of the neighborhood in which they are placed. They should be preserved and enhanced where the surroundings have a distinctive character. Where there is a desire to improve the character of the surroundings, a new character and positive identity as established through area planning or a community

involvement process should be created for the area. Special attention will be given to protecting and enhancing the quality of established residential areas that are adjacent to business areas.

The new building would be in an area where land use intensity transitions from a more urban downtown character to a more subdued single-family scaled area. More specifically, the character of the area to the immediate north, east and west could be summed up as largely historic single-family homes fronting Broadway and neighboring streets, which are used for various forms of habitation to small scale office uses.

The proposed project would embrace a more urban, downtown approach, but would decrease its mass to appropriately transition to those areas discussed above. No single family homes are immediately adjacent and the project would not concentrate mass such that neighboring properties would be unduly affected.

b) The public realm

Projects should relate positively to public streets, plazas, sidewalks and paths. Buildings and landscaped areas--not parking lots--should present a well-designed face to the public realm, should not block access to sunlight, and should be sensitive to important public view corridors.

Through an interior courtyard which opens to Mapleton and from a number of entryways and ample fenestration, the project relates positively to its surroundings. Its central courtyard area would connect the project to the lower scaled neighborhood to the north and east. The use of this space is in question at this time, as a disproportionate amount of sunlight may be blocked from entering the space by portions of the existing building. Views of the Flatirons may be blocked, but not such views that would be considered important public view corridors.

c) Human scale

Projects should provide pedestrian interest along streets, paths and public spaces.

The new building would be of a scale comparable to larger buildings down the street and would not necessarily be viewed as out of scale to the passerby. The placement of the community space and an office space along the Broadway side could successfully activate that area. Viewlines into the courtyard space from Mapleton would also add visual interest within the intent of this policy.

d) Permeability

Projects should provide multiple opportunities to walk from the street into projects, thus presenting a street face that is permeable. Where appropriate, they should provide opportunities for visual permeability into a site to create pedestrian interest.

Although not entirely permeable along Broadway, there are a variety of entryways to the building from that side that create a sense of openness. The Mapleton side, however, would provide an appropriate view corridor into the site meeting the intent of this policy.

e) On-site open spaces

Projects should incorporate well-designed functional open spaces with quality landscaping, access to sunlight and places to sit comfortably. Where public parks or open spaces are not within close proximity, shared open spaces for a variety of activities should also be provided within developments.

The project would provide a balance of privacy and openness with the courtyard design that opens to Mapleton. It appears that the general design of the open space would be potentially successful. However, there are concerns that access to sunlight into the space may be compromised by the existing building height to the south, which may block the sun a majority of the time. Modifications to that area of the building and assurance of proper plantings for shade may be necessary to result in a space that will be well-used and functional.

f) Buildings

Buildings should be designed with a cohesive design that is comfortable to the pedestrian, with inviting entries that are visible from public rights of way.

The proposed building would present a unique and distinctive style that stands out on its own, while also being cohesive with nearby downtown development with its historic look. It would also be cohesive with the adjacent church by using like materials and incorporating building features such as the gothic arch elements that echo the church without mimicry. The Broadway façade has a number of entries that would successfully engage the street and its pedestrians and the Mapleton side has a courtyard that opens to that side, which would successfully connect the building to the neighborhood.

7.03 Permanently Affordable Housing

The city will increase the proportion of permanently affordable housing units to an overall goal of at least ten percent of the total existing housing stock through regulations, financial subsidies and other incentives. City resources will also be directed toward maintaining existing permanently affordable housing units and securing replacements for lost low and very low income units. The city will continually evaluate existing and potential affordable housing efforts in order to ensure that the continuum of housing needs in the community as well as its affordable housing goals can be met.

The proposed project would include 50% affordable housing units, albeit at lower housing sizes than typically permitted. The sizes have been found to be acceptable given the number of units and their permanent affordability.

7.14 Integration of Permanently Affordable Housing

Permanently affordable housing, whether publicly, privately or jointly financed, will be designed as to be compatible, dispersed, and integrated with housing throughout the community.

The affordable housing proposed with the project will complement the range of different housing found in the area of Mapleton Hill and north downtown. Its location along Broadway is also advantageous in encouraging alternate modes of travel.

Attachment C



CITY OF BOULDER Planning and Development Services

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
phone 303-441-1880 • fax 303-441-3241 • web boulderplandevop.net

CITY OF BOULDER LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **December 22, 2006**
CASE MANAGER: **Karl Guiler**
PROJECT NAME: **Trinity Commons**
LOCATION: **2200 BROADWAY**
COORDINATES: **N03W06**
REVIEW TYPE: **Concept Plan Review & Comment**
REVIEW NUMBER: **LUR2006-00103**
APPLICANT: **OZ ARCHITECTURE**

DESCRIPTION: **See LUR2006-00045.CONCEPT PLAN REVIEW: Request for citizen, staff and Planning Board comment on a proposal to develop an existing parking lot site adjacent to Trinity Lutheran Church with a structure containing 26 residential units (13 affordable rentals & 13 market rate units) and 6160 square feet of space for church and community functions. Approximately 136 below grade parking spaces are proposed beneath the structure in a 3-level garage. This plan will neither be approved or denied, but rather is an opportunity for the City and residents to comment on the general aspects of the proposal.**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS:

1. **Section 9-2-18, Rezoning: Rezoning to high density residential zone or Special Ordinance.**
2. **Section 9-7-1, Schedule of Form & Bulk Standards:**
 - a) **0 feet where 20 feet is the standard front landscaped setback,**
 - b) **14 feet where 20 feet is the standard sideyard setback for a corner lot,**
 - c) **0 feet where 10 feet is the standard interior sideyard setback, and,**
 - d) **6 feet where 25 feet is the standard rear yard setback.**
3. **Section 9-2-14(b)(1)(E), Site Review: Height Modification to allow a building over the 35 foot height limit.**
4. **Section 9-13-(c)(2), Inclusionary Zoning: Minimum sizes for permanently affordable units.**

I. REVIEW FINDINGS

This concept was originally reviewed under application LUR2006-00045, which was reviewed at a Planning Board public hearing on September 7, 2006. This application reflects revisions that were made in response to Board comments. The comments in this document encompass a review of the revised conceptual plans for the development just north of Trinity Lutheran Church at the intersection of Broadway and Mapleton as described in the description above. The plans will neither be approved or denied, but rather is an opportunity for the City and residents to comment on the general aspects of the proposal.

Staff has identified the following key issues with this project:

1. Does the revised proposal address the Planning Board comments on September 7, 2006 in terms of the site usage, building scale, and architectural design?
2. Would the Planning Board consider a rezoning or Special Ordinance to permit the proposed project?

These issues will be further discussed in the staff memorandum to be prepared in January 2007. Planning Board is tentatively scheduled to review this project at their February 1, 2007 meeting. The staff memorandum will be forwarded to the applicant once completed.

II. CITY REQUIREMENTS

Access/Circulation (Michelle Mahan, 303-441-4417)

Public Improvements

1. An 8 foot wide sidewalk and an 8 foot wide tree lawn are required to be installed along Broadway. A public access easement will be required to be dedicated to include the area 17 feet off the back of existing curb (to cover the sidewalk width plus one foot beyond the back of walk). The exact alignment of the sidewalk may be adjusted to avoid mature trees (please see Landscape comments).
2. A 5 foot wide sidewalk and an 8 foot wide tree lawn are required to be installed along Mapleton. A public access easement will be required to be dedicated to include the area 14 feet off the back of existing curb (to cover the sidewalk width plus one foot beyond the back of walk). The exact alignment of the sidewalk may be adjusted to avoid mature trees (please see Landscape comments).
3. All proposed and reconstructed sidewalks must include curb ramps constructed in accordance with current city standards. Federal ADA requirements mandate that truncated domes be used at all new curb ramps. Revise the site plan accordingly. These details will be reviewed at the time of final engineering submittal. The new ADA requirements for curb ramps can be found on the web at: www.bouldercolorado.gov

Vehicular Access

1. Per section 9-9-5(c)(1) of the Boulder Revised Code (BRC), one access point or curb cut per property will be permitted. The additional garage access ramp does not appear to be necessary for adequate circulation and will not be permitted unless the transportation engineer submits a site plan or traffic study addressing circulation and why the 2 points of access are necessary. Per section 9-9-5(c)(1) of the BRC, the site plan or traffic study must "demonstrate that additional access points and curb cuts are required to adequately address accessibility, circulation, and driveway volumes, and only where additional accesses and curb cuts would not impair any public use of any public right-of-way, or create safety or operational problems, or be detrimental to traffic flow on adjacent public streets".
2. The drive located on the adjacent property east of the proposed Mapleton access will be required to be shown in order to demonstrate adequate access separation per section 2.04(C)(1) of the City of Boulder Design and Construction Standards.
3. All existing drive cuts which are not part of the approved access locations should be shown to be closed and removed per city standards.

Traffic Impact Study

A traffic impact study is required for any nonresidential development that is expected to generate 100 vehicle trips or greater during any single hour or for any residential development that is expected to generate 20 vehicle trips or greater during any single hour. Trip generation is required to be performed and the results submitted per section 2.03(J) of the City of Boulder Design and Construction Standards. A traffic impact study will be a requirement of the Site Review if the residential peak hour trip generation is shown to exceed 20 or if the combined peak hour trip generation is shown to exceed 100.

Travel Demand Management

At the time of Site Review, a Travel Demand Management (TDM) plan is required to be submitted which outlines strategies to mitigate traffic impacts created by the proposed development and implementable measures for promoting alternate modes travel.

Transit

The site is currently served by a bus stop along Broadway. The plans show a proposed shelter to be located on the existing bus pad. A new 50 foot bus stop pad should be installed along the Broadway frontage with the north end of this bus pad located at least 50 feet from the Broadway and Mapleton flow line intersection. In addition, the shelter is required to be located 8 feet behind the back of curb. The 6x20 shelter pad should be installed behind the sidewalk and aligned with the front of the bus pad. At the time of Site Review, the plans will be required to show this bus pad, shelter, and the associated tree grates. A public access easement will be required to be dedicated for any portion of the bus pad/shelter that is located outside of the public right-of-way.

Dedications

All easements are required to be dedicated concurrently with the final engineering submittal and prior to the time of

building permit. All easements required to be dedicated to the city must be reviewed and approved through a separate Technical Document Review process. Application materials and requirements are located on the 3rd Floor of the Park Central Building, and can also be found on the city's web-site at: www.bouldercolorado.gov

Building and Housing Codes

Building Design

Drainage (Steve Buckbee, 303-441-3279)

1. Storm water quality enhancement and detention ponding are issues that must be addressed during the Site Review Process. A Preliminary Storm Water Report and Plan in accordance with the City of Boulder *Design and Construction Standards* must be provided by the applicant at time of Site Review application. The required report and plan must also address the following issues:
 - Water quality for surface runoff using "Best Management Practices"
 - Groundwater discharge
 - Erosion control during construction activities
2. Discharge of groundwater to the public storm sewer system is anticipated to accommodate construction and operation of the proposed developments. City and/or State permits will be required for this discharge. The applicant is advised to contact the City of Boulder Storm Water Quality Office at 303-413-7350 regarding permit requirements. All applicable permits must be in place prior to building permit application. Additionally, special design considerations for the properties to handle groundwater discharge as part of the development may be necessary.
3. City standards require that all projects minimize directly connected impervious areas in accordance with the Urban Drainage and Flood Control District Drainage Criteria Manual Volume III. Wherever possible, runoff from roofs and parking lots needs to be directed to landscaped areas, grass buffer strips, and grass lined swales. This requirement is in addition to the requirement that structural Best Management Practices such as water quality ponds be provided on the site. This requirement must be address in the Preliminary Stormwater Report and Plan at Site Review.

Engineering

The applicant has suggested covering or heating a portion of the alley to mitigate icing and drainage issues. The applicant should look for other options short of adding coverings, heated underground piping or other private encroachments within the alley right-of-way. Design problems, solutions and considerations should be explored in the Preliminary Storm Water Report and Plan. Steve Buckbee, 303-441-3279.

Flood Control

Fees

Because revisions or corrections are not required for this application, based on 2006 development review fees, hourly billing will not be applicable unless another application is required or the applicant revises the current proposal.

Fire Protection

All buildings (including parking garage) will be required to be protected throughout with an automatic sprinkler system designed in accordance with the appropriate standard. All buildings will be required to be monitored by a UL listed central receiving station and alarm notification is required throughout including sleeping areas.

D.Lowrey, Fire Marshal 303.441.4356

Inclusionary Zoning

Applicant's request to vary the required minimum size of the proposed permanently affordable units is acceptable given the agreement to provide a total of 13 small permanently affordable units, where six larger units would be required, and with at least six of the proposed permanently affordable units dedicated to households earning less than 40% of the Area Median Income. Cindy Pieropan, HHS, 303.441.3157.

Land Uses

The subject site's land use designation per the Boulder Valley Comprehensive Plan (BVRC) is High Density Residential. This designation allows for more than 14 dwelling units per acre.

Karl Guiler, Case Manager, 303-441-4236

Landscape Plan

1. The redesign of the site plan creates a positive urban design relationship between this project and the external streetscapes of Broadway and Mapleton surrounding the project site. However, the establishment of a north facing plaza space that is internal to the site creates the potential for a cold, less-than-inviting space. The planned

three-story stair tower elements and elevator shaft on the south side of the plaza space would create deep shadows that would fall over the plaza, particularly in the autumn-to-winter-to-spring months. For the summer months only, the plaza would be a draw and would provide a cool respite. Thus the shadowing on this space, along with the extensive hardscape could make that space unappealing for a significant portion of the year. Similarly, insuring a selection of plant material that would be successful in deep shade is more challenging. As project plans continue to be refined, it is recommended that consideration be made to "open up" the plaza space to southern exposure, designing the plaza for year-around use and establishing a space for long term viability and success.

2. The aerial photo context on the site plan would be more effective if it were presented in greater detail rather than screened-back or distorted. The clarity would not only aid in legibility of the urban design context, but would particularly enhance an understanding of the surrounding streetscape that this site plan needs to interface with. Elaine McLaughlin (303) 441-4130.

Legal Documents

Lot Layout

The development site (where the parking is currently located) contains four separate pieces of property. The applicant should consider combining the lots through a subdivision application. In this case, a preliminary and final plat would be necessary.

Karl Guiler, Case Manager, 303-441-4236

Miscellaneous

Neighborhood Comments

Parking (Michelle Mahan, 303-441-4417)

1. The plans show the parking stall depths as 18 feet. All standard parking stalls are required to be 19 feet deep and must be revised and labeled accordingly at the time of Site Review.
2. No columns are shown in the parking garage. If columns are required, these must be located outside the required width of all parking spaces.
3. The plans do not show any accessible parking spaces. At the time of Site Review, accessible spaces per section 9-9-6(b) of the Boulder Revised Code (*BRC*) will be required to be shown on the plans. Per section 4.6.2 of the ADA Accessibility Guidelines, accessible spaces shall be dispersed and located closest to the accessible entrances.
4. Per section 9-9-6(d)(3)(B) of the *BRC*, turnaround spaces must be provided for dead-end parking bays of eight stalls or more. Turnarounds must be identified with a sign or graphic and marked "no parking". At the time of site review, all required turn-around spaces must be clearly labeled and dimensioned.
5. Bicycle parking is required to be shown in conformance with section 9-9-6(g) of the *BRC*. The required bicycle parking locations must be shown on the site plan.
6. The plans should be revised to show service vehicle access and parking.
7. The "Church-wide Parking Analysis" should be revised to reference the sources used in determining the parking demand for each use.

Plan Documents

Police Protection

The proposed development of (26) residential units, office space, etc may impact Boulder Police calls for service. Traffic flow may also be impacted on Mapleton Street by ingress/egress of residents and staff from the facility.

Some considerations for the applicant:

1. Is the underground parking garage going to be secured, or will it be open? (We have had numerous calls for service to underground parking facilities involving trespasses by transients)
2. How will the building and its residential units be numbered, for expeditious response by emergency personnel?
3. Will the building containing the offices and church facilities be secured, or will it be open access?
4. Trees, shrubs near the access to the parking lot should afford good visibility for drivers pulling out of the underground parking garage to Mapleton Street.

Officer Bob Kessler, X3385

Address: 2200 BROADWAY

Review Process

The project requires Concept Plan review and ultimately Site Review, because the development on the site would exceed 30,000 square feet (when including the church property) per the Development Review Threshold Table under Section 9-4-11(b)(1) of the Land Use Regulations. This requirement has already been fulfilled with the previous submittal. This Concept Plan is at the request of the applicant to obtain more Planning Board feedback on the project.

This Concept Plan is reviewed in accordance with Section 9-2-13 of the Land Use Code. The guidelines for this review are found in Section 9-2-13(g). Staff responses to these guidelines are at the end of this document. Using the guidelines, staff will prepare a memorandum for the Planning Board and these comments and any neighborhood comments will be forwarded as attachments. The Planning Board hearing on this item is tentatively scheduled for February 1, 2007. The applicant is welcome to submit a written response to these comments prior to that hearing.
Karl Guiler, Case Manager, 303-441-4236.

Site Design

Utilities (Steve Buckbee, 303-441-3279)

1. The applicant is advised that any proposed street trees along the property frontage may conflict with existing or proposed utilities, including without limitation: water, wastewater, storm drainage, flood control, gas, electric, telecommunications, drainageways, and irrigation ditches, within and adjacent to the development site. It is the applicant's responsibility to resolve such conflicts with appropriate methods conforming to the Boulder Revised Code 1981, the City of Boulder *Design and Construction Standards*, and any private/franchise utility specifications.
2. A Preliminary Utility Connection Plan meeting section 4.02 of the City of Boulder *Design and Construction Standards* will be required as part of any Site Review submittal.

Wetlands

Zoning

The properties involved in the development are zoned Transitional Business (BT-2). Formerly the designation was TB-E. This has been changed through adoption of the new Land Use Code. Although the zoning district name has changed, the regulations pertaining to the site have not changed. These areas are primarily used for commercial and complementary residential uses. The applicant intends to request a rezoning of the site or a Special Ordinance to permit the project. A comparison of zoning districts to the proposed project is found in the 'zoning' section under Section III below.
Karl Guiler, Case Manager, 303-441-4236

III. INFORMATIONAL COMMENTS

Access/Circulation

Area Characteristics and Zoning History

The subject site is currently a parking lot of 76 spaces serving the Trinity Lutheran Church. The property is located at the corner of Broadway and Mapleton and across from the Mapleton Historic District. The site is within an area that is being considered as a potential historic district. City records indicate that there is a previous Planned Unit Development and Nonconforming Review on the site (i.e., P-87-51 & NC-87-13). These reviews allowed an addition to the existing church. Unfortunately, the records are sparse and only contain the Notice of Disposition. Any new Site Review would re-establish the development parameters on the site.
Karl Guiler, Case Manager, 303-441-4236

Building and Housing Codes

The building will need to meet the requirements of the building code in effect at the time of building permit application. The maximum dead end corridor length is 20 feet. If you are proposing to use section 508 to separated the garage from the upper level the maximum occupant load of the community room can not exceed 300 where based on 7 sq ft per person the occupant load would be 671 and at 15 sq ft per person the occupant load would be 313, so this section would not apply and you may need to choose a higher type of construction for the entire structure. Steve Brown

Building Design

Comments on previous design

Below are key points raised by the Planning Board at their September 7, 2006 meeting regarding the general design of the previous building concept:

- Building Mass: Building too massive. Mass could be reduced by altering roof forms and reducing parking, which

would in turn, reduce the number of units and mass. Mass should be more concentrated along Broadway, the alley and next to the church.

- **Building Height:** Building too tall. Should be shorter on the northeast side and taller on the west side. Could stand 3-stories along Broadway.
- **Building Design:** The project needs to respect the church design, but does not need to mimic it; particularly with the slope of the roof. A more unique and distinctive architecture could be explored for the building. Should have more of an entrance along Broadway. Units, especially those with deck spaces at grade along Broadway, may not work well.

The Board and some members of the public also discussed the idea of providing a sense of transition on the site, where mass and height could decrease from 1) the south to the north along Broadway to create an appropriate drop in land use intensity from downtown to the stretch of historic homes where Mapleton and Whittier meet and 2) from the southwest corner to the northeast corner to minimize the ill effects of a tall building on immediate neighbors and create an appropriate streetscape along Mapleton where buildings are generally smaller in stature.

Comments on current design

Overall, staff finds that the architect has done a commendable job at addressing the key points above. Mass has been focused to the southwest corner and tapers down to the north and northeast to provide a proper transition to the lower intensity development in those areas. The height has been lowered and would reach its highest point at the southwest corner at 46 feet. This was done by changing the roof forms from gable to a flat roof design. Other parts of the building would taper down to less than the 35 feet height limit and at the corner of Mapleton and Broadway, the plate height would be roughly 22 feet above grade; comparable to 2-story homes along that stretch. Therefore, the building appears to be appropriately scaled to match buildings on each of its sides and its massing has been altered, especially along the site's east side, to allow more access to light for neighbors. This change should mitigate the concerns of the neighbors at First Church of Christ Scientist.

In a further analysis of the height, staff finds that it would be appropriate to assure that the height of building from grade at the southwest corner did not exceed that of the grade to roof peak height of the Boulderado building at the corner of Pine and Broadway. This would provide an appropriate drop in height and mass along that side of Broadway. City records indicate that the Boulderado on Broadway is roughly 52 feet in height. According to the drawings, the building would not exceed 46 feet from the lowest point within 25 feet and would not be taller than 39 feet from grade to roof top at the southwest corner. This appears to be an appropriate transitional aspect.

In regard to the architectural design, staff finds that the building achieves a workable balance of incorporating architectural elements and building materials from the church without resorting to mimicry. Further, the building appears to reach a level of uniqueness and distinctiveness with its high level of fenestration, detailed articulation, and successful massing that may address Board expectations on design. With the community space oriented to Broadway and additional office space provided in that location, the building would appear more open to the Broadway side than the previous design. The building also has a greater number of defined entrances that would aid this aspect. Access to residences is obvious, but not too exposed. In sum, the changes of this design are a positive step that would help aid the Board in their decision on whether or not this project warrants special consideration (i.e., Special Ordinance) or code changes (i.e., rezoning) to allow the project. That issue is discussed more in the 'Land Use' and 'Zoning' sections below.

Karl Guiler, Case Manager, 303-441-4236

Drainage
Engineering
Flood Control
Fees
Fire Protection
Land Uses

Proposed Uses

Attached residential uses are permitted in the BT-2 district and any applicable high density residential zone. Please note that professional and/or administrative offices are permitted in BT-2. However, if the property is rezoned to a high density residential district, most office uses would require approval of a Use Review application. Please note that administrative offices are not permitted in RH districts. Planning Board mentioned that congregate care should be considered for the site and could increase the possibility to fit into the density limits for the site. This use would be permitted in the BT-2 and all RH districts.

BVCP Policies

Address: 2200 BROADWAY

2.04 Compact Land Use Pattern

The city and county will, by implementing the comprehensive plan, ensure that development will take place in an orderly fashion, take advantage of existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development within the Boulder Valley. The city prefers redevelopment and infill as compared to development in an expanded service area, in order to prevent urban sprawl and create a compact community.

The proposed development would emulate high density development characteristic of the downtown with 26 dwelling units on a development site less than an acre. The site is an optimum infill site, because of its location near the downtown, along Broadway, and on a site that is more easily developed with only a parking lot to be demolished.

2.13 Support for Residential Neighborhoods

In its community design planning, the city will support and strengthen its residential neighborhoods. The city will seek appropriate building scale and compatible character of new development or redevelopment, desired public facilities and mixed commercial uses, and sensitively designed and sized rights-of-way.

As a prime infill site, the proposed usage would be beneficial to Boulder, based on its location on Broadway, walking distance to downtown, and its provision of affordable housing. Although a prime location for this type of development, it must take into consideration the change in character that occurs in this area from the high intensity land usage to the south to the more subdued development that is characteristic of historic Mapleton and Whittier to the north. The project is appropriately scaled to focus most of the building mass to the southwest corner and essentially tapers its mass down to the north and northeast. This transitional aspect of the project would successfully blend the project into its surroundings by being more sensitive to the nearby established development along Mapleton and the stretch of Broadway before reaching Community Plaza.

a. Preservation of Community Character

The city will encourage the preservation of community character as reflected in the development pattern and relative affordability of the existing housing stock in Boulder's varied neighborhoods.

Based on the existing character of Boulder's Whittier and Mapleton neighborhoods, regulations have been put in place to preserve their historic nature and more subdued scale, while also encouraging appropriate uses in proximity of the downtown. The proposed project exemplifies a more downtown scaled development, but nevertheless, provides an appropriate reduction of massing and scale toward the north and northeast portions of the property to better blend into the established single-family neighborhoods thereabouts.

2.19 Mixed Use

The city will encourage well designed mixed use development that incorporates a substantial amount of affordable housing in appropriate locations, including some commercial centers, corridors and industrial areas. In reviewing mixed use projects, the city will consider impacts to adjacent neighborhoods.

The project is mixed-use with its provision of dwelling units, office and community meeting space. Half the units would be permanently affordable and would be located in an appropriate location near the downtown and along the major corridor of Broadway. Massing of the project would be focused in the southeast corner by the church and would taper down appropriately to the north and northeast where more sensitivity to the single-family character in that area is warranted.

2.33 Preservation of Historical and Cultural Resources

Buildings, districts, and sites of historical, architectural, archaeological, or cultural significance will be identified and protected. The city and county will encourage preservation of such resources through incentives programs, designation of landmark buildings and districts, design review, public

improvements and other tools. Protection will be required by the city when a proposed action by a public entity involves a potential important resource. Protection of important resources will also be sought by the city when a proposal by the private sector involves discretionary development review (e.g., site review, use review, rezoning).

The Trinity Lutheran Church building was built in 1929 and has been identified as a building eligible for designation as a local historic landmark for the following reasons:

- The church's notable 1920's gothic-revival architecture.
- It's location in Boulder's 'church district.'
- Church was designed by one of the City's prominent women architects, Margaret Read of the architectural office of Glen Huntington.

2.39 Sensitive Infill and Redevelopment

Overall, infill and redevelopment will be expected to provide significant benefits to the community and the neighborhoods. The city will develop tools such as neighborhood design guidelines to promote sensitive infill and redevelopment. The city will work with neighborhoods to protect and enhance neighborhood character and livability.

With half of the number of units proposed to be affordable, the project would provide benefits to the community. Further, the leased parking could alleviate some of the parking pressures on neighboring streets. The massing of the project is skillfully done to create an appropriate transition of building scale and land uses such that most of the mass and intensity is focused away from the established neighborhoods to the north, west, and northeast. The project would provide an appropriate gateway into the downtown.

2.42 Enhanced Design for the Built Environment

Through its policies and programs, the city will encourage or require quality architecture and urban design in private sector development that encourages alternative modes of transportation, provides a livable environment and addresses the elements listed below.

a) The context.

Projects should become a coherent part of the neighborhood in which they are placed. They should be preserved and enhanced where the surroundings have a distinctive character. Where there is a desire to improve the character of the surroundings, a new character and positive identity as established through area planning or a community involvement process should be created for the area. Special attention will be given to protecting and enhancing the quality of established residential areas that are adjacent to business areas.

The new building would be in an area with land use intensity transitions from a more urban downtown character to a more subdued single-family scaled area. More specifically, the character of the area to the immediate north, east and west could be summed up as largely historic single-family homes fronting Broadway and neighboring streets, which are used for various forms of habitation to small scale office use.

The proposed project would embrace a more urban, downtown approach, but would include a decrease in mass to appropriately transition to those areas discussed above. No single family homes are immediately adjacent and the project would not concentrate mass such that neighboring properties would be unduly affected.

b) The public realm.

Projects should relate positively to public streets, plazas, sidewalks and paths. Buildings and landscaped areas--not parking lots--should present a well-designed face to the public realm, should not block access to sunlight, and should be sensitive to important public view corridors.

Through an interior courtyard which opens to Mapleton and from a number of entryways and appropriate fenestration the project relates positively to its surroundings. Its central courtyard area would connect the project to the lower scaled neighborhood to the north and east. The use of this space is in question at this time, as a disproportionate amount of sunlight may be blocked from entering the space by portions of the existing building. Views of the Flatirons may be blocked, but not such views that would be considered important public view corridors.

c) Human scale.

Projects should provide pedestrian interest along streets, paths and public spaces.

The new building would be of a scale comparable to larger buildings down the street and would not necessarily be viewed as out of scale to the passerby. The placement of the community space and an office space along the Broadway side could successfully activate that area. Viewlines into the courtyard space from Mapleton would also add visual interest within the intent of this policy.

d) Permeability.

Projects should provide multiple opportunities to walk from the street into projects, thus presenting a street face that is permeable. Where appropriate, they should provide opportunities for visual permeability into a site to create pedestrian interest.

Although not entirely permeable along Broadway, there are a variety of entryways to the building from that side that create a sense of openness. The Mapleton side, however, would provide an appropriate view corridor into the site meeting the intent of this policy.

e) On-site open spaces.

Projects should incorporate well-designed functional open spaces with quality landscaping, access to sunlight and places to sit comfortably. Where public parks or open spaces are not within close proximity, shared open spaces for a variety of activities should also be provided within developments.

The project would provide a balance of privacy and openness with the courtyard design that opens to Mapleton. It appears that the general design of the open space would be potentially successful. However, there are concerns that access to sunlight into the space may be compromised by the existing building height to the south, which may block the sun a majority of the time. Modifications to that area of the building and assurance of proper plantings for shade may be necessary to result in a spaces that will be well-used and functional.

f) Buildings.

Buildings should be designed with a cohesive design that is comfortable to the pedestrian, with inviting entries that are visible from public rights of way.

The proposed building would present a unique and distinctive style that stands out on its own, while also being cohesive with nearby downtown development with its historic look. It would also be cohesive with the adjacent church by using like materials and incorporating building features such as the gothic arch elements that echo the church without mimicry. The Broadway façade has a number of entries that would successfully engage the street and its pedestrians and the Mapleton side has a courtyard that opens to that side, which would successfully connect the building to the neighborhood.

7.03 Permanently Affordable Housing

The city will increase the proportion of permanently affordable housing units to an overall goal of at least ten percent of the total existing housing stock through regulations, financial subsidies and other incentives. City resources will also be directed toward maintaining existing permanently affordable housing units and securing replacements for lost low and very low income units. The city will continually evaluate existing and potential affordable housing efforts in order to ensure that the continuum of housing needs in the community as well as its affordable housing goals can be met.

The proposed project would include 50% affordable housing units, albeit at lower housing sizes than typically permitted. Further, only 20% of the units would be permanently affordable.

7.14 Integration of Permanently Affordable Housing

Permanently affordable housing, whether publicly, privately or jointly financed, will be designed as to be compatible, dispersed, and integrated with housing throughout the community.

The affordable housing proposed with the project will complement the range of different housing found in the area of Mapleton Hill and north downtown. Its location along Broadway is also advantageous in encouraging alternate modes of travel.

Landscaping
Legal Documents
Lot Layout
Miscellaneous

Neighborhood Comments

No neighborhood comments have been received at this time.
Karl Guiler, Case Manager, 303-441-4236

Parking

Planning Board was not entirely supportive of the amount of parking proposed. Several members suggested that a reduction in the number of spaces be considered to reduce the number of units, thereby reducing the mass of the building and bringing it more into conformance with code. This revised version proposes the same number of spaces as before. It is clear that the number of spaces are primarily to support the usage of the church while the number of units (namely the market-rate units) are necessary to finance the expense of constructing a 3-story subterranean parking garage. This is something that will warrant further discussion at the February 1, 2007 Planning Board meeting.

Karl Guiler, Case Manager, 303-441-4236

Plan Documents
Review Process

Site Design

Planning Board and staff had concerns about the functionality of the previous courtyard design. This concern still lingers (as discussed in the landscape section above) considering how sunlight would still be blocked from the space much of the time based on the configuration of the building. Despite this, staff finds that the functionality of the space is improved by opening it up to the lower intensity side (i.e., Mapleton), which creates more permeability into the site and a better connection to the neighborhood. The space would retain the desired courtyard effect, while also having a more open, inviting feel. As noted in the landscape section, the usability of the space could be enhanced by lowering portions of the building (e.g., tower element) to allow more sun into the space and by ensuring that any plantings can adapt to the conditions of the space. Otherwise, staff supports the general arrangement of building elements on the site, which creates an appropriate transition of mass on the site as discussed in 'building design' above.

Karl Guiler, Case Manager, 303-441-4236

Utilities
Wetlands

Zoning

For the purposes of this discussion, the project has been reviewed against the underlying BT-2 zoning. A comparison of the project to other possible zoning districts is found in Table 1 and 2 below:

Density

Under the current BT-2 zoning, 22 residential units would be possible. The zone also permits up to 27.2 per acre. The proposal includes a request for 26 residential units, or a proposed density of 31.7 dwelling units per acre. Therefore, the

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proposal is not compatible with the zoning. For the proposal to move forward, a rezoning or Special Ordinance would be required. The applicant has requested preliminary consideration of these possibilities. This is discussed further in the 'Rezoning and Special Ordinance required' section below and will be discussed in the forthcoming staff memorandum.

Floor Area

The BT-2 zoning has a floor area limit of 0.5 FAR (Floor Area Ratio). The proposed project would not comply with this limit at roughly a 1.2 FAR. This figure includes all above grade levels for the new building and the church. If one were to consider the FAR on the 22,463 square foot development site excluding the church, the FAR would be 1.5 for that site. This contradicts the intent for this stretch of Broadway where building mass is limited. However, Planning Board did express that more mass may be appropriate for this project along Broadway.

Building Height

The proposed building would have a height (per code) of roughly 46 feet. This exceeds the 35 foot height limit for the BT-2 and all of the applicable zoning districts to the site, with the exception of RH-3, which allows 40 feet. Therefore, the height of the building would require Planning Board approval of a Site Review Height Modification. At this stage, with the highest point of the building being at the southwest corner and being at a lower height than the nearby Hotel Boulderado, the proposed height is more supportable than the previous proposed 54 feet.

Building Setbacks

In contrast to the proposal booklet, the Broadway side would be 'front' of the building as the shortest side. Please refer to the definition of "Yard, front, rear, and side" in Chapter 9-16 of the Land Use Code. In the case of the development site, it would be considered a corner lot with front setbacks from the Broadway and Mapleton sides. The mutual lot line with the First Church of Christ Scientist property would be a rear yard setback and the setback from the alley would be considered an interior sideyard setback by code.

The proposed building would not conform to any of the setback standards of the BT-2 district. Therefore, setback modifications through the Site Review process would be required. The proposed setbacks could only be approved if the Site Review criteria were met. Please see the 'REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS' for the exact modifications.

Preliminarily, staff finds that the proposed setbacks along Broadway and the alley are appropriate given the urban nature of the project and the intent to concentrate most of the development to the southwest corner. Setbacks along Mapleton could be justified by existing buildings built close to the street on that block and the overall openness of that side. Setbacks from the neighboring First Church of Christ Scientist property would require further analysis at the Site Review stage where elevations of that side would be required. At this point, it appears that the massing on that side is a notable improvement over the previous design.

Open Space

The BT-2 zone would require 15,600 square feet of open space on the whole development site (600 sf X 26=15,600 sf) based on the number of dwellings. As a building over 45 feet, it is also held to at least 20% of the site as open space. The project would meet both these provision at roughly 15,912 square feet (staff estimate slightly more than applicant's; applicant's may be more accurate based on required deductions from open space on church property.) The functionality of the open spaces and its qualifying aspects would be reviewed in more depth at the Site Review stage.

Parking

Using the figures provided and verifying those numbers, staff estimates that the parking requirement for this project would be 110 spaces. With 136 spaces, the project would comply with the parking requirements.

Development Standards

Please be advised that the project would be subject to the development standards of Chapter 3.3, Site Development Standards.

Subdivision

Please be advised that any subdivision or merging of lots as part of this project would have to comply with the provisions of Chapter 5, Subdivision.

Solar Access

Please be advised that the new building is adjacent to RH-2 zoning, which is in Solar Area II. Please review Section 9-9-17, Solar Access, of the Land Use Regulations before Site Review submittal to determine compliance with the requirements of that section.

Rezoning or Special Ordinance required

Table 1 below is a summary comparing the proposal to various applicable zoning districts and their specific floor area limits, open space minimums, and parking space requirements. Setbacks are not included as they can be modified through Site Review if found compliant with the criteria in Section 9-2-14(h).

| | Density | # of Units | Floor Area | Open Space | Parking |
|--------------------------------|-----------------------------|------------|---|--|------------|
| Proposal | 31.7 du/ac | 26 | 44,564 sf | 15,912 sf | 136 spaces |
| BT-2 (formerly TB-E) | 27.2 du/ac | 22 | 17,887 sf (0.5 FAR limit) | 15,600 sf (26 units) & 13,200 sf (22 units) | 110 spaces |
| RH-2 (formerly HZ-E) | 27.2 du/ac (PB approval) | 22 | 17,887 sf (PB approval, does not include non-residential or communal areas) | 15,600 sf (26 units) & 13,200 sf (22 units) | 156 spaces |
| RH-5 (formerly HR-E) | 27.2 | 22 | Determined by bulk standards and other requirements | 15,600 sf (26 units) & 13,200 sf (22 units), Only 10,400 square feet in mixed use developments for 26 units | 110 spaces |

Table 2 compares the proposal to those zoning districts where density is determined by open space. The open space column notes how much open space would be required to allow 26 units with the exception of RH-3, which is just a percentage of the site. Floor area limits and parking requirements are also included.

| | Floor Area | Open Space | Parking |
|---------------------------------|--|---|------------|
| Proposal | 44,564 sf | 15,912 sf | 136 spaces |
| RH-1 (formerly HR-X) | 20,800 sf if adequate open space provided. (800 sf X 26 unit) | 20,800 sf (26 X 800 sf) (PB approval) | 156 spaces |
| RH-3 (formerly HR1-X) | No limit, if site open space is met. Setbacks and height would also limit. | 60% of site = 21,464 sf 30% of site = 10,732 sf, if the provisions of Sec. 9-9-11(e)(3) are met. | 110 spaces |
| RH-4 (formerly HR-D) | No limit, if site open space is met. Setbacks and height would also limit. | 31,200 sf (26 X 1,200 sf) | 110 spaces |

Conclusion

Based on Tables 1 and 2, the only feasible zoning district to accommodate the project as proposed would be RH-3 (formally HR1-X). This is because of the possibility of the project to meet the required open space of 30% if the provisions of Section 9-9-11(e)(3) were satisfactorily met and further, due to its lack of a floor area limit. As noted above, the RH-3 district also has a height limit of 40 feet, which is closer to the requested 46 feet. This district was discussed as a possibility in the past, but the Board and staff have raised questions of spot zoning, since the RH-3 district was not intended for that area of the City, but for areas east of the University and possibly the Transit Village area. It is also uncommon for one particular building site to be zoned a different zone than its surroundings.

The problem that exists with other zoning districts are as follows:

1. **Density-** Most of the districts restrict the number of units to 22 units. An increase in open space could permit additional units in RH-1, but with a floor area limit less than half the proposed.
2. **Floor Area-** The only districts that do not restrict floor area are RH-3 (as discussed above), RH-4, and RH-5. The problem with the latter two is that RH-4 has a significantly higher requirement of open space and RH-5's density limit of 22 units.
3. **Parking-** Parking is less of a problem as the proposal would provide an ample amount; more than most of the district requirements. Only in the scenarios of RH-1 and RH-2 would a parking reduction or additional spaces to meet the requirements be necessary.

At this point, it appears that the only options that exist are to rezone the property to RH-3, create a flex zone that essentially creates a similar district as RH-3, or a Special Ordinance to permit the development based on the community benefit it may present. These are issues that will be discussed in more detail in the forthcoming staff memorandum and at the February 1, 2007 Planning Board meeting.

Karl Guiler, Case Manager, 303-441-4236

IV. NEXT STEPS

These comments and any neighborhood comments will be forwarded to the Planning Board for review. The Planning Board hearing on this item is tentatively scheduled for February 1, 2007. The applicant is welcome to submit a written response to these comments prior to that hearing.

V. CITY CODE CRITERIA CHECKLIST

1) Characteristics of the site and surrounding areas, including, without limitation, its location, surrounding neighborhoods, development and architecture, any known natural features of the site including, without limitation, mature trees, watercourses, hills, depressions, steep slopes and prominent views to and from the site;

Given the close proximity to downtown, the site is generally urban in character, albeit at a lower scale than development within the downtown district. This is because the site is technically outside the Regional Business zoning and with restrictive floor area limits, actually reflects the lower scaled, single family nature of the surrounding Mapleton and Whittier neighborhoods.

There is no uniform architecture for this area, but rather is a mixture of predominantly single family homes ranging from the 1890's up to the 1920's. More contemporary structures are also found in the area. Nearby churches are of divergent styles. Most importantly, the Trinity Church to the south has a gothic appearance, which is emulated in the project's design.

As a parking lot, the site itself contains no natural features, but does contain a mild slope which descends from the northwest corner to the southeast corner. There are views towards the Flatirons from the site.

2) Community policy considerations including, without limitation, the review process and likely conformity of the proposed development with the Boulder Valley Comprehensive Plan (BVCP) and other ordinances, goals, policies, and plans, including, without limitation, subcommunity and subarea plans;

With a high density residential BVCP land use designation, the project would be consistent with the introduction of high density residential on the site. The project would also be consistent with BVCP policies promoting compact development and affordable housing. Its location near the downtown and along Broadway are also within the intent of the Plan.

However, other BVCP policies are aimed at protecting the scale of existing established neighborhoods and ensuring that new development is compatible. The subject properties are located immediately outside the limits of downtown in an area that is predominantly built at a lower scale as evidenced by the more single-family character of Mapleton and Whittier. In efforts to protect the character of these core neighborhoods while allowing higher intensity uses near the downtown, limitations to the allowable floor area have been established. This project would not respect that intent.

The subject project, although in line with compact development and affordable housing policies, would not necessary be consistent with neighborhood compatibility policies, since the project would present a more massive structure than most along the stretch of Broadway from Pine to Portland Place to the north. This is largely because the floor area would be more than double the permissible limits under current zoning. Further BVCP policy considerations are discussed in an attachment at the end of this memorandum.

3) Applicable criteria, review procedures, and submission requirements for a site review;

The project would be subject to all the criteria in Section 9-2-14(h) of the Land Use Regulations. Submission requirements would be the same as any other Site Review and would have to satisfy the

requirements of Section 9-2-14(d). However, staff has requested that a Preliminary Storm Water Report and Preliminary Utility Connection Plans be submitted at the Site Review stage to ascertain compliance with the City of Boulder Design and Construction Standards. Trip generation figures would also be evaluated at the Site Review stage to gauge for any possible transportation/circulation impacts.

Review would follow a three-week review track where comments or a decision would be rendered at the end of that time. If revisions were required, two additional review tracks could be scheduled. If the project required Planning Board review, it would be scheduled during that time. If the project could be decided by staff, it would be subject to Board or citizen call-up.

4) Permits that may need to be obtained and processes that may need to be completed prior to, concurrent with, or subsequent to site review approval;

Rezoning: If the project could not be redesigned to fit within the current zoning, a rezoning would be necessary, if the Planning Boards supported the proposed project. Any rezoning would have to be considered consistent with BVCP policies and must meet one of the criteria in Section 9-2-18(e) of the Land Use Regulations.

Site Review: Either when the project was downsized to fit within zoning parameters or rezoned, the applicant could submit a Site Review application. Site Review is a more in-depth review where the detailed criteria of Section 9-2-14(h) would have to be met before approval.

Landmark Designation: The existing Trinity Lutheran Church is considered eligible as a local landmark designation because of its notable 1920's gothic-revival architecture and also since it was designed by one of the City's prominent women architects, Margaret Read. Per policy 2.30, Preservation of Historic and Cultural Resources, in the BVCP, it is recommended that the applicant be required to submit an application for landmark designation as a condition of Site Review approval.

Technical Documents: Following Site Review, technical documents including detailed engineering and architectural drawings would be submitted where final architecture, landscaping, drainage, lighting etc. would be evaluated. Engineering staff has indicated that City and/or State permits for storm water discharge would be required. Another consideration at this stage would be the undergrounding of the overhead power lines over the alley.

Once all the site conditions were found to be compliant with all applicable codes, a building permit for the new structure could be reviewed. However, staff is currently considering a process that would review both technical documents and building permits simultaneously to expedite project review.

5) Opportunities and constraints in relation to the transportation system, including, without limitation, access, linkage, signalization, signage, and circulation, existing transportation system capacity problems serving the requirements of the transportation master plan, possible trail links, and the possible need for a traffic or transportation study;

Opportunities: The development would be accessed from the existing eastbound alley and Mapleton Avenue. This is preferred to access from Broadway. The existence of the alley and Mapleton are opportunities, since additional access to the heavily traveled Broadway would not be necessary. A transportation study is considered unnecessary at this point, however, trip generation figures would be evaluated at the Site Review stage to troubleshoot any possible issues with the proposed configuration. The applicant has also indicated their intentions to provide eco-passes for staff and residents and encourage bike facilities to lower vehicular dependence.

Constraints: The only identifiable constraints would be the one-way aspect of the alley and possible left turn problems from Mapleton onto Broadway, which could occur with intensified use of that intersection. Again, this would be evaluated further at the Site Review stage when trip generation figures are submitted.

6) Environmental opportunities and constraints including, without limitation, the identification of wetlands, important view corridors, floodplains and other natural hazards, wildlife corridors, endangered and protected species and habitats, the need for further biological inventories of the site and at what point in the process the information will be necessary;

Opportunities: The site is an existing parking lot in an urban location and therefore, contains no wetlands, floodplains, endangered or protected species and habitats, etc. As a low intensity use, it is an opportune location for redevelopment without any notable impacts to the environment.

Constraints: The construction of the building may increase run-off onto neighboring properties. Therefore, staff has required detailed plans be submitted at the Site Review stage to verify compliance with Best Management Practices and reliance that the project will be designed to properly channel water run-off.

7) Appropriate ranges of land uses;

Residential: The development site is designated for high density residential, which would be provided with this project, albeit at a density above what is permitted with current and any possible zoning of the property. As noted above, if the Planning Board found that the project was a notable community benefit that would be appropriate for the location, a rezoning could be considered to permit the project as proposed.

In this case, the community benefit would be the number of affordable units, which at 13 units, or 50% of the proposed total, exceeds the 20% requirement of the City. Staff, however, has also pointed out that the unit sizes do not meet the minimum size requirements.

Non-residential: A community/church meeting space is proposed. Given the need for more community space in Boulder, this addition would be asset for the community. Office space.....

8) The appropriateness of or necessity for housing.

The proposal is for 13 market rate two-bedroom units, averaging 1100 square feet and 14 permanently affordable one-bedroom units averaging 500 square feet. While the number of affordable units exceeds that required by inclusionary zoning, the proposed size of the affordable units is less than the minimum required of 880 square feet. Inclusionary zoning also requires that the distribution of affordable unit types be the same as that of market rate housing unless additional affordable housing benefits are provided. The proposed affordable rents are consistent with those required by inclusionary zoning.

Housing is an identified need, especially around the downtown area and high density housing along a major transit corridor is compatible with City goals for both housing and transportation. The addition of new, permanently affordable rental housing helps meet a need that is generally not met by inclusionary zoning which results in primarily for-sale affordable housing.

VI. Conditions On Case

Not applicable for Concept Plan reviews.

Attachment D

Open House

On September 7, 2006, the Planning Board held a public hearing to consider the proposed Trinity Commons Concept Plan application. A wide range of comments were provided by City staff, the Planning Board and during the public hearing from neighbors. Shortly afterwards, the North Property Committee met to figure out how to respond to the suggestions, remain true to the initial vision of the congregation, and be financially feasible. Those were the basic building blocks that led to an exciting re-organized and re-thought site plan, architecture and program for Trinity Commons. It is now a stand-alone structure that consists of five basic parts:

- 13 permanently affordable one bedroom apartments for rent
- 13 for-sale two bedroom apartments
- 4,700 sqft of community and church function space
- 1,460 sq. ft. of office space for lease
- 136 below grade parking spaces on three levels

Trinity Commons will be more diverse in use and more contemporary in design. It is less massive with flat roofs, and more respectful of the transition from the downtown to the residential areas to the north and east. It pays homage to its nearest neighbor Trinity Lutheran Church but is architecturally timeless and unique.

The committee submitted a second Concept Plan application to the City on December 4, 2006. Trinity Lutheran Church anticipates that the revised Concept Plan will come before the Planning Board for another public hearing in early February, 2007.

Your thoughts and suggestions are welcome.

The North Property Committee
of
Trinity Lutheran Church
cordially invites you
to attend an

Open House

to see, discuss and comment on the
revised plans for

TRINITY COMMONS

Tuesday, December 12, 2006
please stop by anytime between
5:00 pm - 7:00 pm

in the narthex of

Trinity Lutheran Church
2200 Broadway
Boulder, CO
80304

(The church is located at the northeast corner
of the intersection of Broadway and Pine St.)

The entrance to the narthex is located
at the northwest corner of the church
at the intersection of the
alley and Broadway.)

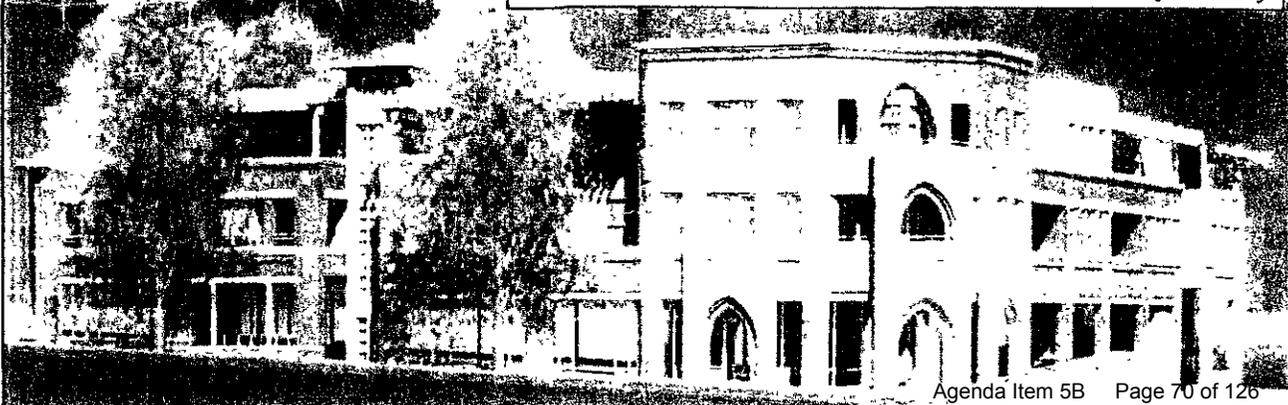
For more information,
please contact the office at
Trinity Lutheran Church

303-442-2300

or
visit the website at

www.trinityboulder.org

Trinity Commons: view to NE from intersection of Broadway and alley



Attachment E

TRINITY
LUTHERAN
CHURCH

TRINITY COMMONS

NOVEMBER 28, 2006

CONCEPT DESIGN REVIEW

Agenda Item 5B Page 71 of 126

O Z A R C H I T E C T U R E®



TRINITY LUTHERAN CHURCH

A mission outpost in a troubled world

December 4, 2006

Ms. Ruth McHeyser
Acting Planning Director
City of Boulder
1777 Broadway
Boulder, CO 80306

Dear Ms. McHeyser:

With this letter, we are very proud to submit a revised application for Concept Plan Review for Trinity Lutheran Church's proposed Trinity Commons project.

Since the Planning Board's initial review of the Concept Plan application for Trinity Commons in September, 2007, the North Property Building Committee of Trinity Lutheran Church has been working hard to try to find a new balance between the suggestions and guidance of the City's planning staff and the Planning Board, the comments provided during the public hearing, and the vision and aspirations of the church congregation.

We believe that this application addresses those many ideas. For example, the project is laid out very differently in part, to link the courtyard to community and in part, to be more respectful of the surrounding neighborhood. There are fewer dwelling units and none on the ground floor along Broadway. And while the architecture is more contemporary, it is both timeless and incorporates features that tie to the historic church. The concept provides more housing downtown and helps assure Trinity Lutheran Church's economic and spiritual contributions to the community will continue long into the future. As before, we continue to affirm our commitment to remaining at our historic Broadway location and to our role as one of downtown Boulder's churches.

We continue to be very excited about this project and hope that you and the Planning Board share this excitement by supporting this concept plan to the next phase of the process. Please don't hesitate to contact me or the members of the North Property Building Committee if you have any questions or need additional information.

Sincerely,

Kay Aitchison, President
Trinity Lutheran Church Council

2200 Broadway
Boulder, CO 80302

Ph: 303-442-2300
Fax: 303-545-5527

Email:
trinityboulder@
hotmail.com

Web:
www.trinityboulder.org

WRITTEN STATEMENT FOR THE
PHASE II CONCEPT PLAN

TRINITY COMMONS

December 4, 2006

SUMMARY

Trinity Lutheran Church has been working on a plan for the redevelopment of its north property for many years. In September, 2006, the City's Planning Board held a public hearing to consider the initial proposed Concept Plan. The Planning Board hearing resulted in a wide range of comments from both the Planning Board and from the public hearing. The comments were summarized by City staff and provided to Trinity Lutheran Church. That summary provided the basic building blocks for this Phase II Concept Plan which is now envisioned as a new stand-alone structure that consists of five basic parts:

1. 13 for-sale two bedroom apartments
2. 13 permanently affordable one bedroom apartments for rent
3. 4,700 sq. ft. of community and church function space
4. 1,460 sq. ft. of office space for lease
5. Approximately 136 below grade parking spaces on three levels

In some ways, the proposed revisions to the Trinity Commons community are dramatically different from the original application, and in some ways, it continues unchanged with some elements that were part of the original packet.

A detailed discussion of the changes in the proposal is contained in the following paragraphs; a quick summary of how the revised Concept Plan addresses the key concerns of the City and the neighbors is included in the attachments.

VISION STATEMENT

Real estate projects generally take several years to complete with many decisions and compromises throughout that time. As part of its initial planning process, the NPBC developed a Vision Statement to help guide their decisions and the consideration of alternatives. The NPBC has also found that the Vision Statement has helped Trinity Lutheran Church communicate what it hopes to accomplish with this project and is provided here for that purpose.

TRINITY COMMONS VISION STATEMENT

“A mission outpost in a troubled world.”

TRINITY COMMONS will be a downtown Central Boulder affordable housing community that is sponsored by the congregation, and inspired by the outreach mission of the Trinity Lutheran Church. It is to be located on the church’s under-utilized north lot currently used for church and leased parking.

TRINITY LUTHERAN CHURCH is a Christian faith-based organization of Boulder area citizens who invite those in the area who qualify for affordable housing, or who simply desire to live downtown, to join with its members to help build a supportive and caring neighborhood.

TRINITY LUTHERAN CHURCH desires to reinforce its 100 plus year commitment to the continued success and vitality of downtown Boulder by creating twenty six (26) new mixed income housing units that will enhance the diversity of the surrounding neighborhood.

TRINITY LUTHERAN CHURCH contributes to the community in a variety of ways that include providing meeting space for youth, social service and church related activities that the congregation hopes to enlarge and improve through construction of a new 4,700 sqft community room.

TRINITY LUTHERAN CHURCH recognizes the occasional impact of attendance at Sunday services, weddings and other functions, and of its other operations on the surrounding streets and neighborhood. Consistent with its intention to be a good neighbor, the congregation intends to build substantial sub-surface parking, on the order of 136 spaces, so as to minimize those impacts and to help alleviate the demand for scarce downtown parking.

TRINITY LUTHERAN CHURCH is a historically significant building on the northern edge of downtown Boulder that the congregation plans to expand with a compatible structure that:

- Complements the architecture of the existing church building and neighborhood context;
- Uses rich, durable materials and establishes a human scale at the street level;
- Incorporates environmentally sensitive materials and systems;
- Captures mountain and downtown views;
- Creates open space for individuals and for groups to gather and interact;
- Establishes ceremonial entrances to the residential area; and
- Uses space and materials to minimize the negative impacts of multiple activities.

TRINITY LUTHERAN CHURCH undertakes this project to create a durable sustaining asset that will contribute to and better enable the church to support its aging and low income parishioners as well as members of the larger community in the future.

TRINITY LUTHERAN CHURCH will initiate and maintain open communication and a free exchange of information and ideas regarding the proposed redevelopment with its immediate neighbors, all interested persons and the City of Boulder.

Architecture

Density, Mass, and Scale

One of the main principles that guided the creation of the Phase II Concept Plan was to interweave the new structure into the fabric of the existing buildings and neighborhood context by taking advantage of the substantial change in elevation across the site from northwest to southeast. In the Phase II plan, the larger mass of the building is shifted away from Mapleton Ave and the Church of Christ Scientist towards the alley (south) and towards Broadway (west). The fundamental transition in mass and scale declines from the taller non-residential structures of downtown to the two story non-residential uses located in converted residences located to the north.

With a shift to more efficient double loaded corridors (enclosed acclimatized hallways and improved security), there was an opportunity to revise the plan with a “u” shaped building centered on a courtyard which opens onto the quiet residential frontage of Mapleton. Both wings step down as they approach Mapleton. The new structure, as seen from Broadway and Mapleton, is a two story building, stepping up to three stories along Broadway as it moves closer to the greater scale of downtown area to the south. The three story element of the structure extends along the alley, then turns north and extends a short way along the east side of the site. At that point the building steps down to two stories, and finally to one story in the vicinity of the adjacent Church of Christ Scientist. To allow even more light into the courtyard, a notch has been taken out of the third floor on the south side.

The building is pushed back from Mapleton and the easterly property line and closer to the sidewalks and rights-of-way of the alley and Broadway. In particular, the ground floor design along Broadway will enhance and activate the pedestrian and street-front ambiance with more public uses. Residences have been removed from the street level along Broadway, and substituted with office and church function space.

The site is square. For zoning purposes, Mapleton Ave. is the “front” of the site. Given the fact that the short sides of the platted lots face Mapleton Ave, it is an indicator that this quieter street would be the preferred location for a residential portion of the project’s front door. The front door for the public uses, such as the church function space and the offices will be, more appropriately, along Broadway which serves the community as a major arterial.

The last change is a shift to flat roofs rather than the high peaks in the original concept. The flat roofs dramatically reduce the apparent mass and height of the structure. And, it changes the overall character of the structure to further distinguish it from the abutting church.

Character and Design

Another main principle that guided the creation of the Phase II Concept Plan was the relationship of the new structure to the existing historic character of Trinity Lutheran Church given the change of use. Trinity Commons will be recognizable as a part of the overall Trinity Lutheran Church complex but, while the new building will take design cues from the character of the adjacent church, it will not look like the church. Styles and detailing will speak to the historic character of the church but with more contemporary materials and colors. As can be seen in the elevations, several shapes and patterns are picked up from the church both along the alley and at the corner entrance to create a link to the church.

Trinity Commons will be a mixed use building though primarily residential especially on the upper floors. These areas will be defined by materials, colors and some details that will be complementary to and speak to the enduring quality of a church without copying their use.

Historic Designation

The original chapel, built in 1927 and located at the corner of Broadway and Pine St, is of both historic and architectural value. Trinity Lutheran Church is willing to consider and explore designation of this chapel with the City of Boulder. Trinity Lutheran Church would like to continue to work with City staff to understand the implications of a landmark designation on the chapel and the regulatory processes that will be required to modify the historic chapel.

Commercial Space

Pursuant to suggestions from the Planning Board and during the public process, Trinity has eliminated all of the residential units on the ground floor that would front directly to Broadway. The church function space described below occupies most of the area at the southwest corner of the site opposite the entrance to the church. The northwest corner of the site will be developed as commercial space for rent that could serve a variety of professional and neighborhood uses. The total area is approximately 1,460 square feet and could be occupied by one business or several smaller individual offices with shared services. The corner has excellent visibility and is easily accessible on foot or by bus. In the future, it could serve to expand either the church function space or allow for church office use.

Commercial space on this corner allows for a consistent architectural treatment of the ground floor along Broadway. It will also enhance the transition around the corner onto Mapleton Ave to complement the transition to the residential and common areas of the community.

Church Function Space and the Connection to Underground Parking

The transition between the church and the church function space has been improved because it is the front door for both facilities. The linkage is more intuitive and user friendly both physically and architecturally. The church function space has been reconfigured and is now located on the ground floor at the southwest corner of the project directly opposite the church narthex.

Also, because this is the key route to and from the parking structure, parishioners will be able to walk to and from the elevator and stairs providing access to the parking structure via the church function space or in a covered walkway along the alley. The connection across the alley will be further re-enforced by paving a portion of the alley with pedestrian scaled unit pavers.

The church also wishes to take this opportunity to underground the aerial wires in the alley in conjunction with the City's Downtown Alleys utility under grounding program.

Church Function Space

The mission statement of Trinity Lutheran Church is to be a "mission outpost in a troubled world." Trinity Lutheran Church believes that its faith calls it to do more than "make a difference" in people's lives; in fact its congregation is called to "make life different" for people. For Trinity Lutheran Church, being a downtown church means partnering with the City of Boulder and other ministries and agencies to make life different. The church function space is a key element in fulfilling that mission.

The church function space has been modified to address comments from the initial review of the application. It continues to be located on the ground floor of the project at the southwest corner of the site will be approximately 4,700 sq ft in size. It will be defined by a ceremonial entry feature on Broadway and its location will help provide a link to Trinity Lutheran Church. The church function space will be flexible to accommodate:

- Service programs with Trinity's partners are scheduled throughout almost every day of the year and most evenings;
- Classrooms on Sundays;
- Multiple small meetings for a variety of different sized groups;
- Large kitchen adjacent to a fellowship hall;
- Room for administrative offices or resident gatherings and meetings;
- Large receptions, weddings and church gatherings;
- Available for community groups for meeting and events; and
- Use by the neighboring churches.

Unfortunately, Trinity Lutheran Church frequently turns down requests for meeting space due to schedule conflicts and prior commitments. This is one of many indicators that this type of space is greatly needed in the community and in downtown.

Parking

Of all the many facets of the project, parking is one of the most significant to Trinity's congregation. Increasing the amount of parking was one of the original guiding principles during the early planning stages. The additional parking will accomplish several goals for Trinity Lutheran Church and for the community:

- It will add to the City's parking stock downtown;
- It will increase the parking spaces available to the congregation;
- It will reduce demand for on-street parking in the surrounding neighborhoods;
- It will allow for the growth of the congregation by assuring parking for all parishioners;
- It will allow Trinity to continue to serve church members that reside throughout the region
- It will enable the elderly and other special needs populations to continue to participate in the church community and events for whom even a short walk is un-manageable or difficult;
- It will support other institutions and churches in the neighborhood during their big events with leased spaces
- It will help the church attract young families with young children who will participate in services and other church programs; and
- It will enable Trinity to meet the current demand for parking spaces for each service which is on the order of approximately 95 spaces not including staff.

As noted in the initial Concept Plan, this project will only add approximately 30 additional much needed spots for church use given the reservation of spaces for the housing and the commercial offices. The parking structure will have two auto access points. The primary entrance/exit will be on the alley. Congregation members attending services will turn east bound on to the alley to enter the structure. Exiting traffic will proceed east to 13th St looping back to Broadway on Mapleton Ave, Spruce Ave or Pine Ave. The second entrance/exit will be close to the center of the block on Mapleton Ave.

Each residence will have assigned parking. Parking will also be reserved for the church as well as for the commercial space. The remaining spaces will be available for lease during the week. On the week end, all of the available parking could be used by the congregation with the exception of the spaces reserved for the office and the residents.

Housing

Affordable Housing

Of the 26 dwelling units at Trinity Commons, 50%, or 13 units will be affordable to low and moderate income households. This exceeds the minimum 20% requirement of the City of Boulder's Inclusionary Zoning (IZ) ordinance by 30% or seven units.

The affordable units are all one bedroom one bath condominium apartments. They are located on all three floors of the project. There are a variety of entrances, some served by a double loaded corridor and others directly from the courtyard. The units have comparable exterior views and in some cases balconies. Other amenities include access to the courtyard facing Mapleton Ave, a private secure storage area, secure underground parking, and elevator access.

The size of the affordable units has been increased from approximately 500 sqft in the initial application to approximately 624 sqft. This represents a total of 8,236 sqft or 30% of the total 24,190 sqft in the project. At 624 sqft, the affordable units are approximately 51% of the average square footage of an unrestricted unit. This represents a requested variation of the IZ program. The variation is offset by the greater number of permanently affordable units combined with the proposed lower income levels targeted for occupancy.

Typically, affordable rental housing is referred to by its income target which is usually a percentage of the Area Median Income or AMI. AMI is calculated annually by HUD for regions across the country and is expressed as the gross annual income for a family of four. In the Boulder/Longmont area, the AMI is approximately \$81,600 for 2006. Boulder's IZ program requires that 20% of units in a new development be affordable to households at approximately 60% of AMI, the "HUD low income limit", if for sale, and 10% less than that if for rent.

The affordable units at Trinity Common will serve low- and moderate- income, one- and two- person households with annual incomes at two levels. There will be six units restricted to households at or below 40% of the Area Median Income (AMI). These are the six units that would be required for a project of this size under the IZ code. However, these six units will be for rent at 10% lower than the IZ code would permit units to be rented at and 20% below the current City covenant level. The remaining seven units will serve households at or below 50% of the AMI. These units would be rented at the City's current IZ limit which is 10% below the HUD low income limit.

All of the units will be permanently affordable. Initially, Trinity intends to target all of the units to households with incomes at less than 40% of AMI. The qualifying incomes for the affordable units will range between \$20,000 and \$30,000. This translates into an initial rent of approximately \$600 per month.

Trinity has already assembled a preliminary wait list of potential tenants that exceeds the number of units available.

Boulder Housing Partners (BHP) has provided assistance to Trinity on affordable housing issues and planning. BHP owns or manages approximately 1,500 units of affordable housing in the City of Boulder. As part of its management and leasing of the portfolio, BHP maintains several waitlists for its different affordable housing programs. The greatest demand for housing units is for one and two bedroom units primarily from singles and couples, seniors, and the disabled. Larger units are more difficult to lease because of the lack of demand even at lower rental levels.

Unrestricted Housing

Thirteen of the new dwelling units will be unrestricted and for sale. These condominium apartments, all of which are two bedroom units, will have 1,000 - 1,200 square feet. Each will have secured storage and parking as above and be accessible by elevator. Trinity continues to see strong demand for these unrestricted units from members of the congregation and the community.

COMPLIANCE WITH CITY GOALS AND POLICIES

The project is consistent with many of the City of Boulder's polices and goals some of which are described below:

City Council Goals

For many years, affordable housing has been one of the City Council's top four goals. That focus has led to policies and regulations that have had a direct impact on the number of units provided in the City of Boulder. The City has long recognized the need for financial support to create affordable housing that will be available to very low and low income households. Subsidies from the federal HOME and Community Development Block Grant (CDBG) programs as well as the City's Community Housing Assistance Program (CHAP) have helped to subsidize permanently affordable housing below the City's regulatory minimums. Unfortunately, it will not be enough to meet the City's housing goals in a reasonable planning period.

Trinity Lutheran Church proposes to develop thirteen affordable one bedroom units, half of the project, without requesting a City subsidy. This would allow the City to further extend and leverage its limited resources to create more units to meet its 10% of the housing stock goal than would otherwise be expected.

Boulder Valley Comprehensive Plan

Trinity Commons addresses numerous policies in the Boulder Valley Comprehensive Plan, some of which are:

2.04 Compact Land Use Pattern: ensure that development will take place in an orderly fashion, take advantage of existing urban services, and avoid, insofar as possible, patterns of leapfrog, noncontiguous, scattered development within the Boulder Valley.

2.18 Mixture of Complementary Land Uses: ... encourage, consistent with other land use policies, a variety of land uses in new developments careful design will be required in order to ensure compatibility, accessibility and appropriate transitions between land uses that vary in intensity and scale.

2.28 Role of the Central Area: The central area will continue as the regional service center of the Boulder Valley for office, retail, financial, governmental, medical, cultural and university activities. As such, it will remain the primary activity center and focal point of the Boulder Valley. The central area includes distinct, interrelated activity centers ...

3.25 Support for Community Facilities: ... recognize the importance of the health care, social service, educational and nonprofit community agencies that provide vital services to the residents of the Boulder Valley and will work collaboratively with these agencies to reasonably accommodate their facility needs.

7.01 Local Solutions to Affordable Housing: ... emphasize locally developed solutions to meet the housing needs of their low and moderate income households, including those who work but may not live in Boulder County. The city and county further recognize that such needs may not be met solely through private development

7.02 Supply of Affordable Housing: There is a growing concern about the availability of affordable housing for low and moderate income families in the Boulder Valley. The city will continually monitor and evaluate its policies, programs and regulations ... (w)here appropriate, incentives and regulations will be employed to encourage construction of affordable housing or to mitigate the costs of constructing and acquiring permanently affordable housing.

Proposed Variations to the Land Use Regulations

Ordinance

As in the initial application, the current zoning for Trinity Commons, either the existing BT-2 (TB-E) or RH-5 (HR-E) zones, will not accommodate the revised project. Trinity Lutheran Church has not received clear instructions from Planning Board and staff about whether the next step of the process should include consideration by City Council of a rezoning ordinance or a special ordinance. It may also be possible to apply the new Flex District overlay to either the BT-2 or the RH-5 zone. In any case, Trinity Lutheran Church proposes that in recognition of the affordable housing, the church function space, the preservation of churches in the downtown area and stabilization of a broad mix of uses and activity centers downtown, that the community benefits offered by this project would justify either track. For this reason, we are requesting advice from Planning Staff and Planning Board on the most appropriate avenue to take to reach planning approval for the project.

Rezoning to RH-5 (HR-E)

This zone, which is immediately adjacent to the east, appears to be the best fit for the proposed project because only one of the RH-5 zone's requirements will need to be varied as follows:

Minimum lot area per dwelling unit: The RH-5 will allow for 22 units, where 26 units are requested. Overall, the average unit size in the project will be about 910 sqft per unit and fully 50% of the units are permanently affordable.

Site Review Variances

In general, the Site Review process is designed to permit some flexibility and creativity in site planning and design than might fit within the constraints of a zoning district. All projects are considered from those baseline standards and Trinity Commons will meet or exceed at least, the following:

Minimum sq ft of usable open space per dwelling unit. The project yields about 600sf per unit, where 600sf per unit is required. Due to the quality of the open space provided, the other function spaces available to the residents, the nature of the surrounding urban environment, it does not appear that a reduction in this requirement is necessary.

Minimum number of off-street parking spaces: The project provides the code required parking for the variety of use and only approximately 30 spaces are added overall for church use. This represents a minimum requirement to allow the church to remain viable and meet its current needs without compromising any future growth.

Solar Access: Abutting properties are mostly rights of way. However, the property to the northeast is located in Solar Access Area II which affords protection of access to solar energy primarily for roof tops. The revised building design will shade the neighboring structure but will not exceed the limits imposed by the solar access code.

However, to address the broad vision embodied in Trinity Commons, several variances that are typically within the normal scope of consideration in a Site Review application include the following:

Minimum front yard setback: The building is setback between 14 ft and 24 ft from Mapleton Ave, where 25 ft is required.

Minimum side yard setback from a street: The building along Broadway is set at zero ft where 12.5 ft is required.

Minimum side yard setback from an interior lot line: 6 ft is provided where 5 ft is required.

Minimum rear yard setback: Zero ft is provided where 25ft is required.

Maximum building height: The building is about 46 ft from the flat roof to the low point of the site. A concurrent application for Height Review will be submitted in addition to the Site Review application.

Principal building FAR: FAR is not applicable in HR-E zone, but the project over both sites yields a 1.22 to 1.0 FAR.

Maximum number of stories: The project yields 3 stories, where 3 are the maximum allowed.

Variance for Affordable Housing

Trinity Commons will not meet two affordable housing standards as follows:

- The mix of affordable unit types should reflect the mix of units within the overall project; and
- The square footage of the restricted units should be no less than 80% of the average of the unrestricted units.

Under the IZ program, the City Manager is authorized to accept alternatives when “if doing so would accomplish additional benefits for the city consistent with the purposes of this (IZ) chapter” (BRC, 1981). Trinity Commons will provide community benefits consistent with the intent of the IZ program including:

- 50% of the units in the project will be permanently affordable;
- 30% of the square footage of the project will be permanently affordable;
- Trinity Commons will provide the units without subsidy support from the City;
- Rents are structured and limited to AMI’s at two levels most of which are lower than required by the IZ program; and
- Trinity plans to target households at lower levels than the AMI limits of the IZ program.

TECHNIQUES AND STRATEGIES FOR ENVIRONMENTAL IMPACT AVOIDANCE

Location

The proposed project meets the City's desire to provide infill housing in locations where a high level of city services and transit systems for the residents already exist.

The location of Trinity Commons at the edge of the downtown area gives residents the distinct opportunity to have an efficient, sustainable living arrangement without the need of a car. Seniors and disabled persons can be very well accommodated in this location.

Design and Specifications

Trinity Lutheran Church is committed to studying and incorporating sustainable strategies as appropriate and including but not limited to the following options:

- Solar cell panels for electricity generation and/or domestic hot water
- Energy efficient appliances and mechanical systems
- Sustainable and environmental building materials
- Construction waste recycling

TECHNIQUES AND STRATEGIES FOR PRACTICAL AND ECONOMICALLY FEASIBLE TRAVEL DEMAND MANAGEMENT

.Location

Trinity Commons already incorporates the most practical and economically feasible Transportation Demand Management (TDM) strategy given its location. There is a SKIP stop at the corner of Broadway and Mapleton Ave. Further, the site is located between two of the City's most direct and popular bike routes on Broadway and on 13th St.

Summary

The provision of 136 below grade parking spaces comes from the need to provide close-in parking for the church congregation on Sundays and for other evening or weekend events.

The nature of this downtown church is that 80% of the congregation drives in from a considerable distance, many from nearby communities. These people need to be accommodated for the church to continue to survive in this location.

This arrangement works very well for shared parking, by providing much need weekday parking for downtown office and retail employees, as well as school teachers and city workers who are running out of parking options. The same spaces are then re-used at night and on weekends by residents and church members

TDM

Trinity Lutheran Church and Trinity Commons recognize that location is not everything and proposes the following additional steps to address the need for a comprehensive TDM strategy.

- Eco-passes for Trinity Lutheran Church staff
- Eco-passes for residents and owners under the management of the HOA
- Construct a sheltered bus stop at Broadway and Mapleton Ave.
- Continue the shuttle service to elderly and nursing homes that provides transit to and from (seven separate locations) for the second service on Sundays
- Secure bike parking in the interior of the residential area and near the entrances of the church and community function space and/or in the garage

CONCLUSION

The development review and public comment process is extremely complex and time consuming. Trinity Lutheran Church entered the process with the understanding that the process would reveal issues and inform changes that would lead to a better overall project. Trinity Commons, as described in this application, strikes a new balance between the competing opportunities and constraints of financial feasibility, program needs and design. While different, this iteration of Trinity Commons also fulfills the vision of the congregation to use the incredible asset represented in this downtown land to its highest and best purpose to respond to community issues and meet the Church's community service goals and thereby "make life different".

Attachments

Site Opportunities and Constraints
Summary Table of Revisions
Revised Area and Parking Calculations
Summary of Public Outreach

NOTE: Letters submitted to the City in support of Trinity Commons during the initial application from:

Sandy Hume
Chamber of Commerce
Doris Haas
Leonard Johnson
TFI, a downtown business
Johnson Kightlinger and Graham
EFAA
Thistle Community Housing
Boulder Housing Partners
The Parenting Place
First National Bank of Boulder, a downtown business
Wells Fargo Bank, a downtown business

~~EXISTING SITE AND SURROUNDING CONDITIONS~~

Location: Trinity Commons is located on the property at the southeast corner of the intersection of Broadway and Mapleton Ave. The site is located across the alley and immediately north of Trinity Lutheran Church.

Context: Surrounding Uses: Immediately north of the site are offices for a long standing accounting firm. The buildings north of the site and fronting to Broadway are primarily non-residential in use. Despite the non-residential uses and signs, the architectural character is a predominantly residential.

East of the site, and down slope, are two church buildings serving the Christian Scientists and the Baptists respectively. Both of these structures are substantial in site coverage and height. Both are long standing contributors to Boulder's downtown and embody many of the traditional architectural forms and materials of religious institutions.

The block south of the site consists primarily of the multi-story rooms and conference center of the Boulderado Hotel. The Boulderado approaches the maximum height for the area. Architecturally, it uses brick and other materials for a contemporary treatment of downtown design traditions.

West of the site, and up slope, are the Congregational Church, the Masonic Temple and several non-residential uses in both office and converted residential structures.

The site is located on a southeast facing slope descending from the Mapleton Hill residential area down to the Whittier neighborhood and downtown. Across the site alone, there is a change in elevation of almost nine feet from northwest to southeast.

From northwest to southeast, going down the slope and as properties are closer to the downtown core, the mass, height and materials reflect both an increase in intensity and scale. Buildings and uses are increasingly public and institutional.

This property is on the eastern boundary but not included in the Mapleton Hill Historic District.

The site is in, but on the western fringe of the Whittier Neighborhood. The Whittier Neighborhood is a mature neighborhood that includes a wide mix of architectural styles and colors. Near Broadway and downtown, there is a mix of apartments, townhouses and uses including churches and offices. Further east, the neighborhood consists primarily of lower density, detached residential dwelling units.

Transportation: Broadway is identified as a "Major Arterial" on the Transportation Master Plan. It is the primary north - south route through the City of Boulder linking

Fairview High School at the south end of town with the developing urban center in North Boulder.

Broadway and 13th St are identified as significant north - south bike routes.

The SKIP, Boulder's short headway local commuter service, stops at the corner of Broadway and Mapleton Ave. Other routes that stop nearby include the 201 and the 208.

The alley between Trinity Lutheran Church and the development site is one way east bound

There are three curb cuts on Mapleton Ave. that currently provide access to the parking spaces on the site.

Lot size: The proposed development site is a 22,463 sq. ft parcel or 0.52 acres.

Current Use: The site is paved and provides 76 parking spaces that are used by Trinity Lutheran Church for Sunday services. Sixty of the spaces are available for lease on weekdays to the public and local business. Currently all of the spaces are leased and there is a waiting list for spaces as they become vacant.

Boulder Valley

Comprehensive Plan: High Density Residential

Zoning: TB-E (Transitional Business – Established)

Prior approvals: The property is under a previous Planned Unit Development (#PUD-87-51) and a Non-conforming Review (#NC-87-13) approved in 1988 in anticipation of the 1989 church addition.

Trinity Lutheran Church: Trinity Lutheran Church is located at 2200 Broadway immediately south of the development site. Trinity Lutheran Church has been located at this site for over 100 years. The congregation currently includes a membership of over 650 people. In addition to two Sunday morning services, Trinity Lutheran Church hosts numerous musical, educational, youth and community service activities on a year round basis.

Environmental constraints: Ground water: Ground water is anticipated within approximately 12' of the surface.

Vegetation: There is minimal existing landscaping at the east and west perimeters of the site. There are mature street trees in the curb lawns of the Broadway and Mapleton Ave rights-of-way.

Hazardous uses: To the best of applicant's knowledge, no hazardous uses or materials have been or are stored at this location.

Floodplain: This site is not located within the boundaries of a 100 year or 500 year floodplain.

Irrigation ditches: Not applicable.

Services:

All utilities including water, sewer, cable, gas, electricity and telephone are available to the site.

SUMMARY OF REVISIONS

| ISSUES | SOLUTIONS |
|---|---|
| Site is a transition between downtown and residential/mixed use to north; proposed building is too large and out of scale with surroundings | <ul style="list-style-type: none"> * Consolidated mass on site to south and along Broadway * Change to more efficient double loaded corridor apartment building * Flat roof lines * Lower overall height * Lower density/mass to north to aid transition * Reduce shading of Church of Christian Scientist |
| Density too high ; exceeds amount allowed under land use regulations | <ul style="list-style-type: none"> * Reduced to 26 units |
| Consider commercial offices on ground floor along Bway | <ul style="list-style-type: none"> * 1 or 2 offices in 1,460 sqft rental space along Broadway * Allow for future church growth either as expanded church function space or for administration |
| Suggestion that “church function” space not needed or could be eliminated from program | <ul style="list-style-type: none"> * High need among current non-profit partners * Key part of church mission and vision for site * Important part of future growth of church community * Divided space will be very flexible, allow confidential mtg’s |
| 50%, 500 sqft, one bedroom affordable housing concept may be acceptable, want units to be permanently affordable | <ul style="list-style-type: none"> * All one bedroom units will be permanently affordable * One bedroom units larger, +/- 625 sqft * Market suggests strong demand for 1 bdrm rentals * Affordable units 30% of total square footage of project |
| Recommend historic designation for church structure | <ul style="list-style-type: none"> * Congregation willing to consider designation of original 1927 chapel at corner of Pine and Broadway |
| Multiple concerns about alley disruption during construction, drainage, access to and from the parking structure and the church, and ice and snow build up | <ul style="list-style-type: none"> * Options to cover or heat a portion of alley at connection * Will minimize disruption during construction * Drainage/alley improvements anticipated, can’t solve all |
| 136 parking spaces underground - very expensive - greater than required by zoning | <ul style="list-style-type: none"> * Very important goal of Church for future growth, assist elderly parishioners, programming for services and meetings * All improvements below ground, no visual impacts * Improved pedestrian access from garage to church and back * 80% of the parishioners commute from outside the City core |
| Several concerns about architecture, site planning and landscaping : - Quality of the open space - Don’t make it look like the church - Enhance entry along Broadway - Cloister closed to public - Open space non-functional - Lose mature trees in construction in street and along east lot line | <ul style="list-style-type: none"> * Courtyard open along Mapleton * Increased setbacks along Mapleton * Increased setbacks, less mass on east side near Church of Christian Scientist * Contemporary style would allow use of complementary materials and/or shapes without mimicing church * Strong entry feature at SW corner to connect to church * Entrance to residential project along Mapleton through landscape and courtyard * Structure allows for planting on edges and in curb lawn * Third floor offers solar access; notched out terrace |

AREA CALCULATIONS

| | North Property | Existing Church Combined | Combined |
|--------------------|-------------------|--------------------------------|----------|
| Site Area: | 22,460 | 13,281 | 35,741 |
| Building Coverage: | 12,577 | 8,402 | 20,979 |
| Driveways/Trash: | 1,188 | 1,530 | 2,718 |

Open Space:

| | | | |
|--------------------------------|--------|-------|--------|
| * Courtyard and open areas | 7,924 | 3,349 | 11,273 |
| * Private Balconies & Terraces | 3,636 | 23% | 3,636 |
| * Roof Terrace | 883 | | 883 |
| Total Open Space: | 12,443 | 3,349 | 15,792 |

Open Space / Unit (600sf/unit required) 607

Number of Levels 3 stories 2 stories

Building Area:

* Enclosed building and stairs (incl 6,160 sqft of church function/office space)

| | | | |
|-----------------------------|--------|-------|--------|
| Total building area: | 34,746 | 9,065 | 43,811 |
|-----------------------------|--------|-------|--------|

RESIDENTIAL UNIT MIX:

| | One Bedroom | Two Bedroom | Total |
|--------------------|-------------|-------------|-------|
| * Level One | 4 | 2 | 6 |
| * Level Two | 4 | 7 | 11 |
| * Level Three | 5 | 4 | 9 |
| Total Units | 13 | 13 | 26 |

PARKING

Below grade parking: 136 spaces on three levels

BUILDING AREA CALCULATIONS (as defined by city)

Trinity Commons
28-Jul-06
Rev 28 Nov 06

EXISTING CHURCH

| | | |
|---|-------|-------------|
| Basement (not counted because it is true basement): | 7,351 | |
| Main Level: | 7,315 | |
| 2nd Level | 1,750 | |
| Total for Planning Dept calculations. | | 9,065 sqft |
| Total for parking demand calculations | | 16,416 sqft |

PROPOSED NEW CONSTRUCTION.

| | Residential | Church/office | Total |
|--|-------------|---------------|-------------|
| 1ST Level: | 6,424 | 6,160 | 12,584 |
| 2nd Level: | 13,034 | | 13,034 |
| 3rd Level: | 9,130 | | 9,130 |
| Total for Planning Dept. Calculations: | | | 34,748 sqft |
| TOTAL OF EXISTING PLUS PROPOSED NEW. | | | 43,813 sqft |

CHURCH-WIDE PARKING ANALYSIS

Trinity Commons
28-Nov-06

| <u>WEEKENDS (Sat & Sun)</u> | Daytime | Evening | Comments |
|--|---------|---------|---|
| New Residential Units | 33 | 33 | 1sp/1BR = 13 + 1.5 sp/2BR=20 |
| New Church Function/Office Space | 21 | 21 | 6,160sf/300sf=21sp |
| Existing Church Function Space | 55 | 55 | 16,414sf/300sf=55sp |
| Added spaces for peak church services & sharing w/ neighbors | 27 | 27 | Church services and special events incl sharing for neighboring local events |
| Total Spaces: | 136 | 136 | |
| | | | |
| <u>WEEKDAYS</u> | | | |
| New Residential Units | 33 | 33 | |
| New Church Function/Office Space | 21 | 21 | |
| Existing Church Functions | 16 | 16 | (current weekday church need is 16sp) |
| Special Functions/shared w/ other | | 66 | Church events & sharing for local events |
| Available for daytime lease | 66 | 0 | (current weekday leasing: 60sp) |
| Total Spaces: | 136 | 136 | (current total parking spaces: 76sp) |

SUMMARY OF PUBLIC OUTREACH

Website

Early in the preliminary process, Trinity Lutheran Church set up pages on its website to provide access to information and updates about the project to interested people. The website currently includes a Project Summary, a copy of the Vision Statement, some of the preliminary drawings and elevations for the project, a Preliminary Schedule, a page that includes some FAQ's, and Contact Information for more information.

Trinity Lutheran Church has received one email that expressed concern about Trinity Lutheran Church's financial health given the potential departure of the Sacred Heart of Jesus Catholic Church from downtown Boulder.

Open House

Trinity Lutheran Church hosted an Open House in the narthex of the church for anyone interested in the project. Trinity Lutheran Church sent a postcard invitation to all the property owners within 600 feet. Email invitation/announcements were sent to the contact person from the Whittier Neighborhood Association and the Mapleton Hill Neighborhood Association. Those email notices were posted to the members of the neighborhood associations. Postcard invitations were also sent to select City boards and staff.

The Open House was held from 5:00 pm - 8:00 pm on Tuesday April 25, 2006. Six people from the Mapleton neighborhood and the general public attended the meeting to get more information about the project. Questions were general in nature and for the most part supportive of the project, particularly the apparent two story profile along Broadway.

A second Open House will be held from 5:00 pm - 7:00 pm on Tuesday, December 12, 2006. Notices will be sent to people in the Mapleton and Whittier neighborhood associations as well as interested persons in the immediate neighborhood and the general public.

Mapleton Hill Neighborhood Association

Trinity Lutheran Church contacted the neighborhood association and offered to host a meeting for the Mapleton Hill Neighborhood Association to meet the North Property Building Committee and learn more about the project. The invitation was posted to the membership of the association. The church was advised that the neighborhood association was not meeting on a regular basis and that there appeared to be little to no interest in attending a meeting on the project. At least one member of the association attended the Open House to learn about the project whose primary comment is noted above. The representative also noted they appreciated that the parking was located underground and not visible from the street.

Whittier Neighborhood Association

Trinity Lutheran Church contacted the neighborhood association and offered to host a meeting for the Whittier Neighborhood Association to meet the North Property Building Committee and learn more about the project. The invitation was posted to the membership of the association. Several members of the association attended a separate meeting, on June 12, 2006, with committee members to review the plan. Comments were generally favorable; one participant even suggested doing more on Broadway.

Other contacts and presentations

The North Property Building Committee has provided information and presented the initial Concept Plan to the Community Sustainability Committee of the City Council, the Downtown Management Commission, the Chamber of Commerce and the Downtown Design Advisory Board.

Personal Contacts with Neighbors

Trinity Lutheran Church contacted the surrounding property owners including the accounting firm to the north, the Christian Scientist Church to the east, and the Baptist Church to the southeast. In general comments have been positive.

On April 2, 2006, the Building Committee presented Trinity Commons to the First Baptist Church. There were 60 to 80 people in attendance. Most of the discussion focused on the proposed timeline for construction and the possible impact the construction might have on the ingress and egress to the Baptist parking lot. The members of First Baptist stressed the importance of keeping the access open to their parking lot from the alley during construction. The Committee noted that if the alley was torn up during the project, Trinity Lutheran Church would work with the City of Boulder to try to arrange temporary parking at one of the City lots. Members of the First Baptist Church thanked the Building Committee for the presentation and asked to be kept informed as the project moves through the planning and construction phases.

Several meetings were conducted with the congregation of the Christian Scientist Church prior to and during the initial concept plan review process.

Members of the Christian Scientist Church will be invited to attend the second Open House which has been scheduled for December 12, 2006.

Attachment F

TRINITY LUTHERAN CHURCH

A mission outpost in a troubled world

January 16, 2006

Mr. Karl Guiler
Case Manager, Planning Department
City of Boulder
1777 Broadway
Boulder, CO 80302

Dear Mr. Guiler:

Trinity Lutheran Church recently received a report from the Planning and Development Services staff in response to its revised application for Concept Plan review for the Trinity Commons project. Trinity Lutheran Church worked hard to be as responsive as possible to the comments and suggestions of the Planning Board, staff and the public. We appreciate your support and encouragement of this new direction. We acknowledge that there will be further review of the project during the Site Review phase that will include traffic analyses, drainage plans, specifications for landscape material, final architecture, etc. However, in anticipation of the Planning Board hearing, we would like to provide the following comments on a few of the key issues noted in the staff analysis.

Parking

In the "Land Use Review Results and Comments" (Comments), staff notes that only one access will be permitted to the underground parking structure, presumably from the alley, unless there are no or minimal impacts on public rights of way or where the lack of a second access will create safety or operational issues. Two access points, a substantial reduction from the current five, were planned for Trinity Commons. There is one on the one-way (eastbound) alley and the other from a local residential street. Our intent was to help reduce the impact of the new structure on the other churches on the alley and the neighborhood to the west, especially during the hours of Sunday services. In the current plan, vehicles leaving the garage will have two options to exit the garage and multiple choices to leave the neighborhood which would minimize congestion in the area. Further, with two access points, the structure will fill quickly minimizing the potential for standing traffic to slow or block public streets.

On page 10 of the Comments, City staff notes that the parking structure is sized to accommodate enough spaces to serve the myriad activities and functions of Trinity Lutheran Church as well as the new residential units. This section of the Comments understates the importance of the proposed parking to Trinity Lutheran Church's current congregation. Church members are widely dispersed throughout the region. Trinity Lutheran Church needs additional parking to support its future growth, its ability to host special events, and its partnerships with service organizations. Further, it ignores the fact that the structure is not visible to the public and does not contribute to either its apparent mass or density. Finally, as noted in the initial application, there is significant demand for parking downtown. Additional spaces at this site can help reduce downtown congestion, minimize impacts to immediate neighbors and support local businesses with spaces for their employees.

Agenda Item 5B Page 94 of 126

AGENDA ITEM # 5B PAGE 58



Mark Twietmeyer
Senior Pastor

Gene Brueggemann
Visitation Pastor

Search in Process
Youth Director

Pat Grady
Caring and Healing
Ministries

Valerie Hess
Coordinator of
Music Ministries

Brad Hagen
Choir Director

Melanie Nehls Burow
Office Manager

2200 Broadway
Boulder, CO 80302

Ph: 303-442-2300
Fax: 303-545-5527

Email:
trinityboulder@
hotmail.com

Web:
www.trinityboulder.org

Transit Bus Stop

Trinity acknowledges the requirement to develop and implement a Travel Demand Management (TDM) plan pursuant to this development review process. Improvements to the existing bus stop at the northwest corner of the site could be part of that plan. Unfortunately, as described and specified in the Comments, it would be located exactly where Trinity Commons will have a covered entrance to the office space. Trinity Lutheran Church would like some flexibility to work with staff during the Site Review process on the TDM plan to consider alternative locations, designs and specifications for the bus stop, and/or to propose TDM alternatives to a bus stop that would not compromise the design, access, or mix of uses at Trinity Commons.

Alley Improvements

While it may not seem like a significant issue from the City's perspective, recent winter storms and cold weather have emphasized the need for the installation of something in the alley near Broadway to enable Trinity Lutheran Church's parishioners to cross from the parking structure and the church function space to the sanctuary safely. It is a significant issue today that we would like to address in conjunction with Trinity Commons. There are probably a lot of ways to solve this problem ranging from a temporary awning, to a permanent second story walkway, to hot water pipes buried just below the surface of the pavement. Trinity Lutheran Church would like to request some openness and flexibility on the part of the City to discuss and consider the alternatives and to allow, by lease or permit, some sort of private installation in the alley to promote safe crossing for church activities and services.

Rezoning/Special Ordinance

On page 12 of the Comments, staff indicates that for Trinity Commons to proceed, the site must be either rezoned or that the City must adopt a special ordinance that recognizes the unique and special contributions of this project and its sponsor to the community. While City staff indicated considerable support for the project with respect to land use and compliance with City goals and policies, it did not recommend one or the other process. Trinity Lutheran Church appreciates that this is a critical decision for both the project and for the City. However, this project provides numerous community benefits that would justify either track including:

- Substantial affordable housing;
- Preservation of an historic building and use;
- Community wide need for and use of the church function space;
- Preservation of churches in the downtown area; and
- Stabilization of a broad mix of uses and activity centers in downtown.

Therefore, we would like to request the Planning Board provide its strong recommendation to City Council in support of this project and to direct staff to move forward with the next phase of the approval process.

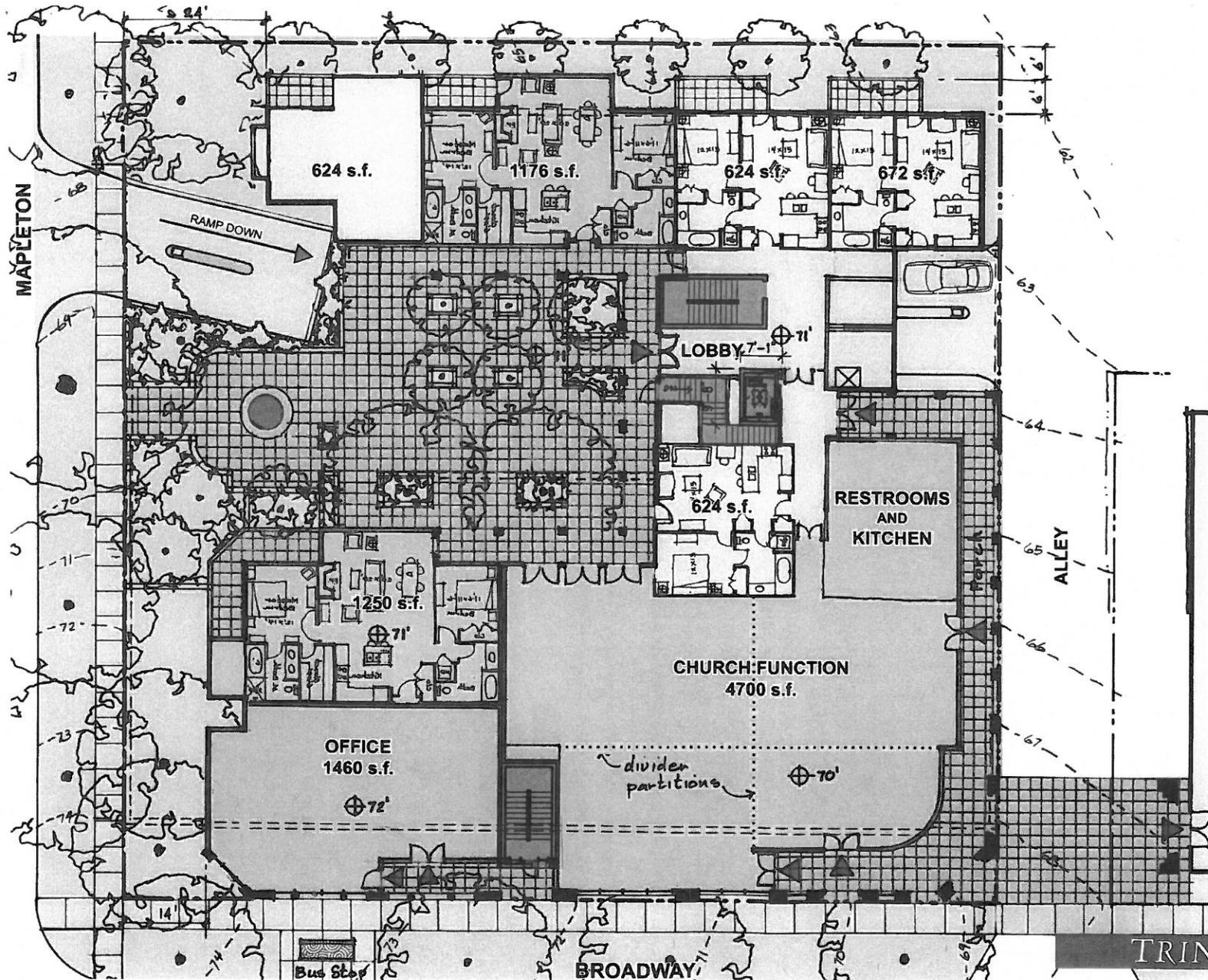
Thank you for your attention and thoughtful analysis of this proposal. We look forward to presenting this new plan to the Planning Board on February 1, 2007. Please don't hesitate to contact me or the members of the North Property Building Committee if you have any questions or need additional information.

Sincerely,



(Pat Harris, Chair

North Property Building Committee



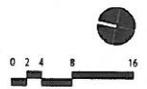
| SITE CALCULATION | |
|------------------|-------------|
| NORTH PROPERTY: | 22,460 s.f. |
| EXISTING CHURCH: | 13,281 s.f. |
| TOTAL SITE AREA: | 35,741 s.f. |

| CALCULATIONS - BUILDING AREA | | |
|------------------------------|------------|-------------|
| LEVEL ONE | | |
| Residential: | 6,424 s.f. | |
| Church / Office: | 6,160 s.f. | |
| Level One TOTAL: | | 12,584 s.f. |
| LEVEL TWO: | | |
| 13,034 s.f. | | |
| LEVEL THREE: | | |
| 9,130 s.f. | | |
| TOTAL BUILDING AREA: | | |
| 34,746 g.s.f. | | |
| BUILDING HEIGHT: | | |
| approx. 46 ft | | |

| OPEN SPACE CALCULATION | |
|----------------------------|-------------|
| GROUND LEVEL: | 7,924 s.f. |
| EXISTING CHURCH SITE: | 3,349 s.f. |
| PRIVATE BALCONIES: (23%) | 3,636 s.f. |
| ROOF TERRACE: | 883 s.f. |
| TOTAL OPEN SPACE PROVIDED: | 15,792 s.f. |
| TOTAL OPEN SPACE REQUIRED: | 15,600 s.f. |

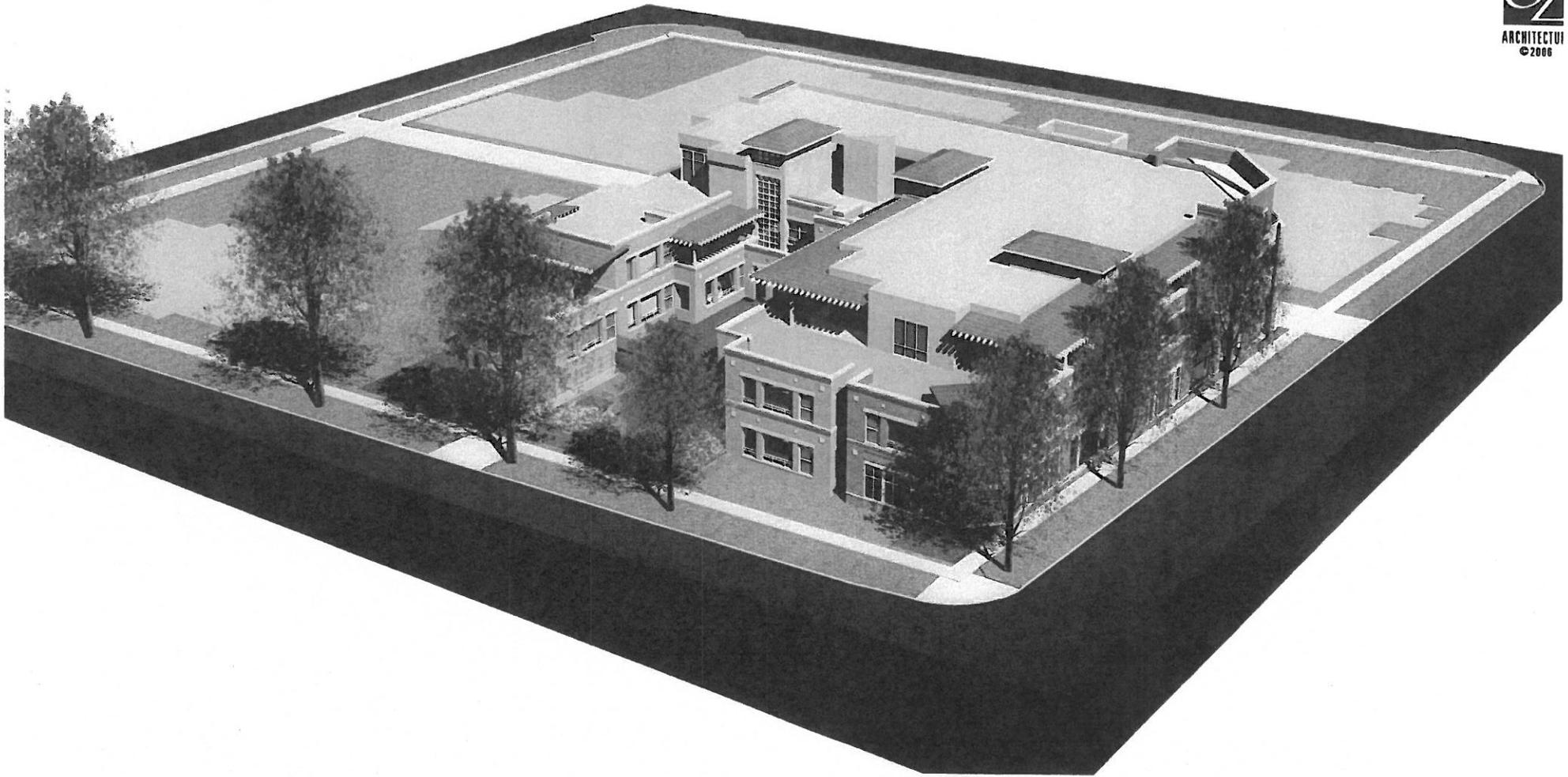
| UNIT COUNTS | | | |
|-----------------------|------|------|----------|
| | 1 BR | 2 BR | TOTAL |
| 1 ST FLOOR | 4 | 2 | 6 Units |
| 2 ND FLOOR | 4 | 7 | 11 Units |
| 3 RD FLOOR | 5 | 4 | 9 Units |
| TOTAL | 13 | 13 | 26 Units |

PARKING TOTAL : 136 spaces



NOVEMBER 28, 2006
GROUND FLOOR PLAN

TRINITY COMMONS 1
CONCEPT DESIGN REVIEW



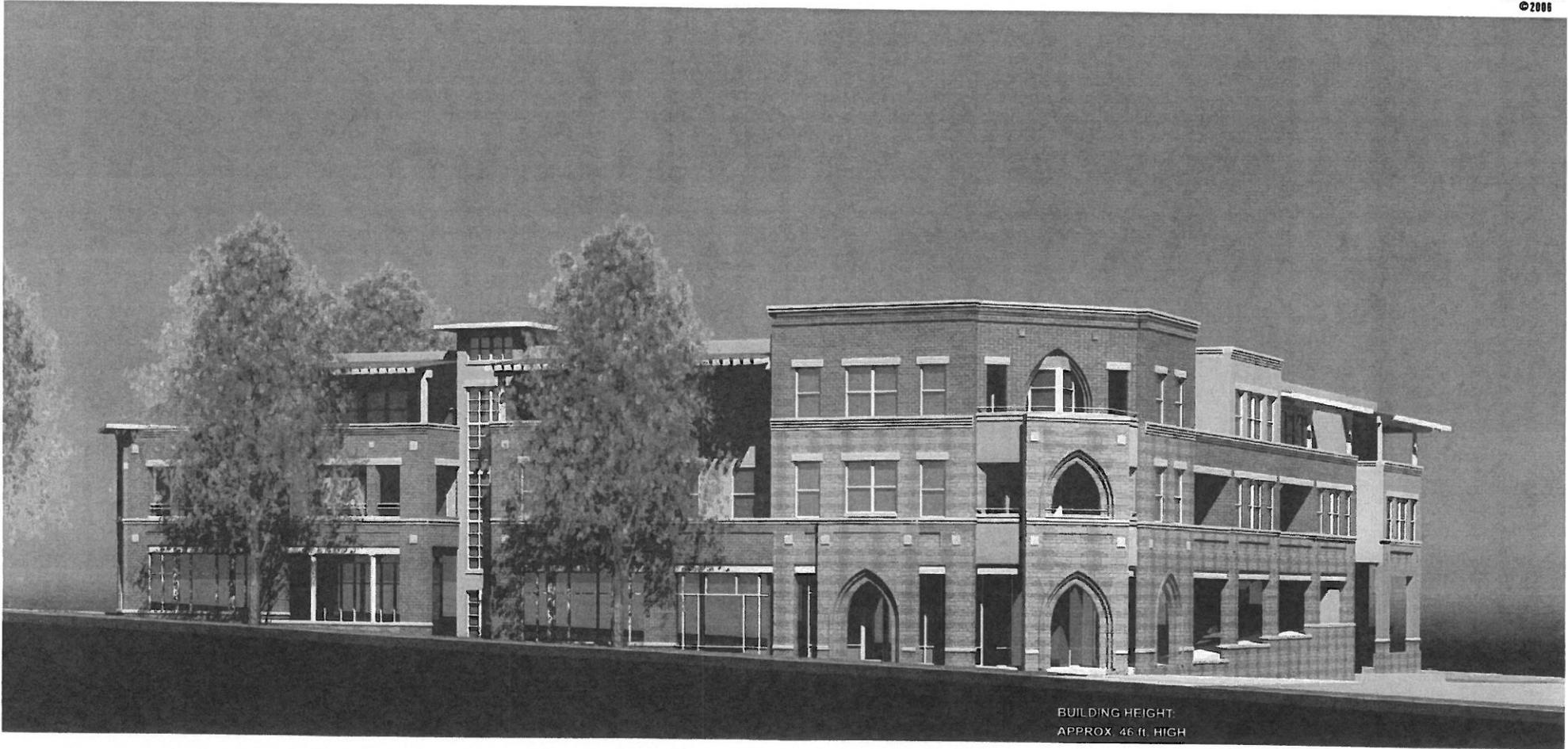
AERIAL VIEW FROM NORTH-WEST

NOVEMBER 28, 2006

3D RENDERINGS

TRINITY COMMONS 2

CONCEPT DESIGN REVIEW



BUILDING HEIGHT:
APPROX. 46 ft. HIGH

NOVEMBER 28, 2006

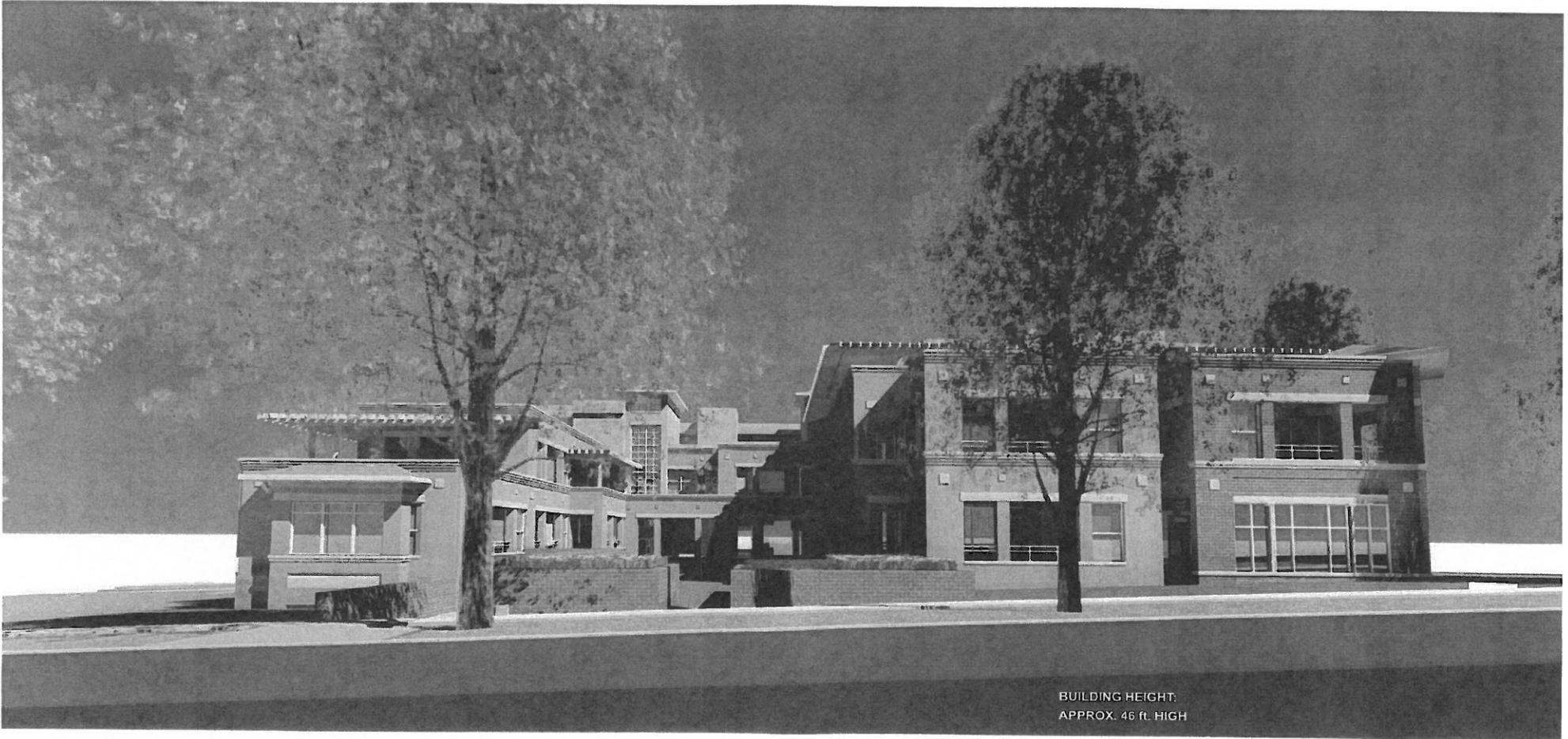
3D RENDERINGS

PEDESTRIAN VIEW FROM SOUTH-WEST

TRINITY COMMONS

3

CONCEPT DESIGN REVIEW



BUILDING HEIGHT:
APPROX. 46 ft. HIGH

NOVEMBER 28, 2006

3D RENDERINGS

PEDESTRIAN VIEW FROM NORTH

TRINITY COMMONS

4

CONCEPT DESIGN REVIEW



NOVEMBER 28, 2006

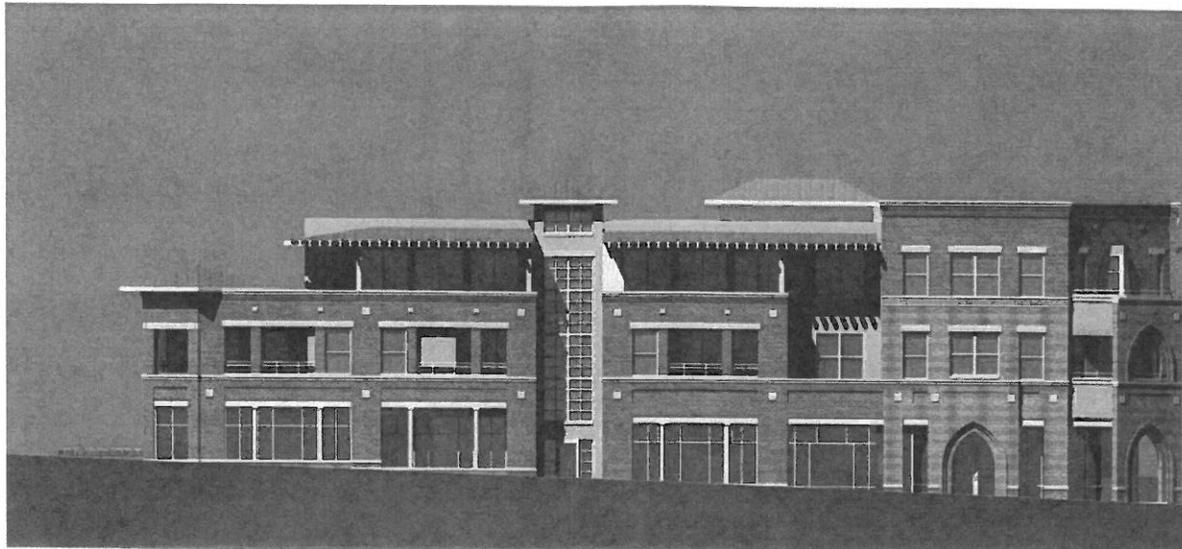
3D RENDERINGS

BIRD'S EYE VIEW

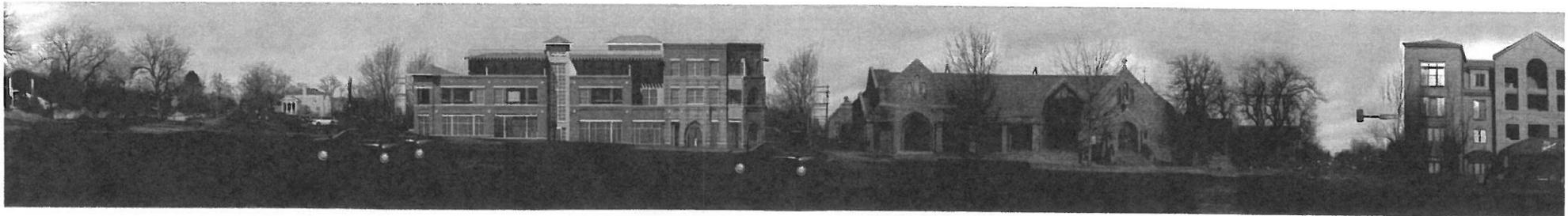
TRINITY COMMONS

5

CONCEPT DESIGN REVIEW



ELEVATION VIEW FROM BROADWAY



COMPOSITE ELEVATION VIEW FROM BROADWAY

NOVEMBER 28, 2006

ELEVATION VIEWS

TRINITY COMMONS

6

CONCEPT DESIGN REVIEW

Approved March 1, 2007
CITY OF BOULDER
PLANNING BOARD ACTION MINUTES
February 1, 2007
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: <http://www.ci.boulder.co.us/planning/planningboard/agendas>

PLANNING BOARD MEMBERS PRESENT:

Elise Jones, Chair arrived 6:22
Simon Mole, Vice Chair
John Spitzer
Phil Shull
Adrian Sopher, absent
Richard Sosa

STAFF PRESENT:

Ruth McHeyser, Acting Planning Director
Robert Cole, Land Use Review Manager
David Gehr, Assistant City Attorney
Karl Guiler, Planner
Heidi Joyce, Administrative Specialist

1. CALL TO ORDER

Vice-Chair, **S. Mole**, declared a quorum at 6:12 p.m. and the following business was conducted.

2. APPROVAL OF MINUTES

None

3. PUBLIC PARTICIPATION

None

4. DISCUSSION OF DISPOSITIONS, PLANNING BOARD CALL-UPS

None

5. ACTION ITEMS

A. Public hearing and consideration of Concept Plan LUR2006-00094, Table Mesa Housing. The applicant is proposing redevelopment of the existing dormant Army Reserve Training site with a variety of residential housing types (e.g., row houses, duplexes, cottages, townhomes, and affordable units) totaling 40 units on a 204,876 square foot, or 4.7 acre property. The proposal would ultimately require a rezoning from RL-1 (low density residential) to RM-1 (medium density residential).

Applicant: Peter Stainton
Property Owner: Department of the Army

Public Participation

Shawn Coleman, 3250 O'Neil Cir. #A23, Boulder, CO
David Cole, 610 S. 46th Street, Boulder, CO
Ann Fenerty, 2805 Stanford Ave., Boulder, CO
Ruth Blackmore, 705 X 41st St., Boulder, CO
Linda Mark, 610 S. 46th St., Boulder, CO
Jay Burch, 620 S. 46th Street, Boulder, CO
David Finell, 4655 Hanover Ave., Boulder, CO

Board Discussion

S. Mole: Proposed development does not transition well to properties to the west (i.e., 46th Street); backyard to backyard better transition; Concerned about duplexes; applauds applicant considering rethink of project; encouraged connection to Tantra; Project could create bad traffic situation otherwise; Wants to see a new concept plan before making any decision about rezoning.

E. Jones: Project does not fit well now; needs to come back for second concept review, does not meet comprehensive plan's goals of community integration and enhancement; encouraged more affordable housing and should be integrated throughout the project; site well-suited for smaller homes consistent with medium density zoning; access is huge issue, ring road doesn't work; greenspace is oddly sized, supports cut through b/t bus stop and school, school should have option for expansion onto property; Commends ecologically sensitive plan.

R. Sosa: Does not support 47th Street access to Table Mesa- too dangerous, look at access off of Tantra, density issue linked to level of service; Shift green space to west and front single-family housing on to green space. Does not support any rezoning at this point. Needs to see elevations showing architecture and massing. Put the density and massing on Tantra side.

J. Spitzer: Agreed with comments made by fellow Planning Board members. Could include a mix of open space. Affordable and moderate income housing. Carve out a portion and allow school to expand. Project should include more community benefits; applicant should look into cottage concept ("A Chautauqua feel").

P. Shull: Does not like plan as it stands. No second access = no project. The project needs secondary access – needs to embrace context of neighborhood. Traffic study is also important. Access point needs to be further south – ring road not supported – site could support more density, but house sizes should be capped. Does not want to see 4000 sq. ft. homes – would like a denser project with more modest homes with quality

open space – great site for affordable housing. Intensity on site is a big issue. No support for rezoning, unless right plan.

B. Public hearing and consideration of Concept Plan LUR2006-00103, Trinity Commons. The applicant is seeking additional comment from the board in response to the board's previous commentary on September 7, 2006 regarding the proposed development of the parking lot at the corner of Mapleton and Broadway. The revised concept is for a new three-story building containing 26 residential units (13 one-bedroom affordable units and 13 two-bedroom market rate units), a community/church meeting space of 4,700 square feet, and 1,460 square feet of office space. Three-levels of underground parking for 136 parking spaces would be directly below the new structure.

Applicant: OZ Architecture
Property Owner: Trinity Lutheran Church

Public Participation

Doris Hass, 2207 Bluebell, Boulder CO
Bruce Neumann, 1029 mountain Meadows, Boulder, CO
Cindy Brown, 4800 Broadway, Boulder, CO
Jim Hult, 2338 Broadway, Boulder, CO
Susan Waltrup, 1133 Cranbrook Ct., Boulder, CO

E. Jones: Commended applicant, impressed with revisions on meeting PB comments and outreach to community. Supports the concept plan and the idea of Special Ordinance to allow it. Thinks project could be a catalyst for more good development near the downtown. Supports permanently affordable units. Ordinance should lock in language about community benefits of meeting space and non-profit aspects of office space.

J. Spitzer: This is a very exciting project. However, does not support ramp onto Mapleton...adds a suburban flavor and loses possibly three on-street parking spots; supports environmental energy, heated parking makes us nervous. Questions the isolation of the greenspace in NE corner and impact of ramp on plaza space. Ramp would have to be steep and is not necessary. The upper right hand side elevation from Mapleton is a little institutional looking; should be more neighborly; Suggests two units on east explore idea of stairs coming down; maybe place less emphasis on gothic elements.

S. Mole: Supports project, would like to see it happen. Values meeting space as community benefit, esp. the kinds of meetings; ordinance could set a good precedent. Affordable housing is a significant benefit. Project would present huge benefits.

P. Shull: Great building, however, it is not allowed. Density is OK if a better fit. This is a benefit. A lot of building. What will come off of building with budget constraints? Worried about loss of building quality due to cost. Good downtown fabric. OK with special ordinance. Applicant should work on east elevation to be more sensitive to neighbors.

R. Sosa: Supports PB comments. Supports a special ordinance. OK with both ramps. Eliminate Mapleton ramp – may be an opportunity to work with neighbor.

- 6. MATTERS FROM THE PLANNING BOARD, PLANNING DIRECTOR, AND CITY ATTORNEY**
- 7. DEBRIEF/AGENDA CHECK**
- 8. ADJOURNMENT**

The Planning Board adjourned the meeting at 10: 00 p.m.

APPROVED BY

Board Chair

DATE

Trinity Lutheran Church – North Expansion and Senior Housing

WRITTEN STATEMENT – Site Review Attachment

A) Statement of Current Ownership:

The entire property as described in the attached legal description, located at 2200 Broadway, including the existing church facilities and parking lot to the north, commonly referred to as Trinity Lutheran Church are owned by the Trinity Evangelical Lutheran Church.

B) Objectives to be achieved by the project:

1.) Expanded Space for Ministries: Trinity Lutheran Church is an active congregation providing a wide variety of ministries to serve members of the Church, the Community, and other parts of the world. As such, the current facilities are inadequate to provide the type and quality of spaces required to support the activities and functions of the Church. The main worship spaces can accommodate the Sunday services adequately from a space and capacity standpoint, however upgrades to the older portions of the Church building and support areas are anticipated in the future. Relocating and expanding the fellowship function and offices on the north lot will provide opportunity to reorganize and improve the existing spaces within the church, and provide greater functionality for these relocated activities.

2.) Provide Affordable Senior Housing: Trinity Lutheran Church has been a provider of housing for those less fortunate around the world, and it has been a longtime goal of the Church to utilize its land and resources to provide affordable housing in Boulder. The focus on the senior population for this project will meet a community need that is evident to members of the Church, as well as the City of Boulder.

3.) Maintain Adequate Parking On-Site: Meeting the two primary goals of this project needs to be balanced with the need for on-site parking for the church. The goal of maintaining approximately the existing number of parking spaces for the church and accommodating parking for the housing component requires underground parking which is very expensive. The proposed development plan will only result in a loss of 2 church parking spaces for the Phase 1 buildout for 16 dwelling units, and a loss of 10 spaces for full buildout with 24 units, compared to existing. It is anticipated that not all of the senior residents will require a parking space, thus returning some of those spaces to church uses. Agreements with the Boulder Museum, and nearby businesses for cross-parking on Sundays, versus weekdays will continue to augment the on-site parking and provide additional parking capacity downtown during the work week.

C) Development Schedule for Improvements:

1.) Phase 1: Based on current fund raising, affordable housing funding, and the Church's borrowing capacity, it is anticipated that the initial construction, planned for 2014, would include all of the below grade parking, plus the fellowship hall, entry plaza and roof deck, plus the residential building on the north side of the site, containing 16 dwelling units. If funding allows, the church offices would also be constructed above the fellowship hall in this first phase.

1.) Future Phases: The components which are not constructed in the initial 2014 construction would be completed when financially feasible, perhaps within 3-5 years.

D) Special Agreements, Covenants, etc.: (none)

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?

(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?

RESPONSE – Item I-A & I-B: In 2006 and 2007, the City of Boulder reviewed two concept plans for similar development proposals on this site, containing 28 and 26 dwelling units, respectively, plus the church functions and parking garage. The 2/1/07 staff report indicated: "With a high density residential BVCP land use designation, the project would be consistent with the introduction of high density residential on the site. The project would also be consistent with BVCP policies promoting compact development and affordable housing. Its location near the downtown and along Broadway are also with the intent of the Plan."

On May 1, 2007, the Boulder City Council approved Ordinance #7516 which granted higher density, up to 1.25:1 FAR and a maximum of 26 dwelling units. The Ordinance indicates consistency with the Boulder Valley Comprehensive Plan.

The current Site Review proposal would provide a minimum of 16 permanently affordable housing units, up to a maximum of 24 dwelling units. It is intended that 100% of the 16 phase 1 dwelling units would be permanently affordable. The current proposal is substantially the same as the Concept Plan #LUR2006-001003 as referenced in the Council-approved Ordinance #7516. The major differences are that the maximum number of dwelling units is 24 instead of 26, the maximum height of the project has been reduced from 3 stories at 46 feet to 2 stories at 35 feet, the on-site parking has been reduced from a capacity of 136 parking spaces to 85 spaces, setbacks from property lines have been increased, and the overall square footage and mass of the project has been reduced. Major open spaces have been oriented to the south and west.

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

4. How does the open space provide a relief to the density, both within the project and from surrounding development?; and
5. How does the open space provide a buffer to protect sensitive environmental features and natural areas?; and
6. If possible, how is open space linked to an area- or a city-wide system?

RESPONSE – Item II-A: Open space for this urban site is primarily concentrated in a public plaza serving church and community functions, multi-family entry porch & seating areas, rooftop courtyards, residential decks and landscaped areas fronting on public streets. Special accommodations have been made to protect mature trees around the perimeter of the site. New trees, shrubs and flower beds, as well as garden walls enclosing outdoor spaces enhance the public gathering areas, and private areas for residents. The network of urban sidewalks connect this site to established trail systems and public open spaces in and near downtown Boulder.

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?
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?

RESPONSE – Item II-B: Private open space is provided for each resident, as well as common seating areas within the building, and more public areas outside, such as the front porch and seating areas around the site. The open space for this senior population is mostly passive, however the common roof plaza is a large area that can accommodate a wide variety of functions, both active and passive. The larger gathering areas, such as the entry plaza adjacent to the fellowship hall, and the rooftop plaza above will be programmed by the church for its functions, as well as other appropriate public and community events.

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?
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?
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; and
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?

RESPONSE – Item II-C: Significant landscaping, exceeding the minimum requirements is provided on site, as well as enhanced tree-lawn landscaping along the public ROW for Broadway and Mapleton. The landscaping along Mapleton is more intense in the setback areas similar to historic landscapes with porches, garden walls, foundation plantings and ornamental trees, with turf and street trees north to the street. New trees and planting will be added where existing curb cuts will be removed.

Along busy Broadway, the existing xeriscape will be enhanced to soften the aesthetic and break the extent of non-plant material. The west side setbacks include the public entry plaza, and front porch for the residential building, reflecting the public side of the development, with less plant material, and more urban, active spaces. All of the landscape elements are designed to complement the architecture, including hardscape, plant material, and site features, walls and fences. See landscape plan and architectural elevations for additional information.

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?
2. How are potential conflicts with vehicles minimized?
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?
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?
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?
6. What on-site facilities for external linkage with other modes of transportation are provided, where applicable?
7. How is the amount of land devoted to the street system minimized?
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
9. How will city construction standards be met, and how will emergency vehicle use be facilitated?

RESPONSE – Item II-D: Vehicular site circulation is focused on the alley access to the parking garage, and the Mapleton access to the upper parking deck. Sunday traffic will also include vehicle trips to nearby parking garages, street parking, and shared parking areas at an adjacent businesses, and at the Boulder History Museum. The site is on major bus routes, and convenient to downtown Boulder.

The current eastbound alley traffic from Broadway to 13th Street crosses the major pedestrian flow to the main entrance of the church from the north. The existing pedestrian-vehicle conflict will remain as the on-site parking will still be on the north side of the alley. The proposed site development will provide a pedestrian crosswalk with accent paving and a snow-melt system from the fellowship entry plaza on the north side of the alley to the church main entry, with enhanced signage, lighting etc. to provide a safer pedestrian path.

It may be beneficial to re-evaluate the one way alley, and consider two way traffic here to help alleviate the left turn conflict in and out of the parking garage from the alley. The current pair of utility poles mid-block are spaced with approximately 17'-8" clearance. This should be adequate for slow-moving passenger vehicles to pass in both directions at this location. We would like to investigate this further with the City.

Bicycle parking is provided on site for the new residential use on the north side of the site, and short term church bike parking on the south, with secure bicycle parking in the parking garage storage area. See attached TDM discussion and traffic report.

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?

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?
3. How are parking areas and lighting designed to reduce the visual impact on the project, adjacent properties, and adjacent streets?; and
4. How do parking areas utilize landscaping materials to provide shade in excess of the requirements in Section 9-9-14, "Parking Lot Landscaping Standards," B.R.C. 1981.

RESPONSE – Item II-E: Vehicular parking is accommodated in below grade and under-building parking garage, providing efficient land usage, plus 3 at-grade parking spaces adjacent to the alley. Since the parking is within the structure, visual impact of the parking is minimized to the greatest extent possible. The phase 1 buildout would include a sloping parking deck that connects to the below grade parking structure from the alley. Due to the fact that the parking slopes to below grade, and the adjacent grade rises significantly, this parking area would be visually screened from the adjacent parking lot. Several trees along the east property line will be retained as part of the project to maintain the current buffering as much as possible.

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

1. How are the building height, mass, scale, orientation, and configuration compatible with the existing character of the area or the character established by an adopted plan for the area?
2. How is the height of buildings in general proportion to the height of existing buildings and the proposed or projected heights of approved buildings or approved plans for the immediate area?
3. How does the orientation of buildings minimize shadows on and blocking of views from adjacent properties?
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?
5. How do buildings present an attractive streetscape, incorporate architectural and site design elements appropriate to a pedestrian scale, and provide for the safety and convenience of pedestrians?
6. To the extent practical, how does the project provide public amenities and planned public facilities?
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?
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?
9. If a lighting plan is provided, how does it augment security, energy conservation, safety, and aesthetics?
10. How does the project incorporate the natural environment into the design and avoid, minimize, or mitigate impacts to natural systems?
11. How are 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?

RESPONSE – Item II-F: This part of the city is a mix of commercial, single and multi-family residential and institutional uses. As such, this site is bounded by a religious facility on the east (tall 2-3 story), the existing Trinity Church on the south (tall 2 story), a religious facility to the southeast, (tall 2-3 story), a museum across Broadway (former Mason Building – tall 2 story) other small office buildings to the west, and an office building across Mapleton to the north, (all 1-2 story). At 35', primarily 2-story, the proposed church expansion and senior housing buildings are in character with the surrounding neighborhood. Breaking the mass and architecture of the various uses into distinct building forms reduces the overall mass of the project and increases visual permeability into the site.

Building and site design incorporate design elements, masonry, and other materials of pedestrian scale, as well as porches, fences, site walls, fenestration at ground level, and other techniques to create a pedestrian friendly environment, enhanced by landscaping, a view of the main plaza with accent paving, and other items of visual interest.

This project will provide an important component of Boulder's housing stock by providing affordable senior housing within close proximity to downtown, city amenities and services, with convenient access to transit. Standard multi-family construction methods and energy saving envelope construction will provide proper sound mitigation.

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

RESPONSE – Item II-G: The site design incorporates solar siting principles such as separate building masses with southern facing open space between buildings with adjacent buildings oriented to minimize shading of the northerly building on the lot, which is located to avoid shading adjacent properties. The permeability of the site for solar access from the east, south and west exposures will maximize the availability for direct sunlight into the spaces. West facing glazing on the fellowship hall and offices are protected by overhanging roof, loggia and trellis structures which help to shade those exposures in the summer. All roof areas are well suited for photovoltaic solar panels if desired. Solar access criteria in 9-9-17 regarding shading adjacent properties is in compliance.

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
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?

RESPONSE – Item II-H: Not Applicable.



NORTHWEST RENDERING



SOUTHWEST RENDERING

TRINITY LUTHERAN CHURCH NORTH EXPANSION AND SENIOR HOUSING BOULDER, COLORADO SITE REVIEW SUBMITTAL

**SITE REVIEW SUBMITTAL: SEPTEMBER 3, 2013
RESUBMITTAL: FEBRUARY 3, 2014**

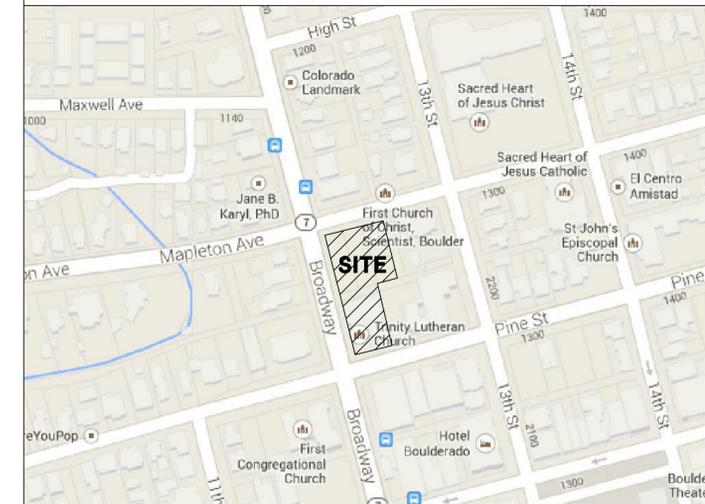
PROJECT DIRECTORY

| | |
|-----------------------------|---|
| OWNER | Trinity Lutheran Church of Boulder 2200 Broadway Avenue, Boulder, CO 80302 (303) 442-2300 / Fax (303) 545-5527 Contact: Michael Moore Email: trinityboulder@hotmail.com |
| OWNER'S PROJECT MGR. | Element Properties 1539 Pearl Street, Boulder, CO 80302 (303) 525-2606 / Fax (720) 420-6520 Contact: Chris Jacobs Email: chris@elementproperties.com |
| ARCHITECT | Hartronft Associates, p.c. 950 Spruce Street, #1A, Louisville, CO 80027 (303) 673-9304 / Fax (303) 673-9319 Contact: J. Erik Hartronft, AIA Email: erik@hapdesign.com |
| CIVIL ENGINEER | Scott Cox & Associates, Inc. 1530 55th Street, Boulder, CO 80303 (303) 444-3051 / Fax (303) 444-3387 Contact: Don Ash Email: ash@scottcox.com |
| LANDSCAPE ARCHITECT | Pessin Studios 1633 18th Street #6, Boulder, CO 80302 (303) 718-2730 Contact: Scott Pessin Email: scott@pessinstudios.com |

SHEET INDEX

| SHEET | DESCRIPTION |
|----------------------|---|
| A0.01 | Cover Sheet |
| SV1 | Site Survey |
| SV2 | Site Survey |
| A1.00 | Site Plan, Site Lighting, and Project Data |
| CIVIL | |
| C1.01 | Preliminary Grading, Drainage, and Erosion Control Plan |
| C1.02 | Preliminary Utility Plan |
| LANDSCAPE | |
| L1.00 | Landscape Plan, Notes, and Details |
| ARCHITECTURAL | |
| A2.10 | Floor Plan - Lower Parking Level |
| A2.20 | Floor Plan - Main Level |
| A2.30 | Floor Plan - Housing Level 1 |
| A2.40 | Floor Plan - Housing Level 2 |
| A3.10 | Building Elevations |
| A3.20 | Building Elevations / Sections |
| A3.30 | Building Sections |
| A3.40 | Building Elevations - Rendered |
| A5.10 | Shadow Study |

VICINITY MAP



**HARTRONFT
ASSOCIATES**
A Professional Corporation

Planning
Architecture
Interior Design

950 Spruce Street, #1A
Louisville, CO 80027
TEL: 303.673.9304
FAX: 303.673.9319

**Trinity Lutheran Church
Site Review**
2200 Broadway Avenue
Boulder, Colorado

PROJECT # 1152
DATE: 09/03/13
DRAWN BY: HAPC
CHECKED BY: JEH
REVISIONS: 10/21/13
Resubmittal: 01/06/14
02/03/14

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Hartronft Associates, p.c.

COVER SHEET

Sheet

A0.01

of Sheets

Project Data

| SITE AREAS | | |
|---|------------------|--------------|
| South Site - Existing Church Facilities | 13,288 SF | Zoning - BT2 |
| North Site - Existing Parking Lot | 22,473 SF | |
| Total Site Area | 35,761 SF | 0.82 Acre |

| BUILDING AREAS | Existing | Phase 1 | Phase 3 | Total |
|---|------------------|---------|---------|------------------|
| Existing Church Above Grade | 10,566 SF | | | |
| Existing Church Below Grade | 7,328 SF | | | |
| Total Existing Church Facilities | 17,894 SF | | | 17,894 SF |

| | Phase 1 | Phase 2 | Phase 3 | Total |
|---------------------------|------------------|-------------|-----------------|------------------|
| Housing - Level 2 | 5,910 SF | 0 SF | 2,400 SF | 8,310 SF |
| Housing - Level 1 | 6,110 SF | 0 SF | 2,400 SF | 8,510 SF |
| Total Housing Area | 12,020 SF | 0 SF | 4,800 SF | 16,820 SF |
| Total Residential Units | 16 DU | 0 DU | 8 DU | 24 DU |

| | | | | |
|------------------------------------|-----------------|-----------------|-------------|-----------------|
| Church Offices - Level 2 | 835 SF | 1,940 SF | 0 SF | 2,775 SF |
| Fellowship Hall - Level 1 | 5,015 SF | 0 SF | 0 SF | 5,015 SF |
| Total New Church Facilities | 5,850 SF | 1,940 SF | 0 SF | 7,790 SF |

| | | | | |
|--------------------------------|----------|------|--------|----------|
| Lower Lvl Mech/Elect & Storage | 1,401 SF | 0 SF | 0 SF | 1,401 SF |
| Storage Above Grade | 0 SF | 0 SF | 467 SF | 467 SF |

| | | | | |
|------------------------|-----------|------|------|-----------|
| Parking - Upper Garage | 8,962 SF | 0 SF | 0 SF | 8,962 SF |
| Parking - Lower Garage | 13,975 SF | 0 SF | 0 SF | 13,975 SF |

| | | | | |
|--|------------------|-----------------|-----------------|------------------|
| Total Building Area (New + Existing) (not including parking garages) | 37,165 SF | 1,940 SF | 5,267 SF | 44,372 SF |
|--|------------------|-----------------|-----------------|------------------|

| | | | | |
|---|------------------|-----------------|-----------------|------------------|
| Total Building Area Above Grade (not including parking garages) | 28,436 SF | 1,940 SF | 5,267 SF | 35,643 SF |
|---|------------------|-----------------|-----------------|------------------|

| | | | | |
|--|--------------|--------------|--------------|--------------|
| Floor Area Ratio (not including parking garages) | 0.795 | 0.849 | 0.997 | 0.997 |
|--|--------------|--------------|--------------|--------------|

PARKING CALCULATIONS

| | | | | |
|--------------------------|-------|--|--|--|
| Existing On-Site Parking | 71 Sp | | | |
|--------------------------|-------|--|--|--|

| | Phase 1 | Phase 2 | Phase 3 | Total |
|--------------------------------------|--------------|--------------------|-------------|---------------|
| Residential Parking at 1/DU = | 16 Sp | 0 Sp | 8 Sp | 24 Sp |
| Church Facilities Building Area = | 23,744 | 0 | 0 | 23,744 |
| Church Facilities Parking at 1/300sf | 80 Sp | 0 Sp | 0 Sp | 80 |
| Total Parking Required | 96 Sp | 0 Sp | 8 Sp | 104 Sp |
| Total Parking Provided | 86 | 0 | 0 | 86 |
| Parking Reduction Required | 10.4% | | | 17.3% |
| Total Compact Spaces Provided | 41 Sp | | | 47.7% |
| Total Accessible Spaces Provided | 4 Sp | (2 Van Accessible) | | |

Total Bicycle Parking Provided

16
Note - Bike Parking provided on north site (6) and within secure storage in lower parking garage (10)

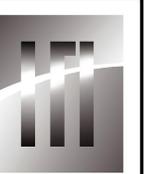
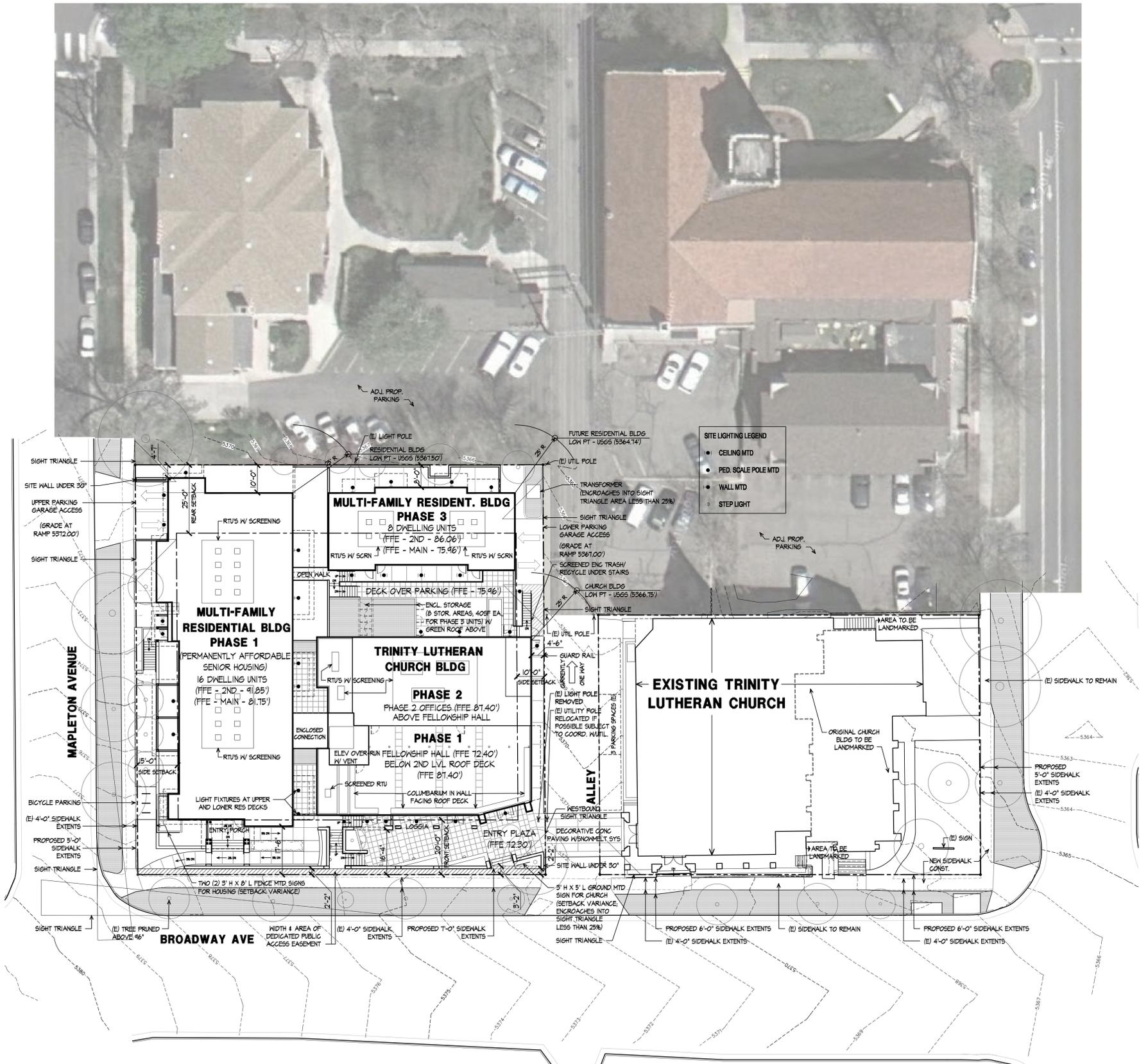
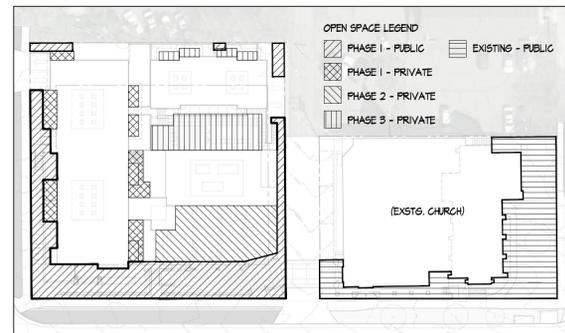
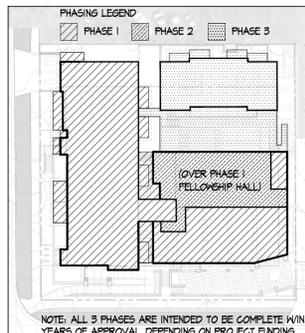
OPEN SPACE CALCULATIONS

Open Space - Mixed Use - use most restrictive

| | | | | |
|------------------------------|-----------|---|-----|----------|
| Commercial = 10% of Lot Area | 35,761 sf | x | 10% | 3,576 sf |
|------------------------------|-----------|---|-----|----------|

| | | | | |
|---------------------------------------|-------|--------|--|-----------|
| Residential = 600sf per Dwelling Unit | | | | |
| Phase 1 | 16 DU | 600 sf | | 9,600 sf |
| Phase 3 (total) | 24 DU | 600 sf | | 14,400 sf |

| Open Space Provided: | Phase 1 | Phase 2 | Phase 3 | Total |
|----------------------------------|------------------|-------------|-----------------|------------------|
| Landscape areas, plazas, etc. | 11,016 sf | 0 sf | 1,624 sf | 12,640 sf |
| Private Open Space - Decks etc. | 1,627 sf | 0 sf | 472 sf | 2,099 sf |
| Total Open Space Provided | 12,643 sf | 0 sf | 2,096 sf | 14,739 sf |



HARTRONFT ASSOCIATES
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950 Spruce Street, #1A
Louisville, CO 80027
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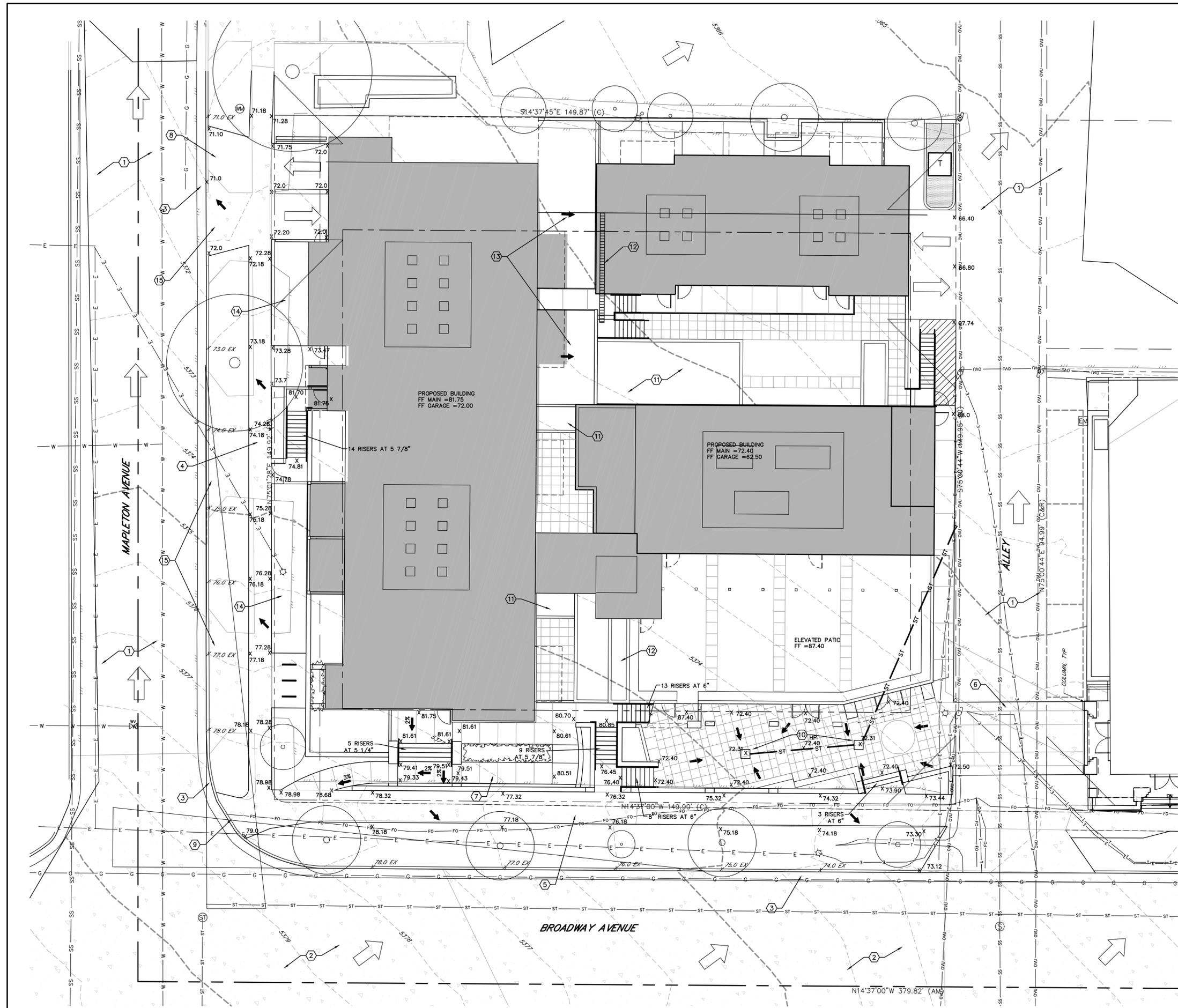
Trinity Lutheran Church
Site Review
 2200 Broadway Avenue
 Boulder, Colorado

PROJECT # **1152**
 DATE: **01/03/13**
 DRAWN BY: **HAPC**
 CHECKED BY: **JEH**
 REVISIONS: **10/21/13**
 Resubmittal: **01/06/14**
02/03/14

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SITE PLAN
SITE LIGHTING
PROJECT DATA

Sheet
A1.00
 of Sheets



LEGEND

- Fo — Fo — Fo — EXISTING FIBER OPTIC
- E — E — E — EXISTING UNDERGROUND POWER LINE
- OW — OW — OW — EXISTING OVERHEAD UTILITY LINE
- G — G — G — EXISTING GAS LINE
- SS — SS — SS — EXISTING SANITARY SEWER W/MANHOLE
- W — W — W — EXISTING WATER W/FIRE HYDRANT
- ST — ST — ST — EXISTING STORM SEWER W/MANHOLE
- ST — ST — ST — PROPOSED STORM SEWER W/MANHOLE
- - - - - EXISTING CONTOUR
- ☆ EXISTING LIGHT POLE
- ☆ EXISTING WATER VALVE
- ⊙ EXISTING WATER METER
- ⊙ EXISTING POWER POLE
- X 25.8 PROPOSED SPOT ELEVATION
- X 25.8 EX EXISTING SPOT ELEVATION
- FF FINISHED FLOOR ELEVATION
- ➔ PROPOSED FLOW DIRECTION
- ➔ HISTORIC SHEET FLOW

KEYED NOTES ①

1. EXISTING ASPHALT PAVEMENT TO REMAIN.
2. EXISTING CONCRETE PAVEMENT TO REMAIN.
3. EXISTING CURB AND GUTTER TO REMAIN.
4. EXISTING CONCRETE SIDEWALK ALONG MAPLETON AVENUE TO BE REMOVED AND REPLACED WITH 5' WIDE CONCRETE SIDEWALK.
5. EXISTING CONCRETE SIDEWALK ALONG BROADWAY AVENUE TO BE REMOVED AND REPLACED WITH 7' WIDE CONCRETE SIDEWALK.
6. PROPOSED CONCRETE PAVEMENT.
7. PROPOSED CONCRETE SIDEWALK.
8. PROPOSED STANDARD CITY OF BOULDER DRIVE RAMP.
9. PROPOSED STANDARD CITY OF BOULDER CURB RAMPS.
10. PROPOSED AREA DRAINS FOR COURTYARD.
11. WATER QUALITY PLANTERS.
12. TRENCH DRAIN FOR LOWER PARKING, TO BE PUMPED TO ALLEY.
13. OPEN TO PARKING BELOW, TO BE DRAINED TO ALLEY.
14. PROPOSED LANDSCAPING.
15. EXISTING ENTRY RAMPS TO BE REMOVED

GRADING NOTES

1. GRADE AWAY FROM BUILDINGS AT A MINIMUM 10% SLOPE IN THE FIRST 10 FEET AT LANDSCAPE AREAS AND AT A MINIMUM 2% SLOPE IN THE FIRST 10 FEET AT IMPERVIOUS AREAS, EXCEPT AS NOTED.
2. TOP OF FOUNDATION ELEVATION SHALL BE SET AT LEAST 0.5' ABOVE THE PROPOSED GRADING AT THE EXTERIOR OF THE FOUNDATION AT LANDSCAPE AREAS.
3. THE FEMA FLOOD INSURANCE RATE MAP, PANEL 08013C0394J, DATED DECEMBER 18, 2012, INDICATES THAT THE ENTIRE SITE IS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
4. ALL CITY UTILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF BOULDER STANDARD SPECIFICATIONS.
5. THE LOCATION OF THE ABOVE GROUND UTILITIES SHOWN HEREON ARE BASED ON THE TOPOGRAPHIC SURVEY BY FLATRONS INC. ON 07/31/13. THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SAID SURVEY AND INFORMATION PROVIDED BY OTHERS (WHICH MAY INCLUDE THE UTILITY OWNER OR UTILITY LOCATING SERVICES). SCOTT, COX & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR UTILITY INFORMATION PROVIDED BY OTHERS. SCOTT, COX & ASSOCIATES, INC. RECOMMENDS THAT THE LOCATION OF THE UTILITIES BE FIELD VERIFIED PRIOR TO ANY DIGGING ON, OR ADJACENT TO THE SUBJECT PROPERTY.
6. BENCH MARK: ELEVATIONS BASED ON CITY OF BOULDER POINT L-O-R, WITH A PUBLISHED ELEVATION OF 5356.97 FEET (NAVD83), BEING A FOUND #5 REBAR LOCATED AT THE INTERSECTION OF THE CENTERLINE OF PINE STREET AND THE CENTERLINE OF 13TH STREET.

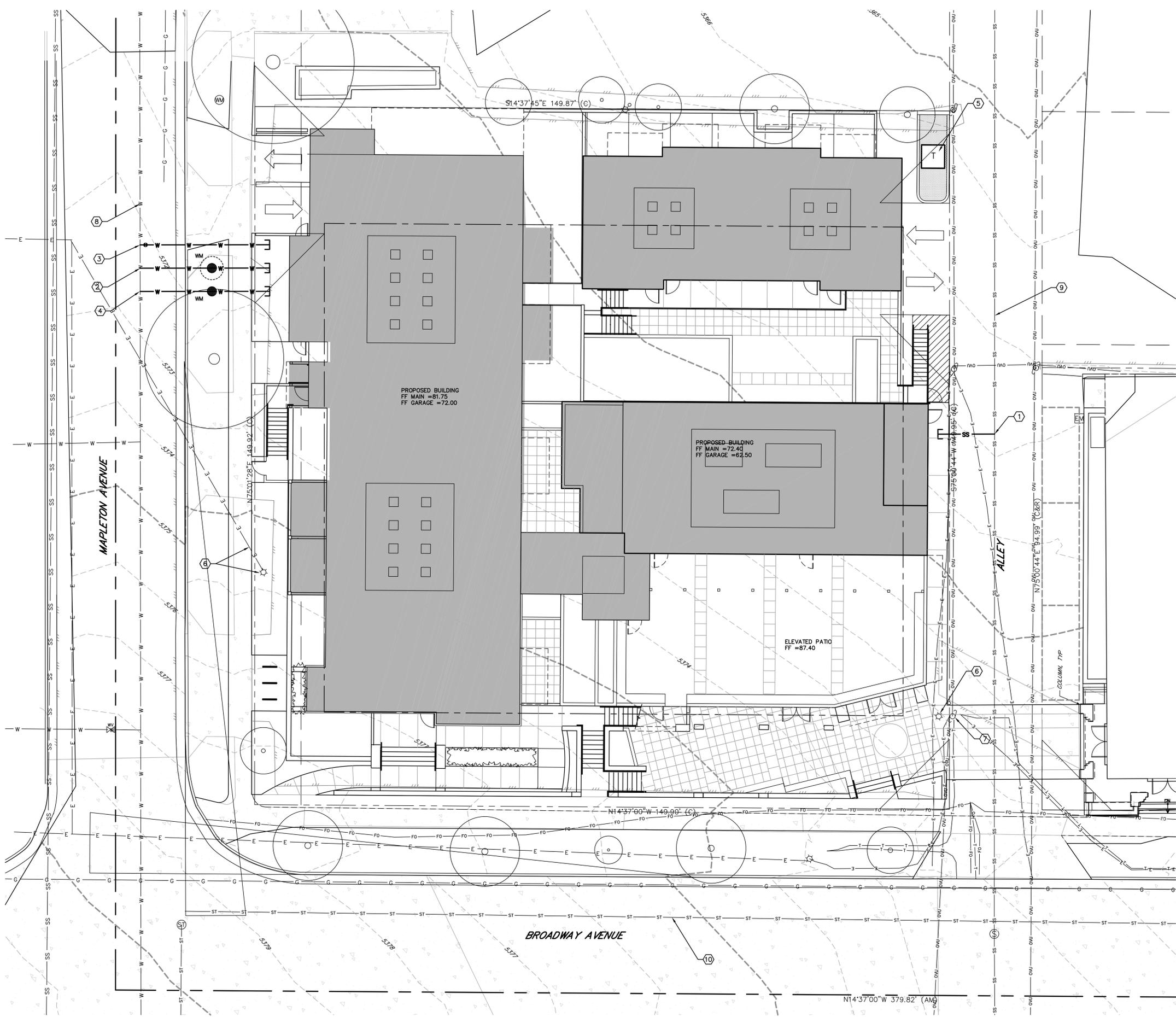
Scale: 1" = 10'



**PRELIMINARY
GRADING, DRAINAGE AND
EROSION CONTROL PLAN
TRINITY LUTHERAN CHURCH
2200 BROADWAY
BOULDER, COLORADO**

SCOTT, COX & ASSOCIATES, INC.
consulting engineers • surveyors
1530 55th Street • Boulder, Colorado 80303
(303) 444 - 3051

| | | | | | | | | | |
|-------------|-----|----------|----------|-------------|---------------------|-------------|------------|-------------|--------|
| Designed by | MRF | Date | 09/03/13 | Scale | 1"=10' | Drawing no. | 13402A-2 | Sheet | C1.01 |
| Drawn by | JAS | Revision | 1 | Description | SPR RESUBMITTAL | Date | 01/06/2014 | Project no. | 13402A |
| Checked by | DPA | Revision | 2 | Description | 2ND SPR RESUBMITTAL | Date | 02/03/2014 | | |

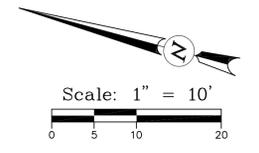


LEGEND

- Fo — Fo — EXISTING FIBER OPTIC
- E — E — E — EXISTING UNDERGROUND POWER LINE
- OWU — OWU — OWU — EXISTING OVERHEAD UTILITY LINE
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- SS — SS — SS — PROPOSED SANITARY SEWER W/MANHOLE
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- W — W — W — PROPOSED WATER SERVICE
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- ☆ EXISTING LIGHT POLE
- ⊗ EXISTING WATER VALVE
- ⊙ EXISTING WATER METER
- ⊕ EXISTING POWER POLE
- ⊙ EXISTING WATER VALVE
- ⊙ EXISTING WATER METER

KEYED NOTES ①

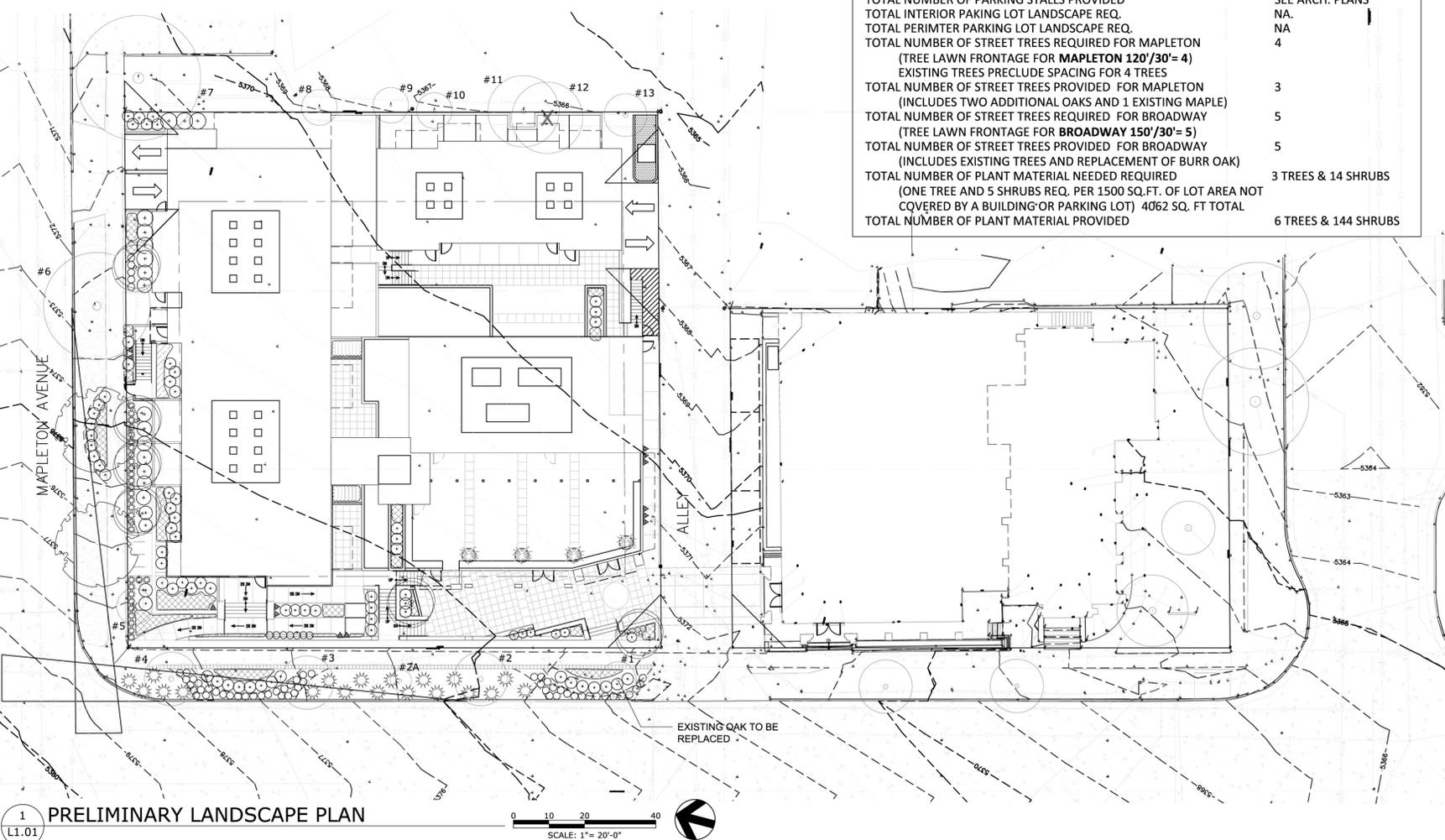
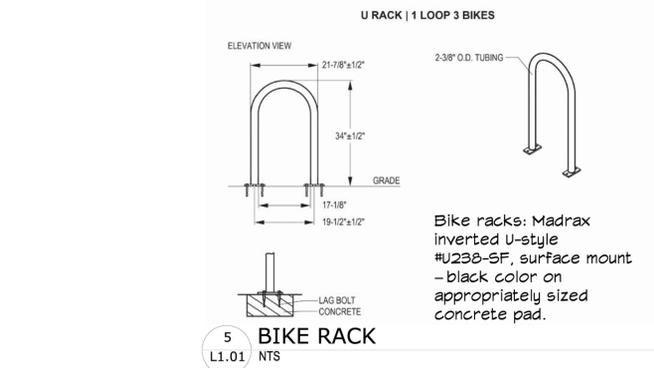
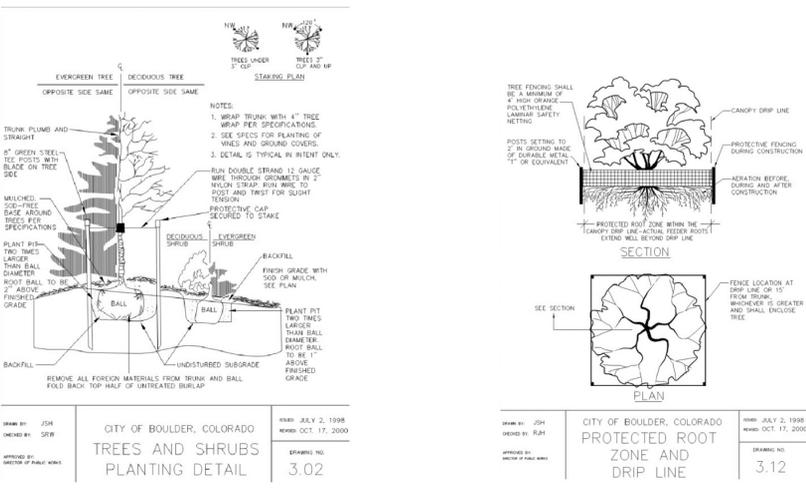
1. PROPOSED 6" SANITARY SEWER SERVICE.
2. PROPOSED 2" DOMESTIC WATER SERVICE AND METER.
3. PROPOSED 6" FIRE SERVICE.
4. PROPOSED 1" IRRIGATION SERVICE AND METER.
5. PROPOSED TRANSFORMER.
6. EXISTING LIGHT POLE TO BE REMOVED. REMOVE UNDERGROUND ELECTRICAL LINE AS REQUIRED OR ABANDON IN PLACE PER CITY STANDARDS.
7. EXISTING UTILITY POLE TO BE MOVED IF POSSIBLE, COORDINATE WITH UTILITY COMPANY.
8. EXISTING 12" WATER MAIN.
9. EXISTING 8" SANITARY SEWER.
10. EXISTING 18" STORM SEWER.



**PRELIMINARY
UTILITY PLAN
TRINITY LUTHERAN CHURCH
2200 BROADWAY
BOULDER, COLORADO**

SCOTT, COX & ASSOCIATES, INC.
 consulting engineers • surveyors
 1530 55th Street • Boulder, Colorado 80303
 (303) 444 - 3051

| | | | | | | | | | |
|-------------|-----|----------|----------|-------------|---------------------|-------------|------------|-------------|--------|
| Designed by | MRF | Date | 09/03/13 | Scale | 1"=10' | Drawing no. | 13402A-2 | Sheet | C1.02 |
| Drawn by | JAS | Revision | 1 | Description | SPR RESUBMITTAL | Date | 01/06/2014 | Project no. | 13402A |
| Checked by | DPA | Revision | 2 | Description | 2ND SPR RESUBMITTAL | Date | 02/03/2014 | | |



- PLANT NOTES**
- ALL PLANT MATERIAL SHALL MEET SPECS. OF THE AMERICAN ASSOC. OF NURSERYMEN 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 PUBLIC SERVICE 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 ANY SIDEWALK.
 - 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.
 - ALL SHRUB BEDS ADJACENT TO TURF AREAS SHALL BE EDGED WITH RYERSON OR APPROVED EQUIVALENT STEEL EDGER.
 - ALL TREE LAWN AREAS WILL BE SODDED WITH LOW WATER DEMAND BLUEGRASS BLEND UNLESS OTHERWISE NOTED ON PLAN.
 - ALL LANDSCAPE (PLANT MATERIALS AND GRASS) WILL BE IRRIGATED WITH AN AUTOMATIC SYSTEM. TURF AREAS WILL HAVE A SPRAY ZONE, SHRUBS AND TREES WILL HAVE A DRIP ZONE AND PERENNIALS/GROUNDCOVERS (PART OF DRIP SYSTEM) WILL HAVE MICRO-JET SPRAYS. PLANTS WITH LIKE WATER REQUIREMENTS ARE SHOWN TOGETHER IN ORDER TO HAVE AN EFFICIENT USE OF WATER. IRRIGATION PLANS WILL BE SUBMITTED DURING TECH DOC THAT MEET THE CITY'S REQUIREMENTS.
 - ALL WORK WITHIN PUBLIC AREAS WILL BE PERFORMED PER THE CITY OF BOULDER DESIGN AND CONSTRUCTION STREETSCAPING STANDARDS FOR WORK WITHIN PUBLIC AREAS.
 - REFER TO THE CIVIL ENGINEER DWGS FOR GRADING AND UTILITY INFORMATION.
 - THIS PLAN MEETS OR EXCEEDS CITY OF BOULDER LANDSCAPE CODE REQUIREMENTS OF 1 TREE AND 1 SHRUB PER 1500 SF OF OPEN SPACE.
 - THE COMMON LANDSCAPED AREAS AND IT'S ASSOC. IRRIGATION SYSTEM WILL BE RUN AND MAINTAINED BY THE CHURCH AND ITS REPRESENTATIVES.
 - ANY EXISTING TREE WITH LIMBS LOWER THAN THE 8' LINE EXTENDING INTO THE ROW WILL BE TRIMMED BACK TO PROVIDE FOR CLEAR ACCESS.

LANDSCAPE REQUIREMENTS

| | |
|--|----------------------|
| TOTAL LOT AREA NORTH SITE | 22,472 SQ. FT. |
| TOTAL LOT AREA SOUTH SITE | 13,288 SQ. FT. |
| TOTAL PARKING AREA | SEE ARCH. PLANS |
| TOTAL NUMBER OF PARKING STALLS REQUIRED | SEE ARCH. PLANS |
| TOTAL INTERIOR PARKING LOT LANDSCAPE REQ. | NA |
| TOTAL PERIMETER PARKING LOT LANDSCAPE REQ. | NA |
| TOTAL NUMBER OF STREET TREES REQUIRED FOR MAPLETON (TREE LAWN FRONTAGE FOR MAPLETON 120'/30'= 4) | 4 |
| EXISTING TREES PRECLUDE SPACING FOR 4 TREES | |
| TOTAL NUMBER OF STREET TREES PROVIDED FOR MAPLETON (INCLUDES TWO ADDITIONAL OAKS AND 1 EXISTING MAPLE) | 3 |
| TOTAL NUMBER OF STREET TREES REQUIRED FOR BROADWAY (TREE LAWN FRONTAGE FOR BROADWAY 150'/30'= 5) | 5 |
| TOTAL NUMBER OF STREET TREES PROVIDED FOR BROADWAY (INCLUDES EXISTING TREES AND REPLACEMENT OF BURR OAK) | 5 |
| TOTAL NUMBER OF PLANT MATERIAL NEEDED REQUIRED (ONE TREE AND 5 SHRUBS REQ. PER 1500 SQ.FT. OF LOT AREA NOT COVERED BY A BUILDING OR PARKING LOT) 4062 SQ. FT TOTAL | 3 TREES & 14 SHRUBS |
| TOTAL NUMBER OF PLANT MATERIAL PROVIDED | 6 TREES & 144 SHRUBS |

| QTY | PLANT LIST KEY | COMMON NAME | BOTANICAL NAME | SIZE | O.C. SPACING |
|---------------------------|----------------|------------------------|---|------------|--------------|
| SHADE TREES | | | | | |
| 3 | BO | BURR OAK | QUERCUS MACROCARPA | 2" CALIPER | AS SHOWN |
| ORNAMENTAL TREES | | | | | |
| 6 | BP | BRADFORD PEAR | PYRUS CALLERYANA BRADFORD "CHANTICLEER" | 2" CALIPER | AS SHOWN |
| DECIDUOUS SHRUBS | | | | | |
| 24 | CBB | COMPACT BURNING BUSH | EUONYMUS ALATUS "COMPACTA" | 5 GAL | |
| 17 | LPS | LITTLE PRINCESS SPIREA | SPYREA JAPONICA "LITTLE PRINCESS" | 5 GAL | |
| 14 | MKL | MISS KIM LILAC | SYRINGA PATULA | 5 GAL | |
| 2 | OG | OREGON GRAPE | MAHONIA QUIFOLIUM | 5 GAL | |
| 9 | VD | VARIAGATED DOGWOOD | CORNUS ALBA ARGENTEA "MARGINATA" | 5 GAL | |
| EVERGREEN SHRUBS | | | | | |
| 25 | CM | CREeping OREGON GRAPE | MAHONIA REPENS | 5 GAL | |
| 35 | MP | MUGO PINE DWARF | PINUS MUGO "MOPS" | 5GAL | |
| 18 | BC | BLUE CHIP JUNIPER | JUNIPERUS HORIZONTALIS "WILTONII" | 5 GAL | |
| GROUND COVERS | | | | | |
| | KIN | KINNIKINICK | ARTOSTLAPHYLOS UVA URSI | 5GAL | |
| | PER | PERIWINKLE | VINCA MINOR | 5GAL | |
| | SNM | SNOW ON THE MTN. | AEGOPODIUM VARIEGATUM | 5GAL | |
| | SWD | SWEET WOODRUFF | GALIUM ODORATUM | 5GAL | |
| VINES | | | | | |
| | BI | BOSTON IVY | PARTHENOCISSUS TRISCUSPIDATA | 2GAL | |
| | SAC | SWEET AUTUMN | CLEMATISCLEMATIS MAXIMOWICZIANA | 2GAL | |
| PERENNIALS | | | | | |
| | AST | ASTER | ASTER HYBRIDS | 1GAL | |
| | COB | CORALBELLS | HEUCHERA SANGINEA | 1GAL | |
| | DAY | DAYLILLY | HEMEROCALLIS HYBRID | 1GAL | |
| | FSP | FALSE SPIREA | ASTILBE HYBRIDS | 1GAL | |
| | PLL | PLAIN TAIN LILLY | HOSTA SPP. | 1GAL | |
| | SHS | SHOWY STONECAP | SEDUM SPECTABILE | 1GAL | |
| | SHD | SHASTA DAISY | CHRYSANTHEMUM COCINEUM | 1GAL | |
| ORNAMENTAL GRASSES | | | | | |
| 56 | FG | FOUNTAIN GRASS DWARF | PENNISETUM ALOPECUROIDES "HAMELIN" | 1GAL | |

| PLANT # | GENUS | SPECIES | # | PLANT | DBH | LOCATION | HEALTH RATING |
|---------|-----------|---------------|---|----------------|-----|--------------------------|---------------|
| 1 | QUERCUS | MACROCARPA | 1 | BURR OAK | 10 | SOUTH END ALONG BROADWAY | 2 |
| 2 | AESCULUS | HIPPOCASTANUM | 1 | HORSE CHESTNUT | 18 | ALONG BROADWAY | 4 |
| 2A | GLEDITSIA | TRICANTHOS | 1 | HONEY LOCUST | 3 | ALONG BROADWAY | 3 |
| 3 | AESCULUS | HIPPOCASTANUM | 1 | HORSE CHESTNUT | 18 | ALONG BROADWAY | 4 |
| 4 | QUERCUS | RUBRA | 1 | RED OAK | 14 | ALONG BROADWAY | 4 |
| 5 | PRUNUS | SPP. | 1 | CHOKECHERRY | 8 | ALONG BROADWAY | 3 |
| 6 | ACER | SACCHARINUM | 1 | SILVER MAPLE | 20 | ALONG MAPLETON 3 | |
| 7 | ACER | SACCHARINUM | 1 | SILVER MAPLE | 36 | EAST SIDE OF PARKING LOT | 3 |
| 8 | MALUS | DOMESTICA | 1 | CRABAPPLE | 7 | EAST SIDE OF PARKING LOT | 3 |
| 9 | MALUS | DOMESTICA | 1 | CRABAPPLE | 8 | EAST SIDE OF PARKING LOT | 3 |
| 10 | PRUNUS | SPP. | 1 | PLUM | 7 | EAST SIDE OF PARKING LOT | 3 |
| 11 | ULMUS | PUMILA | 1 | SIBERIAN ELM | 30 | EAST SIDE OF PARKING LOT | 4 |
| 12 | ULMUS | PUMILA | 1 | SIBERIAN ELM | 32 | EAST SIDE OF PARKING LOT | 4 |
| 13 | FRAXINUS | PENNSYLVANICA | 1 | GREEN ASH | 26 | EAST SIDE OF PARKING LOT | 4 |

- PRELIMINARY LANDSCAPE LEGEND**
- EXISTING TREES TO REMAIN AND BE PROTECTED DURING CONSTRUCTION.
 - EXISTING TREES TO BE REMOVED.
 - TURF TURF SOD MIX TO BE: 60% Eldorado, Silverado and Monarch Turf type Tall Fescue 30% Manchar Smooth Brome 10% Bluegrass Mix (drought tolerant blends)
 - PLANTER POT

Taddekin Tree Company performed the tree inventory on October 21, 2013. Weather was clear the day of the inventory. We inventoried, per the Boulder Revised Code (BRC) 9-2-14, each tree with a diameter of 6 inches and over by identifying the species, measuring the trunk dbh (at approximately 54 inches above the ground) using a diameter tape and evaluating the general condition of each tree. Trees and shrubs with a dbh less than 6 inches were not included in the survey.

All trees inventoried were categorized into one of five groups: excellent, good, fair, poor, very poor. The tree condition categories are defined as follows:

(5) **Excellent**- Healthy vigorous tree, no apparent signs of insect or disease, mechanical injury, no care required at this time.

(4) **Good**- Better than average vigor, some maintenance work may be required, some minor insect, disease or previous damage evident.

(3) **Fair**- Average vigor, some maintenance or corrective work required, insect or disease or previous damage evident.

(2) **Poor**- Declining health, severe damage from mechanical, insect or disease

(1) **Very Poor**- Severe decline with no hope of preservation

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Site Review
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Boulder, Colorado

PESSIN STUDIOS
landscape architecture
1633 18th Street Ste 6
Boulder, CO 80302

PROJECT #152
DATE: 09/09/13
DRAWN BY: AK
CHECKED BY: SP
REVISIONS: 10/21/13
01/06/14
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PRELIMINARY LANDSCAPE PLAN

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L1.01
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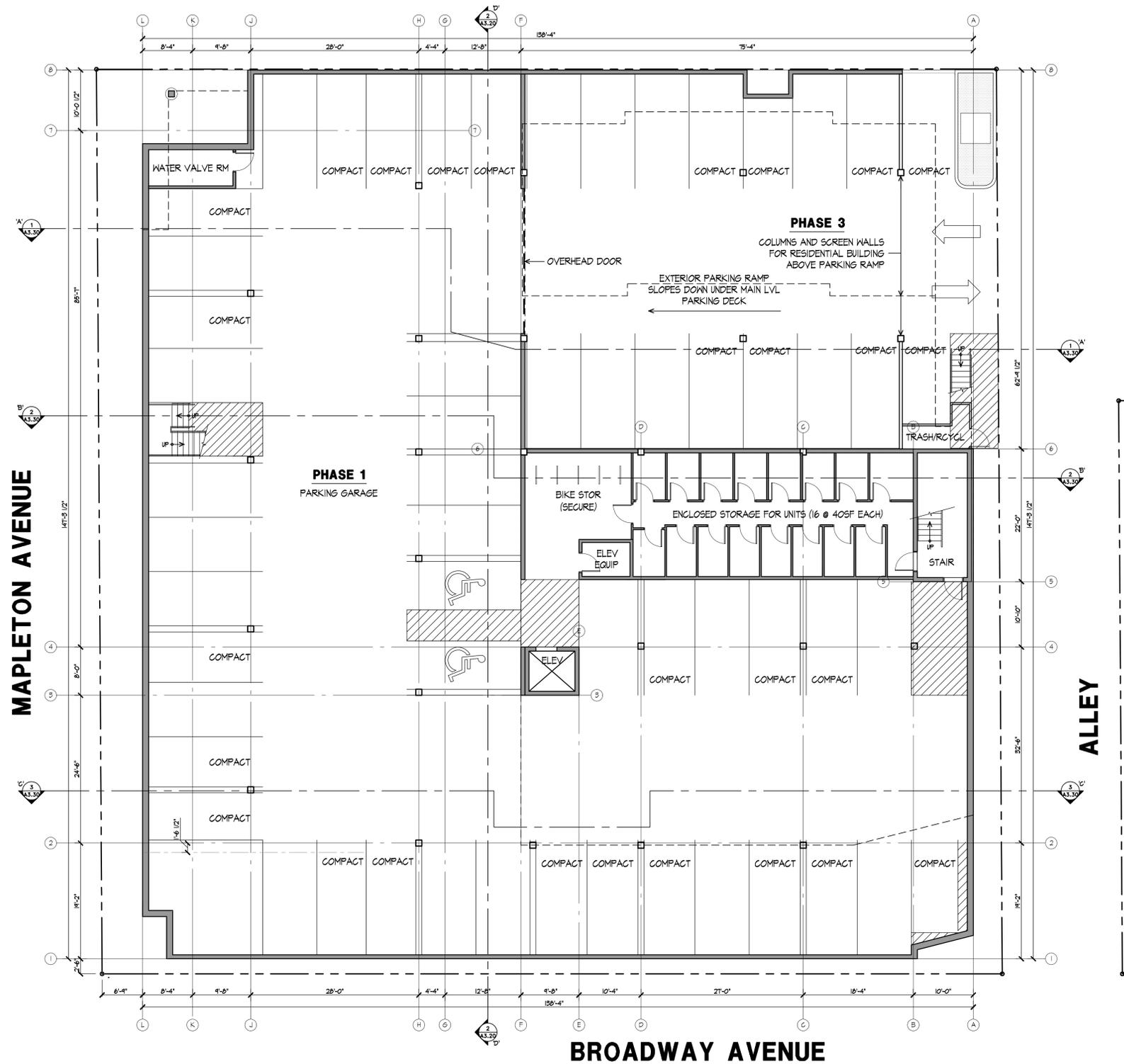
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Boulder, Colorado

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Resubmittal: **01/06/14**
02/03/14

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FLOOR PLAN -
LOWER PARKING LVL

Sheet
A2.10
of Sheets



1 FLOOR PLAN - LOWER PARKING LEVEL
A2.10 1" = 10'-0"
0 5 10 20 FEET
NORTH



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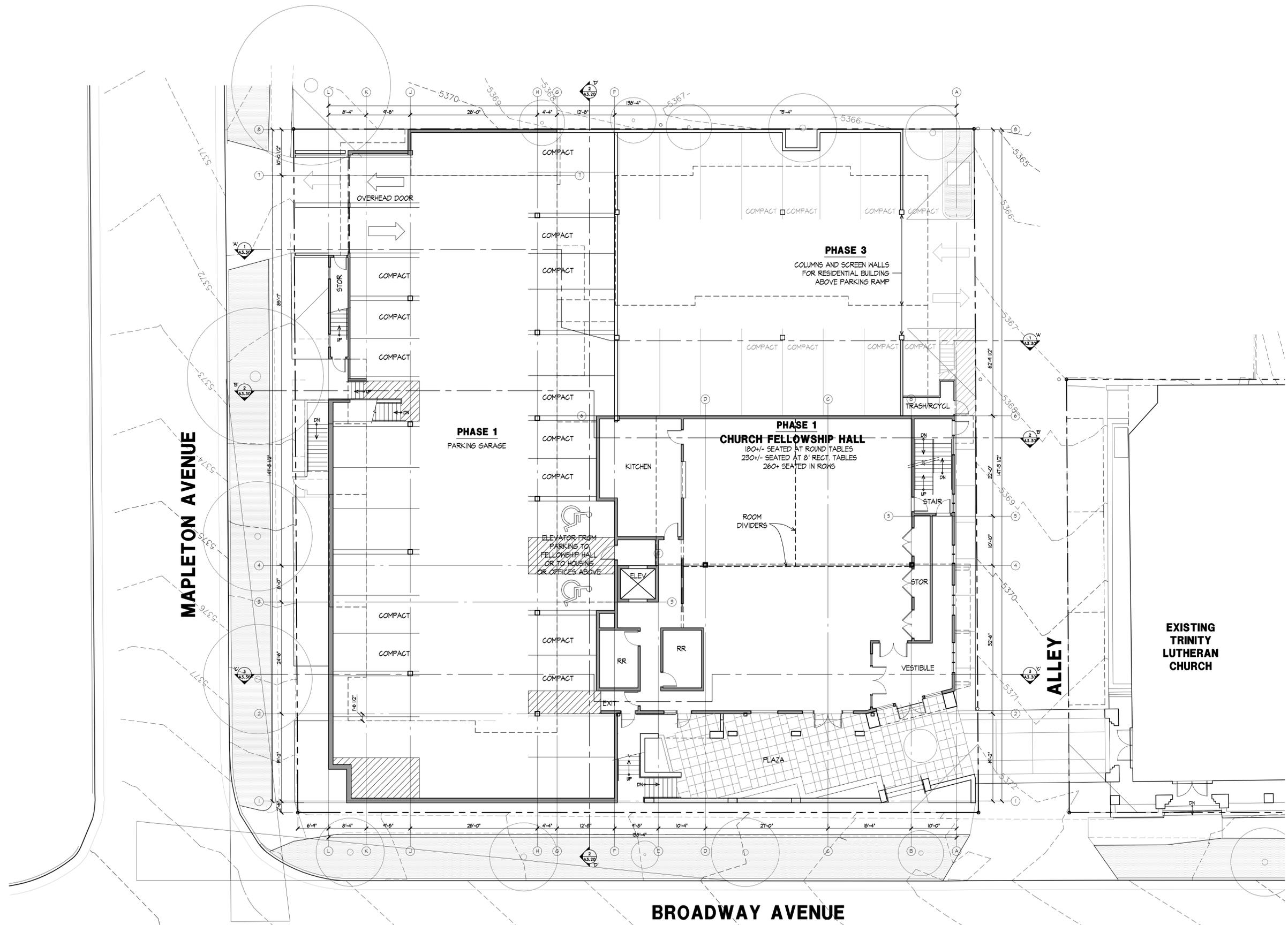
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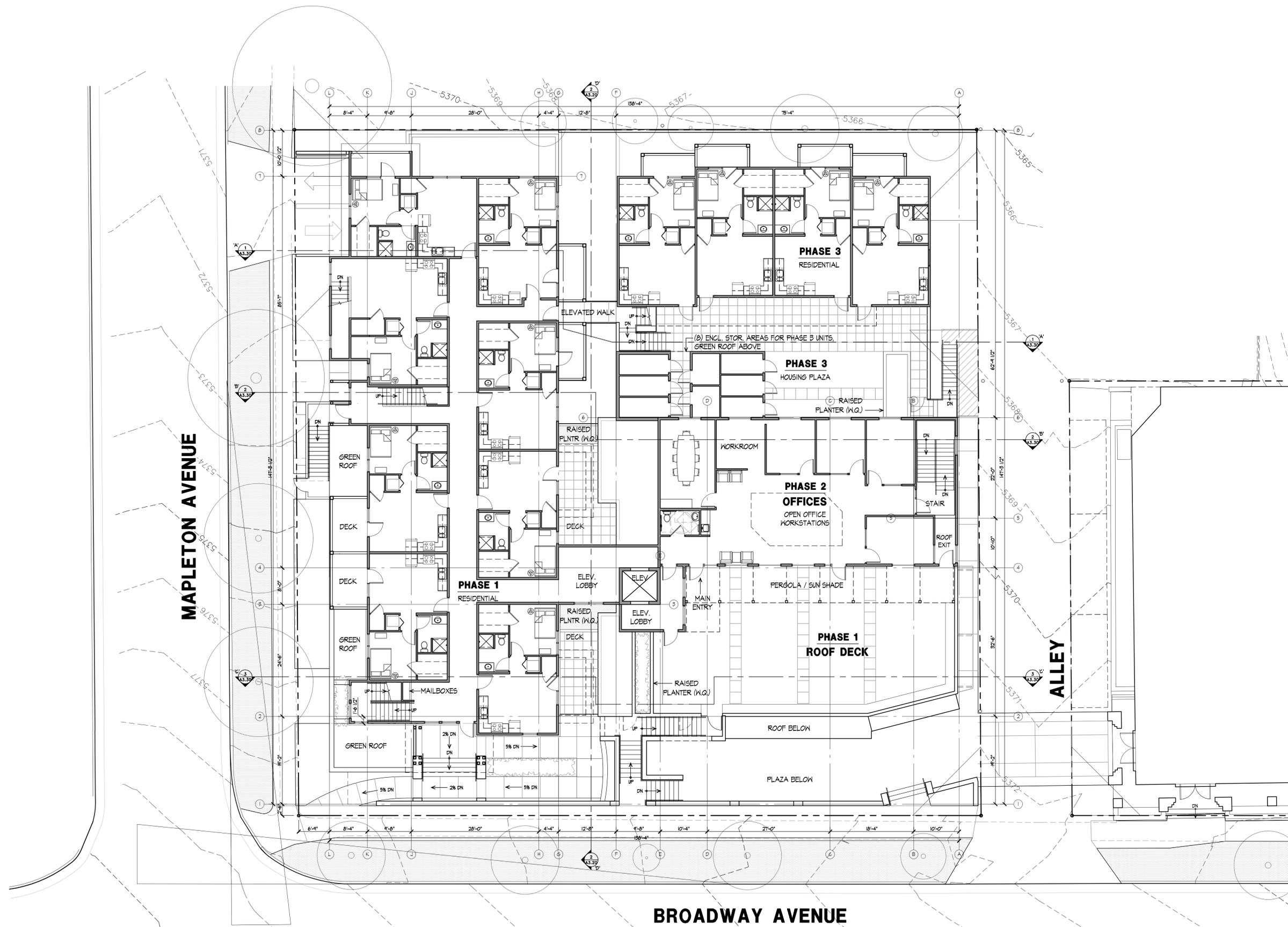
FLOOR PLAN -
MAIN LEVEL

Sheet
A2.20
of Sheets



1 FLOOR PLAN - MAIN LEVEL
A2.20 1" = 10'-0"





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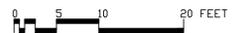
**FLOOR PLAN -
HOUSING LEVEL 1**

Sheet

A2.30

of Sheets

1 FLOOR PLAN - HOUSING LEVEL 1
A2.30 1" = 10'-0"





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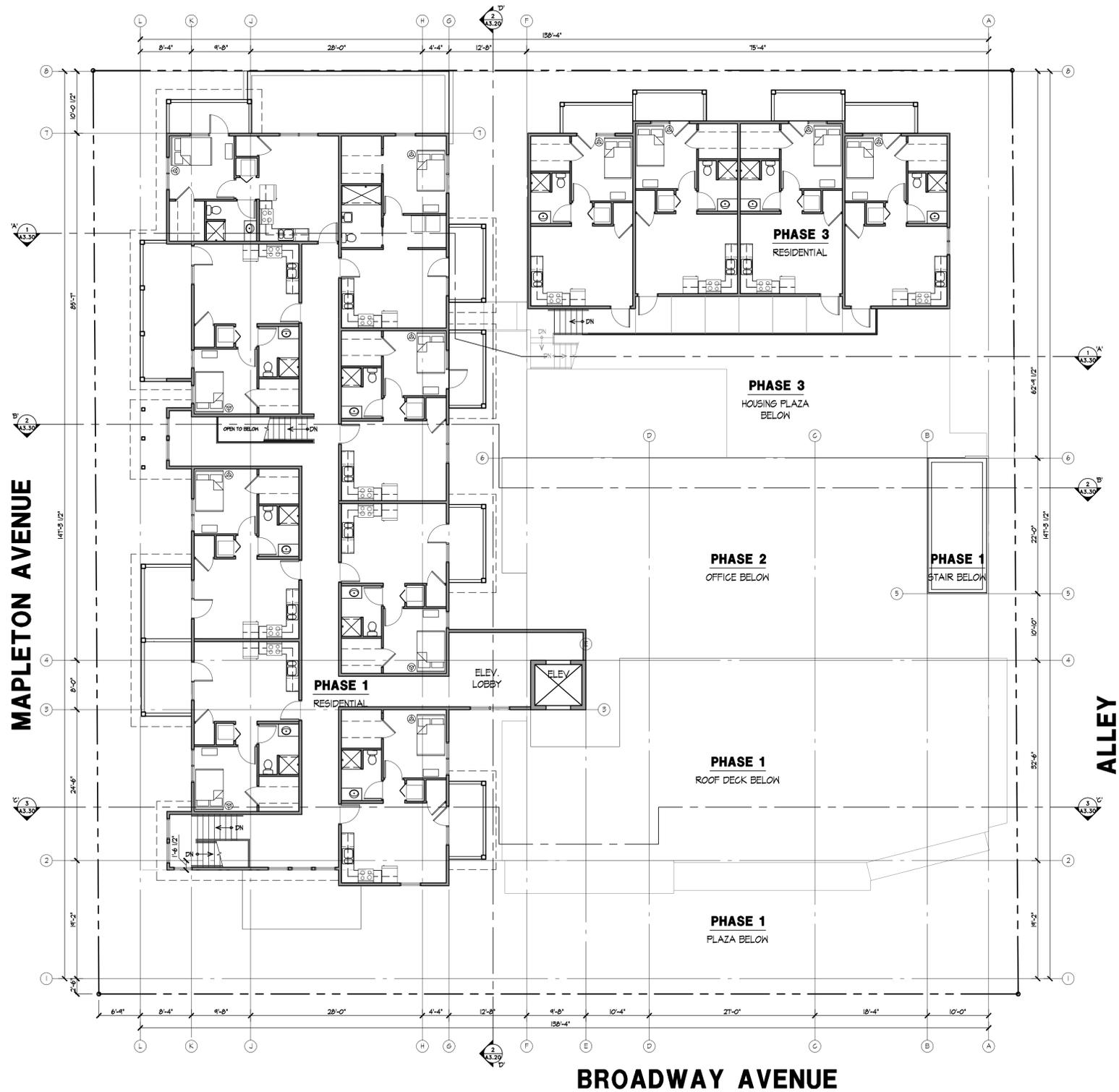
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PROJECT # 1152
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FLOOR PLAN -
HOUSING LEVEL 2

Sheet
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1 FLOOR PLAN - HOUSING LEVEL 2
A2.40 1" = 10'-0"
0 5 10 20 FEET
NORTH



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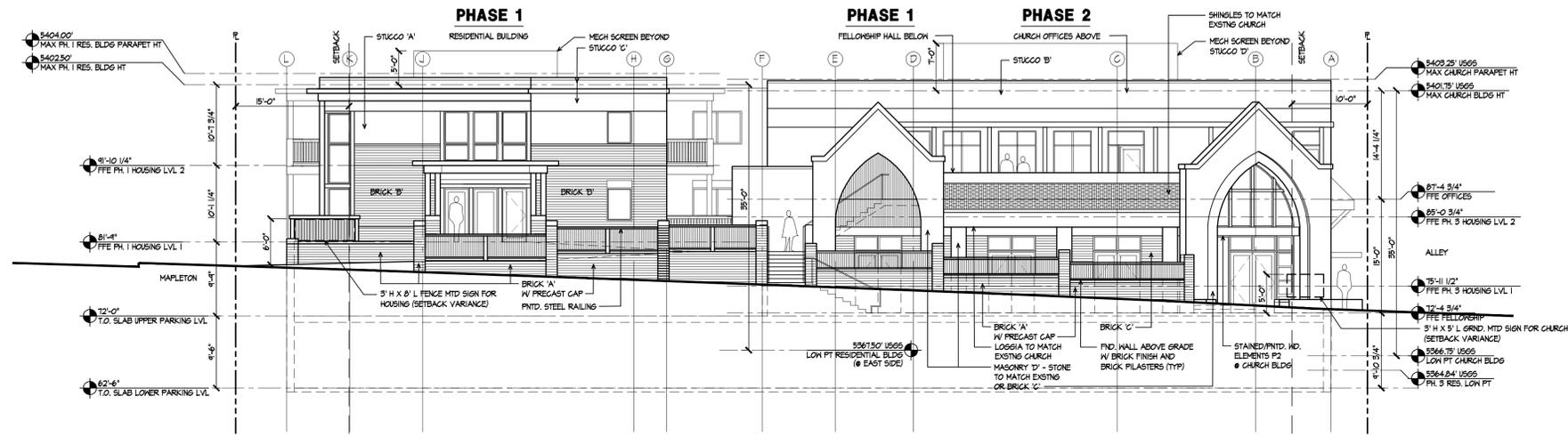
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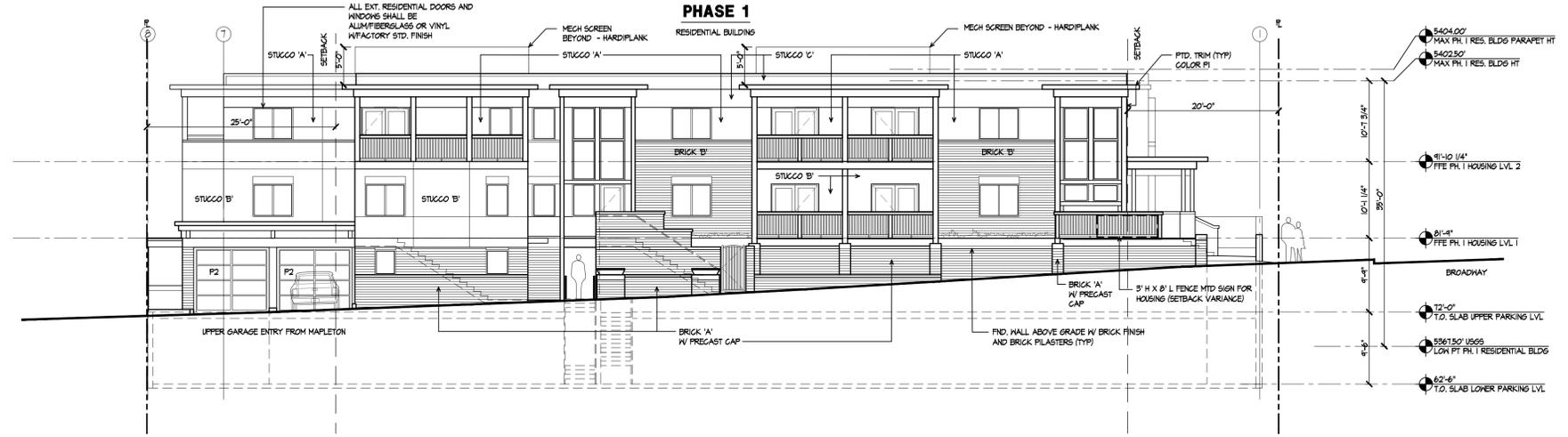
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ELEVATIONS

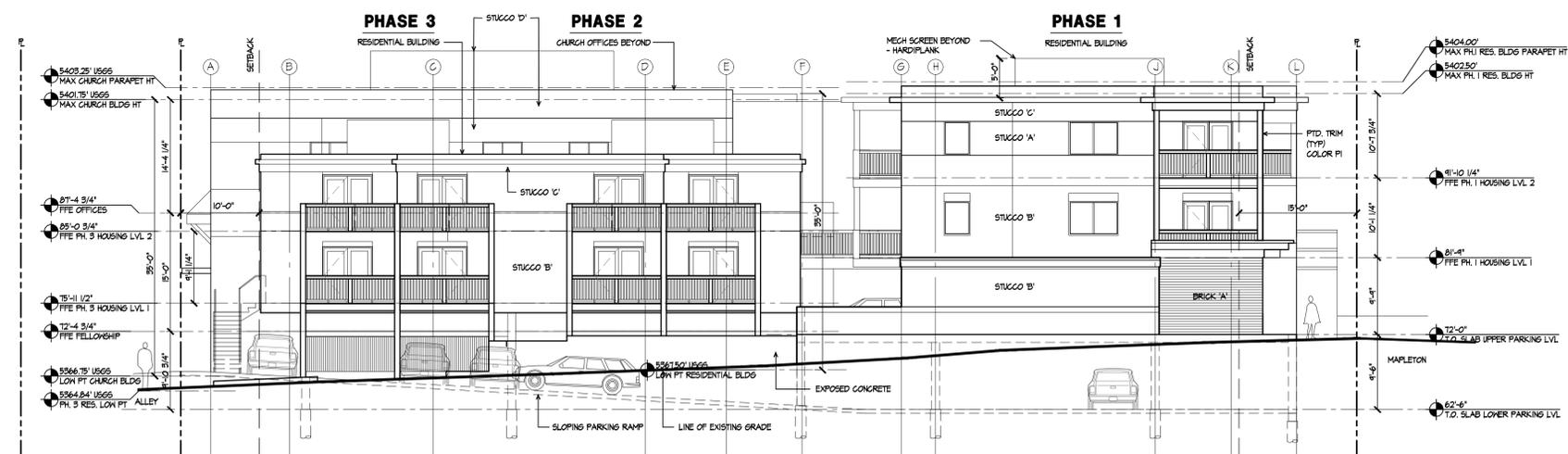
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A3.10
of Sheets



3 WEST ELEVATION - BROADWAY
A3.10 1" = 10'-0"



2 NORTH ELEVATION - MAPLETON
A3.10 1" = 10'-0"



1 EAST ELEVATION
A3.10 1" = 10'-0"

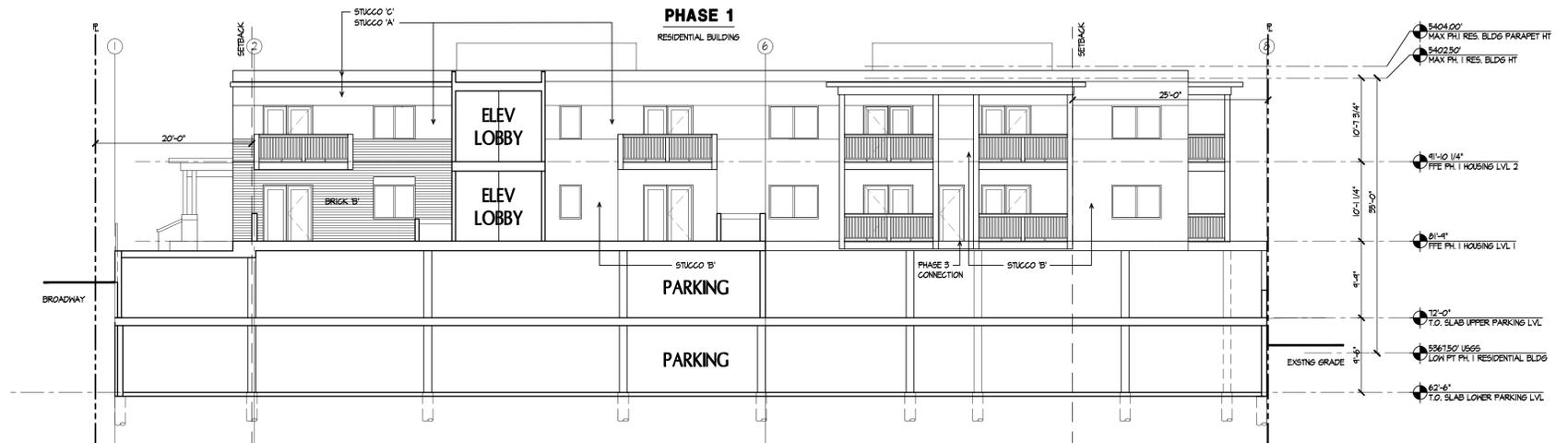


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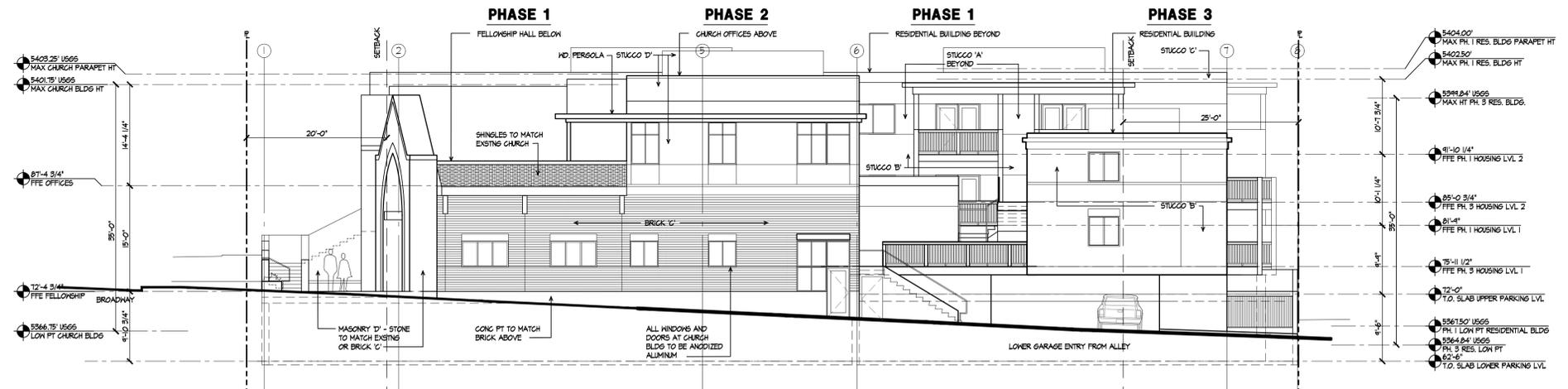
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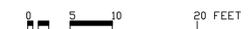
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2 BUILDING SECTION/ELEVATION - 'D'
A3.20 1" = 10'-0"



1 SOUTH ELEVATION - ALLEY
A3.20 1" = 10'-0"



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ELEVATIONS
BUILDING SECTION

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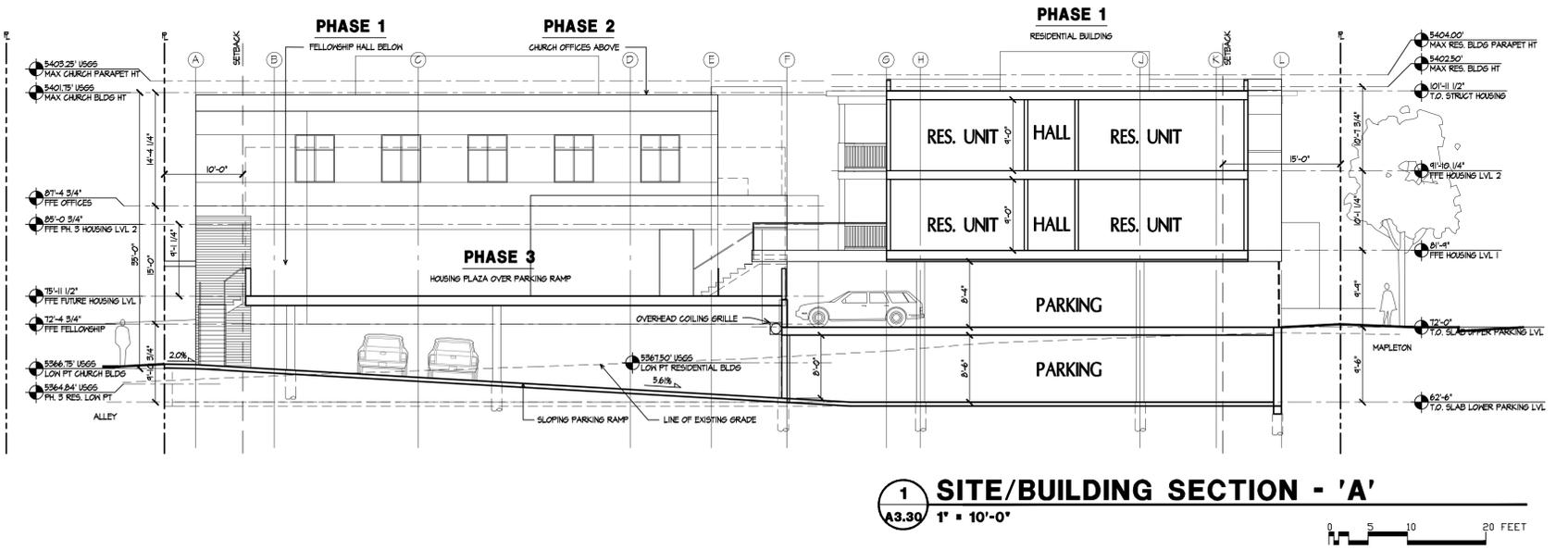
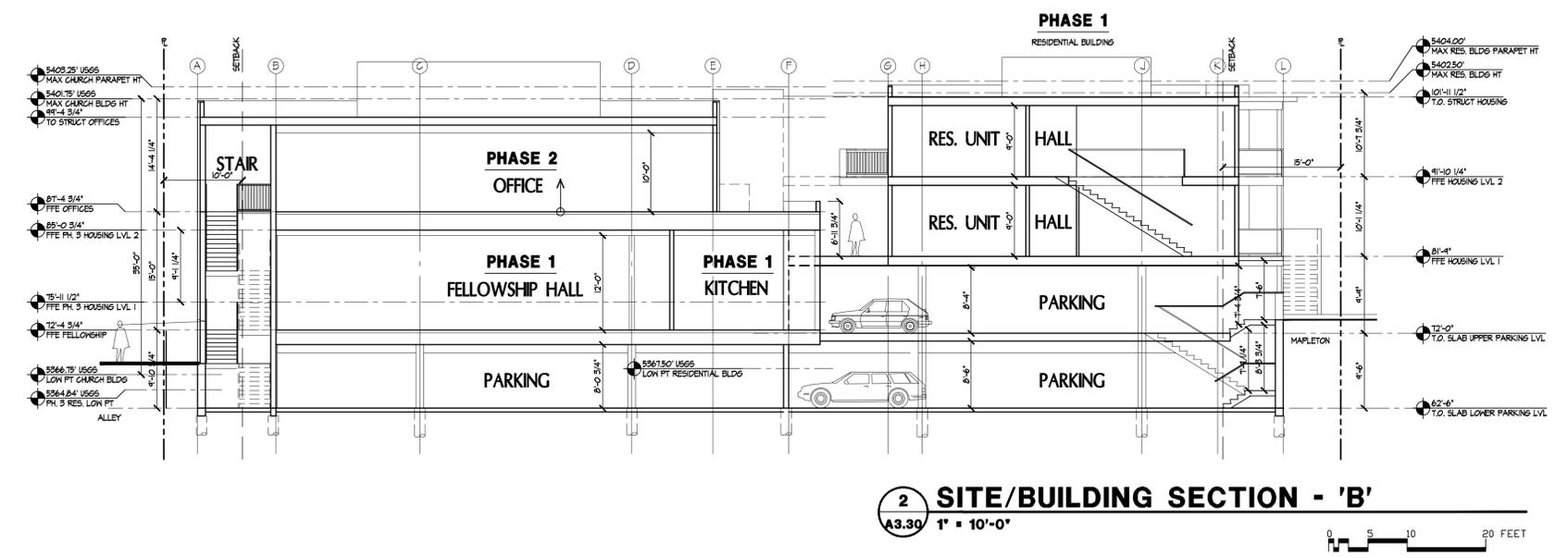
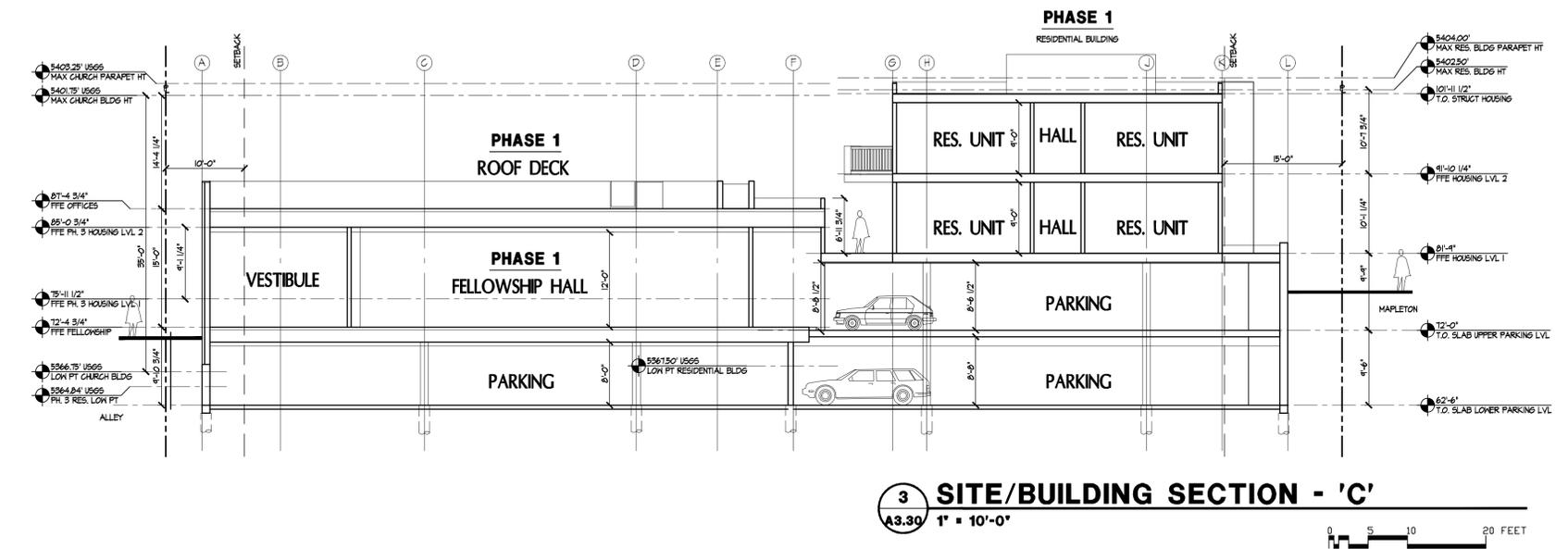
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BUILDING SECTIONS

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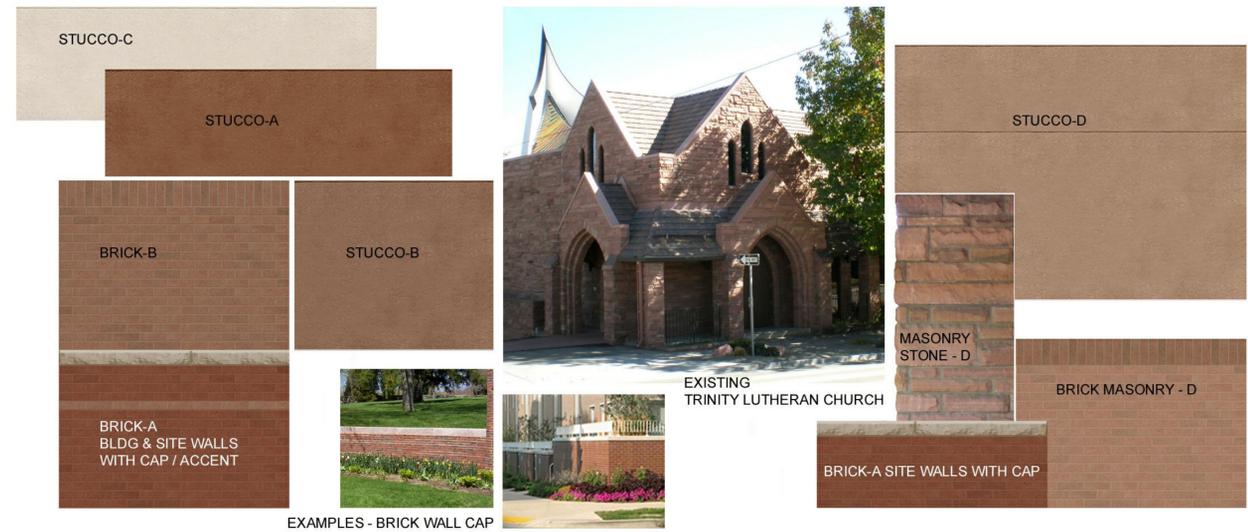
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ELEVATIONS -
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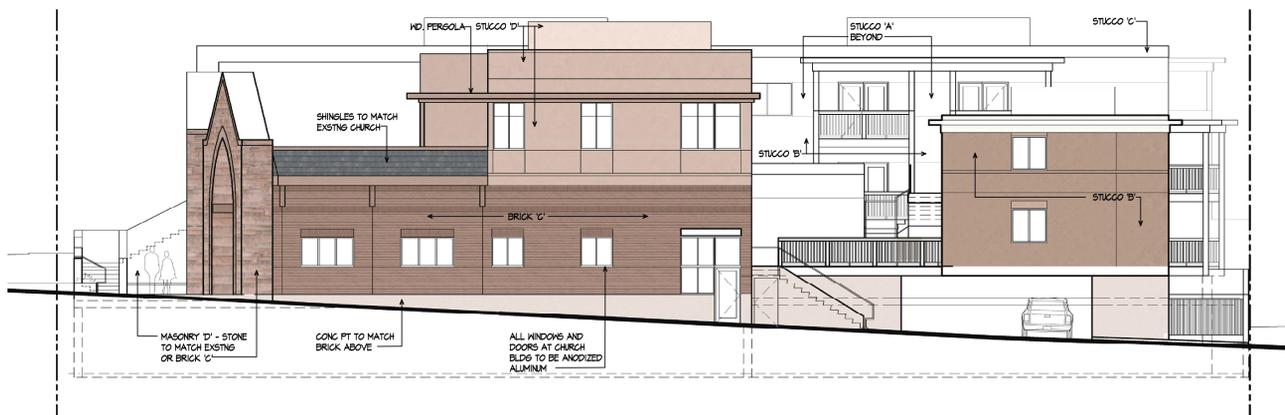
EXTERIOR MATERIALS



4 EAST ELEVATION
A3.40 3/32" = 1'-0"
0 5'-4" 10'-8" 21'-4" FEET



2 NORTH ELEVATION - MAPLETON
A3.40 3/32" = 1'-0"
0 5'-4" 10'-8" 21'-4" FEET



3 SOUTH ELEVATION - ALLEY
A3.40 3/32" = 1'-0"
0 5'-4" 10'-8" 21'-4" FEET



1 WEST ELEVATION - BROADWAY
A3.40 3/32" = 1'-0"
0 5'-4" 10'-8" 21'-4" FEET



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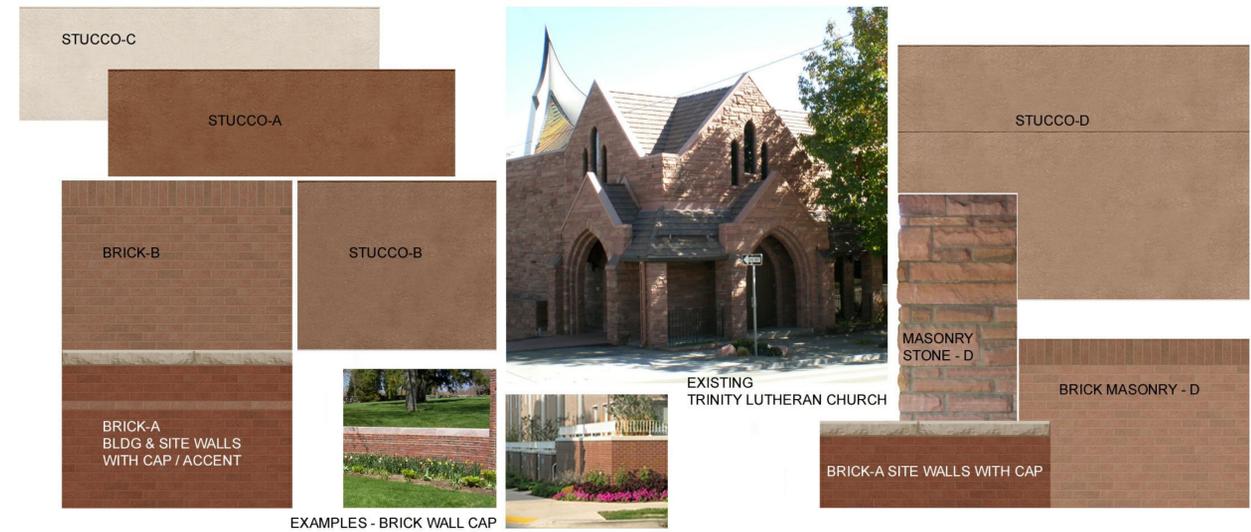
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ELEVATIONS -
RENDERED

Sheet

A3.40

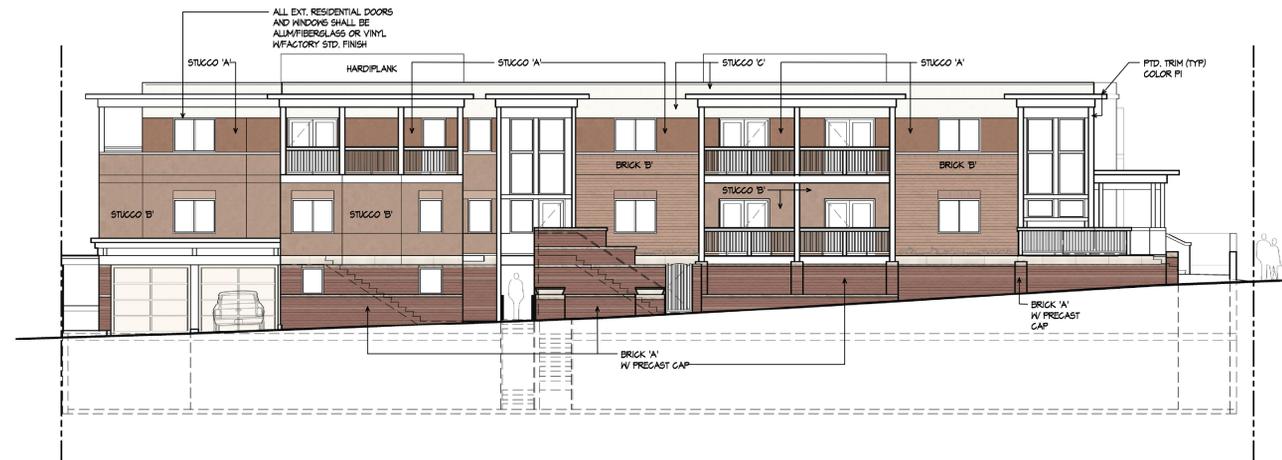
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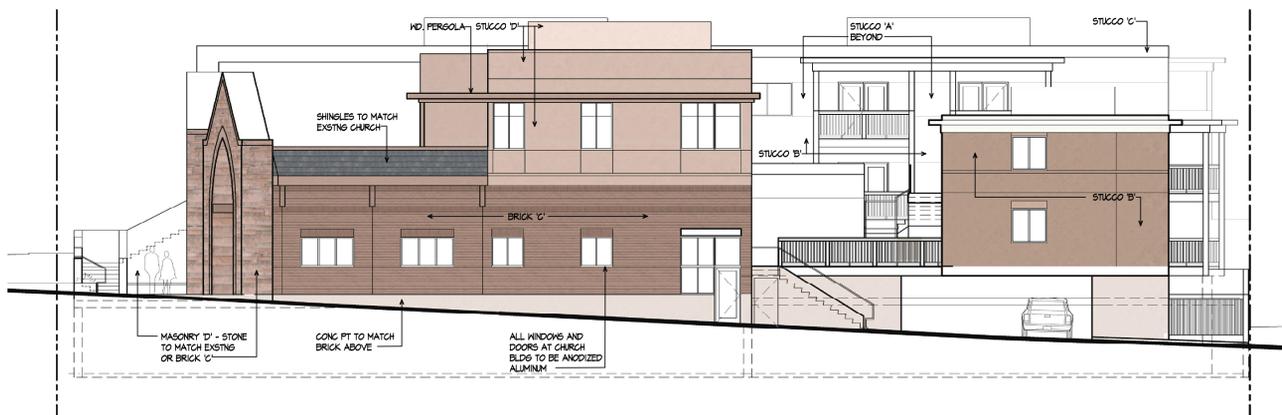
EXTERIOR MATERIALS



4 EAST ELEVATION
A3.40 3/32" = 1'-0"



2 NORTH ELEVATION - MAPLETON
A3.40 3/32" = 1'-0"



3 SOUTH ELEVATION - ALLEY
A3.40 3/32" = 1'-0"

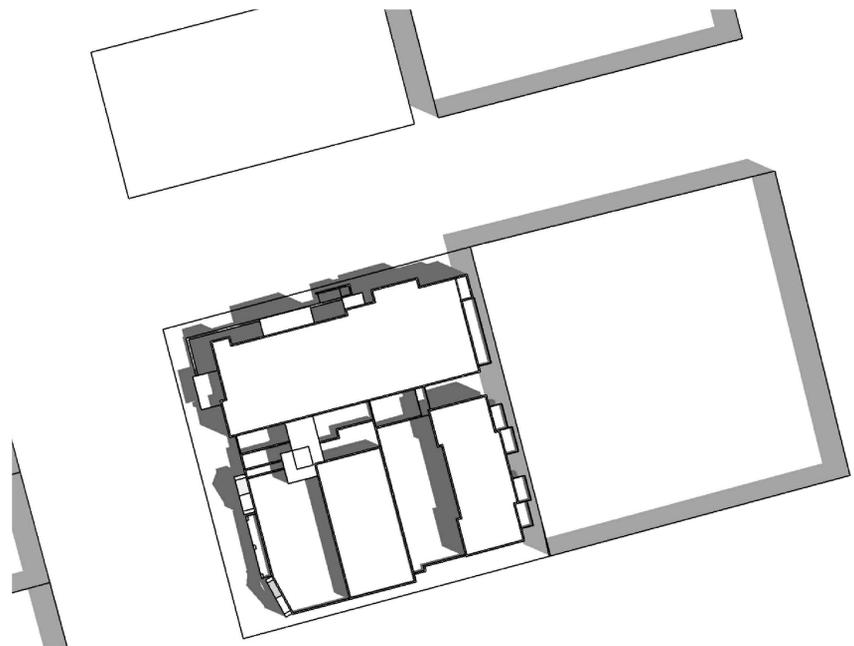


1 WEST ELEVATION - BROADWAY
A3.40 3/32" = 1'-0"

SHADOW STUDY CHART - SHADOW LENGTH CALCULATIONS FOR DECEMBER 21 - WINTER SOLSTICE

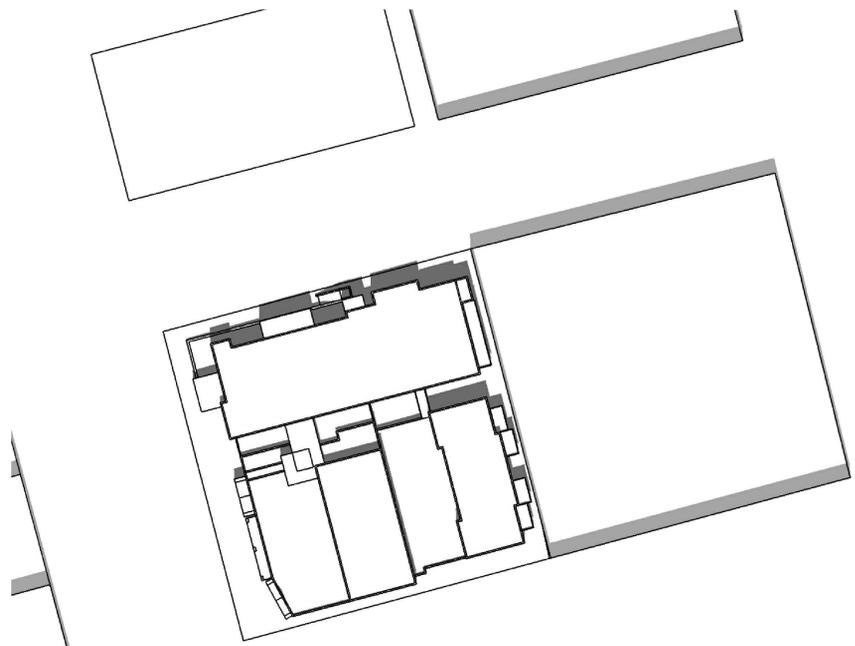
| Roof Element | Height above Grade | Shadow Length | | Elevation Start | Elevation End | | Change in Elevation | | Revised Height | | Revised Shadow Length | | | | | | |
|--------------|--------------------|---------------|------|-----------------|---------------|--------|---------------------|--------|----------------|-------|-----------------------|------|------|------|------|------|------|
| | | 10 | Noon | | 2 | 10 | Noon | 2 | 10 | Noon | 2 | 10 | Noon | 2 | | | |
| A | 28.1 | 74.1 | 56.0 | 74.1 | 5368.8 | 5369.9 | 5366.9 | 5366.1 | 3.1 | 0.1 | (0.7) | 24.9 | 27.9 | 28.7 | 65.9 | 57.8 | 75.9 |
| B | 27.0 | 71.5 | 54.0 | 74.5 | 5367.8 | 5370.5 | 5367.8 | 5366.5 | 2.7 | (0.2) | (1.3) | 24.3 | 27.2 | 28.3 | 64.3 | 54.4 | 74.0 |
| C | 26.4 | 69.9 | 52.8 | 69.9 | 5368.4 | 5371.8 | 5370.0 | 5369.5 | 3.4 | 1.6 | 1.1 | 23.0 | 24.8 | 25.3 | 60.9 | 49.6 | 66.4 |
| D | 25.7 | 66.4 | 51.4 | 66.4 | 5369.1 | 5372.4 | 5370.8 | 5370.0 | 3.3 | 1.7 | 0.9 | 22.4 | 24.0 | 24.8 | 59.3 | 48.1 | 65.7 |
| E | 34.5 | 91.3 | 69.5 | 91.3 | 5370.0 | 5372.6 | 5370.8 | 5369.5 | 2.6 | 0.8 | (0.5) | 31.9 | 33.8 | 35.0 | 84.4 | 67.5 | 92.6 |
| F | 32.3 | 85.6 | 64.7 | 85.6 | 5371.2 | 5373.9 | 5372.3 | 5371.3 | 2.8 | 1.2 | 0.2 | 29.6 | 31.2 | 32.2 | 78.3 | 62.3 | 85.1 |
| G | 31.2 | 82.5 | 62.4 | 82.5 | 5372.3 | 5372.0 | 5371.5 | 5369.8 | (0.3) | (0.8) | (2.5) | 31.5 | 32.0 | 33.7 | 83.4 | 60.8 | 89.1 |
| H | 26.0 | 68.8 | 52.0 | 68.8 | 5376.0 | 5378.3 | 5376.3 | 5374.6 | 2.3 | 0.3 | (1.4) | 23.6 | 25.7 | 27.4 | 62.5 | 51.4 | 72.5 |
| J | 26.2 | 69.3 | 52.4 | 69.3 | 5377.3 | 5378.4 | 5377.3 | 5376.2 | 1.1 | 0.0 | (1.1) | 25.1 | 26.2 | 27.3 | 66.5 | 52.4 | 72.3 |
| K | 27.4 | 72.5 | 54.8 | 72.5 | 5376.1 | 5373.3 | 5376.1 | 5374.5 | (2.8) | 0.0 | (1.6) | 30.2 | 27.4 | 29.0 | 79.9 | 54.8 | 76.7 |
| L | 20.3 | 53.7 | 40.6 | 53.7 | 5371.7 | 5375.0 | 5373.0 | 5371.2 | (3.3) | (1.3) | 0.5 | 23.6 | 21.6 | 19.8 | 62.5 | 43.2 | 52.4 |

| Fence Element | Height above Grade | Shadow Length | | Elevation Start | Elevation End | | Change in Elevation | | Revised Height | | Revised Shadow Length | | | | | | |
|---------------|--------------------|---------------|------|-----------------|---------------|--------|---------------------|--------|----------------|------|-----------------------|------|------|------|------|------|------|
| | | 10 | Noon | | 2 | 10 | Noon | 2 | 10 | Noon | 2 | 10 | Noon | 2 | | | |
| 1 | 25.0 | 66.2 | 50.0 | 66.2 | 5362.6 | 5365.2 | 5364.3 | 5364.0 | 2.6 | 1.7 | 1.4 | 22.4 | 23.3 | 23.6 | 59.3 | 46.6 | 62.5 |
| 2 | 25.0 | 66.2 | 50.0 | 66.2 | 5368.0 | 5369.9 | 5369.5 | 5369.6 | 1.9 | 1.5 | 1.6 | 23.1 | 23.5 | 23.4 | 61.2 | 47.0 | 61.9 |
| 3 | 25.0 | 66.2 | 50.0 | 66.2 | 5371.4 | 5373.4 | 5372.2 | 5371.4 | 2.0 | 0.8 | 0.0 | 23.0 | 24.2 | 25.0 | 60.9 | 48.4 | 66.2 |
| 4 | 25.0 | 66.2 | 50.0 | 66.2 | 5365.3 | 5368.7 | 5366.8 | 5365.9 | 3.4 | 1.5 | 0.6 | 21.6 | 23.5 | 24.4 | 57.2 | 47.0 | 64.6 |
| 5 | 25.0 | 66.2 | 50.0 | 66.2 | 5369.8 | 5369.7 | 5370.9 | 5371.1 | 1.2 | 1.1 | 1.3 | 23.8 | 23.9 | 23.7 | 63.0 | 47.8 | 62.7 |
| 6 | 25.0 | 66.2 | 50.0 | 66.2 | 5371.9 | 5370.7 | 5372.4 | 5373.4 | (0.3) | 0.5 | 1.5 | 25.3 | 24.5 | 23.5 | 67.0 | 49.0 | 62.2 |



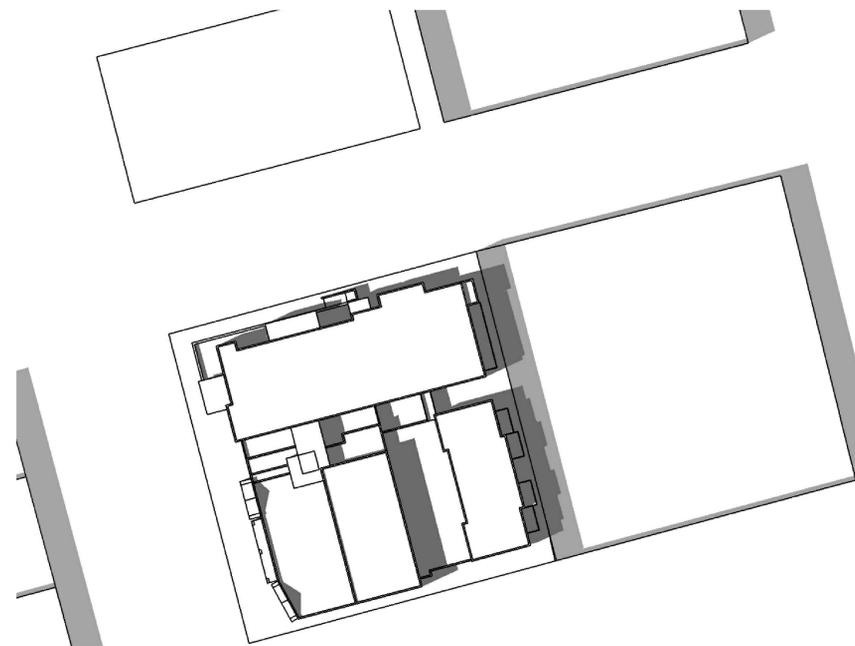
JUN 21 - 10:00 AM

6 SHADOW STUDY
A5.10 1" = 40'-0"
0 10 20 40 80 FEET
NORTH



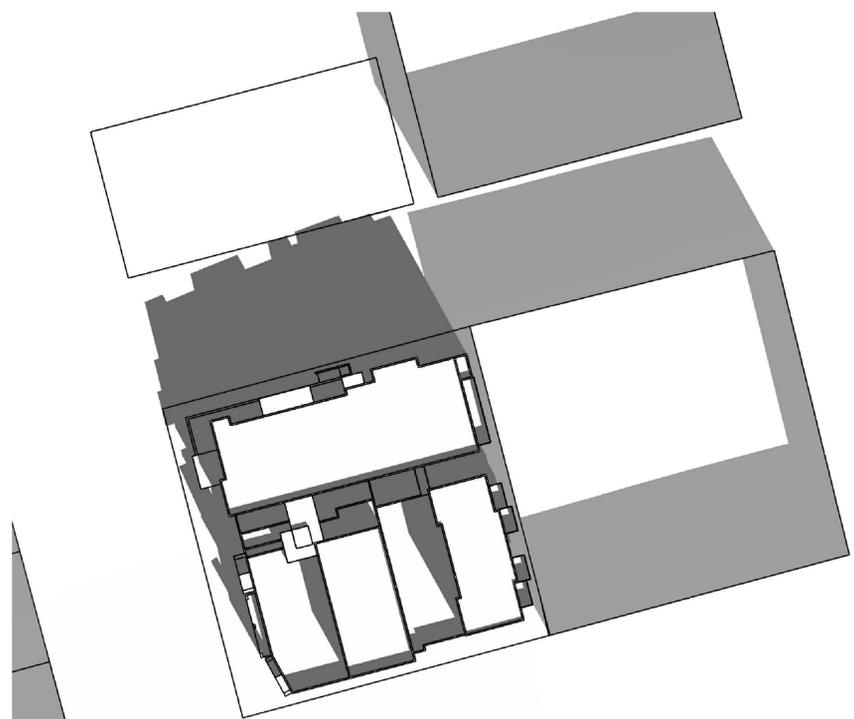
JUN 21 - 12:00 PM

5 SHADOW STUDY
A5.10 1" = 40'-0"
0 10 20 40 80 FEET
NORTH



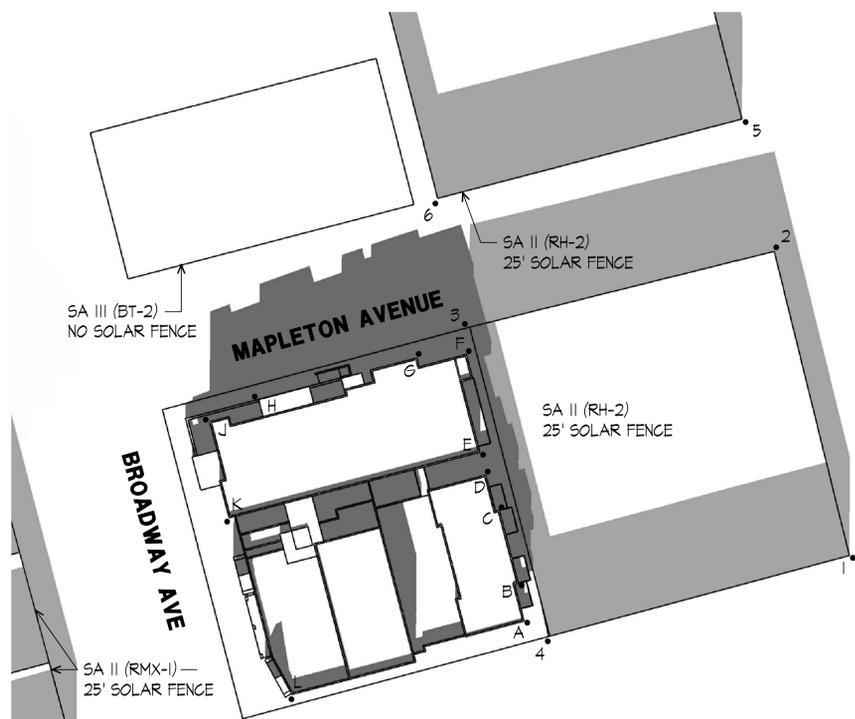
JUN 21 - 2:00 PM

4 SHADOW STUDY
A5.10 1" = 40'-0"
0 10 20 40 80 FEET
NORTH



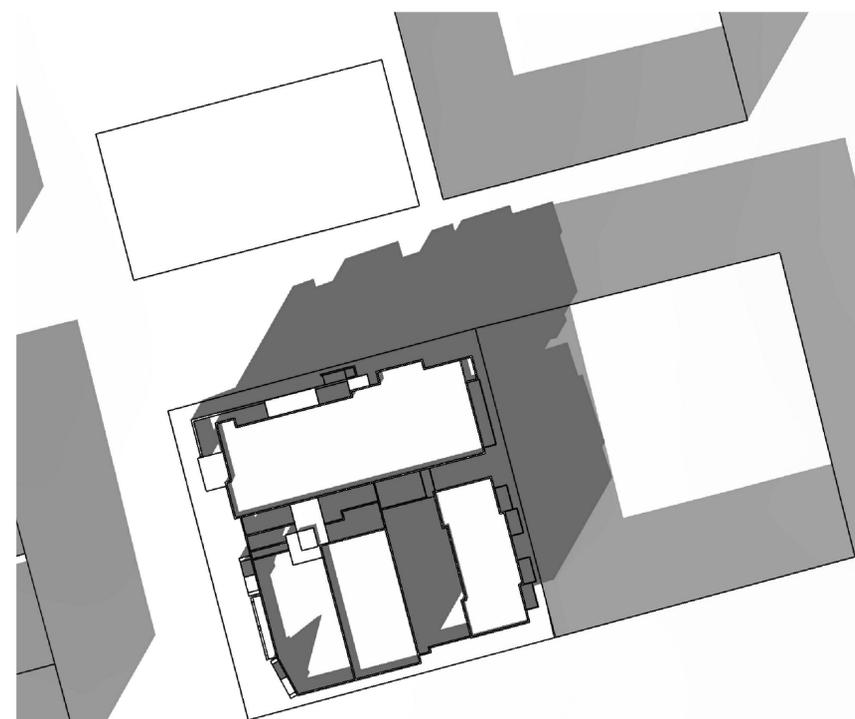
DEC 21 - 10:00 AM

3 SHADOW STUDY
A5.10 1" = 40'-0"
0 10 20 40 80 FEET
NORTH



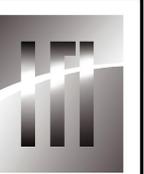
DEC 21 - 12:00 PM - LOCAL SOLAR NOON
LAT: 40.020892 NORTH
LONG: 105.280494 WEST

2 SHADOW STUDY
A5.10 1" = 40'-0"
0 10 20 40 80 FEET
NORTH



DEC 21 - 2:00 PM

1 SHADOW STUDY
A5.10 1" = 40'-0"
0 10 20 40 80 FEET
NORTH



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SHADOW STUDY

Sheet
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