



CITY OF BOULDER
PLANNING BOARD MEETING AGENDA
DATE: May 21, 2015
TIME: 6 p.m.
PLACE: 1777 Broadway, Council Chambers

1. CALL TO ORDER

2. APPROVAL OF MINUTES

The [April 16, 2015 Minutes](#) are scheduled for approval.

3. PUBLIC PARTICIPATION

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

- A. [Call Up Item: USE REVIEW to establish the 82 indoor seat, and 14 outdoor seat restaurant.](#) Case no. LUR2015-00020. Expires: May 30, 2015
- B. [Call Up Item: USE REVIEW to establish a restaurant within the Boulder Jaycee's Depot Building at 2366 Junction Pl.](#) Case no. LUR2015-00032. Expires May 30, 2015
- C. [Call Up Item: Approval of a Use Review for an Indoor Recreation Facility](#) located at 3012 and 3022 E, Sterling Circle LUR2015-00019. Expires May 30, 2015
- D. [Call Up Item: Wetland Permit \(LUR2015-00013\) Wonderland Creek Flood Improvements – Winding Trail to Foothills Pkwy.](#) Expires May 29, 2015
- E. [Call Up Item: Stark Subdivision \(TEC2015-00014\): FINAL PLAT to subdivide one existing lot located at 445 College Ave.](#) Expires June 1, 2015

5. PUBLIC HEARING ITEMS

- A. [Public Hearing and Recommendation to City Council on Acceptance of the Boulder Civic Area Master Plan](#)
- B. [Public Hearing and consideration of a recommendation to City Council concerning the disposal of park land \(permanent easement\) pursuant to City Charter Sec. 162, to be conveyed from the City of Boulder Parks and Recreation Department to the Boulder White Rock Ditch and Reservoir Company for the Wonderland Creek project](#)

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

- A. [Housing Boulder Update](#)
- B. [Staff briefing and Planning Board input regarding the Access Management and Parking Strategy](#)
- C. [Information Item: 2016 – 2021 Greenways Capital Improvement Program](#)
- D. [Information Item: Floodplain mapping revisions for Upper Goose Creek and Twomile Canyon Creek](#)

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
April 16, 2015
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, Chair
Bryan Bowen
Crystal Gray
John Gerstle
Leonard May
Liz Payton
John Putnam

PLANNING BOARD MEMBERS ABSENT:

None

STAFF PRESENT:

Hella Pannewig, Assistant City Attorney
Susan Meissner, Administrative Assistant III
Chandler Van Schaack, Planner I
Susan Richstone,
Coutland Heyser

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

3. PUBLIC PARTICIPATION

1. **Mike Marsh, 265 31st Street**, noted that the BVCP update will define the future of Boulder. Reach out to everyone in the community and be inclusive of residents who do not use email. He recommended that the city mail a survey to everyone. Dig deeply to assure that everyone has a voice in a defensible and scientific manner, not just a representative sample.

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

C. Gray thought that the staff memo and findings of fact accurately reflected the board's intention.

C. Gray moved, seconded by **L. Payton**. Passed 5-2. **J. Putnam** and **B. Bowen** opposed.

On a motion by C. Gray, seconded by L. Payton, the Planning Board voted 5-2 (B. Bowen and J. Putnam opposed) to find that application no. LUR2014-00090 fails to meet the requirements of the Boulder Revised Code, denies the application, and adopts the staff memorandum dated for the April 16, 2015 Planning Board meeting as findings of fact and conclusions of law.

7. ADJOURNMENT

The Planning Board adjourned the meeting at 9:41p.m.

APPROVED BY

Board Chair

DATE

JOINT STUDY SESSION

The Joint Study Session between the Boulder Planning Board and Boulder County Planning Commission was called to order at 6:14pm.

Introductions:

The board members and staff introduced themselves.

Staff Presentation:

L. Ellis, Pete Fogg and C. Hyser presented the item.

Board Questions:

Board members asked staff questions about the plan and process.

Board Feedback:

Following a presentation from city and county staff, the city Planning Board and county Planning Commission participated in an exercise to identify each member's top three topics for community engagement and issues. Following that exercise, the boards engaged in an open discussion of the Boulder Valley Comprehensive Plan 2015 Major Update. Both the results of the exercise and the subsequent discussion are summarized here.

Written Exercise Results

Staff asked the Planning Board and Planning Commission to provide feedback from their city or county perspective and note what is most important (i.e., "top three" topics for each) for:

1. Successful community engagement, and
2. Critical issues/topics the 2015 plan update to address.

The notes are grouped by themes below.

1—Community Engagement

General Engagement Ideas and Concerns

- What's still missing is a reason for people to participate
- Ask folks but also reflect what they say/suggest so they know they have been heard
- Aligning work/housing/transportation
- Identify and weigh various community objectives
- Make everyone aware that the comp plan exists... Rationalize and measure public feedback to distill/clarify where it is coming from and to get past most vocal to the unheard
- Provide contextual info regarding local/state/national trends to mitigate myopia

Groups and Demographics to Include

- Successful engagement reaches all ages, from children through the elderly, Incorporates scientific sampling, Is interesting enough to attract people's attention
- Community outreach – organizations, groups, schools, businesses
- Work with neighborhoods including mobile home parks, low income housing
- Consider reaching out to major Boulder Valley employers to set up/facilitate opportunities for those employees to engage
- Reach out to HOAs – see if they would host a visit
- Go to the people not normally digitally engaged. Go to the neighborhood scale and use those networks.
- Involve demographics not typically active in land use issues (e.g., young adults, non-native English speakers)
- Diverse input
- Sustained public engagement beyond the usual suspects
- Broad diverse public input
- Diverse representation
- Small groups, with diverse representation – cross pollination of ideas
- Direct outreach to underrepresented portions of the community
- Engage a broad cross section – requires innovative meeting exercises/formats. Consider field trips
- But – do not exclude groups with focus and expertise on Comp Plan
- Encourage some groups to hold meetings independent of staff

Methods

- Use traditional methods along with social media
- Absolutely suggest the idea of a city-wide poll on issues, as comprehensive and scientific as possible
- Identify means to evolve appropriate weight given to differing points of view
- Hands-on engagement so people can better understand impact of policies

- VISION engagements
- Continue city speakers program on planning topics
- Multiple collection methods
- Diverse tools
- Visual and engaging
- Tools that keep engagement
- Strong digital engagement and visibility
- Concern that if these are 15 different ways to give input we will get input from the same 30-40 people, just multiplied 15 times

2—Critical Issues and Topics

Presenting Information

- Vision – Imaging 3D urban form tool
- Showing land-use map changes and development over time – trending
- Clarify and illustrate the desired urban form for changing parts of the city – Written policy moving into visual representations – implementable actions
- Critical Topics: 3D, Urban Form, Demonstrating what growth looks like
- VISION issues
- Neighborhood mapping and area plans
- Be a document that is embraced by the community
- Enhanced visual tools (i.e., 3D, mapping, graphics)

Urban Form and Growth

- Reconcile growth with levels of service
- Decide if Hogan-Pancost should move to Area III
- Sustainable urban form – idea of regenerative improvement: what parts of the city are so good they cannot be allowed to change?
- Inform design guidelines where needed to get an outcome
- Critical topics: Land use map changes
- Give clear, regulatory guidance about development potential in infill areas of the city
- Growth
- Resolve long-standing ambiguity about parcels on the edge (e.g., Hogan-Pancost)
- Deciding on a desired urban form for areas of town that are likely to change
- Giving the community a chance to have a robust discussion about growth

Other Specific Topics

- Reconcile job growth with job types and housing and commercial space affordability
- Transit
- Community Diversity

- Energy: Solar, wind, water; natural gas? Transportation --how can this support resilience?
- Agriculture: Support local food production – both inside and outside urban centers. How does this affect energy? How does this support resilience? Does this support diversity?
- Diversity: Income; cultural; professional. How can this support resilience?
- Critical topics: Renew IGA soon.
- Begin work on IGA renewal ASAP.
- Identify ultimate population density (by area)
- Identify alternate transportation objectives by neighborhood
- Identify future public land uses by area
- Metrics/tracking
- Metrics on transit, affordable housing
- Resilience
- Addressing resiliency
- How to address jobs:housing imbalance
- Strengthening public understanding with strong visuals
- Housing – especially for younger and older segments of population (affordable and market rate)
- Tying policies and land use code clearly together. Should help de-politicize (to some degree) planning approval process
- Channel development to coincide with transportation infrastructure improvements.

Discussion Summary

Following the initial exercise to identify each board member's top priorities, the boards engaged in an open discussion of the Boulder Valley Comprehensive Plan 2015 Major Update. For this summary, comments from that discussion are grouped according to major themes that arose:

- Community Engagement
- Regional Context and Perspective
- Feedback on Foundations Tasks Underway
- Growth and Urban Form
- Presentation of the BVCP Document
- Issues to Address this Summer

Community Engagement

- Q: Is the public application process (both text and maps) going to be changed?
A: Staff has historically done a screening process to whittle down the applications to proposals relevant to the specific BVCP update cycle topics/criteria, which then goes to the four bodies for their further review and decision making. The Area III Planning Reserve application process was debated in the 2010 update, but was ultimately left unchanged. All of the applications are due and analyzed at the same time. For this update, the opening date for accepting 2015 applications is anticipated to be in August.

- There still isn't a reason for certain people to participate which could mean a risk that we will hear from the same people, just in 15 different ways. The topic of the "Comprehensive Plan" is perhaps a bit dry and not engaging. Perhaps meetings should instead be framed around relevant topics, such as building form or density that people really care about.
- Give residents of neighborhoods an overview of how staff/city identified and defined them, then have a conversation with the residents about their preferred identifying characteristics, topics/issues, and boundaries.
- Presenting the plan in a visual, quickly digestible way would help with public involvement and understanding the importance of the plan.
- Strive to engage a fuller range of the demographic spectrum that does not usually participate in BVCP updates (less affluent, ethnic minorities, elderly, the young, etc.) – they make and provide important contributions to our community.
- Reach out to organizations that already have relationships with hard-to-reach people rather than expecting staff to reach out to them directly.
- Remember that "the community" also includes county enclaves. How do we reach them?
- Try to capture input on these issues from the many ways that we are engaging the community in other projects—from other planning processes.
- Create an *affinity for interaction* (staff to public, diverse socioeconomic and ethnic groups, etc.) vs. *a fear or resistance to interaction*.
- Show how public input is actually being used and implemented vs. heard and recorded (but then vanishing). We need to provide information to people that they can relate to.
- Provide more on and off-line communication tools and connections to neighborhood/city maps – road trips, walking tours, computerized/Google Earth "fly throughs", build-out and redevelopment scenarios, etc.
- The "community" includes all those who regularly interact with Boulder, and not just those who live or own property in town.

Regional Context and Perspective

- Regional context is important (i.e., the Front Range and state)? Where do we track with these trends, and where are we divergent? "Our Vision" doesn't get set entirely by the boundaries of the Boulder Valley.
- Other communities in Boulder County are reaching their limits too (i.e., growth boundaries, services, infill/redevelopment, housing diversity, etc.). We have common issues like "what is density/what are its benefits and drawbacks?" It would be useful to share/exchange ideas about approaches to dealing with these topics.
- The regional context informs many of the problems we face, especially the things just beyond the edge of the BVCP planning area.
- It is important to look at the big picture, but also important not to let that dominate or overwhelm needs and desired vision/future of the Boulder Valley – need to balance carefully.
- Remember that the county's role in the update is important. County constituencies both within the Boulder Valley and beyond are affected by the city's actions.

Feedback on Foundations Tasks Underway

- Q: Will there be trends devoted to the acres consumed by various uses (e.g., informal parkland that gets uses in places like redeveloped schoolyards; while formal parkland is added elsewhere)?

A: Land use analysis will be a component of the foundations work. We will be meeting with Parks and Recreation staff to determine park-specific data and indicators for the trends snapshot.

- Consider how open space use has changed over the years (e.g., places with public access vs. open space saved for conservation).
- It may be interesting also to show the biodiversity of open space in terms of “non-human” use. Show progress and assess the value of open space in relation to human uses.
- Include statistics on parkland and energy use.
- Q: Is the idea of a 3D map of the city linked at all to the LIDAR mapping that is also going on?

A: Yes. There are many paths that could be taken to create a 3D model, both big and small in scope. The LIDAR data helps with mapping existing conditions.

- Spend some time with the Open Space/Other designations when doing the land use map clean up. This becomes a problem particularly when land use is not lot-based.

Growth and Urban Form

- The conversation about urban form is important even though the scope needs defining. It may be time to “bite the bullet” and really have these conversations. It will be difficult, but we should not shy away.
- We seem to have a growth management system that may be out-of-date and has been patched over time. Could there be a way to revise this system?
- Energy use/per capita energy use is an important part of the growth discussion. Need to address energy usage comprehensively. For example, the energy savings earned by smaller buildings/home designs can be negated by one larger building. Urban form issues (densities, areas of stability/areas of change) will also affect energy use and should be considered.
- Architecture and urban design excellence is something that should be elevated in our community. This doesn’t necessarily mean architecture micro-management, but it is something that should be addressed periodically.

Presentation of the BVCP Document

- Taking a graphics-driven approach is helpful. A document that is too text-heavy becomes hard to engage people. Expand the use of metrics to the extent possible.
- Integration with department master plans is a great idea. Continue working on this.
- There are aspirations in the comp plan without links to action items or implementation steps. Making the links more clear would be helpful.

- Don't be too constrained by the existing format and layout of the BVCP. There may be an opportunity to reorganize the document itself – “less can be more” in terms of comprehension and gaining interest/readership.

Issues to Address this Summer and Other Comments

- Send a BVCP update informational post card to everyone in the Boulder Valley.
- The discussion about an IGA renewal should happen sooner rather than later.
- Settle the two body vs. four body process issues raised in the 2010 update, and do it sooner rather than later (like the IGA renewal).
- The city and county need to continue working on better communication and coordination with each other about resilience issues. Where are we on developing unified/complementary plans, and what gaps or needs in resiliency planning and coordination already exist?
- Might it be possible to re-frame subcommunities with a slightly finer grain so as not to lump neighborhoods together that are, in fact, very different places? (This seems especially important in the central area.)
- Can we talk about urban gardening and food production? Should regulations or designations related to food production be changed?

DRAFT

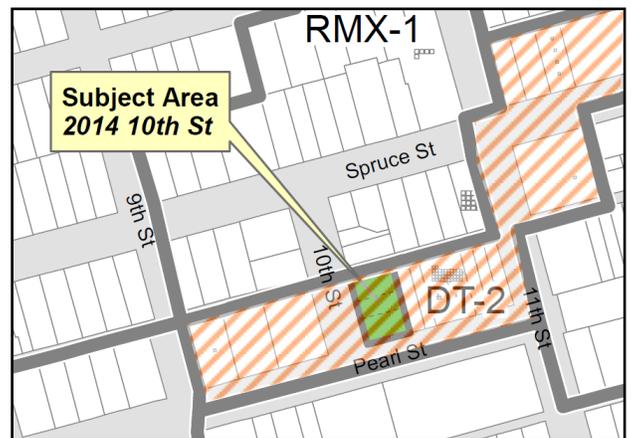
MEMORANDUM

TO: Planning Board
FROM: Elaine McLaughlin, Case Manager
DATE: May 12, 2015
SUBJECT: Call Up Item: USE REVIEW to establish the 82 indoor seat restaurant (previously not permitted – prior to Use Review requirement) and a 193 square foot outdoor patio in the front of the restaurant with 14 outdoor seats. Hours of operation from 10:00 a.m. to 10:00 p.m. seven days per week Reviewed under case no. LUR2015-00020.

Background.

The property is located within the DT-2 zoning district within the area known as the West End of Pearl Street in Downtown Boulder. It is also located within the Downtown Historic District. The DT-2 zoning district is defined in section 9-5-2, B.R.C. 1981 as follows:

“A transition area between the downtown and the surrounding residential areas where a wide range of retail, office, residential, and public uses are permitted. A balance of new development with the maintenance and renovation of existing buildings is anticipated, and where development and redevelopment consistent with the established historic and urban design character is encouraged.”



The existing restaurant has operated on the site for several years and prior to the requirement for a Use Review in this DT-2 zoning district location for restaurants over 1,000 square feet. Because the restaurant wasn't previously permitted, as is required today, and because of the desire to add the patio the Use Review is required. In addition, the applicant is required to obtain a revocable permit for the patio because it extends into the public right of way along the 10th Street sidewalk. The applicant also applied for, and received on April 23, 2015, a Landmark Alteration Certificate (LAC) for the patio and ornamental wrought iron fencing enclosing the patio.

Proposed Project. The proposed 193 square foot outdoor patio with 14 seats is planned to be located between two existing restaurant patios adjacent on either side of the Sushi Tora restaurant. Refer to the photo to the right that illustrates the proposed fence location. The applicant provided several sketches of the patio and the proposed wrought iron fencing that was approved through the LAC. The applicant intends to operate both the restaurant and patio from 10:00 a.m. until 10:00 p.m., seven days per week. Refer to [Attachment C](#) for the Applicant's Proposed Plans and Management Plan.



Analysis. The Use Standards of the Land Use Code section 9-6-1, B.R.C. 1981 require a Use Review for “restaurants, brewpubs and taverns that are over 1,000 square feet in floor area” to operate in the DT-2 zoning district. The application was found to be in conformance with the Use Review criteria of the Land Use Code section 9-2-15, B.R.C. 1981. **Attachment C** is provided of the Use Review Criteria checklist. As a result, a Notice of Disposition of Approval was issued by staff and provided in **Attachment A**.

Public Comment. Consistent with section 9-4-3, Public Notice Requirements, B.R.C. 1981, staff provided notification to all property owners within 600 feet of the subject location of the application, and a sign has been posted on the building by the applicant indicating the review requested. No comments were received regarding the application. Public notification was also sent to neighbors within 600 feet for a Good Neighbor Meeting which was held on May 4, 2015. There were no attendees from the public at the meeting.

Conclusion. Per section 9-4-2, B.R.C. 1981, applications for Use Review are subject to call up by the Planning Board. This proposal was approved by Planning and Development Services staff on **May 15, 2015** (see **Attachment A**) and the decision may be called up before Planning Board on or before **May 30, 2015**. There is one Planning Board meeting within the 14-day call up period, on **May 21, 2015**. Questions about the project or decision should be directed to Elaine McLaughlin at (303) 441-4130 or mclaughline@boulder.colorado.gov.

Attachments:

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





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 Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION:	APPROVED
PROJECT NAME:	SUSHI TORA RESTAURANT WITH PATIO
DESCRIPTION:	USE REVIEW (STANDARD) to establish the 82 indoor seat restaurant (previously not permitted) and an outdoor patio in the front of the restaurant with 14 outdoor seats. Hours of operation seven days per week from 10:00 a.m. to 10:00 p.m.
LOCATION:	2014 10TH ST
COOR:	N03W07
LEGAL DESCRIPTION:	See Exhibit A
APPLICANT:	Joe Simonet
OWNER:	SAX FAMILY, LLC
APPLICATION:	Use Review, LUR2015-00020
ZONING:	DT-2
CASE MANAGER:	Elaine McLaughlin
VESTED PROPERTY RIGHT:	NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.

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

Approved on: May 15, 2015
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: May 30, 2015

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 [or in compliance with the phasing plan]. Failure to "substantially complete" (as defined in Section 9-2-12) the development within three years [or in compliance with the phasing plan] shall cause this development approval to expire.

CONDITIONS OF APPROVAL

1. The Applicant shall ensure that the **development shall be in compliance with all plans and the management plan** prepared by the Applicant on April 17, 2015 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval. Further, the Applicant shall ensure that the approved use is operated in compliance with the following restrictions:
 - a. Size of the approved interior use shall be limited to 2,567 square feet on the interior with 82 interior seats; and 193 square feet on the patio with 14 exterior patio seats.
 - b. The approved interior and exterior use shall be closed from 10:00 p.m. until 10:00 a.m., seven days per week.
 - c. Trash and bottles shall not be removed to outside trash containers between the hours of 10:00 p.m. and 8:00 a.m.
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.

Exhibit A

Attached Legal Description

PARCEL I:

That portion of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 25, Township 1 North, Range 71 West of the 6th P.M., in the County of Boulder, State of Colorado, described as follows:

Beginning at a point on the North line of Pearl Street in the City of Boulder, whence the Southeast corner of Block 97, Original Town of Boulder, bears North $75^{\circ} 00'$ East, 300.00 feet, said point being the intersection of said North line of Pearl Street with the East line of Tenth Street; thence North $15^{\circ} 00'$ West, along the Easterly line of said Tenth Street, 140.00 feet; thence North $75^{\circ} 00'$ East, 50.00 feet; thence South $15^{\circ} 00'$ East, 140.00 feet; thence South $75^{\circ} 00'$ West, along the North line of Pearl Street, 50.00 feet to the place of beginning.

PARCEL II:

That portion of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 25, Township 1 North, Range 71 West of the 6th P.M., in the County of Boulder, State of Colorado, described as follows:

Commencing at a point on the North line of Pearl Street in the City of Boulder, whence the Southeast corner of Block 97, Original Town of Boulder, bears North $75^{\circ} 00'$ East, 180.00 feet; thence South $75^{\circ} 00'$ West, along the North line of Pearl Street, 30.00 feet to the Southwest corner of that tract of land conveyed to Orvel L. Gathers to Alfred H. Allen in Deed recorded July 13, 1950, in Book 866 at Page 145, and the true point of beginning; thence South $75^{\circ} 00'$ West along the North line of Pearl Street, 40.00 feet to the Southeast corner of that tract of land conveyed by Forrest C. Heath and Clara M. Heath to Orvel L. Gathers in Deed recorded March 5, 1948, in Book 775 at Page 304; thence North $15^{\circ} 00'$ West, along the Easterly line of said tract described in Book 775 at Page 304, a distance of 140.00 feet to the Northeast corner thereof, and the South line of the alley in said Block 97 extended; thence North $75^{\circ} 00'$ East, along the South line of said alley, 40.00 feet to the Northwest corner of said tract described in Book 866 at Page 145; thence South $15^{\circ} 00'$ East along the Westerly line of said tract described in Book 866 at Page 145, a distance of 140.00 feet to the true point of beginning, County of Boulder, State of Colorado.

USE REVIEW CRITERIA

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

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

The restaurant is located in the DT-2 zoning district and has operated in that location since prior to the requirement for a use review. The DT-2 zoning district is defined under section 9-5-2, B.R.C. 1981 as,

"A transition area between the downtown and the surrounding residential areas where a wide range of retail, office, residential, and public uses are permitted. A balance of new development with the maintenance and renovation of existing buildings is anticipated, and where development and redevelopment consistent with the established historic and urban design character is encouraged."

The existing restaurant has operated on the site for several years and prior to the requirement for a Use Review in this DT-2 zoning district location for restaurants over 1,000 square feet. Because the restaurant wasn't previously permitted, as is required today, and because of the desire to add the patio the Use Review is required. In addition, the applicant is required to obtain a revocable permit for the patio because it extends into the public right of way along the 10th Street sidewalk. The applicant also applied for, and received on April 23, 2015, a Landmark Alteration Certificate (LAC) for the patio and ornamental wrought iron fencing enclosing the patio.

√ **(2) Rationale:** The use either:

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

The restaurant is located within an existing retail building where other restaurants are also located, and within an area of the downtown that is highly walkable from surrounding neighborhoods. The ability walk, bike or bus to the restaurant is easily accomplished given the central location. The outdoor patio proposal will enhance the setting, providing an opportunity to dine outside during warmer days.

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

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

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

√ **(3) Compatibility:** The location, size, design, and operating characteristics of the proposed development or change to an existing development are such that the use will be reasonably compatible with and have minimal negative impact on the use of nearby properties or for

residential uses in industrial zoning districts, the proposed development reasonably mitigates the potential negative impacts from nearby properties;

The restaurant and patio are relatively small and are in the context of other restaurants with patios that integrate well into the existing urban context of West Pearl and 10th streets. The operating characteristics of the restaurant and patio are such that the hours of operations will have minimal impacts on the nearby residential.

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

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

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

The restaurant is existing and the addition of the patio area for the restaurant will enhance the character of the surroundings by providing outdoor seating adjacent to other restaurants on the same block.

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

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

Attachment C: Applicant's Management Plan and Project Plans

Written Statement:

This Land Use Review application is in reference to the addition of an outdoor patio in front of Sushi Tora at 2014 10th Street Boulder, CO 80302.

Existing Use of property:

Restaurant. DBA: Sushi Tora

Existing Floor Area of the Restaurant:

2,566.59 sq/ft RSF

2,190.11 sq/ft USF

Number of Indoor Seats:

BFD Seating Capacity: 49 North half (Sushi Bar Side)	Actual Seats: 42
BFD Seating Capacity: 57 South half (Café Side)	Actual Seats: 40
Total BFD Seating Capacity: 106	Total Actual Seats: 82

Hours of Operation: (Existing Restaurant)

Daily (Sunday–Saturday) 10:00am-10:00pm

Proposal:

Addition of 192.65 sq/ft outdoor patio in front of Sushi Tora Restaurant (2014 10th Street Boulder, CO 80302), in between the two existing outdoor patios in front of Zoe Mama (2010 10th Street Boulder, CO 80302) and PMG (2018 10th Street Boulder, CO 80302).

Number of additionally proposed outdoor seats:

8 North half (Sushi bar side)

6 South half (Café Side)

Total Additionally proposed seats: 14

Intended Use:

Outdoor seating for dine in guests of Sushi Tora restaurant during business hours.

Hours of Operation: (Proposed Outdoor Patio)

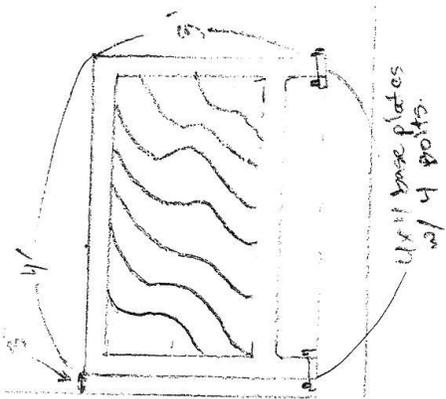
Daily (Sunday–Saturday) 10:00am-10:00pm

Revocable Lease:

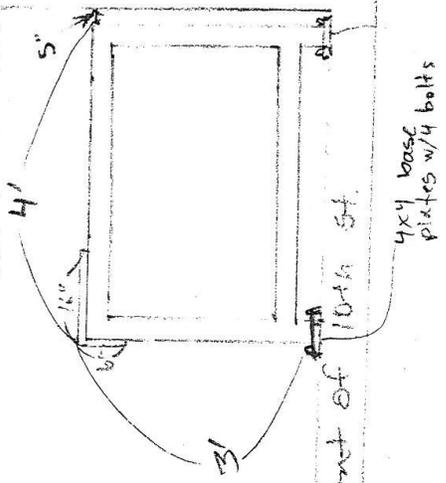
Property in question will require a revocable lease from the City of Boulder. Applicant acknowledges and accepts the terms and conditions subject to its use.

Side View
from North
2014 10th St.

* This portion of the patio currently exists. It is the Beehive patio next to Suskitorra.



This is the portion of the patio that we are constructing - generally constructed to match w/ Zoo existing next to Suskitorra.

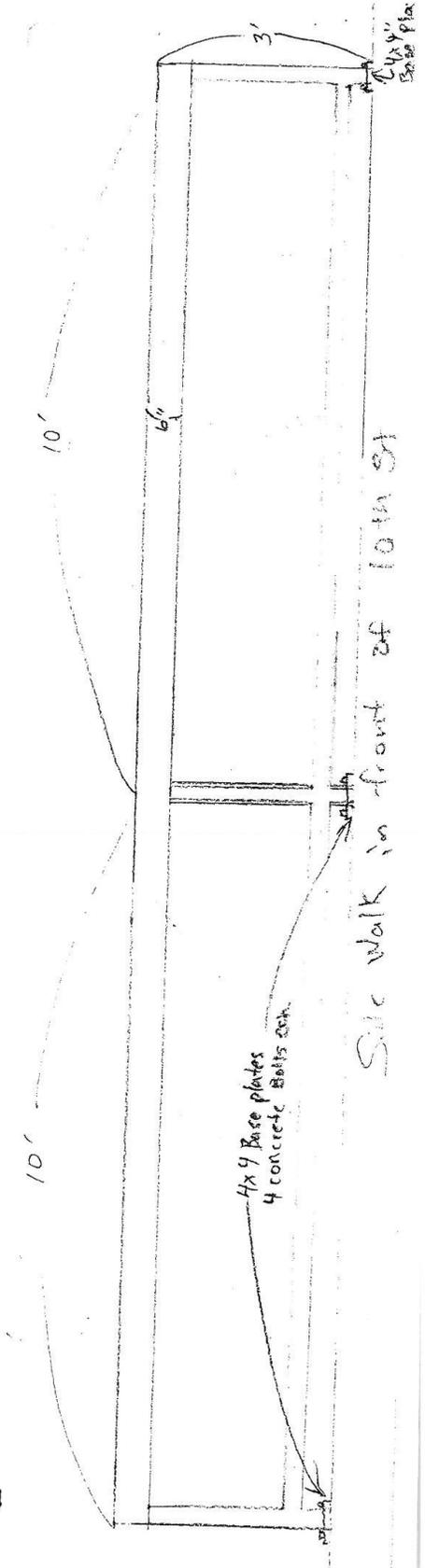


Side View
from South
2014 10th St.

EXHIBIT B Patio Rail Design

Side walk in front of 10th St.

Front View
from West



RECEIVED MAY 14 2014
PDS

MEMORANDUM

TO: Planning Board
FROM: Elaine McLaughlin, Case Manager
DATE: May 11, 2015
SUBJECT: Call Up Item: USE REVIEW to establish a restaurant within the Boulder Jaycee's Depot Building at 2366 Junction Pl. consisting of 3,115 sq ft on the main level, 3,306 sq ft on the lower level and 1,188 sq ft on the patio. The full service restaurant will serve three meals a day / seven days a week; it will be closed from 2:00 2:00 am to 7:00 am seven days per week, the patio area will close at 11:00 pm. The restaurant will have 188 interior seats and 85 exterior seats. Reviewed under case no. LUR2015-00032.

Background.

The property is located within the MU-4 zoning district and within Boulder Junction. As anticipated in both MU-4 and Boulder Junction, a vertical mix of uses is planned. The MU-4 zoning district is defined in section 9-5-2, B.R.C. 1981 as follows:

“Mixed Use - 4: Mixed use residential areas generally intended for residential uses with neighborhood-serving retail and office uses; and where complementary uses may be allowed. It is anticipated that development will occur in a pedestrian-oriented pattern, with buildings built up to the street.”

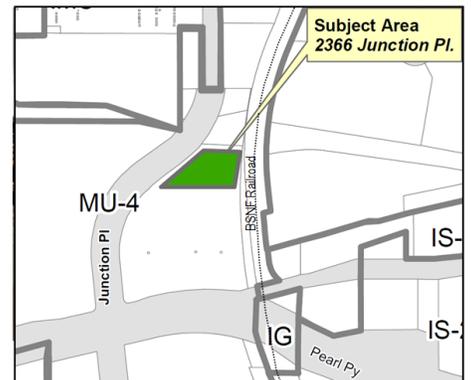
The proposed restaurant will occupy the Boulder Jaycees Depot Building that was relocated to the present site in 2008 to become a part of the urban plaza space within the overall Depot Square redevelopment, approved in Site Review in 2011.

The Depot Square development is located along the newly built Junction Place and adjacent to the newly constructed Goose Creek Bridge. It also includes the 150 room Hyatt Place Hotel, the RTD Bus Rapid Transit Facility, the Boulder Junction Access District (BJAD) parking structure and 71 permanently affordable apartments.

The depot building received a Landmarks Alteration Certificate (LAC) for rehabilitation of the structure in 2013 along with two subsequent LACs: one for a small exterior addition for the restaurant use in January 2015, and another for exterior landscape and plaza improvements in April 2015.

The Use Standards of the Land Use Code section 9-6-1, B.R.C. 1981 require a Use Review for “restaurants, brewpubs and taverns that are over 1,500 square feet in floor area” to operate in the MU-4 zoning district.

Proposed Project. The applicant is requesting approval of a Use Review to allow for a new restaurant within the depot. A previous Use Review was approved in 2011, but did not include the basement area of the restaurant that



Address: 2366 Junction Place

has since been upgraded. The restaurant includes a total of 188 interior seats and 85 exterior seats. Parking for the restaurant is part of the Boulder Junction Access District (BJAD) which provides parking both within the 300 space parking structure along with on-street parking on Junction Place and Pearl Parkway. Refer to **Attachment C** for *Applicant's Proposed Plan and Management Plan*.

Analysis. The application was found to be in conformance with the Use Review criteria of the Land Use Code section 9-2-15, B.R.C. 1981. **Attachment B** is provided of the consistency analysis with the Use Review Criteria checklist.

Public Comment. Consistent with section 9-4-3, Public Notice Requirements, B.R.C. 1981, staff provided notification to all property owners within 600 feet of the subject location of the application, and a sign has been posted on the building by the applicant indicating the review requested. There was one comment from a member of the public regarding this application. The email indicated concern that the patio not operate until 2:00 a.m. and that there not be outdoor music. The application was since modified to ensure closing at 11:00 p.m. for the patio with no outdoor music after that time as well.

Conclusion. Per section 9-4-2, B.R.C. 1981, applications for Use Review are subject to call up by the Planning Board. This proposal was approved by Planning and Development Services staff on **May 15, 2015** (see **Attachment A**) and the decision may be called up before Planning Board on or before **May 30, 2015**. There is one Planning Board meeting within the 14-day call up period, on **May 21, 2015**. Questions about the project or decision should be directed to Elaine McLaughlin at (303) 441-4130 or mclaughline@bouldercolorado.gov.

Attachments:

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



**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 Chapter 9-2, B.R.C. 1981, as applied to the proposed development.

DECISION: APPROVED WITH CONDITIONS
PROJECT NAME: DEPOT RESTAURANT
DESCRIPTION: USE REVIEW for a restaurant within the Boulder Jaycee's Depot Building consisting of 3,115 sq ft on the main level, 3,306 sq ft on the lower level and 1,188 sf on the patio. The full service restaurant will serve three meals a day / seven days a week starting; the restaurant will be closed from 2:00 am until 7:00 am seven days per week; the patio area will be closed at 11:00 pm. The restaurant will have 188 interior seats and 85 exterior seats.

LOCATION: 2366 JUNCTION PLACE
COOR: N04W03
LEGAL DESCRIPTION: Unit D, Depot Square, according to the Community Declaration thereof recorded on July 29, 2013 under Reception No. 03330983, and the Community Map thereof recorded on July 29, 2013, under 03330984, in the records of the Clerk and Recorder of the County of Boulder, State of Colorado

APPLICANT: Jim Bray
OWNER: City of Boulder, A Colorado Home Rule City
APPLICATION: Use Review, LUR2015-00032
ZONING: MU-4
CASE MANAGER: Elaine McLaughlin
VESTED PROPERTY RIGHT: NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.

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

Approved on: 5-15-15
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: May 30, 2015

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 plans** prepared by the Applicant on March 13, 2015 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval. Further, the Applicant shall ensure that the approved use is operated in compliance with the following restrictions:
 - a. Size of the approved interior use shall be limited to 6,425 square feet with 188 interior seats.
 - b. Size of the exterior patio use shall be limited to 1,190 square feet with 85 exterior patio seats.
 - c. The approved interior use shall be closed from 2:00 a.m. to 7:00 a.m., seven days per week and the approved exterior use shall be closed from 11:00 p.m. until 7:00 a.m. seven days per week. No outdoor music or entertainment shall be provided after 11:00 p.m.
 - d. Trash and bottles shall not be removed to outside trash containers between the hours of 10:00 p.m. and 8:00 a.m.
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(h), B.R.C. 1981.
3. The Applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following: the Development Agreement recorded at Reception No. 03330968 on July 29, 2013 in the records of the Boulder County Clerk and Recorder.

USE REVIEW CRITERIA

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

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

The depot building is located in the MU-4 zoning district that is defined under section 9-5-2, B.R.C. 1981 as,

"Mixed Use residential areas generally intended for residential uses with limited neighborhood serving retail and office uses. It is anticipated that development will occur in a pedestrian-oriented pattern, with buildings built up to the street; retail and office uses permitted on the first floor; and where complementary uses may be allowed."

The depot will be rehabilitated as part of the proposed project. With the desire for the depot to become an active use, one of the opportunities for the depot is to become a small restaurant or tavern. The use of the depot could serve the surrounding proposed (and future residential) as well as the broader Boulder Junction area and city. The depot building is located within the Boulder Junction Access District (BJAD) for parking that is proposed to provide 100 district parking spaces within the planned parking structure that can serve the depot building's use as a restaurant or tavern. There are also on-street parking spaces along with the adjacent RTD bus facility. Because there are anticipated alternating hours of use for the parking structure between commuters and hotel or restaurant guests, the parking for the depot restaurant will be accommodated

 √ (2) **Rationale:** The use either:

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

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

The proposed restaurant is planned to be located within an existing building, with some outdoor dining available. This use is an appropriate convenience for transit users, hotel visitors, and nearby planned residential and provides a compatible transition between the active transit facility and hotel, and the future residential and park.

 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;

Given the operating characteristics and the conditions of approval that are as follows, the use of the site as a restaurant will be compatible in the mixed use context of Depot Square.

Conditions: The Applicant shall ensure that the approved use is operated in compliance with the following restrictions:

- a. Size of the approved interior use shall be limited to 6,425 square feet on the interior with 188 interior seats; and 1,190 square feet on the patio with 85 exterior patio seats.
- b. The approved interior use shall be closed from 2:00 a.m. to 7:00 a.m., seven days per week and the approved exterior use shall be closed from 11:00 p.m. until 7:00 a.m. seven days per week. No outdoor music or entertainment shall be provided after 11:00 p.m.
- c. Trash and bottles shall not be removed to outside trash containers between the hours of 10:00 p.m. and 8:00 a.m.

With these conditions of approval required the impacts to the surroundings will be minimal.

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

The infrastructure for the 3.28 acre site as planned, including water, wastewater, storm drainage and streets, is intended to accommodate the use of the depot among the other uses planned on the site including the hotel, residential and transit facility.

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

The anticipated character of the area will enhance the existing setting. The opportunity to provide an active use in the depot building will contribute to the needed vitality of the new area.

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

Not applicable to this case (no conversion of residential to non-residential – the space to be used for a restaurant is an existing retail space.

Proposed use of buildings and land:

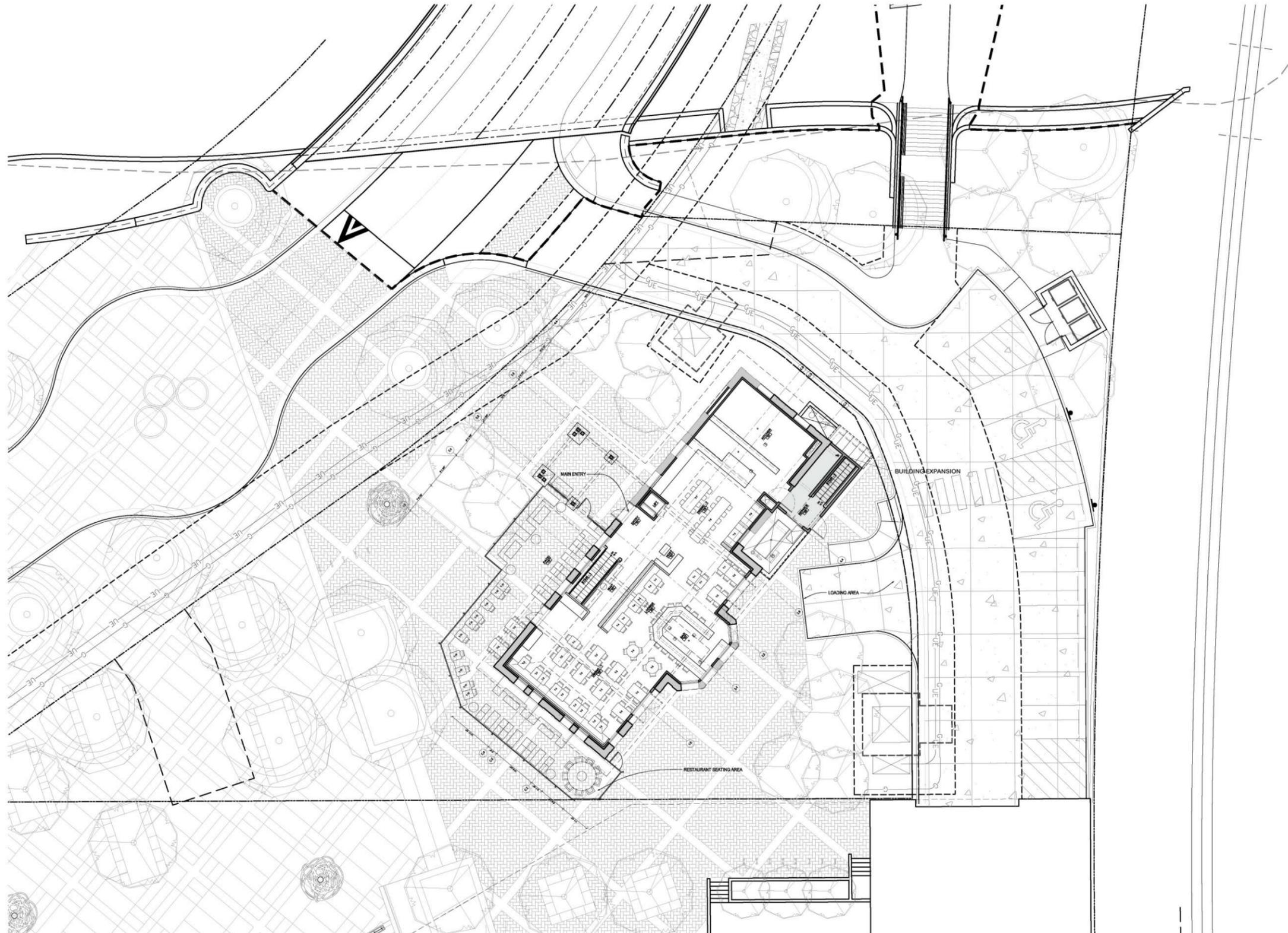
The proposed restaurant use within the
depot will provide access for the community
to once again use the building as a gathering
spot and fulfill a need for such service in the
surrounding area that now has new
apartments, a hotel and other new uses.

Hours of operation:

7am-2am seven days a week
patio to be closed at 11pm

Number of employees:
(Please indicate full and part time)

4-breakfast, 8-lunch, 12 - dinner



1 SITE PLAN
A1.1 1" = 10'-0"



DEPOT
BOULDER, CO

PROJECT NO.	201418
ISSUE DATE	2-20-15
REVISIONS	3-13-15
SHEET TITLE	
SITE PLAN	
SHEET NUMBER	

A1.1

ACCESSIBLE ACCESS CALCULATIONS

ALL TABLES TO CONFORM TO ANSI A117.1-2003 SECTION 902.2 & 902.3

REQUIRED ACCESSIBLE SEATING PER IBC 2009 SECTION 119.1.1.1

LOWER LEVEL DINING / LOUNGE / BAR = 48 SEATS x 0.05 = 3 SEATS

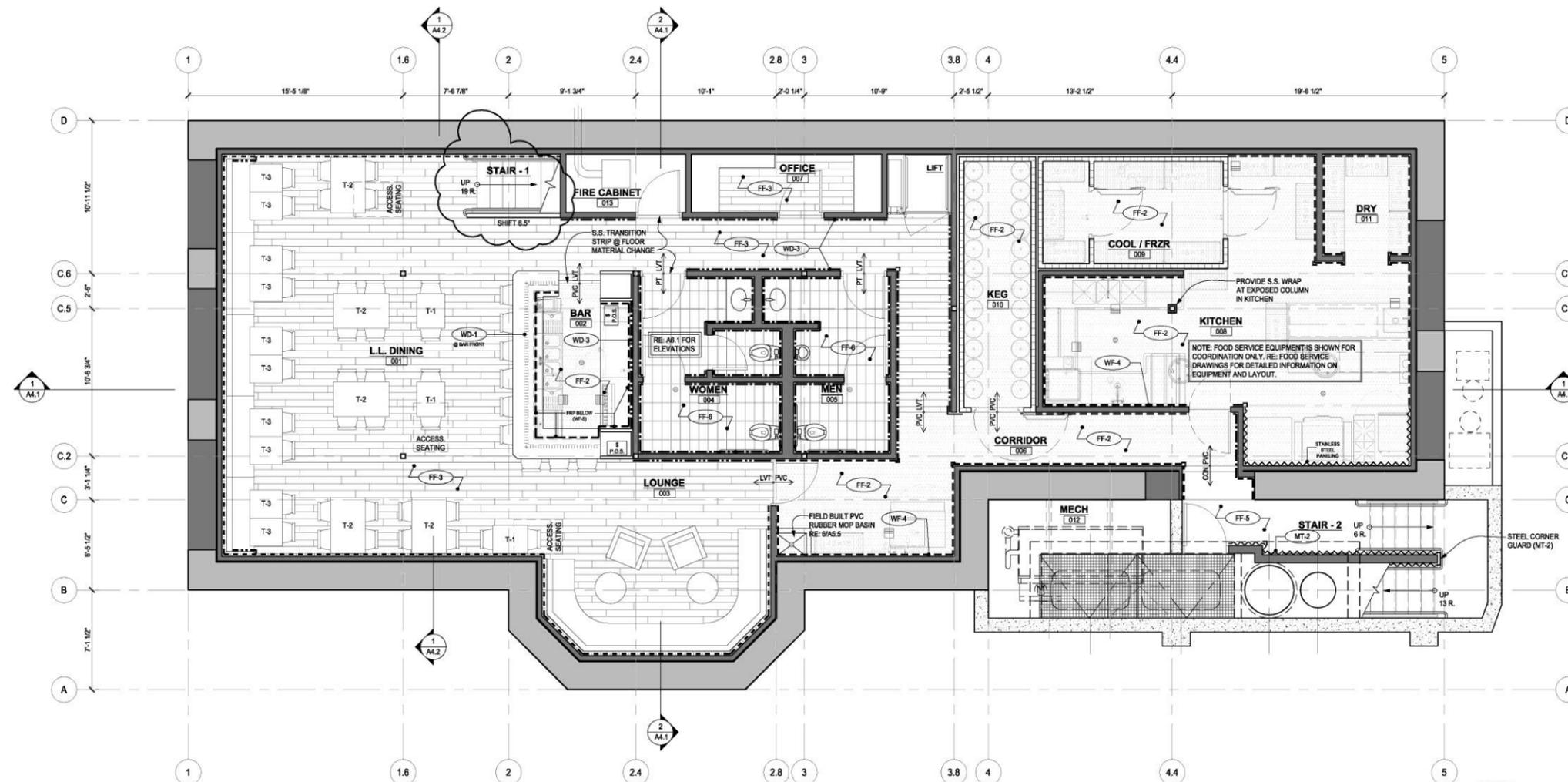
SEATING LEGEND

TABLE	DESCRIPTION	QUANTITY
T-1	24" x 30" FREESTANDING TABLE	3
T-2	30" x 48" FREESTANDING TABLE	5
T-3	24" x 30" F.S. BANQUET TABLE	10

NOTES:

- REFER TO A7.1 FOR TABLE SPECIFICATIONS
- VERIFY QUANTITY LISTED WITH TABLES SHOWN IN PLAN BEFORE ORDERING.
- *GAR PRODUCTS TELESCOPING COLUMN OR EQUAL.

WALL FINISH LEGEND		FINISH NOTES	
---	WALLS WITH FULL HEIGHT FRP PANELING USE FRP-2 UNLESS NOTED OTHERWISE	1.	INTERIOR WALL & CEILING FINISHES TO HAVE A FLAME SPREAD INDEX NOT GREATER THAN CLASS C AT ROOMS AND ENCLOSURES AND CLASS B AT CORRIDORS PER IBC(2009) TABLE 803.9
----	WALLS WITH WOOD PANELING-1: HEIGHT AS INDICATED ON INT. ELEV.	2.	INTERIOR FLOOR FINISHES AND FLOOR COVERING MATERIALS SHALL NOT BE LESS THAN CLASS II PER IBC(2009) SECTION 804.4.1.
----	WALLS WITH INTR. THIN-STONE VENEER: HEIGHT AS INDICATED ON INT. ELEV.	3.	COOLER WALLS TO HAVE A FLAME SPREAD INDEX OF NOT MORE THAN 75 AND A SMOKE-DEVELOPED INDEX OF NOT MORE THAN 450 PER IBC(2009) SECTION 2803.3.
----	WALLS WITH FULL HEIGHT STAINLESS STEEL PANELING	4.	G.C. TO COORDINATE LOCATION AND QUANTITY OF MENU HOLDERS, JACK STANDS & TRAY HOLDERS WITH OWNER.
----	WALLS WITH CERAMIC TILE: HEIGHT AS INDICATED ON INT. ELEV.		
----	WALLS WITH WOOD PANELING-2: HEIGHT AS INDICATED ON INT. ELEV.		
┌	FULL HEIGHT STAINLESS STEEL "L" CORNER GUARD.		
└	FULL HEIGHT STAINLESS STEEL "U" CORNER GUARD.		
FINISH KEY		SEATING SUMMARY	
WD	STRUCTURAL WOOD FLOOR (FF-1)	TYPE	SEATS
PVC	RUBBERIZED PVC FLOORING (FF-2)	LL DINING	
VT	LUXURY VINYL TILE (FF-3)	2-Tops	26
SC	SEALED CONCRETE (FF-4)	4-Tops	29
CON	CONCRETE (FF-5)	Total	46
PT	PORCELAIN TILE (FF-6)	BAR / LOUNGE	
		Stools	9
		Soft Seating	12
		2-Tops	0
		4-Tops	0
		Total	21
		TOTALS	67

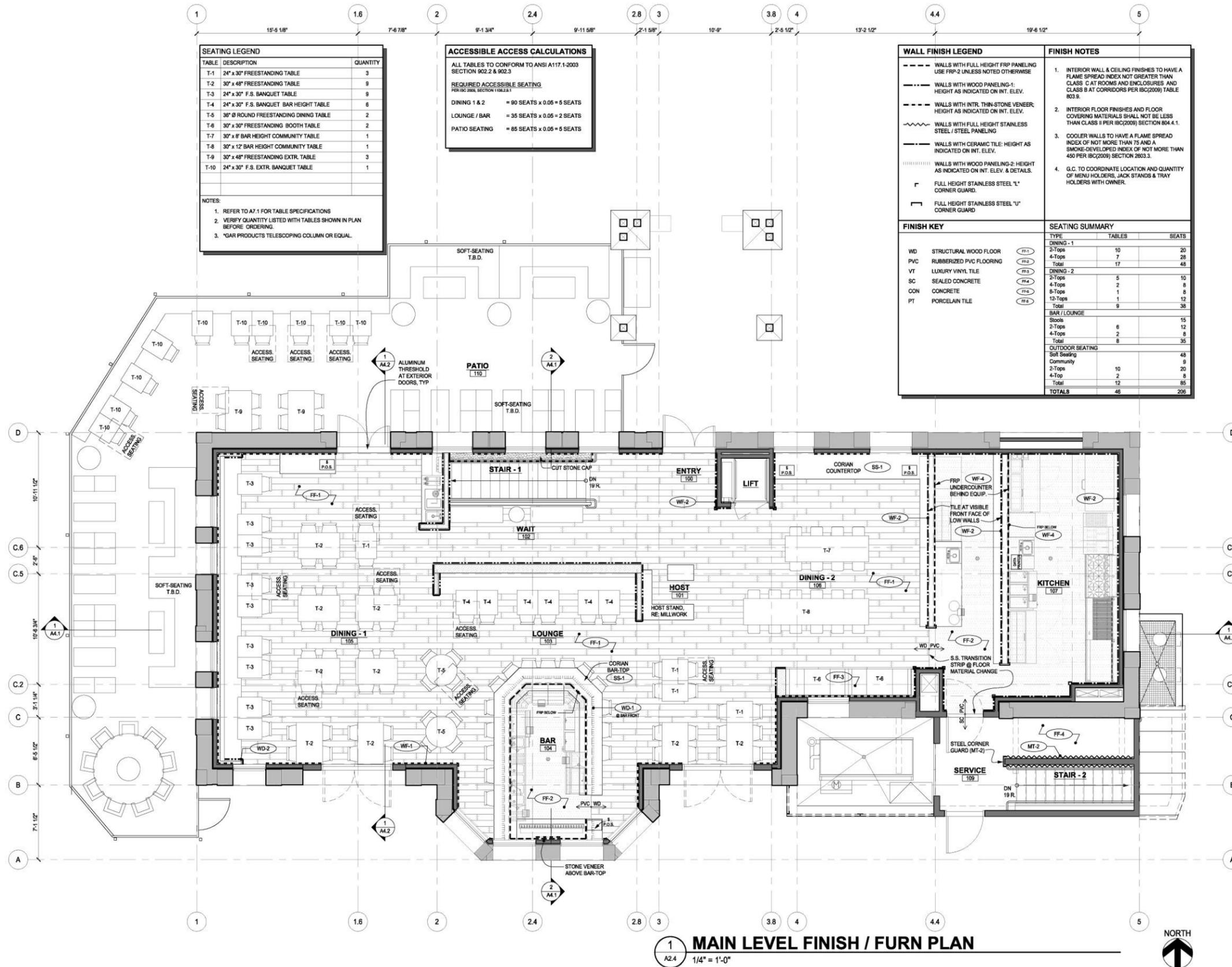


1 LOWER LEVEL FINISH / FURN PLAN
A2.3 1/4" = 1'-0" NORTH

PROJECT No: 201418
ISSUE DATE: 2-20-15
REVISION: 3-13-15

SHEET TITLE:
LOWER LEVEL FINISH / FURN PLAN

SHEET NUMBER:
A2.3



SEATING LEGEND

TABLE	DESCRIPTION	QUANTITY
T-1	24" x 30" FREESTANDING TABLE	3
T-2	30" x 48" FREESTANDING TABLE	8
T-3	24" x 30" F.S. BANQUET TABLE	8
T-4	24" x 30" F.S. BANQUET BAR HEIGHT TABLE	6
T-5	36" Ø ROUND FREESTANDING DINING TABLE	2
T-6	30" x 30" FREESTANDING BOOTH TABLE	2
T-7	30" x 8" BAR HEIGHT COMMUNITY TABLE	1
T-8	30" x 12" BAR HEIGHT COMMUNITY TABLE	1
T-9	30" x 48" FREESTANDING EXTR. TABLE	3
T-10	24" x 30" F.S. EXTR. BANQUET TABLE	1

NOTES:

- REFER TO A7.1 FOR TABLE SPECIFICATIONS
- VERIFY QUANTITY LISTED WITH TABLES SHOWN IN PLAN BEFORE ORDERING.
- *GAR PRODUCTS TELESCOPING COLUMN OR EQUAL.

ACCESSIBLE ACCESS CALCULATIONS

ALL TABLES TO CONFORM TO ANSI A117.1-2003 SECTION 902.2 & 902.3

REQUIRED ACCESSIBLE SEATING
PER ICC 206, SECTION 119.2.3.1

DINING 1 & 2 = 90 SEATS x 0.05 = 5 SEATS
LOUNGE / BAR = 35 SEATS x 0.05 = 2 SEATS
PATIO SEATING = 85 SEATS x 0.05 = 5 SEATS

WALL FINISH LEGEND

- WALLS WITH FULL HEIGHT FRP PANELING USE FRP-2 UNLESS NOTED OTHERWISE
- WALLS WITH WOOD PANELING-1: HEIGHT AS INDICATED ON INT. ELEV.
- WALLS WITH INTR. THIN-STONE VENEER: HEIGHT AS INDICATED ON INT. ELEV.
- WALLS WITH FULL HEIGHT STAINLESS STEEL / STEEL PANELING
- WALLS WITH CERAMIC TILE: HEIGHT AS INDICATED ON INT. ELEV.
- WALLS WITH WOOD PANELING-2: HEIGHT AS INDICATED ON INT. ELEV. & DETAILS.
- FULL HEIGHT STAINLESS STEEL "L" CORNER GUARD.
- FULL HEIGHT STAINLESS STEEL "U" CORNER GUARD.

FINISH NOTES

- INTERIOR WALL & CEILING FINISHES TO HAVE A FLAME SPREAD INDEX NOT GREATER THAN CLASS C AT ROOMS AND ENCLOSURES AND CLASS B AT CORRIDORS PER IBC(2009) TABLE 803.9.
- INTERIOR FLOOR FINISHES AND FLOOR COVERING MATERIALS SHALL NOT BE LESS THAN CLASS II PER IBC(2009) SECTION 804.4.1.
- COOLER WALLS TO HAVE A FLAME SPREAD INDEX OF NOT MORE THAN 75 AND A SMOKE-DEVELOPED INDEX OF NOT MORE THAN 450 PER IBC(2009) SECTION 2603.3.
- G.C. TO COORDINATE LOCATION AND QUANTITY OF MENU HOLDERS, JACK STANDS & TRAY HOLDERS WITH OWNER.

FINISH KEY

WD	STRUCTURAL WOOD FLOOR	(FF-1)
PVC	RUBBERIZED PVC FLOORING	(FF-2)
VT	LUXURY VINYL TILE	(FF-3)
SC	SEALED CONCRETE	(FF-4)
CON	CONCRETE	(FF-5)
PT	PORCELAIN TILE	(FF-6)

SEATING SUMMARY

TYPE	TABLES	SEATS
DINING - 1		
2-Tops	10	20
4-Tops	7	28
Total	17	48
DINING - 2		
2-Tops	5	10
4-Tops	2	8
8-Tops	1	8
12-Tops	1	12
Total	9	38
BAR / LOUNGE		
Stools		15
2-Tops	6	12
4-Tops	2	8
Total	8	35
OUTDOOR SEATING		
Soft Seating		46
Community		9
2-Tops	10	20
4-Top	2	8
Total	12	85
TOTALS	46	206

1 MAIN LEVEL FINISH / FURN PLAN
A2.4 1/4" = 1'-0" NORTH

BRAY Architecture, Inc.
1300-C Yellow Pine
Boulder, CO 80304

DEPOT
BOULDER, CO

PROJECT NO: 201418
ISSUE DATE: 2-20-15
REVISION: 3-13-15

SHEET TITLE:
MAIN LEVEL FINISH / FURN PLAN

SHEET NUMBER:
A2.4

MEMORANDUM

TO: Planning Board

FROM: Elaine McLaughlin, Case Manager

DATE: May 18, 2015

SUBJECT: **Call Up Item:** Approval of a Use Review for an Indoor Recreation Facility located at 3012 and 3022 E, Sterling Circle LUR2015-00019 for expansion of the Frequent Flyers Aerial Dance Studio into a space located in a building across the access drive from the existing studio, for a total of 6,727 square feet.

Attached is a Use Review disposition of approval for the proposed expansion of the Frequent Flyers Production, Inc., an aerial dance studio company currently located in the Valmont Industrial Park at 3022 E. Sterling Circle into a second space located in a separate building across the access drive from the existing studio, at 3022 E. Sterling Circle. Staff finds the application for the proposed expansion meets the Use Review criteria of section 9-2-15(e), B.R.C 1981.

The proposed project is located in the Industrial General, IG, zoning district and requires staff-level Use Review for a dance studio that is qualified as "indoor recreation facility" under Chapter 9-16, B.R.C. 1981. The types of permitted uses that are permitted by-right in an IG zoning district include small theaters rehearsal space, animal kennels, animal hospitals and veterinarians, printers/binders, manufacturing uses above and below 15,000 square feet, equipment repair, cleaning and laundry plants.



Background. In 2009, the dance studio was approved for a 3,944 square foot studio in 3022 E. Sterling Circle in the Valmont Industrial Park. The hours of operation were approved from 9:00 a.m. until 9:00 p.m. seven days per week, with classes at varying times within that window. The applicant is requesting additional studio space within the building located across the drive aisle in a



space that is 2,783 square feet, for a combined total studio space requested of 6,727 square feet. The relationship of the two spaces is shown in the aerial photo.

Management Plan. Staff approved the request for a total of 6,727 square feet of space that includes dance studio and offices for rehearsal and training functions, with no live performances held in the space. The following is the summary of the management plan which is provided in entirety in **Attachment C**:

- Hours of Operation: Offices will be open 9 am – 9 pm
- Employees: two full time; one ¾ time and three contractors
- Up to 5 classes per day at each facility including one-on-one lessons
- Maximum of up to 25 students per class, averaging 8.5.

Project Review. Staff finds the application meets the Use Review Criteria of section 9-2-15(e), B.R.C, 1981. Because the applicant has indicated that they will not be increasing the number of classes or students from the existing studio that was found to meet the criteria, the expanded space will also meet the Use Review criteria. Specifically addressing compatibility criteria, while there are no records of complaints in the past six years of operations on the site, staff requested a noise analysis to determine if any negative impacts would be created from noise or music from the new studio space. While noise levels for the IG zoning district are restricted to 80 dBA (decibels) with transition at the east property line to 55 dBA, the applicant provided the study (refer to **Attachment D**) summarized as follows:

Measurement	Location	LAeq
1	In the Dance Studio, all doors closed, approximately 15' in front of loudspeaker setup	77
2	At east property line (mobile home park)	47.8
3	Top of the adjacent stairwell to the southeast of the Dance Studio	53.4
4	Adjacent hallway to the south of the Dance Studio	45.5
5	Adjacent storage room directly west of the Dance Studio	51.1

The second measurement position 42' from the building's exterior wall, directly in front of the fence separating the property from the mobile home park. Because the Dance Studio has no exterior walls, the sound from the Studio was nearly inaudible at the property line, and the traffic from Valmont Road was the controlling noise source.

As found with the previous noise analysis, the noise levels are below both the maximum threshold for the IG zoning district as well as the adjacent residential district. Staff included a condition of approval that requires no live drumming that staff has found in previous cases caused dBA noise levels to rise significantly.

Parking: Between the two properties of 3012 and 3022 Sterling Circle there are 80 parking spaces available, along with approximately 100 on-street parking spaces on Sterling Circle. There are also existing bike racks for up to 12 bicycles on the exterior and additional bike storage within the studio spaces. Two RTD Bus Stops are located on Valmont Road serving the number 208 bus. Because the average number of students per class is eight to nine, according to the applicant, staff finds the parking to meet the specific Use Review criterion for infrastructure in the Land Use Code subsection 9-2-15(e)(4), B.R.C. 1981.

Public Comment: Public notification was sent to all of the 216 property owners within the San Lazaro Mobile Home Park as well as the other office tenants in the Valmont Industrial Park, and those across Valmont Road. There were no comments received on the proposed expansion of the aerial dance studio.

Conclusion. Staff finds that the proposed Use Review meets the relevant criteria pursuant to section 9-2-15, "Use Review," B.R.C. 1981. The proposal was **approved** by staff on **May 18, 2015** and the decision may be called up before Planning Board on or before **June 1, 2015**. There is one Planning Board hearing scheduled during the required 14 day call-up period on **May 21, 2015**. Questions about the project or decision should be directed to the Case Manager, Elaine McLaughlin at (303) 441-4130 or at mclaughline@bouldercolorado.gov

Attachments:

- A. Signed Disposition
- B. Use Review Criteria
- C. Floor Plan and Elevation
- D. Management Plan
- E. Sound Meter Analysis
- F. Decibel Level Reference Chart



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 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: **APPROVAL WITH CONDITIONS**
 PROJECT NAME: **3012 and 3022 E. STERLING CIRCLE USE REVIEW**
 DESCRIPTION: **USE REVIEW – 6,727 s.f. Indoor Recreational Facility
 (Frequent Flyers Productions, Inc. Aerial Dance Studio).**
 LOCATION: **3012 and 3022 E STERLING CR**
 COOR: **N05W01**
 LEGAL DESCRIPTION: **Lot 16 and Lot 17, Block 1, VALMONT INDUSTRIAL PARK,
 County of Boulder, State of Colorado**
 APPLICANT: **Phil McEvoy**
 OWNER: **Westland Development Services, Inc.**
 APPLICATION: **Use Review, LUR2015-00019**
 ZONING: **IG (Industrial – General)**
 CASE MANAGER: **Elaine McLaughlin**
 VESTED PROPERTY RIGHT: **NO; the owner has waived the opportunity to create such
 right under Section 9-2-19, B.R.C. 1981.**

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

Approved On: May 18, 2015
 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: June 1, 2015

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 plans** prepared by the Applicant on Feb. 17, 2015, and the management plan dated May 4, 2015 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval. Further, the Applicant shall ensure that the approved use is operated in compliance with the following restrictions:
 - a. The studio shall be closed from 9:00 p.m. to 9:00 a.m. seven days per week.
 - b. No live drumming shall be permitted.
 - c. No performances that exceed the allowed occupancy shall be permitted.
 - d. No outdoor speakers or outdoor amplified sound shall be permitted.
 - e. Except for entry, exiting, loading and unloading equipment, exterior doors shall remain closed at all times.
 - f. The use will be operated in conformance with all City of Boulder noise standards
2. The Applicant **shall not expand or modify the approved use**, except pursuant to subsection 9-2-15(e), B.R.C 1981, Use Review criteria.
3. The applicant shall **comply with all previous conditions** contained in any previous approvals, except to the extent that any previous conditions may be modified by this approval, including, but not limited to, the following: the Development Agreement recorded at Reception No. 3064255 on March 18, 2010 in the records of the Boulder County Clerk and Recorder.

Attachment B: USE REVIEW CRITERIA

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 Industrial General (IG) zoning district 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.”

A dance studio is qualified as an “indoor recreation facility” under the land use code Chapter 9-16, B.R.C. 1981 which requires staff-level Use Review for approval. The wide range of by-right uses in the IG zoning district include small theaters and rehearsal space, animal kennels, animal hospitals and veterinarians, printers/binders, manufacturing uses above and below 15,000 square feet, equipment repair, cleaning and laundry plants. The type of operating characteristics for the aerial dance company requires the use of very high ceiling spaces. Because Industrial spaces tend to have the ability to manage the types of equipment, such as a trapeze, the use is considered consistent with the purpose of the zoning district that recognizes “other complementary uses.”

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

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

✓ _____ (B) Provides a compatible transition between higher intensity and lower intensity uses;

The use of the industrial space as an aerial dance studio is a lower intensity use than could be placed on the site, such as a laundry plant, animal kennel or a manufacturing use. Given the context of the studio spaces adjacent to residential the studio spaces provide a compatible transition.

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

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

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

The nature of the studios are such that they will not change the exterior appearance of the buildings. The operating characteristics would have minimal impacts on the use of nearby offices or residential uses as the only potential impact could be from noise which was determined to not create impacts of noise that rises above either the 80 dBA decibel levels permitted in the IG zoning district or above the 55 dBA decibel levels permitted at the east property line interface with residential.

√ (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;

The Frequent Flyers Dance Company will be housed in two different spaces of two different buildings that already have infrastructure serving the buildings. With regard to streets and parking, between the two properties of 3012 and 3022 Sterling Circle there are 80 parking spaces available, along with approximately 100 on-street parking spaces on Sterling Circle. There are also existing bike racks for up to 12 bicycles on the exterior of the buildings and additional bike storage within the studio spaces. Two RTD Bus Stops are located on Valmont Road serving the number 208 bus. Because the maximum number of students per class, according to the applicant, is 25 and the average number of students per class is eight to nine, staff finds the parking to meet this Use Review criterion 9-2-15.

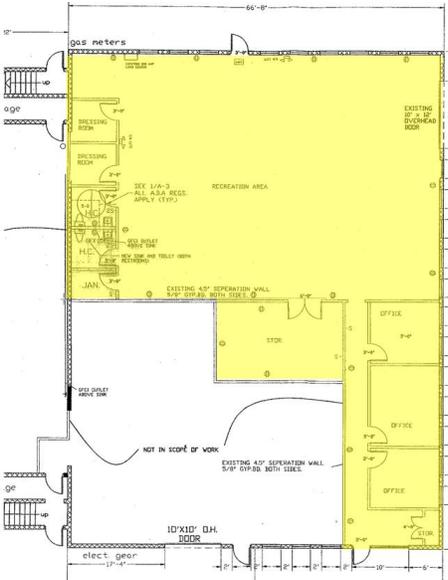
√ (5) **Character of Area:** The use will not change the predominant character of the surrounding area or the character established by adopted design guidelines or plans for the area;

The interior use will not change the predominate character of the surrounding area, which is that of an industrial office park, the Valmont Industrial Park.

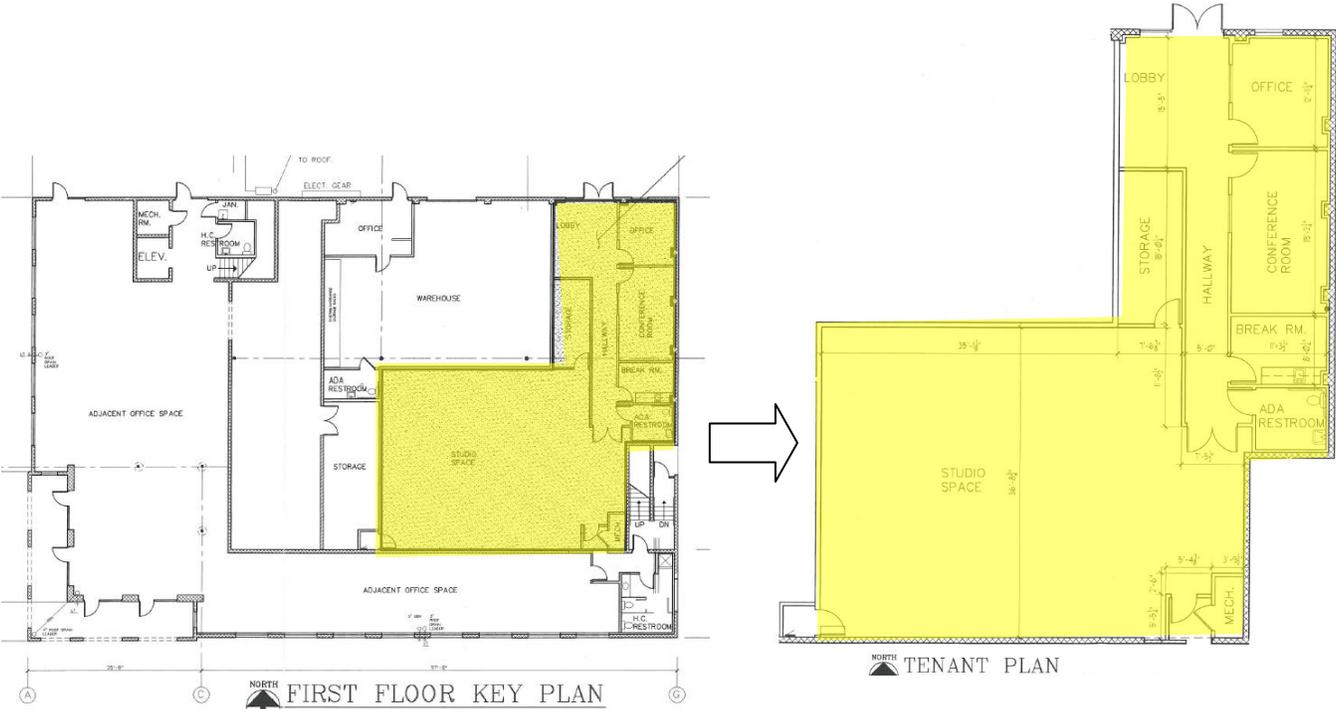
n/a (6) **Conversion of Dwelling Units to Non-Residential Uses:** There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts set forth in [Subsection 9-5-2\(c\)\(1\)\(a\)](#), B.R.C. 1981, to non-residential uses that are allowed pursuant to a 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, is not a conversion of dwelling units to non-residential uses.

3012 E Sterling Studio Floor Plan (PREVIOUSLY APPROVED STUDIO SPACE)



3012 E Sterling Studio Floor Plan (NEW ADDITIONAL SPACE)



ATTACHMENT D: Written Statement and Management Plan



May 4, 2015

To: City of Boulder Department of Planning

Dear Sir or Madam,

Frequent Flyers® Productions has signed a tentative 5-year lease, including 2,783 net square feet of demised premises located within 3012 E. Sterling Circle, Boulder, CO 80301, owned by Westland Development Corp. This letter outlines our planned activities for the rented space. We understand a Use Review approval is required.

Frequent Flyers® Productions is a 501(c)3, non-profit, aerial dance company. We currently rent from Westland Development at 3022 E. Sterling Cir., adjacent to the proposed new studio. We have been renting from Westland for 5+ years. Due to the demand of our business, we are seeking the additional studio to accommodate our rehearsals and classes. We anticipate up to 5 classes per day which includes 1 on 1 private lessons. The number of students per class ranges from 1 (private lessons) to a maximum of 25. The average is typically 8.5 students per class.

In 2009 we were approved for a Use Review for our current studio at 3022 E. Sterling Cir. and were approved. This approval allows for approximately 2,681 sq. ft. of dance studio space along with approximately 324 sq. ft. of dressing room, restroom and janitorial space. We also have 939 sq. ft. of associated office, storage and circulation area. For a total of 3,944 sq. ft. Our facility is located on Lot 16, Block 1 of the Valmont Industrial Park in a 12,299 sq. ft. building with 32 parking spaces available.

Due to the demand for our classes we would like to expand our approval to the adjacent site. Here are the planned activities for the new facility:

- Approximately 1,208 sq. ft. will be administrative offices, restroom, utility and storage space; 1,575 sq. ft. will be the rehearsal floor area. For a total area of 2,783 sq. ft.
- Hours of Operation: Offices will be open 9 am – 9 pm.
- Classes / rehearsals will not occur continuously and music / sound will not be played much of the time as instruction takes precedence over music. The nature of our classes and rehearsals requires tremendous concentration to ensure safety.
- Noise level, including music, will not exceed 55dB as measured from the outside of the building and at the east property line of the site. The nighttime decibel limits do not apply as music will only be played during the hours of operation. An updated sound test has been conducted for 3012 Sterling Circle, and is attached.

- Number of employees split between the two facilities' offices: two F/T Employees, one ¾ time employee, and 3 contractors (marketing, outreach, an education program mgmt.).
- We anticipate up to 5 classes per day at each facility which includes 1 on 1 private lessons. The number of students per class ranges from 1 (private lessons) to a maximum of 25. The average is typically 8.5 students per class. Parking will be on the street and in the spaces surrounding the building.

This location is adjacent to a bus stop on RTD Route 208 which provides transit options for employees and students who do not drive. Weekday studio activities will occur primarily from 9 AM to noon and 3:30 to 9 PM. Weekend activities will occur from 9 am to 4:30 PM on Saturdays, 3 PM – 8 PM on Sundays. The rehearsal floor area will be used to support performances that will continue to occur at the Dairy Center for the Arts and other venues, and class activities for professionals training for performances, as well as youth and adult participants. We anticipate an average of 9 people normally for rehearsals.

Thank you in advance for your advice on this matter.

Sincerely,

Nancy Smith
President
303-245-8272
frequentflyers@comcast.net

May 4, 2015

To: City of Boulder Department of Planning

Management Plan Summary
Frequent Flyers® Productions

- Hours of Operation: Offices will be open 9 am – 9 pm.
- Classes / rehearsals will not occur continuously and music / sound will not be played much of the time as instruction takes precedence over music. The nature of our classes and rehearsals requires tremendous concentration to ensure safety.
- Noise level, including music, will not exceed 55dB as measured from the outside of the building and at the east property line of the site. The nighttime decibel limits do not apply as music will only be played during the hours of operation. An updated sound test has been conducted for 3012 Sterling Circle and is attached.
- Number of employees split between the two facilities' offices: two F/T Employees, one ¾ time employee, and 3 contractors (marketing, outreach, an education program mgmt.).
- We anticipate up to 5 classes per day at each facility which includes 1 on 1 private lessons. The number of students per class ranges from 1 (private lessons) to a maximum of 25. The average is typically 8.5 students per class. Parking will be on the street and in the spaces surrounding the building. We will infrequently have up to 24 students from area schools that will be bussed to our facility.



1536 Ogden Street
Denver, CO 80218
www.dlaa.com
303.455.1900

April 30, 2015

Mr. Peter Aweida
Westland Development Services, Inc
1644 Conestoga St. #7
Boulder, Colorado 80301

RE: Aerial Dance Studio New Rehearsal Space Measurements (DLAA #15-083)

Dear Peter:

Below is a summary of the noise measurements we conducted Wednesday, April 29th, 2015, at the new Frequent Flyers Aerial Dance Studio location in Boulder, CO. Our measurements were taken to document the sound levels of the areas immediately surrounding the studio while a sound system was operating within the studio.

Procedure

There was no sound system installed in the new studio location, so the sound source consisted of two loudspeakers and an amplifier provided by D.L. Adams Associates. Pink noise was supplied to the amplifier, which was set at a volume slightly above the level expected to be used during practices in order to predict a worst-case scenario. This level was approximately the same as the in-studio level of our initial measurements conducted on October 30th, 2009 at the original Frequent Flyers location.

We measured the one minute A-weighted average sound pressure level, or LA_{EQ}, of the music track using a Type I sound level meter at five positions. We used a Larson Davis Model 831 (S/N 0001349) Type I Sound Level Meter. The microphone calibration was checked before and after the measurements, and was within +/- 0.3 dB range for acceptable calibration.

Results

Table 1 below lists the measurement locations and LA_{EQ} results for each location.

Mr. Peter Aweida
April 30, 2015
Page 2

Table 1: Measurement Location and Average Sound Levels

Measurement	Location	LA _{EQ}
1	In the Dance Studio, all doors closed, approximately 15' in front of loudspeaker setup	77
2	At east property line (mobile home park)	47.8
3	Top of the adjacent stairwell to the southeast of the Dance Studio	53.4
4	Adjacent hallway to the south of the Dance Studio	45.5
5	Adjacent storage room directly west of the Dance Studio	51.1

The second measurement position 42' from the building's exterior wall, directly in front of the fence separating the property from the mobile home park. Because the Dance Studio has no exterior walls, the sound from the Studio was nearly inaudible at the property line, and the traffic from Valmont Road was the controlling noise source.

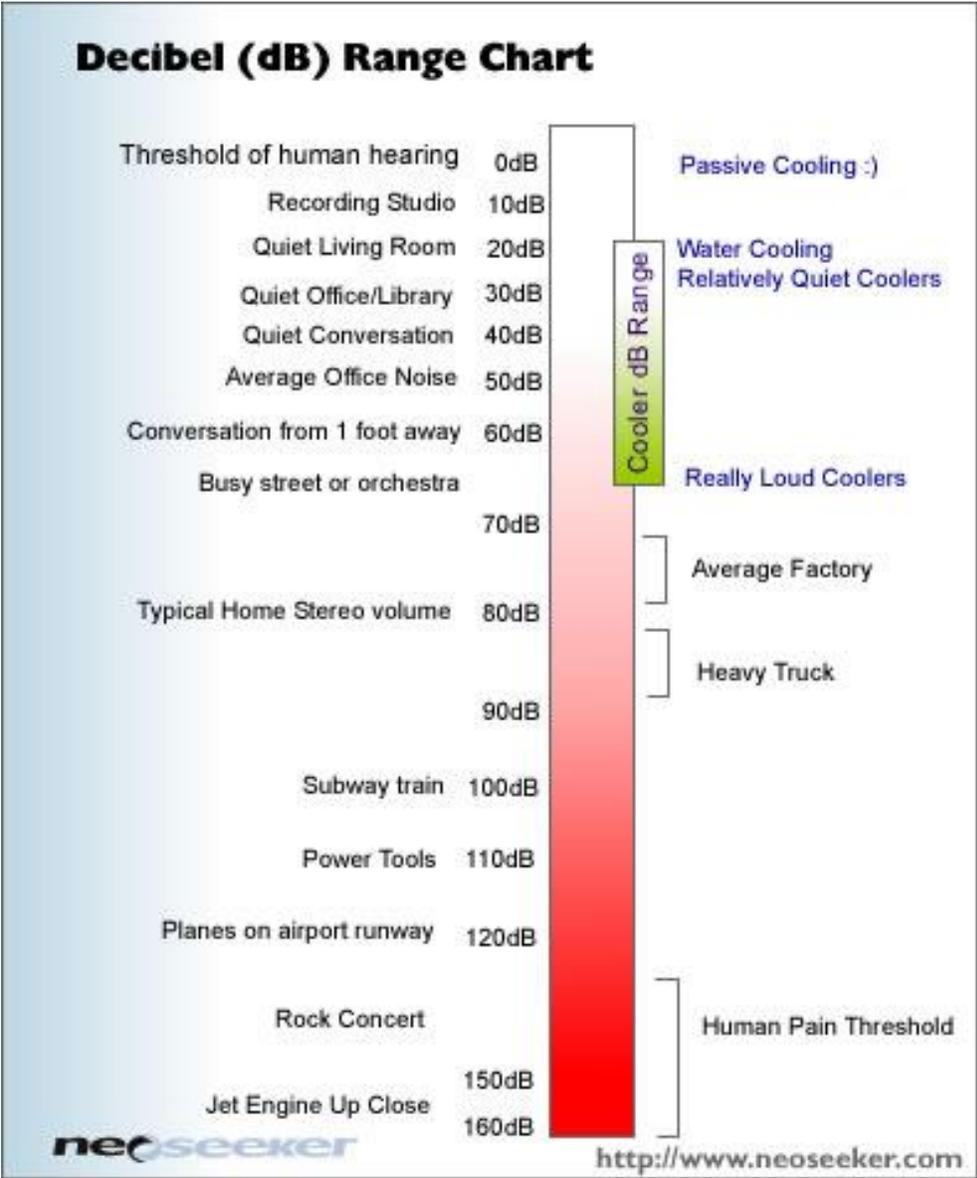
Please let us know if you have any questions.

Sincerely,



Ian Patrick
Staff Consultant

ATTACHMENT F: Decibel Level Reference Chart



MEMORANDUM

TO: Planning Board

FROM: Heidi Hansen, Floodplain and Wetlands Administrator

DATE: May 15, 2015

SUBJECT: **Call Up Item:** Wetland Permit (LUR2015-00013)
Wonderland Creek Flood Improvements – Winding Trail to Foothills
Pkwy

This decision may be called up before Planning Board on or before **May 29, 2015**

A wetland permit was approved by Public Works Development Review staff on May 15, 2015 for the pavement, trail stream channel, and flood improvements for Wonderland Creek from Winding Trail Village to Foothills Parkway.

The City of Boulder Greenways Department is applying for a standard wetland permit for major drainageway and flood control improvements along a reach of Wonderland Creek between Winding Trail Drive and Foothills Parkway to improve stream stability and flood conveyance and to protect public safety and property. Mitigation will be provided in the areas of impact. At least 2.01 acres, with 0.93 acres from restoration of temporary wetlands impacts, 0.65 acres of new wetlands creation as mitigation for the permanent wetlands (stream) impacts, and 0.43 acres of new wetlands creation for the mitigation of the permanent wetlands impacts will be established in the project area. The applicant has demonstrated that wetland impacts have been minimized and the project meets the requirements of the city's Stream, Wetlands and Water Body Protection ordinance.

The wetland permit was approved by Public Works Development Review staff on May 15, 2015 the decision may be called up before Planning Board on or before May 29, 2014. There is one Planning Board meetings within the 14 day call up period on May 21, 2015. A copy of the wetland permit and map of the project site is attached.

Questions about the project should be directed to the Floodplain and Wetlands Administrator, Heidi Hansen at 303-441-3273 or by e-mail at hansenh@bouldercolorado.gov.

Attachments:

- A. Wetland Permit



CITY OF BOULDER
Planning and Development Services

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
 phone 303-441-1880 • fax 303-441-4241 • web boulderplandevlop.net

Wetland Permit

Date Issued: 5/15/2015 **Expiration Date: May 14, 2018**
 (Pursuant to Subsection 9-3-9(k), B.R.C. 1981)

Permit Number: LUR2015-00013

Contact Information

KURT BAUER
 P.O. BOX 791
 BOULDER, CO 80306

Project Information

Location: 3440 HAYDEN PL
Legal Description: LOT 16 MEADOW WOOD & REPLAT & 4/80 INT TRACT A MEADOW WOOD
 R EPLAT & OUTLOTS B & C
Description of Work: Standard Wetland Permit: Pavement, trail, stream channel, and flood
 improvements for Wonderland Creek. Project improvements extend from
 Winding Trail Village to Foothills Parkway.

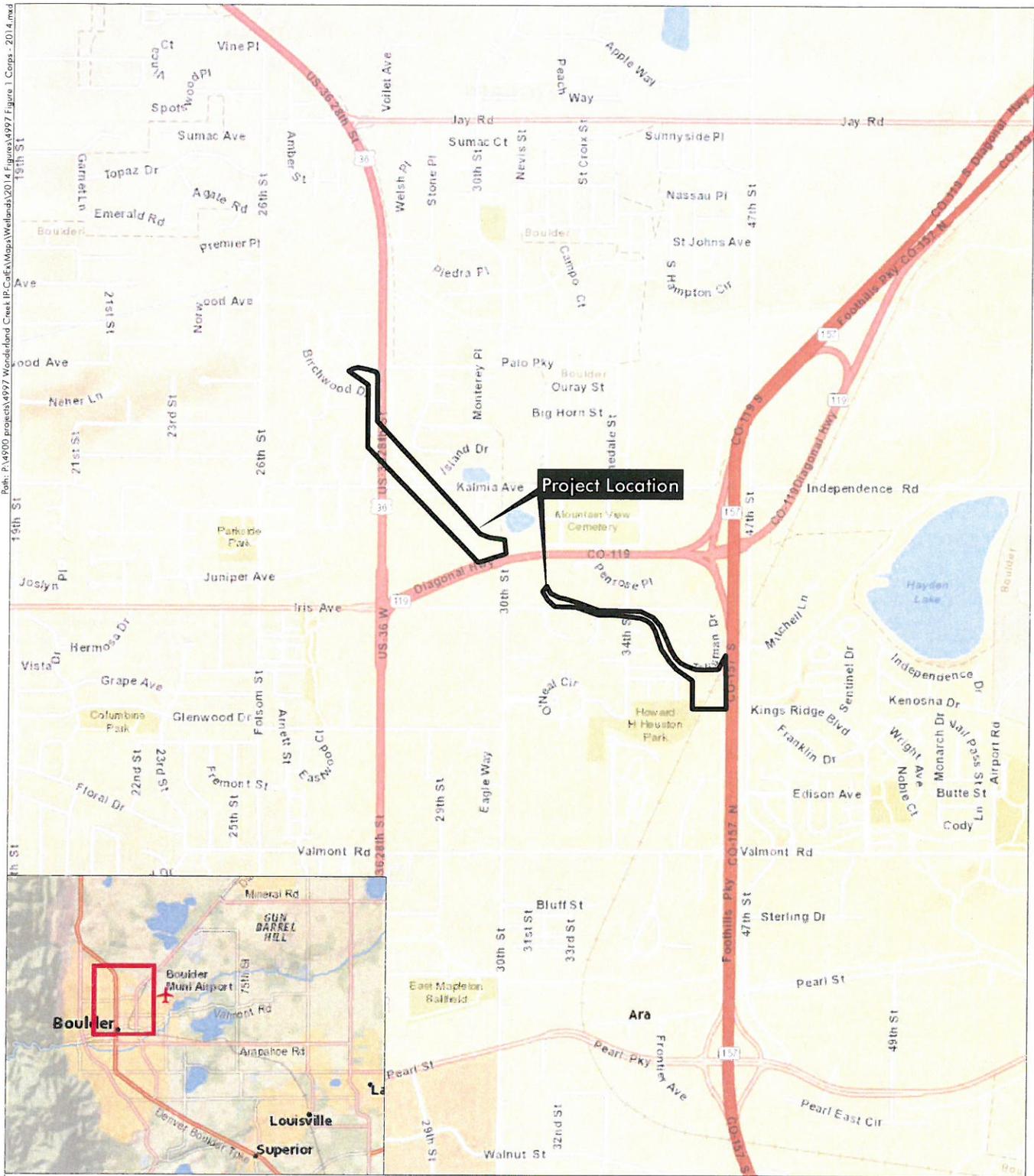
Conditions of Approval

- The proposed project/activity is approved on the basis that it satisfies applicable requirements of Chapter 9-3-9, "Wetlands Protection," Boulder Revised Code 1981. Other wetland requirements as set forth in Chapter 9-3-9 which are not specifically outlined in the conditions of approval below remain applicable to this project/activity.
- The improvements shall be constructed to minimize and mitigate impacts to the existing wetlands in conformance with the conditions of the City of Boulder Wetland Permit issued for this project.
- The applicant shall obtain a site inspection and approval from the City of Boulder Floodplain and Wetlands Coordinator upon completion of the projects.
- Monitoring reports will be submitted yearly and the site will be reviewed per the performance standards in the accepted Wetland Permit Application.

Inspections

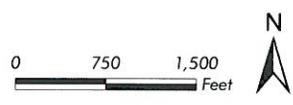
To schedule an inspection, call 303-441-3280 and refer to your permit number (LUR2015-00013).

- Wetland Mitigation Inspection
- Wetland Mitigation 2nd Year
- Wetland Mitigation 3rd Year
- Wetland Mitigation 4th Year
- Final Wetland Mitigation Insp



Wonderland Creek - Winding Trail Drive to Foothills Parkway
 Section 20, T1N, R70W; 6th PM
 UTM NAD 83: Zone 13N; 478400mE, 4431973mN
 Latitude, Longitude: 40.037707°N, 105.253186°W
 USGS Boulder and Niwot, CO Quadrangles
 Boulder County, Colorado

**Figure 1
 Vicinity Map**



Prepared for: Muller Engineering, Inc.
 File: 4997 Figure 1 Corps - 2014.mxd (WH)
 July 15, 2014



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MEMORANDUM

TO: Planning Board
FROM: Chandler Van Schaack, Case Manager
DATE: May 21, 2015
SUBJECT: **Call Up Item:** Stark Subdivision (TEC2015-00014): FINAL PLAT to subdivide one existing lot located at 445 College Ave. in the RL-1 zone district to create two new lots. The two new lots, Lot 1 (11,220 s.f.) and Lot 2 (27,354 s.f.), are intended to be developed separately as single family residences following the proposed subdivision. The call up period expires on **June 1, 2015**.

Attached is the disposition for the conditional approval (see [Attachment A](#)) for a review of the Final Plat for the proposed Stark Subdivision within the RL-1 (Residential- Low 1) zoning district. As indicated in [Attachment B](#), this approval will result in the replat of one existing lot to create two new residential lots, Lot 1 (11,220 s.f.) and Lot 2 (27,354 s.f.), both of which are intended to be developed separately as single family residences following the proposed subdivision. No modifications to the development code or minimum lot standards have been requested as a part of this application.

Process.

Due to the steep slope present on the rear (north) portion of the subject site, the proposed subdivision exceeds the limitations of a Minor Subdivision. Pursuant to Chapter 9-12, B.R.C. 1981, any proposed subdivision of land in a residential zone district which exceeds the limitations of a Minor Subdivision requires approval of a Preliminary and Final Plat. Pursuant to section 9-12-10, B.R.C. 1981, approval of a final plat is subject to call-up by the planning board. If the decision is not called up by the planning board then it will become final fourteen days after the date of the initial approval.

Background.

As shown above in [Figure 1](#), 445 College Ave. is located in Central Boulder near the western terminus of College Avenue. The property is zoned RL-1 (Residential- Low 1), which is defined as "Single-family detached residential dwelling units at low to very low residential densities" per section 9-5-2(c)(1)(A), B.R.C. 1981. The surrounding neighborhood is also zoned RL-1. Pursuant to section 9-8-1, Table8-1,

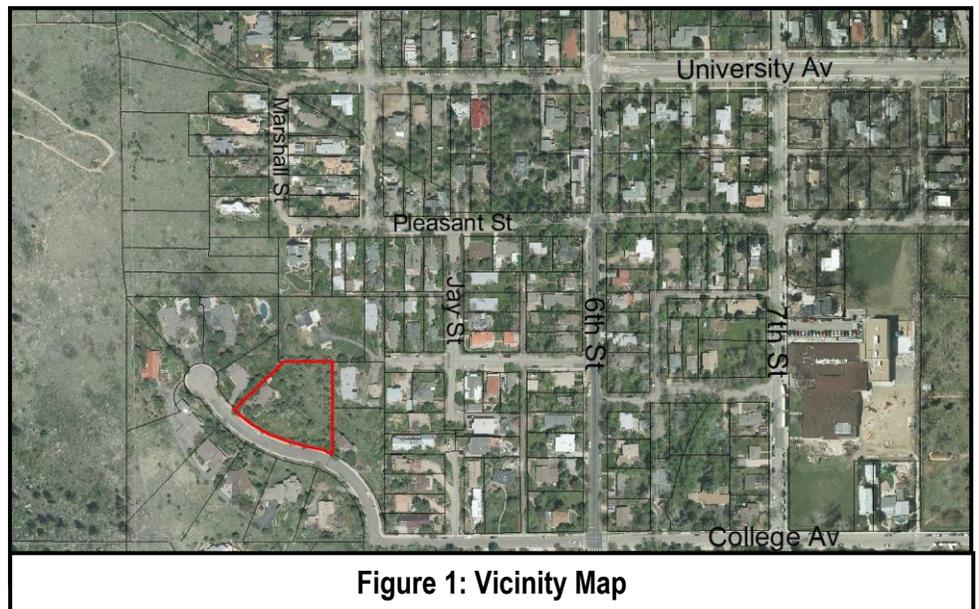


Figure 1: Vicinity Map

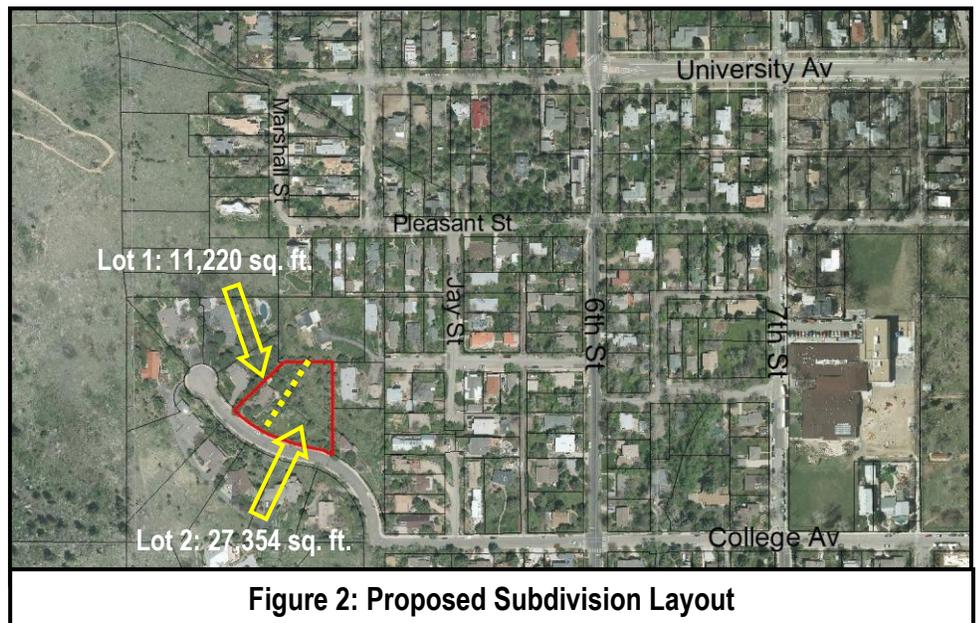


Figure 2: Proposed Subdivision Layout

Address: 445 College Ave.

“Intensity Standards,” the minimum lot area for the RL-1 zone district is 7,000 square feet; however, the lots located along College Ave. on this block range in size from approximately 14,700 square feet to 38,574 square feet.

The subject property totals 38,574 square feet (0.89-acres) in size and is currently undeveloped. As indicated above, the proposed subdivision will result in two new residential lots: Lot 1 (11,220 s.f.) and Lot 2 (27,354 s.f.), both of which are intended to be developed separately as single family residences following the proposed subdivision (See **Figure 2** above for the proposed subdivision layout). New single family residences will be required to comply with the city’s compatible development standards, solar shadow requirements and the residential energy code.

Analysis / Conclusion.

Staff finds that this application is consistent with the intent of the Subdivision standards found in Chapter 9-12, B.R.C. 1981 and meets all applicable Final Plat criteria set forth in section 9-12-8(b), B.R.C. 1981. Both of the new lots will exceed the minimum lot size required by the RL-1 zone district (7,000 square feet).

Public Comment and Process:

The 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 9-4-2, B.R.C. 1981 have been met. Staff has not received any comments regarding the proposed subdivision.

This proposal was approved by Planning and Development Services staff on May 18, 2015, and the decision may be called up before Planning Board on or before **June 1, 2015**. There is one Planning Board meeting within the 14-day call up period on **May 21, 2015**. Questions about the project or decision should be directed to Chandler Van Schaack at (303) 441-3137 or vanschaackc@bouldercolorado.gov.

Attachments:

- A. Signed Disposition
- B. Approved Final Plat for Stark Subdivision
- C. Staff’s Analysis of Lot Standards for Subdivision



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 • 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, B.R.C. 1981, as applied to the proposed development.

DECISION: **Approved with Condition**
 PROJECT NAME: **Stark Subdivision**
 DESCRIPTION: **Final Plat to subdivide one 0.885-acre lot to create two new residential lots: Lot 1 (11,220 s.f.) and Lot 2 (27,354 s.f.).**
 LOCATION: **445 College Ave.**
 COOR: **N02W07**
 LEGAL DESCRIPTION: **Lots 11, 12, and 13, Kecoughtan Hills, City of Boulder, County of Boulder, State of Colorado**
 APPLICANT: **Stephen Sparr**
 OWNER: **George Stark and Stephanie Stark**
 APPLICATION: **TEC2015-00014**
 ZONING: **RL-1**
 CASE MANAGER: **Chandler Van Schaack**

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

Approved On: _____

Date

5.18.15

By: _____

David Driskell, Executive Director of Community Planning & 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: _____

6.1.15

Final Approval Date: _____

6.2.15

1. The subdivision is approved subject to the terms of the Subdivision Agreement.

Section 9-12-8, "Final Plat," B.R.C. 1981

- (a) A final plat may be submitted at the same time as a preliminary plat.

The Preliminary and Final Plat applications were submitted concurrently.

- (b) In order to obtain city manager review of a final plat, the subdivider shall submit a final plat that conforms to the approved preliminary plat, includes all changes required by the manager or the planning board, and includes the following information:

- (1) A map of the plat drawn at a scale of no less than one inch equals one hundred feet (and of a scale sufficient to be clearly legible) with permanent lines in ink and whose outer dimensions are twenty-four inches by thirty-six inches on a reproducible Mylar sheet (maps of two or more sheets shall be referenced to an index placed on the first sheet);

Standard met.

- (2) A one inch equals one hundred feet reduction of the plat;

Standard met.

- (3) The title under which the subdivision is to be recorded;

Standard met.

- (4) Accurate dimensions for all lines, angles and curves used to describe boundaries, public improvements, easements, areas to be reserved for public use and other important features. (All curves shall be circular arcs and shall be defined by the radius, central angle, tangent, arc and chord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field that must balance and close within a limit of one in ten thousand. No final plat showing plus or minus dimensions will be approved.);

Standard met.

- (5) The names of all abutting subdivisions, or, if the abutting land is unplatted, a notation to that effect;

Standard met.

- (6) An identification system for all lots and blocks and names for streets;

Standard met.

- (7) An identification of the public improvements, easements, parks and other public facilities shown on the plat, a dedication thereof to the public use and areas reserved for future public acquisition;

Standard met.

- (8) The total acreage and surveyed description of the area;

Standard met.

- (9) The number of lots and size of each lot;

Standard met.

- (10) Proposed ownership and use of outlots;

Not Applicable, as no outlots are included.

- (11) A designation of areas subject to the one-hundred-year flood, the estimated flow rate used in determining that designation, and a statement that such designation is subject to change;

Not applicable, as the property is not within a floodplain.

- (12) A description of all monuments, both found and set, that mark the boundaries of the property and a description of all control monuments used in conducting the survey;

Standard met.

- (13) A statement by the land surveyor that the surveyor performed the survey in accordance with state law;

Standard met.

- (14) A statement by the land surveyor explaining how bearings, if used, were determined;

Standard met.

- (15) The signature and seal of the Colorado registered land surveyor;

Standard met.

- (16) A delineation of the extent of the one hundred year floodplain, the base flood elevation, the source of such delineation and elevation and a statement that they are subject to change;

Not applicable, as the property is not within a floodplain.

- (17) The square footage of each lot;

Standard met.

(18) Certification for approval by the following:

(A) Director of planning,

Standard met.

(B) Director of public works and utilities,

Standard met.

(C) Director of parks and recreation, if park land is dedicated on the plat, and

Not applicable

(D) Director of real estate and open space, if open space land is dedicated on the plat;

Not Applicable

(19) Signature blocks for all owners of an interest in the property; and

Standard met.

(20) A signature block for the city manager's signature.

Standard met.

(c) The subdivider shall include with the final plat:

(1) Engineering drawings, certified by a professional engineer registered in the State of Colorado, for proposed public and private utility systems meeting the requirements of the City of Boulder Design and Construction Standards;

Standard met.

(2) An update to the preliminary title report or attorney memorandum based upon an abstract of title current as of the date of submitting the plat;

Standard met.

(3) Covenants for maintenance of private utilities or improvements, as prescribed by subsection 9-12-12(c), B.R.C. 1981;

Standard met.

- (4) Copies of documents granting any easements required as part of the plat approval, the county clerk and recorder's recording number and proof of ownership of the property underlying the easement satisfactory to the city attorney;

Standard met.

- (5) Evidence that adequate utility services, including electrical, natural gas, telephone and other services, are provided for each lot within the subdivision; and

Standard met.

- (6) Agreements with ditch companies, if needed.

Not Applicable.

Section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981

Section 9-12-12, "Standards for Lots and Public Improvements," B.R.C. 1981 includes all of the substantive regulatory requirements that need to be met in order to have an approvable final plat. The proposed subdivision meets all of the standards set forth in Section 9-12-12, B.R.C. 1981. Below is a summary of the staff findings on each of the standards.

(a) Conditions Required: Except as provided in subsection (b) of this section, subdivision plats shall comply with section 9-9-17, "Solar Access," B.R.C. 1981, and meet the following conditions:

- (1) Standards for Lots: Lots meet the following conditions:

- (A) Each lot has access to a public street.

Standard met. Both of the proposed new lots will front onto College Ave.

- (B) Each lot has at least thirty feet of frontage on a public street.

Standard met.

- (C) No portion of a lot is narrower than thirty feet.

Standard met.

- (D) Lots meet all applicable zoning requirements of this title and section 9-9-17, "Solar Access," B.R.C. 1981.

Both of the proposed new lots meet the 7,000 s.f. minimum lot size requirement for the RL-1 zone district, with Lot 1 being 11,220 square feet and Lot 2 being 27,354 square feet, respectively. Any new development on the new lots will be subject to compatible development standards, including Solar Access standards. Standard met.

(E) Lots with double frontage are avoided, except where necessary to provide separation from major arterials or incompatible land uses or because of the slope of the lot.

Standard met. Both lots will front on College Ave. only.

(F) Side lot lines are substantially at right angles or radial to the centerline of streets, whenever feasible.

Standard met.

(G) Corner lots are larger than other lots to accommodate setback requirements of section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981.

Not applicable, as neither of the proposed lots will be a corner lot.

(H) Residential lots are shaped so as to accommodate a dwelling unit within the setbacks prescribed by the zoning district.

Standard met. Both of the proposed new lots are large enough to accommodate the setback requirements of section 9-7-1.

(I) Lots shall not be platted on land with a ten percent or greater slope, unstable land, or land with inadequate drainage unless each platted lot has at least one thousand square feet of buildable area, with a minimum dimension of twenty-five feet. The city manager may approve the platting of such land upon finding that acceptable measures, submitted by a registered engineer qualified in the particular field, eliminate or control the problems of instability or inadequate drainage.

Standard met. The applicant has demonstrated that each of the new lots is not unstable, and that each lot has at least one thousand square feet of buildable area.

(J) Where a subdivision borders an airport, a railroad right-of-way, a freeway, a major street, or any other major source of noise, the subdivision is designed to reduce noise in residential lots to a reasonable level and to retain limited access to such facilities by such measures as a parallel street, a landscaped buffer area, or lots with increased setbacks.

Not applicable, as the subject property borders a residential street that terminates a half-block to the west. There is no thru-traffic on this portion of College Ave., so noise levels are minimal.

(K) Each lot contains at least one deciduous street tree of two-inch caliper in residential subdivisions, and each corner lot contains at least one tree for each street upon which the lot fronts, located so as not to interfere with sight distance at driveways and chosen from the list of acceptable trees established by the city manager, unless the subdivision agreement provides that the subdivider will obtain written commitments from subsequent purchasers to plant the required trees.

Standard will be met at time of building permit application.

(L) The subdivider provides permanent survey monuments, range points, and lot pins placed by a Colorado registered land surveyor.

Standard met.

(M) Where an irrigation ditch or channel, natural creek, stream, or other drainage way crosses a subdivision, the subdivider provides an easement sufficient for drainage and maintenance.

Not applicable, as the proposed subdivision is not crossed by any irrigation ditch or channel, natural creek, stream, or other drainage way.

(N) Lots are assigned street numbers by the city manager under the city's established house numbering system, and before final building inspection the subdivider installs numbers clearly visible and made of durable material.

Standard met.

(O) For the purpose of ensuring the potential for utilization of solar energy in the city, the subdivider places 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:

The applicant has demonstrated that following subdivision any new development on the new lots will be able to meet all applicable solar access standards for the RL-1 zone district.

(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.

Standard met.

(ii) Lot Layout and Building Siting: Lots are oriented and buildings sited in a way which maximizes the solar potential of each principal building. Lots are designed so that it would be easy to site a structure which is unshaded by other nearby structures and so as to allow for owner control of shading. Lots also are designed so that buildings can be sited so as to maximize the solar potential of adjacent properties by minimizing off-site shading.

Standard met.

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

Standard met.

(iv) Landscaping: The shading impact of proposed landscaping on adjacent buildings is addressed by the applicant. When a landscape plan is required, the applicant shall indicate the plant type and whether the plant is coniferous or deciduous.

A Landscape Plan will be required at time of redevelopment of the new lots.

(2) Transportation Standards for Streets, Alleys, and Sidewalks: Streets, curb and gutters, sidewalks, alleys, and the public rights-of-way therefore, are provided in conformity with the standards in the City of Boulder Design and Construction Standards, and meet the following conditions:

There is an existing sidewalk in front of the subject property, as well as an existing curb cut in front of the proposed Lot 1. No additional transportation improvements are required as part of the proposed subdivision. A new curb cut will be required for any new development on Lot 2.

(A) Streets are aligned to join with planned or existing streets.

Not applicable, as there are no new streets proposed.

(B) Streets are designed to bear a relationship to the topography, minimizing grade, slope, and fill.

Not applicable, as there are no new streets proposed.

(C) There are no dead-end streets without an adequate turnaround and appropriate barriers.

Not applicable, as there are no new streets proposed.

(D) Access to freeway, arterial, or collector street occurs only at intersections approved by the city manager, if the manager finds that the access provides efficient traffic movement and safety for drivers and pedestrians.

Not applicable, as both lots take access from College Ave., which is a local street.

(E) A street of only one-half width is not dedicated to or accepted by the city.

Standard met.

(F) When the plat dedicates a street that ends on the plat or is on the perimeter of the plat, the subdivider conveys that last foot of the street on the terminal end or outside border of the plat to the city in fee simple, and it is designated by using an outlet.

Not applicable, as no street is being dedicated to the city through this subdivision.

(G) Streets are provided as prescribed by the Boulder Valley Comprehensive Plan, adopted subcommunity or area plans, or the Transportation Master Plan.

Standard met.

(H) Alleys are encouraged and should be provided. If they are provided, they are paved or otherwise appropriately surfaced with a material approved by the city manager for the specific application and location.

Standard met. No new alleys are being constructed as part of this subdivision.

(I) Sidewalks are provided in all subdivisions, unless the city manager determines that no public need exists for sidewalks in a certain location.

Standard met. There is an existing sidewalk along College Ave.

(J) Signs for street names (subject to approval of the city manager), directions, and hazards are provided.

Standard met. Existing street signs for College Ave. are already in place.

(K) Traffic control signs are provided, as required by the city manager for control of traffic.

Standard met. No new traffic control signs are required.

(L) Pedestrian crosswalks are provided, as required by the city manager for traffic control and, at a minimum, between streets where the distance between intersecting streets exceeds one thousand feet.

Standard met. No crosswalks will be required.

(M) Bike paths or lanes are provided in conformity with the City of Boulder Comprehensive Plan for bicycle facilities and are dedicated to the city.

Standard met. No new bicycle lanes are required.

(N) Private streets are not permitted.

Standard met. No private streets are being constructed as part of this subdivision.

(3) Standards for Water and Wastewater Improvements: Water and wastewater utilities are provided in conformity with the construction and design standards in the City of Boulder Design and Construction Standards, and meet the following conditions:

(A) Water and sanitary sewer mains are provided as necessary to serve the subdivision.

Standard met.

(B) Easements are provided for city utilities as prescribed by the City of Boulder Design and Construction Standards.

Standard met.

(C) Easements for utilities other than city utilities are provided as required by the applicable private utility.

Standard met.

(D) Newly installed telephone, electric, and cable television lines and other similar utility service are placed underground. Existing utilities are also placed underground unless the subdivider demonstrates to the manager that the cost substantially outweighs the visual benefit from doing so. But transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts, electric transmission and distribution feeder lines, communication long distance trunk and feeder lines, and other facilities necessarily appurtenant to such facilities and to underground utilities may be placed above ground within dedicated easements or public rights-of-way.

Standard met. There are existing utilities serving the property. The existing gas, sanitary sewer and water lines are already underground. The property is served by an existing overhead power line which is located on the adjacent property to the north and on a very steeply sloped area; therefore, it is not possible to underground the power lines as part of this subdivision.

(4) Standards for Flood Control and Storm Drainage: Flood control and storm drainage measures are provided as required by the city's master drainage plan and in conformity with the construction and design standards in the City of Boulder Design and Construction Standards, and meet the following conditions:

(A) The measures retain existing vegetation and natural features of the drainageway where consistent with the master drainage plan.

Standard met.

(B) Any land subject to flooding by a one hundred-year flood conforms to the requirements of chapter 11-5, "Storm Water and Flood Management Utility," B.R.C. 1981.

Not applicable. The subject property is not located within a floodplain.

(C) Storm drainage improvements and storm sewers are maintained to collect drainage from the subdivision and convey it off-site into a city right of way or drainage system without adversely affecting adjacent property.

Standard met.

(D) Bridges, culverts, or open drainage channels are provided when required by the flood control utility master drainage plan.

Not applicable.

(E) All subdivisions shall be designed to minimize flood damage.

Not applicable.

(F) All subdivisions shall have public utilities and facilities, including, without limitation, sewer, gas, electrical, and water systems, located and constructed to prevent flood damage.

Not applicable.

(G) All subdivisions shall have adequate drainage provided to reduce exposure to flood damage.

Standard met.

(5) Standards for Fire Protection: Fire protection measures meet the following conditions:

(A) Fire hydrants are provided as required by chapter 10-8, "Fire Prevention Code," B.R.C. 1981.

Standard met.

(B) Fire lanes are provided where necessary to protect the area; an easement at least sixteen feet wide for fire lanes is dedicated to the city, remains free of obstructions, and permits emergency access at all times.

Not applicable, as no new fire lanes are required.

**CITY OF BOULDER
PLANNING BOARD AGENDA ITEM**

MEETING DATE: May 21, 2015

AGENDA TITLE: Public Hearing and Recommendation to City Council on Acceptance of the Boulder Civic Area Master Plan

PRESENTER/S:

David Driskell, Executive Director of Community Planning & Sustainability
Maureen Rait, Executive Director of Public Works
Yvette Bowden, Director of Parks and Recreation
Jeff Dillon, Capital Investment Manager, Parks and Recreation
Sam Assefa, Senior Urban Designer, Project Coordinator
Jeff Haley, Project Coordinator
Joanna Crean, Project Coordinator

EXECUTIVE SUMMARY:

The Civic Area Master Plan defines the overall concept for the site and establishes criteria and guidelines for the consideration of specific improvements, including the parkland and programs related to the Civic Area. Originally adopted by City Council, the 1992 Civic Center Master Plan serves as an implementation tool to translate the Boulder Valley Comprehensive Plan (BVCP) into action. While the 1992 Civic Area Master Plan guided some implementation efforts subsequent to its adoption, many of its proposals were never realized.

On Sept. 3, 2013 City Council approved the Vision Plan for Boulder's Civic Area that reflects an 18-month collaboration with the Boulder community, boards and commissions and City Council. The vision plan established site performance goals, guiding principles and core themes for the Civic Area. However, the vision plan was not adopted as a master plan, a necessary implementation document that provides a common framework for planning the delivery and funding of city services, facilities and programs. Therefore, amending the vision plan and presenting it for adoption as the updated Civic Area Master Plan is needed. The purpose of this agenda item is to review the updated Civic Area Master Plan ([Attachment A](#)) and provide a recommendation to City Council regarding acceptance of the plan.

Master plans provide a bridge between the BVCP policies, service delivery, future capital needs, and the Capital Improvements Program (CIP). The Planning Board's role in reviewing master plans is to look for consistency with BVCP goals and policies before the plans are accepted by City Council. The questions that are the focus of the Planning Board's review are:

1. Is the master plan consistent with the goals and policies of the Boulder Valley Comprehensive Plan?
2. Does the master plan establish a planning framework to review public projects, land use changes, and development proposals to implement or ensure compliance with the Boulder Valley Comprehensive Plan?
3. Does the master plan provide a clear implementation strategy, including phasing and financing options?

Following the discussion with Planning Board on May 21, it is anticipated that the updated Civic Area Master Plan will then be presented to City Council as a public hearing item for review and consideration on June 16, 2015. Concurrently, staff is developing a Park Site Plan that refines the design considerations set forth in the Civic Area Master Plan in order to begin implementation of Phase I in 2016. During the fourth quarter of 2015, the Park Site Plan will be brought to the Parks and Recreation Advisory Board (PRAB), Planning Board and City Council for review and consideration.

In addition to the Civic Area Master Plan and Park Site Plan, the city will be developing specific guidelines for future improvements for the west and east “bookends” of the Civic Area. The primary goal is to provide clear design guidelines on urban form that address scale, mass, height and architectural character of buildings and the public realm (streets, plazas, connections, etc.). The detailed urban design plan for the east and west bookends will be discussed later in 2015 and early 2016.

STAFF RECOMMENDATION:

Staff recommends that the Planning Board recommend to City Council acceptance of the updated Boulder Civic Area Master Plan.

BACKGROUND:

In January, 1993, the City Council adopted the 1992 Civic Center Master Plan, which serves as an implementation tool to translate the BVCP into action. While the 1992 Civic Area Master Plan guided some implementation efforts subsequent to its adoption, many of its proposals were never realized.

On Sept. 3, 2013 City Council approved the Vision Plan for Boulder’s Civic Area that reflects an 18-month collaboration with the Boulder community, boards and commissions and City Council. The long-term vision is to transform the Civic Area into an even more unique place that reflects the community’s shared values and its diversity, providing space and programs for people to gather, recreate, eat, learn, deliberate and innovate. The vision plan established site performance goals, guiding principles and core themes for the Civic Area.

However, the vision plan was not adopted as a master plan, a necessary implementation document that provides a common framework for planning the delivery and funding of city services, facilities and programs. Therefore, amending the vision plan and presenting it for adoption as the updated Civic Area Master Plan is needed. The updated plan will integrate technical and site analysis and public input, including amendments to enhance the goals, guiding principles and core themes.

With the passage of the Community, Culture and Safety tax initiative in November 2014, a Civic Area Park Site Plan is being developed to implement the \$8.7 million in phase I improvements and coordinate with the more than \$5 million from the tax devoted to Boulder Creek Path, 11th Street lighting and Arapahoe underpass improvements. In order to advance these Phase I improvements and guide further work on longer-term investments, updating the Civic Area Master Plan is necessary.

In addition to the updated Civic Area Master Plan, the city will be developing guidelines for future improvements for the west and east “bookends” of the Civic Area. The primary goal is to serve as an implementation tool to provide clear design guidelines on urban form that address scale, mass, height and architectural character of buildings and set standards for the public realm including connections and public spaces such as plazas. This work will be developed later in 2015 and early 2016 through a robust public process, including the engagements of boards, commissions and council, and will be presented for council’s acceptance in 2016. The Civic Area design guidelines for the bookends will be informed by the update to the Downtown Design Guidelines and the Form Based Code pilot, both of which are scheduled to be completed later this year.

Following the discussion with Planning Board on May 21, 2015, it is anticipated that the updated Civic Area Master Plan will then be presented to City Council as a public hearing item for review and consideration on June 16, 2015. During the fourth quarter of 2015, the Park Site Plan will be brought to the PRAB, Planning Board and City Council for review and consideration. A detailed urban design plan for the east and west bookends will be discussed later in 2015 and early 2016.

PUBLIC AND BOARD/COMMISSION COMMENT AND PROCESS:

As mentioned, the intent is to amend the adopted Civic Area Vision Plan to replace the existing 1992 Boulder Civic Center Master Plan to serve as the updated Civic Area Master Plan. The vision plan was developed through an 18-month collaboration with the Boulder community, boards and commissions and City Council. The vision plan, approved by City Council on Sept. 3, 2013, established the goals, guiding principles and core themes for the Civic Area.

The updated Civic Area Master Plan builds on the public engagements held by the city and its consultant team (Tom Leader Studio, along with real estate and economic development consultant HR&A). In the fall of 2014, community feedback was collected about program preferences and park design themes. In March 2015, the city hosted a stakeholder¹ workshop and a public open house as well as a joint board and commission workshop. The purpose was to collect feedback on draft Park Site Plan options and long-term improvement strategies related to the master plan update. On March 31, 2015, this information was presented to City Council during a Study Session. After receiving City Council feedback on strategies for the long-term improvements, the Civic Area Master Plan was revised accordingly.

¹ Stakeholders, for the purpose of this workshop, included on-site property owners and tenants, organizations with a clear interest in the project, and participants from previous Civic Area focus groups.

ANALYSIS:

1. Is the master plan consistent with the goals and policies of the Boulder Valley Comprehensive Plan (BVCP)?

Yes, staff considers the Civic Area Master Plan to be consistent with the goals and policies of the BVCP. As with all master plans, the Civic Area Master Plan takes its overall policy direction from the BVCP. Specifically, the Civic Area Master Plan is consistent with the following BVCP broad policies regarding economic, social and environmental sustainability and the built environment:

1.07 Leadership in Sustainability

The city and county will act as leaders and role models for others in striving to create a sustainable community. Through its master plans, regulations, policies and programs, the city and county will strive to create a healthy, vibrant and sustainable community for future generations.

2.17 Variety of Activity Centers

The city and county support a variety of regional, subcommunity and neighborhood activity centers where people congregate for a variety of activities such as working, shopping, going to school or day care, accessing human services and recreating. Activity centers should be located within walking distance of neighborhoods and business areas and designed to be compatible with surrounding land uses and intensity and the context and character of neighborhoods and business areas. Good multimodal connections to and from activity centers and accessibility for people of all ages and abilities will be encouraged.

2.18 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 such as the Downtown Business District, University of Colorado, Canyon Boulevard Cultural Corridor, and Boulder Valley Regional Center. A variety of land uses surround these activity centers, and transportation alternatives provide direct connections between them.

2.21 Commitment to a Walkable and Accessible City

The city and county will promote the development of a walkable and accessible city by designing neighborhoods and business areas to provide easy and safe access by foot to places such as neighborhood centers, community facilities, transit stops or centers, and shared public spaces and amenities. The city will consider additional neighborhood-serving commercial areas where appropriate and supported by the neighbors they would serve.

2.23 Trail Corridors/Linkages

In the process of considering development proposals, the city and county will encourage the development of paths and trails where appropriate for recreation and transportation, such as walking, hiking, bicycling or horseback riding. Implementation will be achieved through the coordinated efforts of the private and public sectors.

2.24 Preservation of Historic and Cultural Resources

The city and county will identify, evaluate and protect buildings, structures, objects, districts, sites and natural features of historic, architectural, archaeological, or cultural significance with input from the community. The city and county will seek protection of significant resources through local designation when a proposal by the private sector is subject to discretionary development review.

3.08 Public Access to Public Lands

Certain city and county-owned or managed lands provide a means for educating users on the importance of the natural environment. Public lands may include areas for recreation, preservation of agricultural use, unique natural features, and wildlife and plant habitat. Public access to natural lands will be provided for, except where closure is necessary to protect areas from unacceptable degradation or impacts to agriculture, habitat or wildlife, for public safety, or limits on access necessary to preserve the quality of the visitor experience.

3.22 Protection of High Hazard Areas

The city will prevent redevelopment of significantly flood-damaged properties in high hazard areas. The city will prepare a plan for property acquisition and other forms of mitigation for flood-damaged and undeveloped land in high hazard flood areas. Undeveloped high hazard flood areas will be retained in their natural state whenever possible. Compatible uses of riparian corridors, such as natural ecosystems, wildlife habitat and wetlands will be encouraged wherever appropriate. Trails or other open recreational facilities may be feasible in certain areas.

8.19 Public Art

The city and county will incorporate artistic elements in public projects whenever possible.

8.20 Canyon Boulevard Cultural Corridor

The city will encourage public and private projects within the Canyon Boulevard Cultural Corridor to have an arts focus and to incorporate public art.

The core values from the BVCP, as noted above, are reflected in the seven key principles that guide the vision for Boulder's Civic Area. These guiding principles were approved by City Council early in the planning process to inform development of the vision plan. The principles provide direction as the Civic Area Master Plan is implemented, when analyses are prepared, and as detailed planning, design and financing decisions are made. A high level summary of the seven guiding principles are included below: (For more details, see [Attachment A](#), pages 8-11.)

- 1. The Civic Heart of Boulder** – Boulder's Civic Area has symbolic, geographic, and functional importance and should serve as an inclusive place for people to interact with each other and with government. The area should be complementary to Pearl Street (the commercial heart) and downtown.
- 2. Life & Property Safety** – Boulder's Civic Area is located within the 100-year floodplain, and much of the land lies within the High Hazard Zone (HHZ). The city will meet or exceed existing flood standards, including avoiding placing new structures and parking in the HHZ and will be proactive about planning for and educating about floods.

3. **Outdoor Culture & Nature** – Boulder’s Civic Area is a central place to enjoy the outdoors in the middle of the city. The linear “green” along Boulder Creek will be a unifying focus, providing natural beauty, ecological function and flood safety as well as recreational, art, and cultural opportunities.
 4. **Celebration of History & Existing Assets** – Boulder’s Civic Area has a historical focus and many long-standing functions and facilities highly valued by the community, such as the library, Sister City Plaza, Farmers’ Market, and Teahouse. Existing community assets will continue to play a vital role in the area.
 5. **Enhanced Access and Connections** – Boulder’s Civic Area has well-used bicycle and pedestrian amenities and convenient transit connections, serving as both an important destination and connector. Travel and access to the area will continue to be improved.
 6. **Place for New Community Activity & Arts** – Boulder’s Civic Area offers potential to expand civic services or cultural, arts, science, educational or entertainment amenities that are otherwise lacking in the community. Any new facilities will provide a high level of public benefit.
 7. **Sustainable & Viable Future** – All future uses and changes in Boulder’s Civic Area’s public properties will exemplify the community’s sustainability values (i.e., economic, social and environmental).
2. **Does the master plan establish a planning framework to review public projects, land use changes, and development proposals to implement or ensure compliance with the Boulder Valley Comprehensive Plan?**

The Boulder Civic Area Master Plan outlines a roadmap for the future enhancement and transformation of the Boulder’s “Civic Heart” into a place for community inclusiveness and activity—a cohesive and expanded central “green” at the core, bookended by vibrant “built” mixed-use blocks on the west and east ends. Boulder Creek serves as the defining feature that establishes much of the natural beauty of the Civic Area and captures the beauty of Downtown Boulder. The roadmap is articulated in the key section of the plan, which include the Guiding Principles, illustrative plans, phasing, park and “bookend” development criteria, land use priorities, and financing strategies and options, all of which were developed consistent with the BVCP.

As highlighted in the Boulder Civic Area Master Plan, public parks are central to the vision for the Civic Area. Outlined in the master plan are performance criteria that establish program and design standards for parks within the area. The criteria address the following: plazas and gathering places, park access, art and entertainment, food, services extending the range of uses, views and viewpoints, noise mitigation, public amenities, building green and safety and security. Details of the park performance criteria can be found on pages 16-17 in [Attachment A](#).

The performance criteria related to the “bookend” development in the Civic Area is described as the East End and West End. The East End, which includes the 13th and 14th Street block, is

envisioned as a mixed-use block that incorporates a variety of uses in existing buildings and future new developments. Desired uses include civic functions integrated vertically and/or horizontally with private uses such as a center for innovation, incubator offices, residential/hotel and commercial uses. The area's proximity and link to the Pearl Street Mall via 13th Street, as well as access to transit services, make this block conducive to maximizing synergy with existing public and private amenities.

One of the specific uses identified in the Civic Area Master Plan is a year-round Market Hall that complement the existing Farmers' Market as well as advance local foods and activate the East End. The project team will initiate a feasibility analysis to identify the type and scale of a year-round market hall appropriate for Boulder and the Civic Area, including associated programming, governance, financing and infrastructure. Concurrently, the city-owned Atrium Building that is located within the east bookend has been suggested as a potential location for the year-round Market Hall. The Feasibility Analysis will include an architectural and program analysis that will explore this option either within the Atrium Building, or as part of a new mixed-use building. Additionally, Historic Boulder has recently submit an application to the city for the landmarking of the Atrium Building.

As the site with the most potential for new development, special attention is required for a careful mix of uses and their design to achieve the guiding principles. Since all desired uses may not fit within the block, all efforts should be made to make sure the final plan reflects a balance in the type, mix, and scale of uses. Performance criteria, including specific land uses, building form and massing, that will guide program choices and site planning are provided in detail on pages 20-23 in [Attachment A](#).

The West End, which includes the Main Library and West Senior Center, is envisioned as a cultural/arts core within the Civic Area that builds on the existing civic and cultural functions. Building on this site provides opportunity to enhance both the indoor and outdoor functions of the existing amenities, as well as redevelopment and/or new development opportunities. North of the Boulder Creek, the north wing of the library has potential for redevelopment as a state-of-the art facility for performing arts, taking advantage of its location with the expansive views of the flatirons to the west and hotel and downtown amenities directly across Canyon Boulevard. The consideration of the Civic Use Pad for a mix of public and private uses provides a potential synergetic relationship of land uses throughout the West End. In addition, a potential repurposed Municipal Building to the east, and the park in-between, provide further opportunity to create a unique and vibrant mix of outdoor/indoor uses primarily focused on arts and cultural uses. Performance criteria, including specific land uses, building form and massing, that will guide program choices and site planning are provided in detail on pages 24- 27 in [Attachment A](#).

3. Does the master plan provide a clear implementation strategy, including phasing and financing options?

Implementation Strategy

Implementation of the Boulder Civic Area Master Plan will take place over at least 10 to 20 years. However, due to the passage of the Community, Culture and Safety tax initiative in November 2014, the first phase of improvements in the Civic Area are moving forward. A Civic

Area Park Site Plan is being developed to implement the \$8.7 million Phase I improvements and coordinate with the more than \$5 million from the tax devoted to Boulder Creek Path, 11th Street lighting, public art and Arapahoe underpass improvements.

The Boulder Civic Area Master Plan provides likely phasing and timing to implement the remainder of the plan, which can be found on pages 40-41 of [Attachment A](#). This phasing plan is preliminary and depends on the availability of funding sources (public, private and other). As additional guidance is needed, the master plan outlines implementation roles and responsibilities for City Council and the boards and commissions with purview in the Civic Area (page 42).

Investment Strategy

Phase I capital improvements to the Civic Area will be funded by the recently passed Community, Culture and Safety tax initiative as mentioned. Additionally, ongoing operation and maintenance costs are not anticipated to increase significantly as a result of the Phase I improvements and will be evaluated throughout the design phase to understand any cost implications. As the initial park investment provides the catalyst for future development, additional funding sources will be explored, such as those identified in the Master Plan, including philanthropy or endowments, state and federal grants, and crowd sourced funding opportunities (see pages 38-39 of [Attachment A](#)). These sources vary in their revenue generation potential and may require specific governance structures. The Civic Area team will continue to explore both finance and governance strategies for future implementation phases.

NEXT STEPS:

Staff will consider Planning Board's feedback and revise the Boulder Civic Area Master Plan, if necessary. The Boulder Civic Area Master Plan will be presented to City Council as a public hearing item for review and acceptance on June 16, 2015. During the fourth quarter of 2015, the Civic Area Park Site Plan will be brought to the PRAB, Planning Board and City Council for review and consideration. A detailed urban design plan for the east and west bookends will be discussed later in 2015 and early 2016. The public will also have the opportunity to provide input on key design elements identified in the Park Site Plan through upcoming outreach. The project team has identified a Design Inspiration Initiative that will solicit ideas from the community to inspire the final design of a few key elements of the plan. Details of this initiative will be communicated in the coming weeks. Additional key dates for the project include:

- Mid July 2015 – Community Open House to review outcomes of the Design Inspiration Initiative and latest Park Site Plan
- July 28, 2015 – City Council briefing on outcomes of Design Inspiration Initiative and Park Site Plan

ATTACHMENT:

[A – Boulder Civic Area Master Plan](#)



THE MASTERPLAN FOR **BOULDER'S CIVIC AREA**

Revised June 2015
BoulderCivicArea.com



Acknowledgments

Special thanks to the people and organizations below who contributed their time and ideas throughout the Civic Area Master Plan update process.

City Council Members

Matt Appelbaum, Mayor
 Suzanne Jones, Mayor Pro Tem
 Suzy Ageton
 KC Becker
 Macon Cowles
 George Karakehian
 Lisa Morzel
 Tim Plass
 Andrew Shoemaker
 Sam Weaver
 Mary Young

Boards and Commissions

Boulder Arts Commission
 Boulder Design Advisory Board
 Downtown Management Commission
 Human Relations Commission
 Landmarks Board
 Library Commission
 Parks and Recreation Advisory Board
 Planning Board
 Transportation Advisory Board
 Water Resources Advisory Board

Consultants

Tom Leader Studio
 Anderson Consulting
 ERO Resources Corporation
 HR&A
 JVA Consulting
 Tuttle
 Re: Architecture
 Russell + Mills Studios

City Staff

Jeff Arthur, Director of Public Works for Utilities
Sam Assefa, Senior Urban Designer, Project Coordinator
Michael Banuelos, Communication Specialist
Joanna Bloom, Source Water Administrator
Yvette Bowden, Director of Parks and Recreation
Kathleen Bracke, GO Boulder Manager
Jane Brautigam, City Manager
Joe Castro, Facilities and Fleet Manager
Matt Chasansky, Arts and Cultural Services Manager
Bill Cowern, Traffic Operation Engineer
Joanna Crean, Project Coordinator
Jeff Dillon, Capital Investment Manager, Parks and Recreation
David Driskell, Executive Director, Community Planning and Sustainability
Bob Eichen, Chief Financial Officer
David Farnan, Director of Library and Arts
Jeff Haley, Parks Planning Manager, Project Coordinator
Heidi Hansen, Civil Engineer II
James Hewat, Senior Planner
Lauren Holm, Administrative Specialist
Katie Knapp, Engineer Project Manager
Lane Landrith, Business Coordinator, Downtown and University Hill Management Division & Parking Services
Glenn Magee, Facilities Design and Construction Manager
Lisa Martin, Urban Parks Operations Manager
Annie Noble, Flood and Greenways Engineering Coordinator
Karen Rahn, Director of Human Services
Maureen Rait, Executive Director of Public Works
Michael Sweeney, Interim Director of Public Works for Transportation
Molly Winter, Director of Downtown and University Hill Management Division & Parking Services
Patrick von Keyserling, Communications Director

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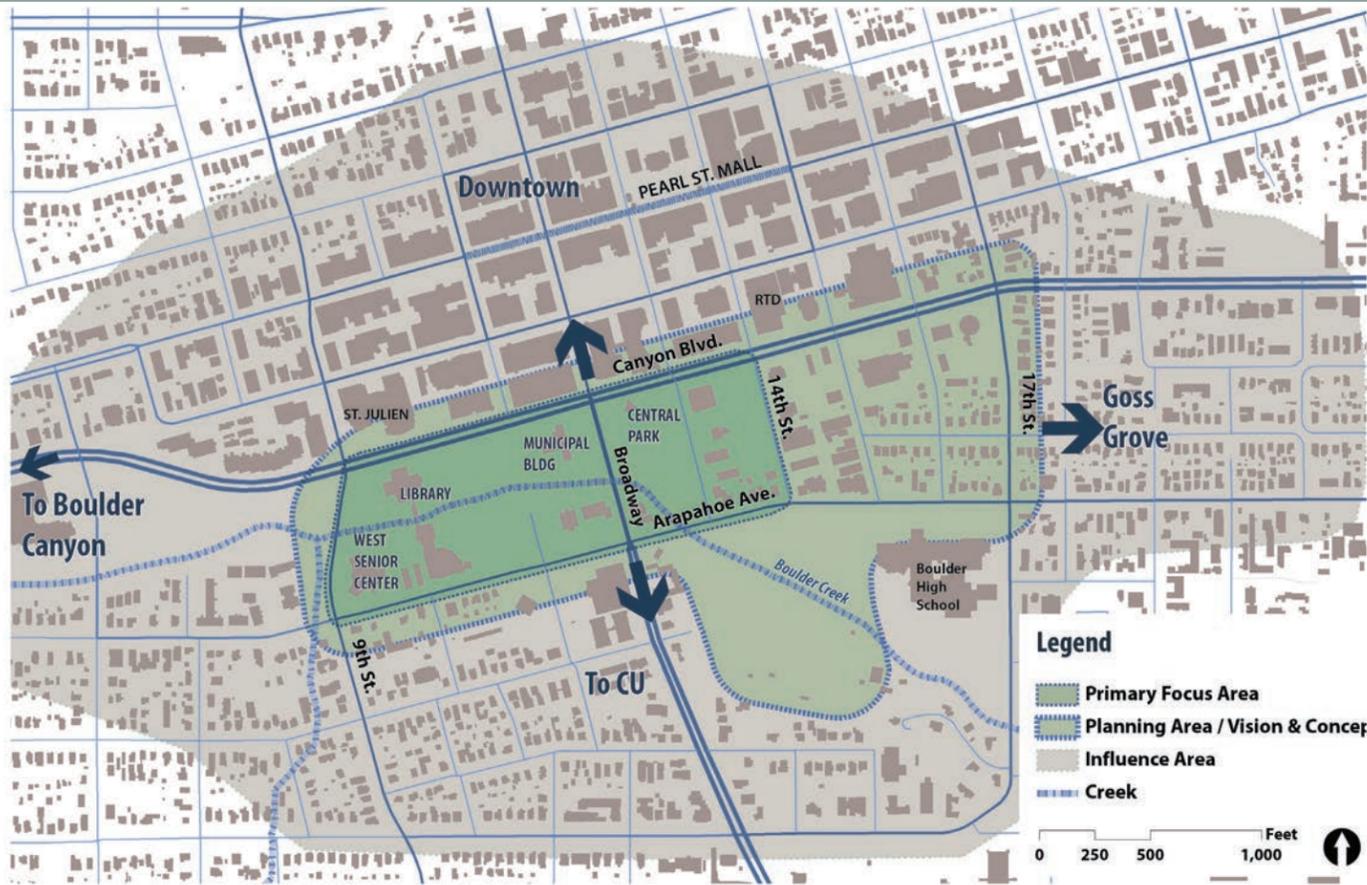


View from the park looking south towards Boulder Creek



Part 1

Overview



The Vision

Just imagine... It's 2025 and you are walking through the Civic Area. You see a variety of people and activities surrounding Boulder Creek, interspersed between timeless architecture and a great downtown park.

Boulder's Civic Area will be the heart of Boulder with nature at its core, flanked by bookends of civic, cultural, and commercial buildings that are alive with activity, collaboration, and innovation at the east and west. It will be a place for everyone - a lively and distinct destination that reflects our community's values, where people of all ages, abilities, backgrounds and incomes feel welcome to recreate, socialize, deliberate, learn and access city services. The green space and beauty along Boulder Creek will provide significant open space and will be the unifying design that weaves existing and new facilities with a rich diversity of civic, commercial, recreational, artistic, cultural and educational amenities and programs. The Civic Area also will continue to be a service center for Boulder municipal government and a new center for innovation, where community members, officials, and partners can meet, interact, and innovate. All together, these elements create a true civic heart for the Boulder community, a place where the city's past, present, and future are debated, celebrated, and realized.



How Will the Plan Be Used

The Civic Area Master Plan reflects robust multi-year community collaboration. Over that period, the community came together to define a future for the Civic Area - one that reaffirms shared values and provides a path for engagement while addressing change over time. Reflecting back, Boulder began with a series of questions: What if...the area could be a transformative place for gatherings, recreation, dialogue and innovation? What if...it could showcase sustainability values? What if... it could have an expanded farmers' market and provide space for arts, culture, education and other events?

The Civic Area Master Plan provides a roadmap for how the Civic Area can transform into an even more extraordinary place that reflects the community's shared values as well as its diversity. The plan maintains beloved places - the Dushanbe Teahouse, the Boulder Public Library, the Farmers' Market, Sister Cities Plaza, and others - and views of the Flatirons and access to Boulder Creek. It also:

- identifies future facility needs;
- makes more space for art, food and culture; and
- provides a framework that allows Boulder to maintain a sense of place in the heart of the city -
- while positioning the area to be a model of future innovation.

This plan illustrates future prospects for the largest publicly-owned place in the heart of Boulder. The plan area is located south of downtown and includes some private properties. The plan is intended to be consistent with the Boulder Valley Comprehensive Plan and provide direction for a specific geographic area and its land use.

The plan provides a generalized picture of the desired future of the Civic Area and is advisory in nature. The city zoning map assigns every parcel of land in the city a zoning district. The zoning regulates allowable uses and building forms and more. The plan defines policies, priorities, facility needs, and capital budgeting. The plan's intent is to:

1. provide flexible guidance, allowing for change over time based on further analysis and new information;
2. present an illustrative future plan for mostly public owned land and guide decision making, coordination, and detailed site design;
3. give direction for the future of adjacent private lands, encouraging coordinated planning and proposals that are consistent with the intent of this plan;

4. support continued interdepartmental coordination and collaboration to create integrated outcomes; and,
5. provide the foundation for a comprehensive and multi-faceted financing strategy, including capital budgeting for facilities and multiple types of financing sources - public, private, non-profit, grants, and others - to accomplish the expressed vision. Implementation of the plan is dependent on funding from already available and newly identified sources.

This plan is intended for use by the public, businesses, property owners, city officials and staff. It provides the community with an idea of what to expect in the future in the Civic Area and will guide decisions about private development, and public facilities and services in the area.

The pace of area redevelopment will be determined by private property owners who voluntarily choose to redevelop their properties. The publicly owned areas will be guided by the schedule for development of the Civic Area park site. The plan helps ensure that when redevelopment occurs, property owners can design their projects to be consistent with the vision for the area. It also helps ensure that public improvements will be in place to support the new development.

Details of the plan will change, especially because of its dependence on funding and coordination with multiple parties. As details change, it will not be necessary for the city to formally amend the plan. If changes to the vision, principles or general direction are proposed, City Council will consider amending the plan. Periodically, City Council may revisit the work program and implementation schedule. Additionally, City Council and appropriate city boards and commissions will review and give direction or approval on the various specific improvements to make the plan's vision a reality. The implementation section (page 42) details the role of council as well as boards and commissions in the transformation of the Civic Area.

Guiding Principles

Seven key principles guide the vision for Boulder's Civic Area. They were approved by City Council early in the planning process to inform development of the plan. The principles will continue to provide direction as the plan is implemented, when analyses are prepared, and as detailed planning, design and financing decisions are made.

1. The Civic Heart of Boulder

the idea...

Boulder's Civic Area has symbolic, geographic, and functional importance and should serve as an inclusive place for people to interact with each other and with government. The area should be complementary to Pearl Street (the commercial heart) and Downtown. In the future, the Civic Area will adhere to the following principles.

City Center: Serve as the primary location for city management and government, including functional and interactive places for the community to interface and conduct city business and be creative;

Diversity: Represent the cultural richness, history, and diversity of our community;

Art Center: Continue to be one of the major centers for art in Boulder;

Phasing: Allow for phasing, with flexibility for new ideas to be ever-evolving and incorporated over time;



Unified Public Space: Be maintained as the largest thematically cohesive, unified public outdoor space in Central Boulder;

Design Excellence: Be a model of design excellence with compelling architecture and design reflecting forward thinking;

Destination: Be an enjoyable destination for the community and visitors; Be an integrated place that blends "natural" and "built" environments;

Welcoming and Safe: Be designed to be welcoming, accessible, comfortable, clean and safe;

Space for All: Foster programming and design of spaces and facilities to encourage use and participation by all age groups, income levels, and visitors and locals, avoiding the predominance of any one group of people;

Linking Areas: Complement and link with surrounding neighborhoods and destinations, including Downtown, Goss-Grove, CU and University Hill, and Boulder High School; and,

Canyon Boulevard as Complete Street: Include a new urban design and streetscape character for Canyon Boulevard - to make it more of a "boulevard" with attractive landscaping that is comfortable for pedestrians, bicycles, and accessible by transit.

2. Life & Property Safety

the idea...

Boulder's Civic Area is located within the 100-year floodplain, and much of the land lies within the High Hazard Zone (HHZ). The city will meet or exceed existing flood standards, including avoiding placing new structures and parking in the HHZ and will be proactive about planning for and educating about floods. Specifically, the city will adhere to the following principles.

Flood Regulations: Ensure any proposal meets or exceeds all current flood-related codes and regulations, which prohibit new development and substantial improvement to existing facilities in the HHZ;

Parking and Structures Relocation: Pro-actively develop a plan for removal of surface parking and structures, including the New Britian and Park Central buildings that are in the HHZ. In their place will be expanded park space with amenities and activities. Also, plan how to relocate facilities and uses after a flood;



Flood Safety Education: Educate the public and Civic Area and building users about safety and risks associated with flooding and natural and public values of water (e.g., through public art, landscape elements, and interpretive signage);

Landscape Plans: Create future landscape plans that enhance public safety and orientation of visitors to flood egress routes, while also enhancing the aesthetic or artistic character of the area; and,

Critical Facilities: Ensure that any new facilities (e.g., emergency services, critical government operations, and facilities that house vulnerable populations such as day cares and nursing homes) will be in compliance with the adopted Critical Facilities ordinance.

3. Outdoor Culture & Nature

the idea...

Boulder's Civic Area is a central place to enjoy the outdoors in the middle of the city. The linear "green" along Boulder Creek will be a unifying focus, providing natural beauty, ecological function and flood safety as well as recreational, art, and cultural opportunities. The city will follow these principles.

Maintain/Expand Green: Maintain or expand the green, open space (no net loss), particularly in the High Hazard Flood Zone - as a blend of natural, restored creek, urban parks and playgrounds, and community gardens;

Cohesive Green Space: Create a unifying "linear green" theme and cohesive outdoor spaces - uniting the parks south of downtown as a significant asset to the city's overall park system;

Protect Significant Trees: Protect existing significant trees and shrubs (taking into consideration their anticipated lifespan) and maintain an ecologically healthy creek channel;

Public Art: Blend public art into outdoor spaces to attract, inspire, educate, and encourage exploration and play;

Boulder Creek: Allow safe access to Boulder Creek in locations that will not damage ecological value;

Views: Provide and maintain views and breathing room;

Farmer's Ditch: Improve the park-like quality and linear connections along the Farmer's Ditch;

Welcoming Space: Make outdoor spaces feel safe and welcoming (e.g., through lighting, seating, strategic landscape and design, programs and activity, and enforcement); and,

Recreation: Provide increased opportunities for outdoor recreation including nature exploration and play, fishing, kayaking, jogging, yoga, tai chi, etc.



4. Celebration of History & Assets

the idea...

Boulder's Civic Area has a historical focus and many long-standing functions and facilities highly valued by the community, such as the library, Sister City Plaza, Farmers' Market and Teahouse. Existing community assets will continue to play a vital role in the area. The following principles will guide the community.

Farmers' Market: Continue and expand the Farmers' Market as a vital component of the area, source of community pride and economic benefit, and source for local and healthy food. Partner to expand the Farmers' Market extent and function as an outdoor market, and possibly expand it as a year-round (or extended season) local foods marketplace;

Local Food and Farms: Encourage sharing of information about local food and farms and regional relations (e.g., Farmer's Ditch);

Inclusive History: Preserve, reflect and celebrate the area's fully inclusive history (e.g., indigenous populations, mining, the railroad, Olmsted's linear park and landmarked structures);

Historic Structures: Preserve historic structures in accordance with city policies and regulations;

Integration of History: Integrate history with arts, culture, local food, and any new structures or designs; and,

Existing Assets: Ensure that existing assets contribute positively to the area and are vital and useful (e.g., address Bandshell use, access and delivery/noise; increase enjoyment of Sister City Plaza).



5. Enhanced Access & Connections

the idea...

Boulder's Civic Area has well-used bicycle and pedestrian amenities and convenient transit connections, serving as both an important destination and connector. Travel and access to the area will continue to be improved. The following principles will guide the city.

Improvements: Continue to improve the pedestrian and bicycle experience and amenities;

Wayfinding: Continue to improve connections and wayfinding to/from Downtown for those on foot or bike or using transit;

Parking: Explore replacement of surface lots with structured parking; Assess the parking needs for proposed new uses to address the carrying capacity for all modal access and potential for shared parking;

Boulder Creek Path: Address conflicts and connectivity along the Boulder Creek Path, which is a significant transportation route and recreational amenity (in and through the area);

Thoroughfares: Reduce the barrier-effect of major thoroughfares (e.g., Canyon Boulevard, Arapahoe Avenue and Broadway) and improve their aesthetic quality; and,

Streets: Explore feasibility of shared, closed, or event street(s) (e.g., 13th Street).

6. Place for Community Activity & Arts

the idea...

Boulder's Civic Area offers potential to expand civic services or cultural, arts, science, educational or entertainment amenities that are otherwise lacking in the community. Any new facilities will provide a high level of public benefit and will be guided by the following principles.

Architecture and Design: Increase the area's potential for great beauty and attention through artistically compelling architecture and site design;

Indoor & Outdoor Space: Elegantly blend indoor and outdoor spaces to encourage movement and gathering;

Mixed-Use: Provide a vibrant mix of uses and design to encourage activity and inclusiveness throughout daytime and evening hours and around the year; and,

Harmonious with Downtown: Fit the area's overall public purpose and be harmonious with (but not a replication of) activity on Pearl Street and Downtown.



7. Sustainable & Viable Future

the idea...

All future uses and changes in Boulder's Civic Area's public properties will exemplify the community's sustainability values (i.e., economic, social and environmental) and will be guided by the following principles.

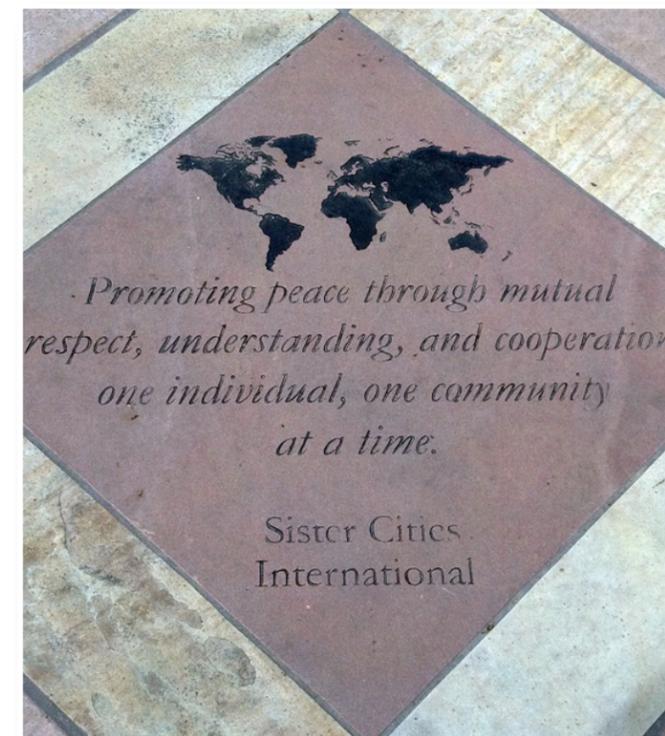
Partnerships: Rely on and encourage partnerships in which key roles, such as administrative, maintenance operations, financial and program services, are collaboratively but formally shared between the city and other entities;

Financial Analysis: Demonstrate consideration of sound financial analysis, including likely capital and ongoing operations and maintenance costs for public and private uses;

Community Benefits: Prove community and social benefit, increase inclusiveness, and minimize impact to like-uses, venues and nearby neighborhoods;

Environmental Considerations: Conserve energy, consider the use of renewable energy, minimize waste and carbon emissions, conserve water and improve water and air quality; and,

Experiential: Provide educational and experiential components.





Part 2

Creating the Place

The Place

The Civic Area vision embodies thousands of community-driven ideas. It adds green space for recreation, while creating new built spaces for essential community functions. It addresses public safety and environmental issues while at the same time meeting the community's recreational, cultural, and diversity objectives. Boulder's Civic Area is envisioned to transform into a place for community inclusiveness and activity—a cohesive and expanded central "green" at the core, bookended by vibrant "built" mixed-use blocks on the west and east ends.

Park at the Core

Boulder Creek serves as the defining feature that establishes much of the natural beauty of the Civic Area and captures the beauty of Downtown Boulder. Along the creek will be a variety of park spaces, play areas, art, mobile food, and programmed activities filled with a diversity of people. To encourage safety and night use, the park will be better lit, landscaping will be cleared and maintained, and new adjacent day and night uses will provide more "eyes on the park." Buildings and urban plazas on the east and west ends will complement and bookend this expansive outdoor "playground," offering more places for people to gather, shop, learn, meet, dine and be entertained. These uses will harmonize with existing and historic structures and places, such as the Dushanbe Teahouse, Sister Cities Plaza, Municipal Building, Storage and Transfer Building (Boulder Museum of Contemporary Art/ BMoCA). The whole area will complement Downtown to meet broad community needs.

Additionally, removing buildings and parking lots currently in the High Hazard Flood Zone (HHZ) will improve safety and create additional park land. The vision approximately doubles the area's usable pervious surface, promoting "green" infrastructure to help mitigate storm water run-off and urban heat island effects. Green infrastructure also improves the quality of place and increases surrounding property values. In turn, the land outside of the HHZ on both ends of the area will be redeveloped to add more vitality and excitement to the Civic Area. For more information on the park, see page 16

The East End: Food and Innovation

The East End (from 13th Street to 14th Street between Canyon Boulevard and Arapahoe Avenue) will likely include an expanded Farmers' Market and plaza space, the Dushanbe Teahouse, the BMoCA building, possibly a year-round public market hall, a mixed-use community services /innovation center and structured parking to support these functions. Additionally, a vibrant mix of uses are encouraged at the East End that could include small restaurants, cafes, incubator offices, hotel and/or residential units mixed in with city services and civic functions, such as event and meeting space. This will ensure activity and interest throughout the day and night, all week long and all year. For more information on the East End, see page 20.

The West End: Arts and Culture

The West End (the area west of Broadway between Canyon and Arapahoe) will include the existing library on both sides of the creek; a cafe; the Senior Center; the landmarked Municipal Building; a new multi-use building on the St. Julien Civic Use Pad, as well as structured parking. The north library may accommodate a small performing arts facility as part of an expansion and renovation of the existing Canyon Theater, or as part of redevelopment of the north wing library. In addition to existing and new library functions, a future redevelopment of the north wing library could also include community meeting space (possibly connected by a pedestrian bridge over Canyon Boulevard to a future use at the Civic Use Pad). There is the possibility of mixing private and public development to generate 24/7 vitality. A new pedestrian bridge across Boulder Creek west of the existing covered library bridge will better connect the west park area, as well as any future new activities and uses if the Senior Center and the north library are redeveloped. The Municipal Building may be repurposed for a hands-on arts center, museum or other civic related uses should any or all current municipal services relocate elsewhere in the Civic Area. For more information on the West End, see page 24.



PARK AT THE CORE

Over half of the 27 acres - and the core - of the Civic Area is Civic and Central parks with Boulder Creek flowing through, a green spine that unifies spaces and provides natural beauty, ecological richness, shade, recreation, art and places to gather. Park amenities and activities, such as kiosks, food and seating, lighting, and cohesive signage will be added throughout for a consistent look and feel, and green space will expand through the relocation of parking and structures from the High Hazard Zone (HHZ) to other places. Adjacent buildings will create "eyes on the park" and make the area feel more inclusive, safe, and family-friendly.

Performance Criteria

Public parks are central to the vision for the Civic Area. These criteria establish program and design standards for parks within the area.

Plazas and Gathering Places: Generally, large open spaces should be spatially defined into smaller, more easily identifiable and relatable areas. People commonly gather at articulated edges in or around a plaza. A distinct sense of place can be achieved by defining edges and establishing a sense of enclosure through the use of canopies, trees, shrub plantings, arcades, and trellises, which must be balanced with visibility and defensibility. For plazas, small parks, and portions of larger parks, peripheral uses that generate activity, such as eating and drinking outlets, small retail, and music performances are particularly important to the park's attractiveness and liveliness.

Plazas will generally have a "human scale" if they are less than 60 feet across. Avoid large, unarticulated areas, except for those intended for public gathering. Provide a variety of sizes and shapes to encourage socializing and community building.

Park Access: The Boulder Civic Area has well-used bicycle and pedestrian amenities and convenient transit connections. Travel through and access to the area will continue to be improved with enhanced pedestrian and bike as well as limited vehicular access.

- Traffic calming features and pedestrian-oriented streetscape amenities for all streets surrounding and intersecting parks, including: Canyon Boulevard, Arapahoe Avenue, 9th Street, Broadway, and 11th, 13th, 14th and 15th Streets.
- Pedestrian access across Canyon Boulevard should be improved at key crossing points.
- Establish a hierarchy of types of paths that includes: commuter biking paths, children's biking paths, soft (unpaved) walking paths and health paths (perhaps incorporating stone inlays or other interactive art).

- Pathways should provide safe, protected pedestrian links from the park to adjacent uses, such as transit stops and Downtown.
- Pathways should consider those park users who may wish to meander through or around the park as well as those who wish to move efficiently from point to point.

Art and Entertainment: Encourage visual and performance arts by integrating art and opportunities for art to take place throughout parks. Visual art may include earthworks, temporary or permanent sculptures, lighting installations and murals. Visual art may also be incorporated into park fixtures and furnishings such as park signage, gateway markers, pedestrian light posts, banners, pavement, seating, tree grates and guards, and bike corrals. Performance art spaces may include multiple performance venues of different types, including a stage with an amphitheater as well as open plazas.

Food: Incorporate access to a variety of existing and new food establishments and vendors in the park, including permanent and temporary seasonal outdoor and indoor facilities. Recognize the community values of existing food establishments such as the Dushanbe Tea House, the Boulder Farmers' Market, and Mustard's Last Stand, and provide opportunities for enhancing their social and economic viability in the area. When Park Central Building is relocated, consider opportunities for Mustard's to continue to be part of the future development of the Civic Area.



- Provide cafe seating opportunities with flexible furniture, including permanent, fixed picnic seating at appropriate locations.
- Expand outdoor seating and cafe opportunities at the North Library garden, including external access to the library cafe.
- Provide opportunities for an ice cream vendor and food trucks.

Services Extending the Range of Uses: At plazas and performance spaces, provide secure electrical outlets, water spigots, restrooms, and other services that will encourage a greater range of uses.

Views and Viewpoints: Design parks to take advantage of views to the mountains, the creek and other amenities. Use vegetation and path orientation to frame and direct views. Incorporate park edge vegetation to screen views of surrounding roadways and parking and create a sense of place and enclosure. Plan for views into the park from access points.

Noise Mitigation: Mitigate and detract attention from traffic and other ambient noise, in strategic locations for performance spaces as well as quiet contemplative places, by using elements such as fountains, waterfalls and vegetation.

Public Amenities: Provide site furniture and amenities, such as waste receptacles, bicycle racks, drinking fountains, game tables, kiosks, children's play equipment and artwork at key locations within the park. Provide restrooms that are accessible from outdoors within existing buildings, such as the library, and in new buildings. Wayfinding elements, such as signage, lighting, entry gateways and pavement treatment, should be designed to provide a unified look to the park.

Build Green:

- Exceed minimum energy performance and take advantage of renewable resources.
- Conserve water for landscaping.
- Mitigate urban heat island and stormwater runoff.

Safety and Security: Crime Prevention through Environmental Design (CPTED) refers to a group of strategies intended to reduce the fear of crime and the opportunities to commit crime.

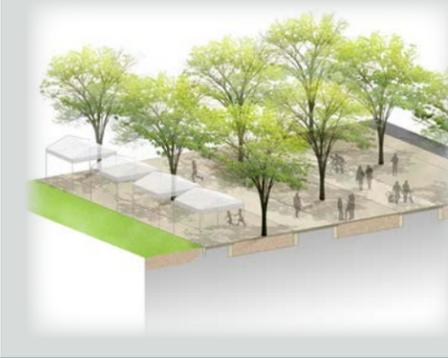
- **Natural Surveillance:** This type of "passive surveillance" occurs when areas of the park are open to view by the public and neighbors, and is a major crime deterrent. Maximize the number of "eyes on the park." Ensure that an officer driving by or through the park can see the facilities that might be targeted by offenders. Orient restrooms, shelters, and other structures so that they are easily visible from the roadways and parking areas.
- **Defensible Space:** Design parks so that potential perpetrators cannot lurk or commit a crime and then flee via a convenient escape route.
- **Lighting:** Lighting along pathways, plazas, entrances, parking structures, play areas, etc., should suit the intended hours of operation and level of activity, and should not create glare and deep shadows.
- **Windows:** Encourage windows and adjacent uses that look out onto parks and provide good natural surveillance to discourage criminal activity.
- **Landscaping:** Provide landscaping that is open and allows visibility and natural surveillance and doesn't allow places to hide. Hedges should be no higher than 3 feet and tree canopies should start no lower than 8 feet. This is especially important around entryways and windows. Native, riparian vegetation should be restored and maintained along Boulder Creek in a manner that addresses both ecological health and safety concerns.
- **Territoriality:** Visual cues show that the community "owns" its parks. Good maintenance and seasonal displays send a clear message that people care and won't tolerate crime in the area.

PARK AT THE CORE Key Elements



Gateway Promenade

A continuous promenade along Canyon and repeated along Arapahoe as feasible for access, arts and events, inviting visitors to the Civic Area and creating a strong edge for the park.



Expanded Farmers' Market

Development of picnic areas and gathering spaces within Central Park to better accommodate the market and allow expansion into the park areas for stalls and tents on market days.



11th Street Spine + Signature Bridge

Continuous paved access corridor aligning the north and south areas of the park to connect Pearl Street through the Civic Area and south to University Hill that features a signature bridge across the creek as well as distinct gateways located at both Canyon and Arapahoe entrances.

Nature Play along the Creek

Nature play and interactive physical play spaces primarily south of the creek and incorporated throughout the park for innovative activation and to create a destination for families.



Potential Relocation of the Bandshell

Dynamic topography

A large contiguous lawn with dynamic topography and necessary infrastructure to accommodate large formal gatherings and special events as well as less formal daily uses and activities.



Cafe Terrace & Cherry Tree Plazas

Distinct plaza areas adjacent to the Library and Municipal building that feature urban design elements to support a range of activities and flexible uses.



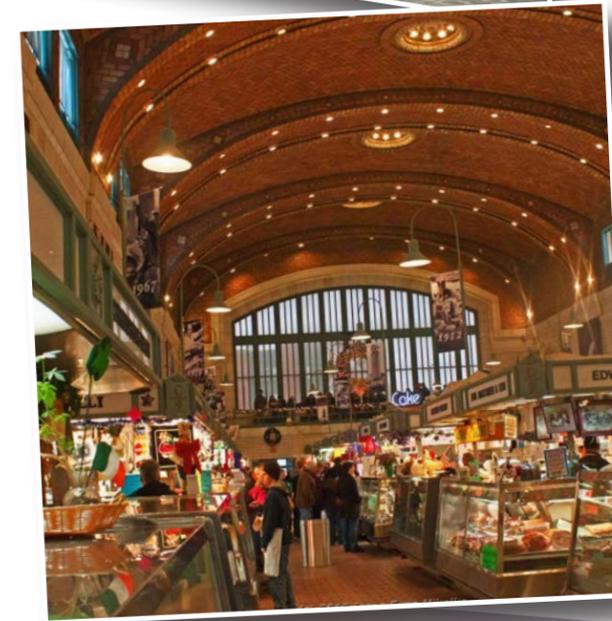
Enhanced circulation



EAST END: FOOD AND INNOVATION

(13th/14th Street Block)

The East End is envisioned as a mixed-use block that incorporates a variety of uses in existing buildings and future new developments. Desired uses include civic functions integrated vertically and/or horizontally with private uses such as a center for innovation, incubator offices, residential/hotel and commercial uses. The area's proximity and link to the Pearl Street Mall via 13th Street, as well as access to transit services, make this block conducive to maximizing synergy with existing public and private amenities. As the site with the most potential for new development, special attention is required for a careful mix of uses and their design to achieve the guiding principles. Since all desired uses may not fit within the block, all effort should be made to make sure the final plan reflects a balance in the type, mix, and scale of uses. The following performance criteria will guide program choices and site planning.



Illustrative example of 13th Street Plaza with Farmers' Market and market hall

Illustrative example of a mixed-use facility on 13th St block



Performance Criteria

- **Service Center:** Develop civic uses such as municipal services as part of a mixed-use development vertically and/or horizontally integrated with other uses to encourage innovation and creative collaboration. Day and evenings, during the week, Boulder residents, business owners and government officials will gather to meet and deliberate over local choices and policies, and conduct business and work with partnering non-profits.
- **Day and Night Time Uses:** Integrate uses that generate 24 hour activities such as residential or hotel.
- **Public Plaza:** Develop an urban plaza space to serve as an organizing feature within the block and to provide a variety of public and outdoor functions as a complement to the more "green" park spaces to the west and Farmers' Market.
- **Structured Parking:** Provide the appropriate amount of parking for adequate and convenient access to existing and future uses, balanced with area wide Transportation Demand Management. If new structures are proposed with below grade parking, the hydrologic impacts on the creek and riparian areas must be carefully considered.

The East End: Food and Innovation



The plan graphics and drawings shown here are intended to illustrate the concepts and principles contained in the plan. They are not meant to prescribe the exact location, type or size of future buildings or amenities. The actual physical form of the area will evolve over 10 or more years and will likely be different from these illustrations.

Building Form and Massing

The Civic Area Masterplan will be used as the basis of future land use map changes in the Boulder Valley Comprehensive Plan (BVCP), as well as the basis for rezoning. The performance criteria for Building Form and Massing will be used in the Site Review process to help determine whether a project meets the Site Review criteria. The East End includes five private properties. As the plan is implemented, the City will coordinate with the owners on development opportunities.

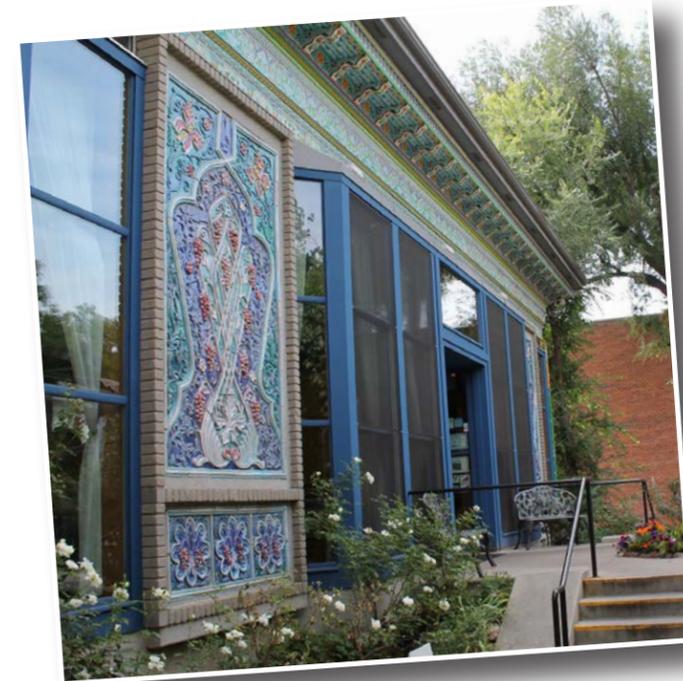
- Building heights should range from two to four stories. Along Canyon, provide up to four stories to help create a more urban character, while buildings along Arapahoe should help transition to the relatively lower height of the residential buildings in the vicinity.
- At the ground level, buildings should have permeability and transparency with visual and physical connections to the outdoors and public spaces.
- At least 60% of the ground floor area should be visually transparent along all major public streets, including Canyon Boulevard, Arapahoe Ave., 13th and 14th Streets, as well as along public plazas.
- Use high quality, durable materials that enhance the building and convey a sense of permanence.
- Employ sustainable green building standards.
- To the extent possible, include active market hall and food-related uses along Canyon Boulevard, 13th and 14th Streets, and facing new plazas.
- Consider the effect of building height on shading and views.
- Building orientation should enhance the opportunity for views of the Flatirons and publicly accessible roof-tops.
- Building entrances should be clear, direct, and welcoming and orient to public areas, streets, plazas, and parks.
- Locate parking structures either underground, or above ground wrapped with active uses to avoid visibility and degradation of the pedestrian environment. Structures should be well lit and easy to navigate in the interior.

Possible Program Elements

- Market Hall
- Service/Innovation Center
- Museum
- Night time uses

For Continued Consideration...

The block will include the outdoor Farmers' Market (expanded), Teahouse, City Storage and Transfer Building (BMoCA), outdoor space and parks, and structured parking. The Atrium Building could be repurposed or redeveloped. With further analysis, any of the above possible program elements could also occur here, provided they meet the performance criteria.



WEST END: ARTS AND CULTURE

(Library and Senior Center)

The West End is envisioned as a cultural/arts core within the Civic Area that builds on the existing civic and cultural functions including the Main Library and the West Senior Center. Building on this site provides opportunity to enhance both the indoor and outdoor functions of the existing amenities, as well as redevelopment and/or new development opportunities. North of the Creek, the north wing of the library has potential for redevelopment as a state-of-the-art facility for performing arts, taking advantage of its location with the expansive view of the Flatirons to the west and hotel and downtown amenities directly across Canyon Boulevard. The consideration of the Civic Use Pad for a mix of public and private uses provides a potential synergetic relationship of land uses throughout the West End. In addition, a potential repurposed Municipal Building to the east, and the park in-between, provide further opportunity to create a unique and vibrant mix of outdoor/indoor uses primarily focused on arts and cultural uses.



Illustrative example of performing arts lobby



Illustrative example of Civic Use Pad/North Library connection

Performance Criteria

Library North: If a performing arts center is included as part of a redeveloped library, its flexibility is key to its success. A fully redeveloped north library building would need to function as a multi-purpose and flexible performing arts facility. In addition to performance and gallery space, there needs to be creative ways to incorporate a mix of uses such as the library's maker space, flexible rehearsal space that could double as meeting rooms or small banquet space, and even possibly incorporating retail and/or restaurant facilities. The capacity for the space to include events and meeting space for non-profits and businesses at a reasonable price is critical to its success. On the weekend and evenings, the facility could be a place for weddings, receptions and parties, as well as performances and art shows. If plans proceed for only rehabilitating the existing Canyon Theatre by increasing capacity to mezzanine seating, there will still need to be opportunities for maximizing a mix of uses in the north building to activate the space.



Library Cafe: As part of the new cafe at the bridge, expand opportunities for outdoor seating and gathering to spill out onto the adjacent garden to the east.

Library South: Closely coordinate the proposed renovation and reconfiguration of the library's interior space with the redesign of Civic Park south of the creek to make it more kid and family friendly as well as a community destination and gathering place. The interior space and function of the library should be integrated with the outdoor space through art, park design, play area and future programming of the library. Features may include public art that enhance the physical and visual link between the outdoor and indoor spaces, a nature play tot lot, a children's reading garden, a water play sculpture, and intimate picnic and seating areas among shade trees along the creek.

Senior Center: If redeveloped as a new senior facility, explore providing a wider range of services, including relevant city and community services, in a more integrated "one stop shop" model. If the senior center is relocated elsewhere outside the Civic Area, consider the site for residential development, including potential micro units. Consider also potential coordination with Boulder Housing Partners and federal H.U.D. for incorporation of Arapahoe Apartments into new residential development.

Structured Parking: Provide the appropriate amount of parking for adequate and convenient access to existing and future uses, balanced with area wide Transportation Demand Management. If new structures are proposed with below grade parking, the hydrologic impacts on the creek and riparian areas must be carefully considered.



The West End: Arts and Culture



The plan graphics and drawings shown here are intended to illustrate the concepts and principles contained in the plan. They are not meant to prescribe the exact location, type or size of future buildings or amenities. The actual physical form of the area will evolve over 10 or more years and will likely be different from these illustrations.

Building Form and Massing

The Civic Area Masterplan will be used as the basis of future land use map changes in the Boulder Valley Comprehensive Plan (BVCP), as well as the basis for rezoning. The performance criteria for Building Form and Massing will be used in the Site Review process to help determine whether a project meets the Site Review criteria.

- Building heights should range from two to four stories along Canyon to create a more urban character along this wide public right of way, and to establish a better formal relation in mass and scale with St. Julien and the future development at the Civic Use Pad.
- Along Arapahoe, building scale and mass should help transition to the relatively lower height of residential buildings in the vicinity. Building heights should be limited to no more than three stories.
- At the ground level, buildings facing Canyon Boulevard and Arapahoe Avenue should have permeability and transparency with visual and physical indoor/outdoor connections and public spaces, with at least 60% visual transparency along all major public streets and park space.
- Use high quality, durable and timeless materials that enhance the buildings and convey a sense of permanence.
- Employ sustainable green building standards.
- Consider the effect of building height on shading and views.
- Building orientation should enhance the opportunity for views of the Flatirons, especially along west building facades.
- To the extent possible, include opportunities for publicly accessible roof-top spaces.
- Building entrances should be clear, direct, and welcoming and orient to public areas, streets, plazas, and parks.
- Locate parking structures either underground, or above ground wrapped with active uses to avoid visibility and degradation of the pedestrian environment. Structures should be well lit and easy to navigate in the interior.

Possible Program Elements

- Multi-Purpose Senior Center (Redeveloped)
- Expanded Cafe
- Civic Use Pad
- Night Time Uses
- Performing Arts

For Continued Consideration...

The West End will include the existing south wing of the library as it is today, the Municipal Building, structure parking, and outdoor space and parks. With further analysis, any of the above possible program elements could also occur here, provided they meet the performance criteria.



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Access and Mobility

Access and mobility are important to the vitality of the Civic Area. People using all transportation modes—whether on foot, bicycle, bus or car—need to be able to get around easily. People also need to be able to connect to surrounding destinations safely and conveniently. The Civic Area and Downtown already have well-used multi-modal amenities and connections, including the 13th Street contra-flow bike lane, local and regional transit services and the Transit Center, bike parking, Boulder Creek Path, Pearl Street Mall, and a parking district. However, improvements throughout the area could still be made.

Access and Mobility Elements

Canyon Boulevard: Canyon Boulevard will be enhanced from 9th to 17th Street to become a complete street, incorporating dedicated bike lanes, safe pedestrian environments and more street trees and landscaping while still accommodating cars and buses.

Broadway: Reduce Broadway as a barrier by employing design elements to improve pedestrian safety at the Arapahoe and Canyon intersections. Design treatments similar to the special brick pavers used at the Pearl Street Mall and Broadway crossing would help to reduce the barrier perception while improving safety.

11th Street: 11th Street will be improved to allow enhanced physical and visual connectivity from Pearl Street to the Civic Area and to the University Hill area. This improvement will provide a pedestrian and bike friendly corridor that allows visitors to easily access these core areas of downtown.

13th Street: 13th Street could remain unchanged, which is open to vehicular traffic except during the Farmers' Market, or could be transformed into an urban plaza with bike access and a stronger connection to Pearl Street Mall.

14th Street: 14th Street could remain unchanged, or converted to transit-only with bike and pedestrian access, or converted to a transit and general use street.

Public Transit: Local and regional transit public transportation services, including the SKIP, JUMP, DASH, BOLT, BX, and AB, will continue to provide access to the Civic Area and the Downtown.

Bicycle/Pedestrian: Maintain and expand current bicycle and pedestrian pathways to facilitate better circulation as well as connections to nearby areas, including Pearl Street Mall, Goss/Grove, CU and University Hill.

Goss/Grove Access: Create an east-west bike/pedestrian corridor through the Goss/Grove neighborhood starting at 14th Street and continuing to 17th Street.

Parking: Over time, the surface parking in the HHZ will be removed to improve life safety and to open up more parkland; however, these spaces will be replaced with parking structures on either or both the west and east end of the Civic Area.



Legend					
	Major Ped/Bike Connection		Internal East/West Connection		B-Cycle Station
	New Ped/Bike Connection - Canyon Blvd.		Bike Lane		Transit Station and/or Stop
	Ped/Bike Connection		Existing Parking Structure		Boulder Transit Center
	Boulder Creek Trail - Ped/Bike		Potential Parking Structure		Transit Corridor
	New Ped/Bike Connection - Goss/Grove Access		Enhanced Ped Crossing		Potential Transit Corridor

Key Improvements

Many different possible elements will enliven the Civic Area and attract people and activity. The elements listed below represent potential ways to develop the area.



Park at the Core

The green space and beauty along Boulder Creek will provide significant natural and programmed park spaces and will be a "ribbon" that weaves together existing and new parks facilities. The park will be active and safe, with a rich diversity of civic, recreational, artistic and cultural amenities and programs. The four major focus areas are:

1. The Creek
2. The Civic Front Door
3. Nature in the City
4. Central Park

The Creek: Boulder Creek will continue to be a focal point and unifying element running through the park. The creek will be enhanced by creating opportunities for access, designing viewpoints, maintaining the riparian vegetation (in a manner compatible with safety concerns), and varying the shoreline treatment with vegetation in some areas and terraced rock shores in others.

The Civic Front Door: Civic Park north of the creek will remain an open, sunny Great Lawn for gathering and unstructured sport, but it will also be newly activated with outdoor dining, musical and dance performances, yoga and exercise classes, and other events, such as "Picnic in the Park." Seating for a new library cafe will spill out onto adjacent terraces. Food trucks and carts will add culinary diversity, while folks enjoy live music and games, like ping-pong and chess, and browse demonstration gardens and sculpture displays.

Nature in the City: Civic Park south of the creek will be a naturalistic, shady refuge that relates to the library, and Boulder Creek will be designed with children and families in mind. Improvements will be coordinated with the planned renovation and reconfiguration of the library's interior space and function, aimed at better integrating the interior physically and programmatically with nearby outdoor space. Features may include public art enhancing the physical and visual link between outdoor and indoor spaces, a nature play tot lot, a children's reading garden, a water play sculpture, intimate picnic and seating areas among shade trees and along the creek, and themed gardens, such as edible, shade or xeric/low water.



Central Park: This area is characterized by the historic bandshell and several state champion trees that demonstrate the history of the park while also providing a park experience for the adjacent Farmers' Market along 13th Street. In the near-term, the bandshell programming will be increased to encourage an array of performances and cultural activities that are multi-generational and attract more visitors to the area. However, due to various constraints determined in the current location, the bandshell will be relocated to improve the functionality and use of the current site. This will provide opportunities for enhancements to the Farmers' Market within the park and a promenade along Canyon Boulevard that is complimentary to the future "complete street." This relocation will also achieve better visibility through the site and increased lawn areas for park uses.

Farmers' Market

the idea...

The Farmers' Market will continue to operate on 13th Street and expand to the west and into the Teahouse Plaza, improve access and function, and possibly extend days or hours of operation.

In 2012, the Farmers' Market celebrated 25 years of operation, and it is one of the most notable draws in the Civic Area. It operates on 13th Street on Wednesday afternoons and Saturday mornings from April to October. The locally grown fresh produce fits Boulder's values for healthy living, eating fresh, and supporting local businesses and farmers.

The city has invested in improvements along 13th Street to provide better space for the market stalls. The Farmers' Market, working with the city, is exploring how to better provide drop-off/pick-up access for customers, easier access for vendors, and closer and more accessible parking. Also with the city, it will explore how a year-round "public market hall" could complement its mission to provide a marketplace for local and Colorado agricultural producers.

Public Market Hall

the idea...

The public market hall, or food hall, may supplement (not replace) the outdoor seasonal market on 13th Street, subject to further coordination with the Farmers' Market and analysis. It could be a new vertically mixed-use structure or repurposed Atrium building.

A public market hall would provide a year-round venue for local food and other locally produced goods and provide additional space for the Farmers' Market to expand during the peak season. A new building could be in the 13th/14th Street block that would complement the park uses across the street and enhance the market experience within the park. On 13th Street, it would ideally be mixed vertically with other uses. Additionally, the building could be designed for specific market needs. If the market hall were to be located in the Atrium building, city offices would have to be relocated, and the functionality of the market would be limited by the building configuration and size. The market hall concept will be further analyzed by the city in partnership with the Farmers' Market. Considerations will include synergy with the Farmers' Market function; cost; prospective tenant interest, projected market demand and impact; usability on non-market days; suitability of adjunct uses; synergy with adjacent uses; and access and parking.



Bandshell

the idea...

Explore relocating the bandshell within the Civic Area or other locations that allow increased usefulness as an outdoor structure.

The Glen Huntington Bandshell, built in 1938, is a local historic landmark and protected under the city's Historic Preservation Ordinance. It is architecturally significant as an example of Art Deco architecture in Boulder. Today, it faces challenges, including limited programming, worn appearance, uncomfortable seating, frequent transient occupation, and traffic noise and access challenges for performances. The context also has changed significantly from the 1930s. The north end of the bandshell is within the 65-foot setback from the centerline of Canyon Boulevard, which is needed for creating a "complete street" design along Canyon from 9th Street to 16th Street. The current location of the bandshell would prohibit implementation of a "complete street" between Broadway Avenue and 13th Street.

Recent outreach and public involvement has concluded that the bandshell is not currently functional and faces many challenges relating to its physical location and programmatic effectiveness. Additionally, many proposed uses and physical improvements have been identified for the current space that is occupied by the bandshell within Central Park. Consideration has been given to relocate the bandshell to increase its effectiveness and functionality while allowing improvements to the park area in its current location. The community will be further engaged in the relocation initiative through an outreach to gather ideas and thoughts about its new location and programmatic opportunities. This process will balance the framework of historic preservation while achieving the goals outlined by the community for the improvement to the Civic Area.



Arts, Culture & Science Opportunities

the idea...

Continue to explore a blend of indoor and outdoor arts, cultural and science facilities and spaces as an integral and important components of the Civic Area, including:

- Permanent and temporary art installations or outdoor cultural, arts, and science displays throughout parks;
- Ideas to incorporate an art and cultural related multi-use event space into at the Civic Use Pad.
- Housing the Boulder Museum of Contemporary Art (BMoCA) in a new facility, or in an expanded facility at its existing location.
- Possible repurposing of the Municipal Building (if city facilities are consolidated in new building(s)) for art or cultural related uses; and,
- New facilities as an addition to (or as a redevelopment of) the north wing of the library.

The community wants new arts, culture, and science in the Civic Area and has expressed interest in a community events venue for meetings, banquets, reception dinners, charitable events, etc. BMoCA is exploring expansion of its facility, either at its current location on 13th Street or moving to a new facility within the Civic Area. Additionally, outdoor arts and science are ideas that resonate with the community.

Performing Arts Facility

the idea...

Continue to explore the feasibility of a performing arts facility, either as an addition to or redevelopment of the north wing of the Main Library. A facility may generate excitement and should reflect emerging trends in arts facility programming and usage. The demand for and capital and operation costs of a facility requires further study, as does its projected impact on the Downtown and other venues in and near Boulder. Any facility would need to meet the Guiding Principles and performance criteria in this plan.

In 2013, a local nonprofit, the Boulder Center for the Performing Arts (BCPA), commissioned a feasibility study for a performing arts center in Boulder. Their results were published in April of 2014. The group expressed preference for a mid-sized performing arts center (700-1,200 fixed seats) that would be built through a private/public partnership on city-owned land. The city's Community Cultural Planning process executed in 2014 and 2015 has also identified a need within the community for a mid-sized performance venue. An independent analysis of the BCPA study commissioned by the City of Boulder suggests that the greatest need is for a flexible performance venue of approximately 500-700 seats depending upon the program expectations of the space. The independent analysis stresses the importance of constructing a technically well-equipped venue capable of adapting to future needs in order to host multiple types of events. A well-equipped flexible venue will be of interest to many in Boulder if it has a flexible design capable of hosting large meetings and events as well as performances. The next step is to complete a comprehensive business plan for a performing arts facility. Any performance facility must ensure many uses to avoid creating an inactive zone when it is not in use.



Mixed-Use Community Services / Innovation and Events Center

the idea...

Create a mixed-use community services/innovation and events center (one or several buildings on the 13th/14th Street block) as a space for public/private collaboration, gathering, and celebration through events. Buildings will integrate well with outdoor plazas, theatre, etc. and exemplify the community's sustainability values. The building may accommodate replacement of city functions removed from the HHZ or any repurposed buildings (possibly the Municipal Building and/or Atrium), other city functions, and/or other community needs.

To optimize day/night uses, any new building should be part of a mix of uses, including possibly a vertical mix with the public market hall, other small restaurants or cafes, community event space, and plazas and outdoor spaces. More than 25,000 customers are served each year in seven city buildings in the Civic Area (excluding the Main Library and Senior Center), and multiple events and meetings occur. A center with private incubator space could accommodate multiple community needs.

West Senior Center

the idea...

Continue to explore the creation of a 21st century Senior Center consistent with best practices and models providing a wider range of access for older adults to resources, socialization, and continuous learning and enrichment. Explore co-location of the center with other services, activities, and amenities - either in its current location (redeveloping existing center) or elsewhere, possibly including Downtown, close to other services and amenities.

The West Senior Center is west of the library and south of Boulder Creek and was built in 1974. The center, a 16,200 square foot facility, serves 56,400 customers a year, including Meals on Wheels, and the city offers many other senior programs here. The Human Services Department is currently updating its masterplan, and is exploring the senior center's future, consistent with 21st century best practices and models. Often, newer centers are co-located with other services (such as for children, youth, and families) to be convenient for customers and providers. Additionally, they provide both dedicated space for senior adults and flexible, intergenerational community space .



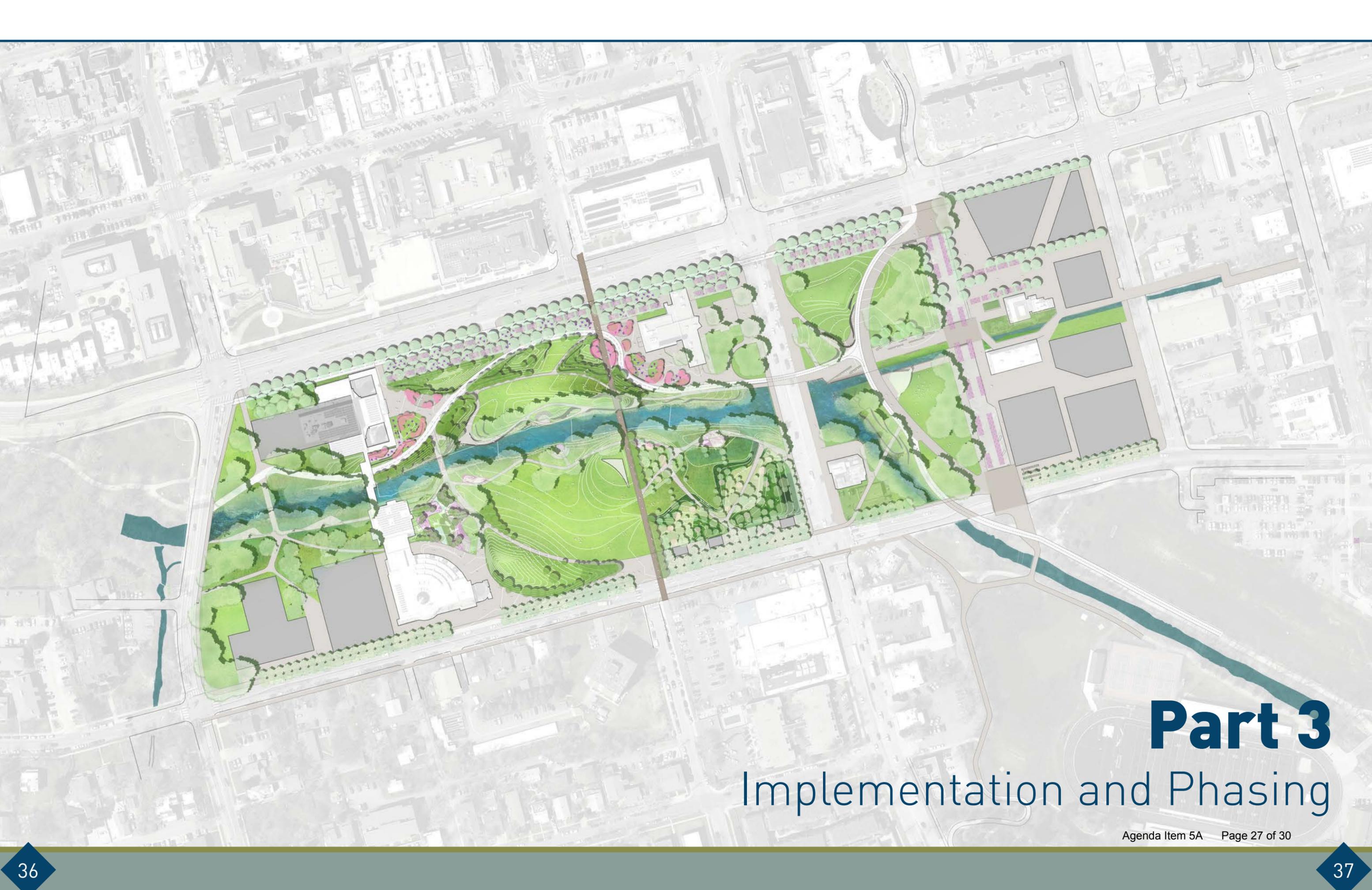
Structured Parking

the idea...

Relocate most surface parking in the Civic Area to structured parking on the west and east ends. Some handicapped spaces and spaces for seniors may remain near building entrances; however, most parking would be in structures designed to be convenient and attractive, and to include a mix of uses around the outside, similar to other downtown parking structures.

To create a strong pedestrian environment for the Civic Area, "just enough" parking spaces will be provided for those who chose to arrive by car. Parking demand is expected to increase with the new, additional uses and amenities, increased events and programming, and higher park visitorship envisioned by this plan. However, that demand will be minimized to the greatest extent possible by providing facilities, services and a physical environment that support and encourage walking, biking and transit use, and by ensuring that parking spaces are shared by uses with different peak periods. The appropriate number of parking spaces and their location will be determined through further analysis and discussion, and will take into account: current and projected parking supply and demand for specific uses and activities at different days, times and seasons, within and adjacent to the Civic Area; potential for coordinating uses and sharing spaces; pedestrian, bicycle and transit enhancements; floodplain issues; site configurations; surrounding street network and access; and other factors.





Part 3

Implementation and Phasing

Strategies

The following strategies will help accomplish the plan.

- 1 **Phasing/Prioritization "Roadmap."** Key steps and phasing will be necessary to sequentially and systematically work toward the vision in the near-term and over time. (See phasing diagrams on pages 42 and 43 for initial prioritization and phasing.)
- 2 **Coordination.** Using designated staff coordinators and other staff within the city to work across city departments and with community partners to carry out the plan (e.g., nonprofit organizations, such as the Farmers' Market and BMoCA, private land owners and developers, and others, such as the Ocean Coalition, Bridge House and Boulder Chamber). See sidebar on right for further details.
- 3 **Detailed Planning and Design.** Develop detailed site plans for certain parts of the Civic Area (e.g., site plan for the core park, for the East and West Ends and for the future Canyon Boulevard). Further engage the community and boards and commissions to review and give feedback on detailed plans. Develop cost estimates for infrastructure and improvements.

Examples of Partners



- 4 **Investment Strategy.** Identify a comprehensive portfolio of financing tools and development structures to pay for capital improvements in phases and identify ongoing operations and maintenance funds. The financial and investment strategy could include any combination of:
 - public financing through voter-approved bonds or sales tax;
 - private financing;
 - districts such as general improvement districts, metropolitan districts and others;
 - endowments;
 - certificates of participation (COPs);
 - General Fund and Capital Improvement Program (CIP) alignment of priorities;
 - public improvement fees;
 - state and federal grants (e.g., state Great Outdoors Colorado funds for parks and open space, and National Endowment for the Arts);
 - urban renewal financing; and,
 - crowd source funding.

The proposed land uses and ownership (e.g., private or public) to some degree determine what kind of financing strategies (financing tools and organizational structures) might be applicable.

- 5 **Land Use Code Update.** If the Land Use Code is inconsistent with the desired plan, update standards as necessary to incentivize or limit certain types of development.
- 6 **Programs and Activities.** Collaborate with appropriate partners to expand existing programs and activities or create new programs consistent with the Plan's vision and principles (e.g., programming new facilities, expanding flood education, and/or creating work opportunities for people who are homeless).
- 7 **Construction.** Following detailed site planning and engineering, construct infrastructure, street improvements, art, informational pieces, park improvements or structures, and buildings.

Partnerships: Cooperate with non-profit and service organizations to ensure that in all programming or built spaces, there are options for people of all incomes and abilities to use the space or participate in events together. As spaces are redeveloped or reprogrammed, enable ways to create space for service provision even if it is not a direct city-provided service.

Maintenance and Operations: Develop on-going community-oriented maintenance activities for the Civic Area. Develop regular ways to involve community members in clean-up and maintenance and to build civic pride and cooperation. Engender a different way of thinking about this area throughout the community. For example, have an on-going clean up paid program for low-income or homeless residents, possibly sponsored by the business community, and also structure regular times for full community projects.

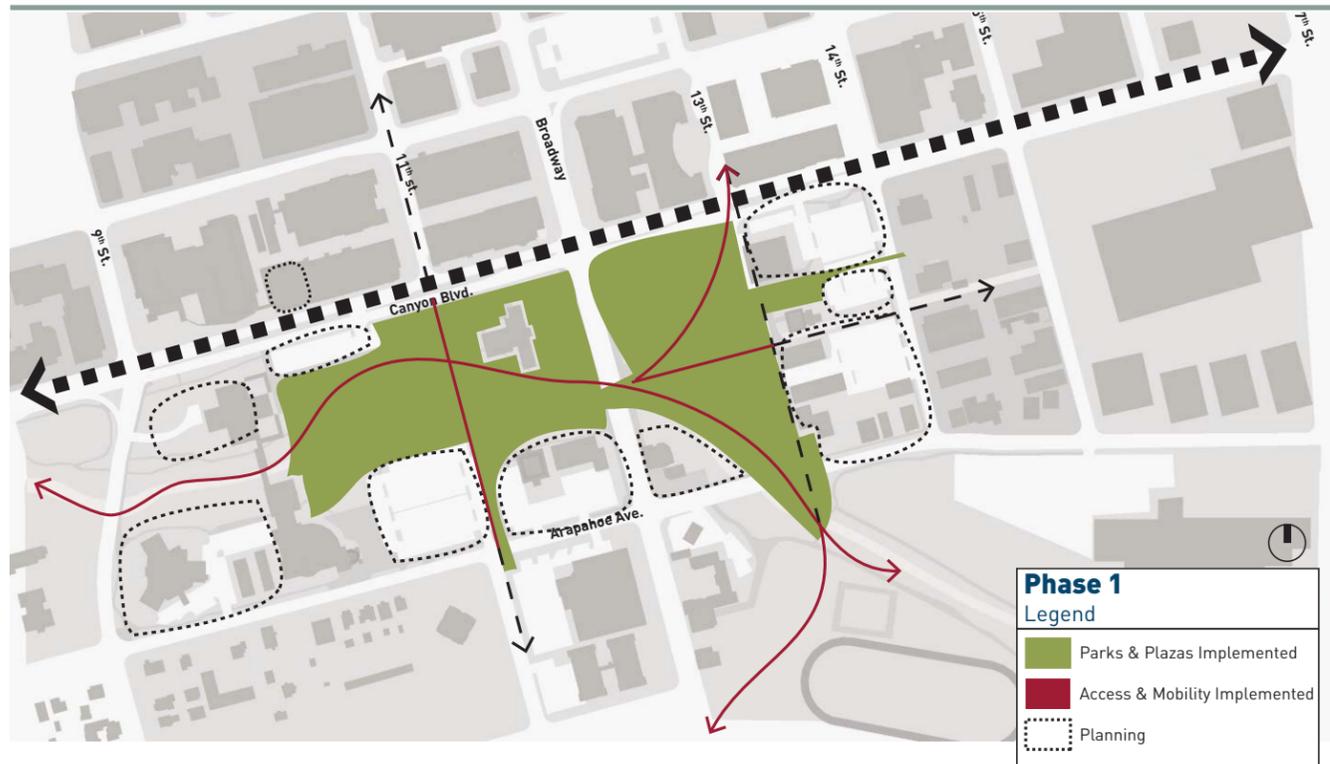
A mix of uses will take a mix of strategies. For example some options may be:

- **Arts/Culture/Parks:** private/public shared financing, supplemented with grants
- **City facilities:** public financing supplemented with private development and city leasing
- **Offices or retail:** private/public partnership, city lease or sale
- **Parking Structure:** Central Area General Improvement District (CAGID) and user fees
- **Housing:** private, public-private partnership, possible trust, lease/sale by city

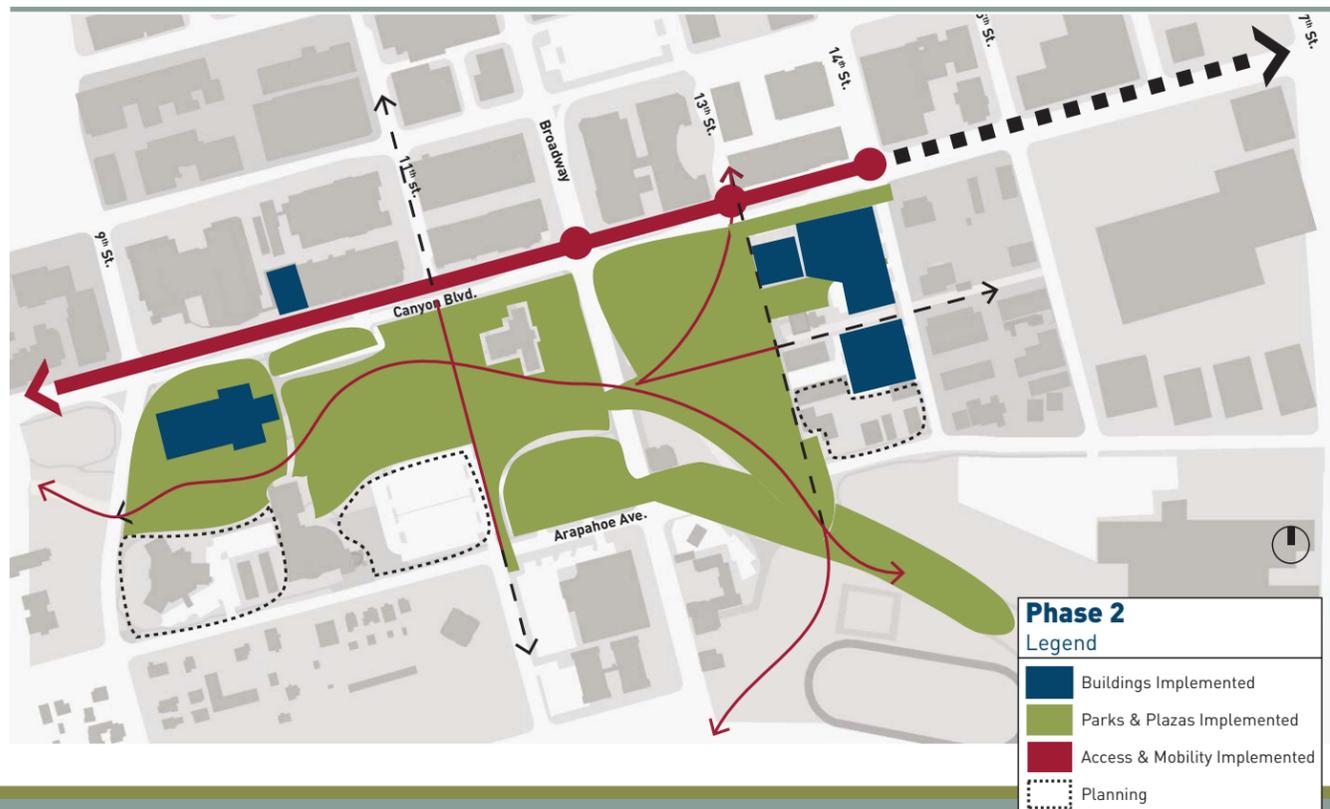
Phasing Plan

The diagrams that follow identify the likely phasing and timing to implement the plan. This phasing plan is preliminary and depends on the availability of funding sources (public, private and other). The phases are broken into the following approximate time periods:

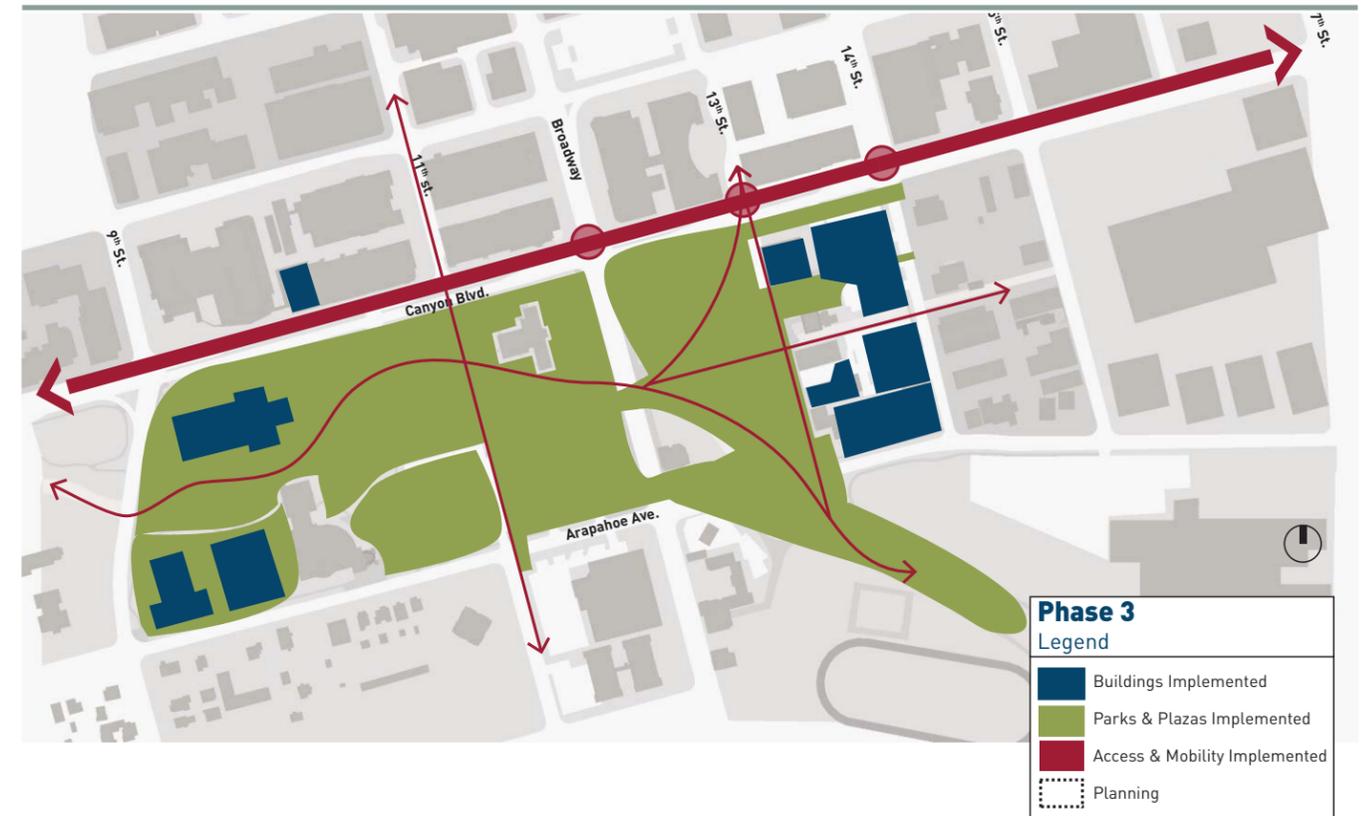
Phase 1: 2016 - 2018



Phase 2: 2018 - 2023



Phase 3: 2023+



City Council & Board/Commission Implementation Roles

Additional guidance from City Council and the boards and commissions with purview in the Civic Area will be needed to implement this plan. This table describes their roles.

	Purview (as it relates to Civic Area)	Implementation Role
City Council	Whole plan; decisions about city-owned land and facilities	Approval of any proposals related to city-owned land, facilities or financing; approval of any plan amendments
Arts Commission	Art in public places, role of arts in the Civic Area	Direction on public art and refinement of strategies related to arts
Boulder Design Advisory Board	Urban design	Input on urban design for any new buildings or major changes to existing buildings
Downtown Management Commission	Parking and development in CAGID (Central Area General Improvement District, a.k.a. Downtown)	Input on parking implementation that affects Downtown, advice on parking strategies, approve any changes to CAGID
Human Relations Commission	Inclusiveness, homeless	Advice on fostering inclusiveness, particularly as it relates to the homeless population, in proposed programs and designs
Landmarks Board	Historic preservation and review of landmarked structure	Review of any landmark alteration permit, including moving bandshell or alterations to other area landmarks, or other proposals that emerge related to historic preservation during the implementation of the plan
Library Commission	Library Master Plan and any overlapping aspects	Approval for any changes to the library and input on any changes adjacent to or affecting the library
Parks and Recreation Advisory Board	Parks planning, greenways, parks function	Advice on site planning and choices about activating the park
Planning Board	Land use changes (private land)	Approval of any land use changes to private properties (in the vicinity, and any public or private development) review application in the area that normally requires zoning changes and/or Planning Board approvals
Transportation Advisory Board	Transportation and connections	Input on transportation connections and improvements, such as Canyon "complete street" design, recommendation on any Transportation Master Plan changes that affect the area
Water Resources Advisory Board	Changes to the floodplain	Input on creek improvements and any proposed flood mitigation



**CITY OF BOULDER
PLANNING BOARD AGENDA ITEM**

MEETING DATE: May 21, 2015

AGENDA TITLE:

Public Hearing and consideration of a recommendation to City Council concerning the disposal of park land (permanent easement) pursuant to City Charter Sec. 162, to be conveyed from the City of Boulder Parks and Recreation Department to the Boulder White Rock Ditch and Reservoir Company as necessitated for the completion of the city's Wonderland Creek Project.

PRESENTERS:

David Driskell, Executive Director of Community Planning and Sustainability
Susan Richstone, Deputy Director of Community Planning and Sustainability
Maureen Rait, Executive Director of Public Works
Jeff Arthur, Director of Public Works for Utilities
Yvette Bowden, Director of Parks and Recreation
Jeff Haley, Parks Planning Manager
Annie Noble, Acting Principal Engineer for Flood and Greenways
Kurt Bauer, Flood and Greenways Engineering Project Manager
Ward Bauscher, Flood and Greenways Engineering Project Manager

EXECUTIVE SUMMARY

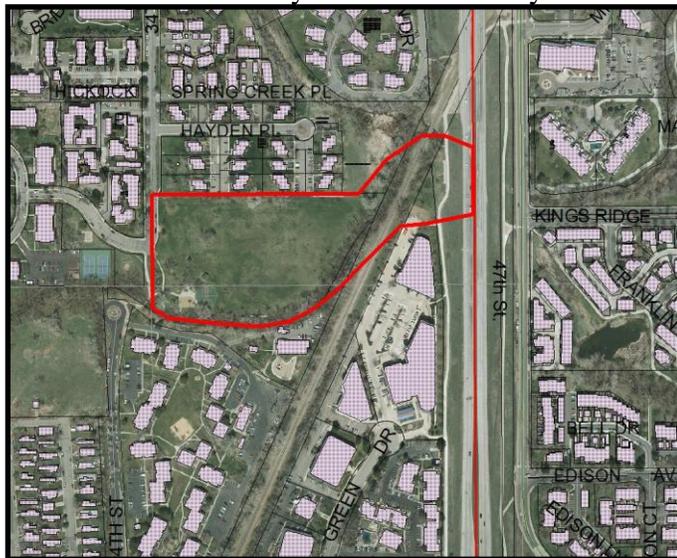
The purpose of this meeting is to obtain an advisory recommendation from the Planning Board to City Council concerning the disposal of park lands (a permanent easement), as required by City Charter Sec. 162. The easement is required in order to relocate a portion of the Boulder and White Rock (BWR) irrigation ditch located in the far northeastern edge of Howard Heuston Park located at 3200 34th St. The City of Boulder Parks and Recreation Department (P&R) owns and manages the Howard Heuston Park.

The realignment of the ditch is required to complete flood mitigation improvements and construct an extension of an important missing link in the city's multi-use path system as part of the Wonderland Creek Greenways Improvement Project. The path will provide connectivity to Howard Heuston Park from the east from Valmont City Park and

Christensen Park and from the west from the Elks Park. The project includes construction of a proposed rest area in Howard Heuston Park adjacent to the new multi-use path. This project was approved by the Parks and Recreation Advisory Board, Planning Board and City Council through a Community and Environmental Assessment Process (CEAP) in 2010.

The BWR ditch is currently located along the southern and eastern boundary of Howard Heuston Park. A small portion of the ditch located in the far northeastern portion of the Park needs to be relocated to the west in order to construct the Wonderland Creek Greenways Improvement Project. A portion of the project's funding is through a federal grant obtained through the Transportation Improvement Program (TIP). The grant funding agreement stipulates the city must secure all easements and have all agreements in place by June 1, 2015. While the city does not need to secure an easement on Parks property to complete the project, an easement will ultimately need to be conveyed to finalize the agreement between the city and the BWR Ditch and Reservoir Company (the Ditch Company).

The proposed easement within Howard Heuston Park is 85' wide and approximately 225' long. The relocated portion of the existing ditch will be filled in, planted with native species and the prescriptive easement abandoned. The relocated ditch and proposed seating area will cause minimal disruption to the function of the park.



Heuston Park - 3200 34th

An affirmative vote by at least four members of the Parks and Recreation Advisory Board (PRAB) is required for this disposal. The PRAB is scheduled to consider this request at its May 18 business meeting. An advisory recommendation, not binding on the City Council, must also be obtained from the Planning Board.

KEY ISSUES & ANALYSIS:

- 1) Does the Planning Board recommend a permanent easement across the Park be granted to the Ditch Company?

The Wonderland Creek Greenways Improvement Project will provide flood mitigation from Foothills Parkway north and east along Wonderland Creek to Winding Trail Drive along with construction of an important missing link in the city's multi-use path system. Flood mitigation improvements associated with this project are recommended in the Flood Mitigation Master Plan for Fourmile Canyon Creek and Wonderland Creek. The

trail components of the project are recommended in the city's Transportation Master Plan and the Greenways Master Plan.

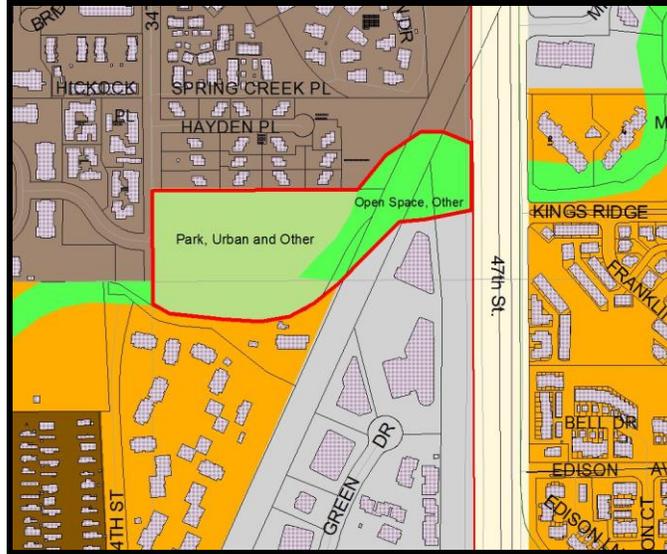
Planning for the project began with development of a Community and Environmental Assessment Process (CEAP). The CEAP was approved by the Greenways Advisory Committee and City Council in 2010. The Parks and Recreation Advisory Board and Planning Board reviewed the CEAP and provided input via representatives on the Greenways Advisory Committee. The planning and design process included an extensive public process. The project received federal funding through the Transportation Improvement Program (TIP). The federal funding requires the project be advertised for construction by June 30, 2015. It is anticipated that the project will take two years to complete.

The extension of the multi-use path system will include a new railroad bridge and underpass just west of Foothills Parkway, an underpass at Kalmia and an underpass at 28th Street. The new path system will help to connect Howard Heuston Park, Christensen Park, Valmont Park and the Elks Park along the city's multi-use path corridor. The project also includes a potential seating rest area within Howard Heuston Park, designed and built by a local artist. [Attachment A](#) shows the connectivity resulting from the project's extension of the city's multi-use path system. [Attachment B](#) shows the possible location of the proposed rest area in Howard Heuston Park adjacent to the new path system. Design of the seating area will be coordinated with Parks staff.

Completion of the project requires a portion of the Boulder and White Rock (BWR) irrigation ditch to be relocated. The BWR ditch is currently located along the southern and eastern boundary of Howard Heuston Park. A small portion of the ditch located in the far northeastern portion of the Park needs to be relocated to the west. The ditch company has requested an 85-foot wide permanent easement be conveyed for the relocated portion of the ditch. The proposed length of ditch would be approximately 225' on Howard Heuston Park. The length of the existing ditch within the Park is approximately 185'. The relocated portion of the existing ditch will be filled in, planted with native species and the prescriptive easement abandoned. This area of the park will be maintained by the Greenways Habitat Maintenance Crew. The location of the relocated ditch will cause minimal disruption to the function of the Park. [Attachment C](#) shows the relocated ditch and associated easement. [Attachment D](#) presents the legal description of the ditch easement through Howard Heuston Park. Proposed grant of easement language is presented as [Attachment E](#).

- 2) Is the proposal consistent with the [Boulder Valley Comprehensive Plan](#) Land Use Designation?

Yes, per the map below, the area is appropriately designated Parks, Urban Open Space as well as Open Space Other and supports the proposed improvements.



BVCP Land Use Designations

3) Is the proposed connection consistent with the city's Transportation Master Plan?

Yes, the proposed connection is consistent with the connections identified in the [Transportation Master Plan](#).

CITY COUNCIL, BOARD AND COMMISSION FEEDBACK

PRAB members have been asked to consider this request at their May 18 business meeting. The results of the PRAB meeting were not available at the time this memo was drafted. PRAB results will be provided to this Board by the time it meets to consider this request. Any public feedback provided to PRAB will also be provided at that time.

STAFF RECOMMENDATION

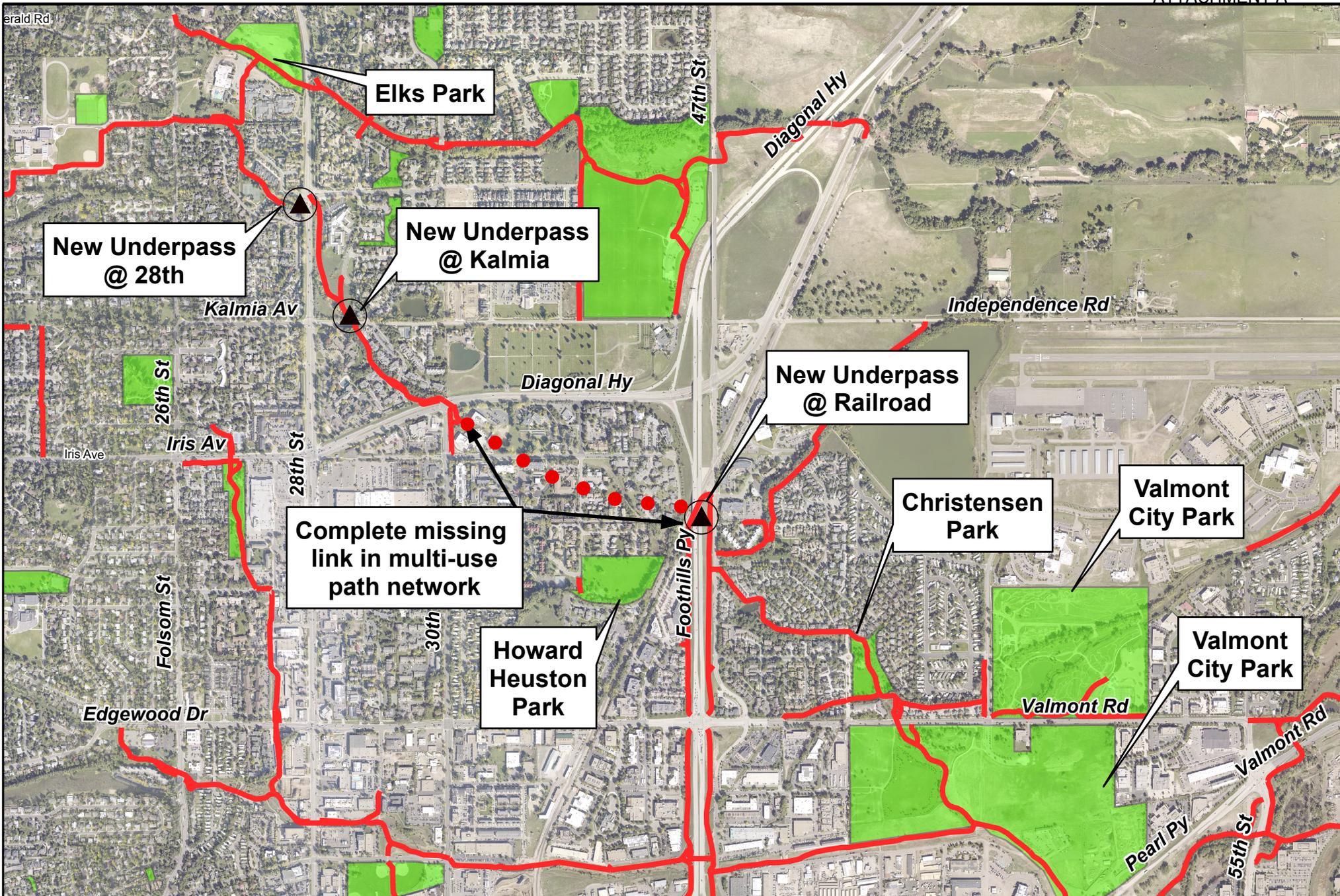
Suggested Motion Language:

Staff requests Planning Board consideration of this matter and action in the form of the following motion:

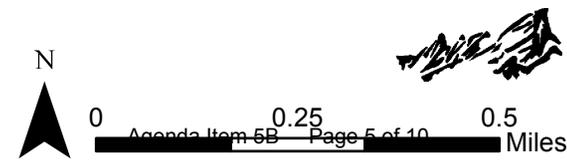
Motion to recommend to City Council the disposal of park land at Howard Hueston Park (permanent easement) pursuant to City Charter Sec. 162, to be conveyed from the City of Boulder Parks and Recreation Department to the Boulder White Rock Ditch and Reservoir Company as necessitated for the completion of the city's Wonderland Creek Project.

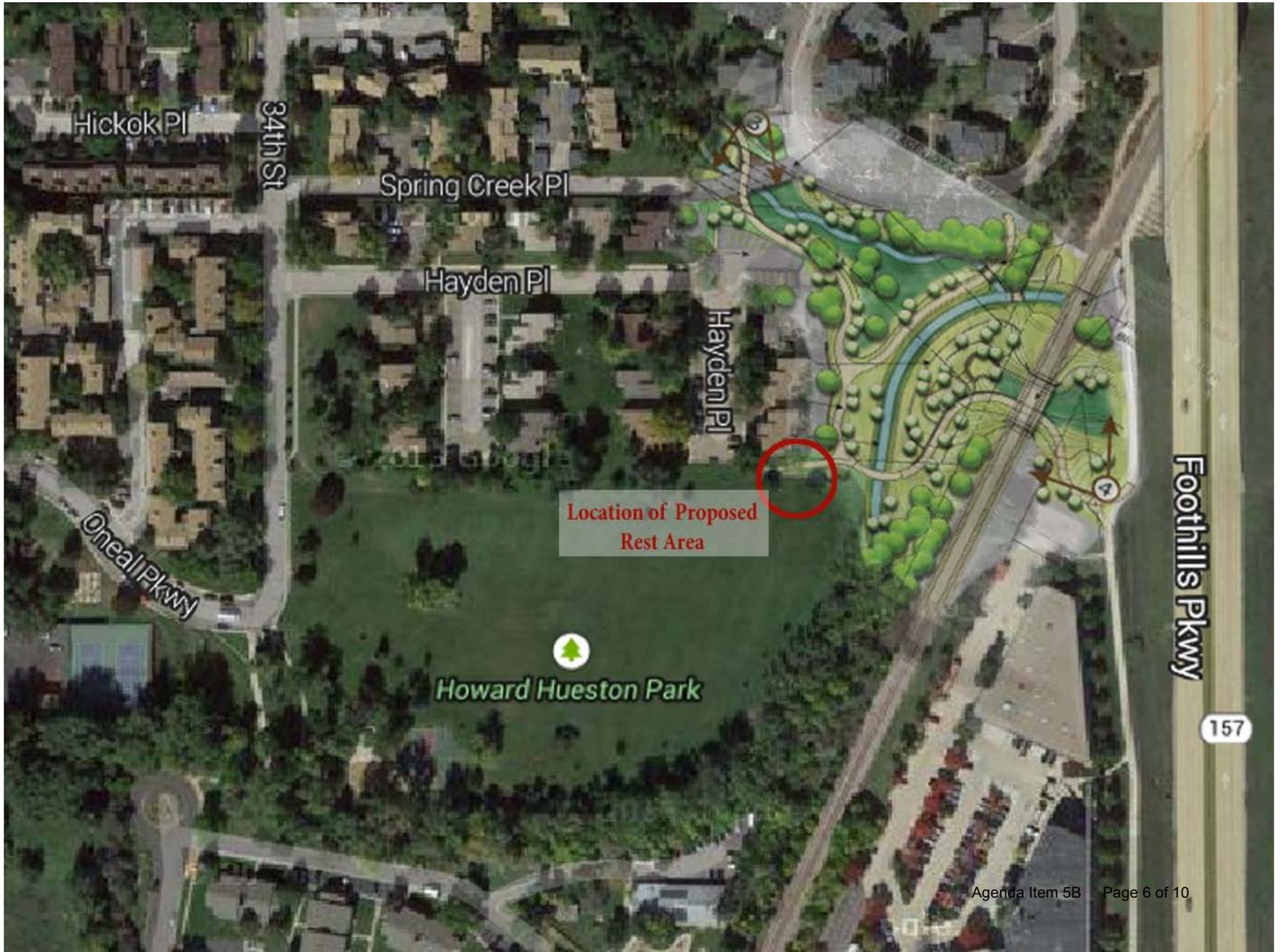
ATTACHMENTS

- [Attachment A: Figure Showing Project Path Connectivity](#)
- [Attachment B: Conceptual Rest Area Location in Howard Heuston Park](#)
- [Attachment C: Proposed Grant of Ditch Easement across Howard Heuston Park](#)
- [Attachment D: Easement PE4 Shown on Right of Way Plan](#)
- [Attachment E: Proposed Grant of Easement Language and Legal Description](#)



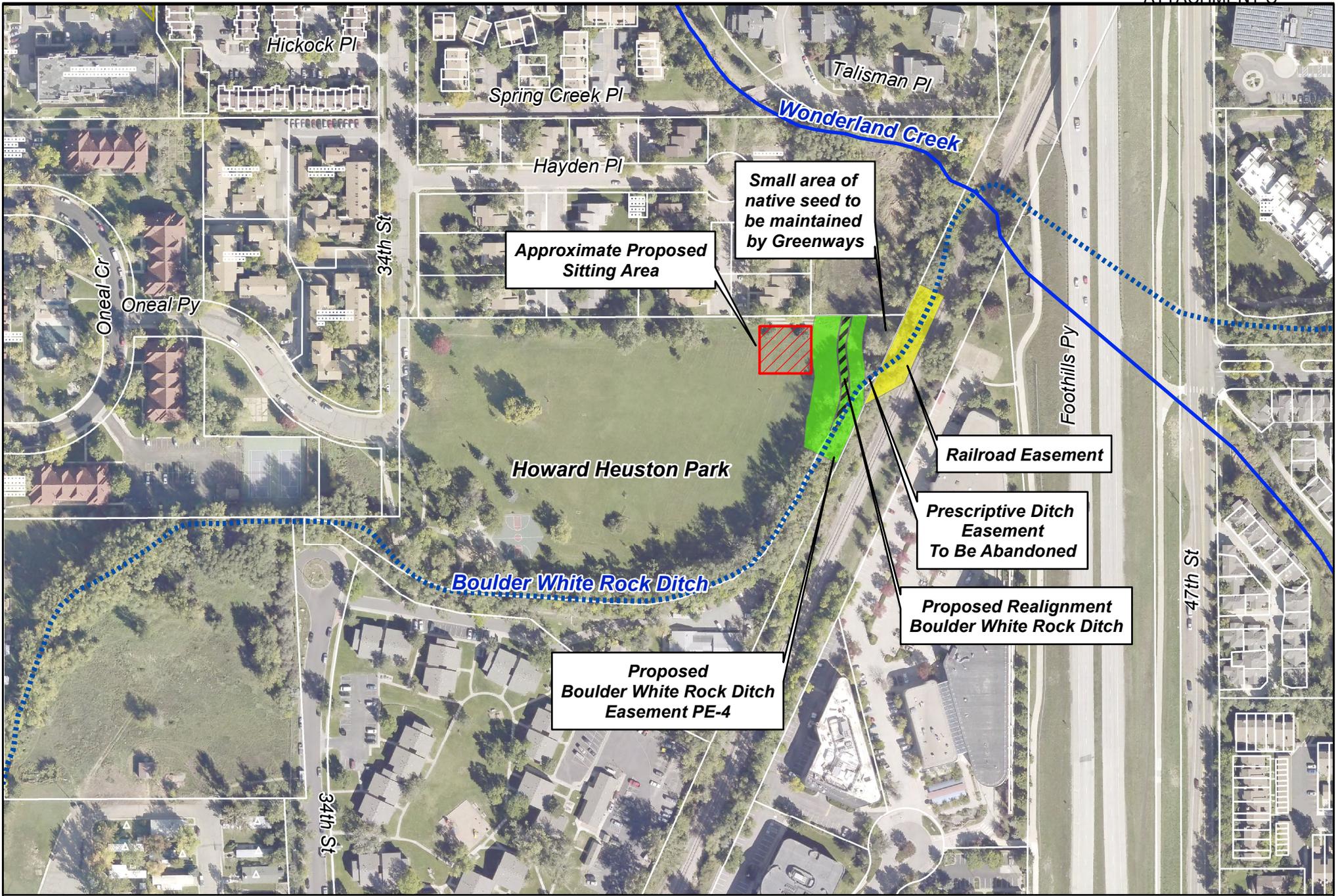
Wonderland Creek
Multi-Use Path Connections





Location of Proposed Rest Area

Howard Hueston Park



Wonderland Creek
 Easement and Proposed Sitting Area Location

COLORADO DEPARTMENT OF TRANSPORTATION



Region 4
1420 2nd Street
Greeley, CO 80631
Phone: 970-350-2161 FAX: 970-350-2178

Right of Way Plans Unit:

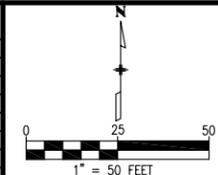
PTS

Sheet Revisions

Date	Description	Initials
03-21-14	Add TE-1 and New Design	GFS

Sheet Revisions

Date	Description	Initials

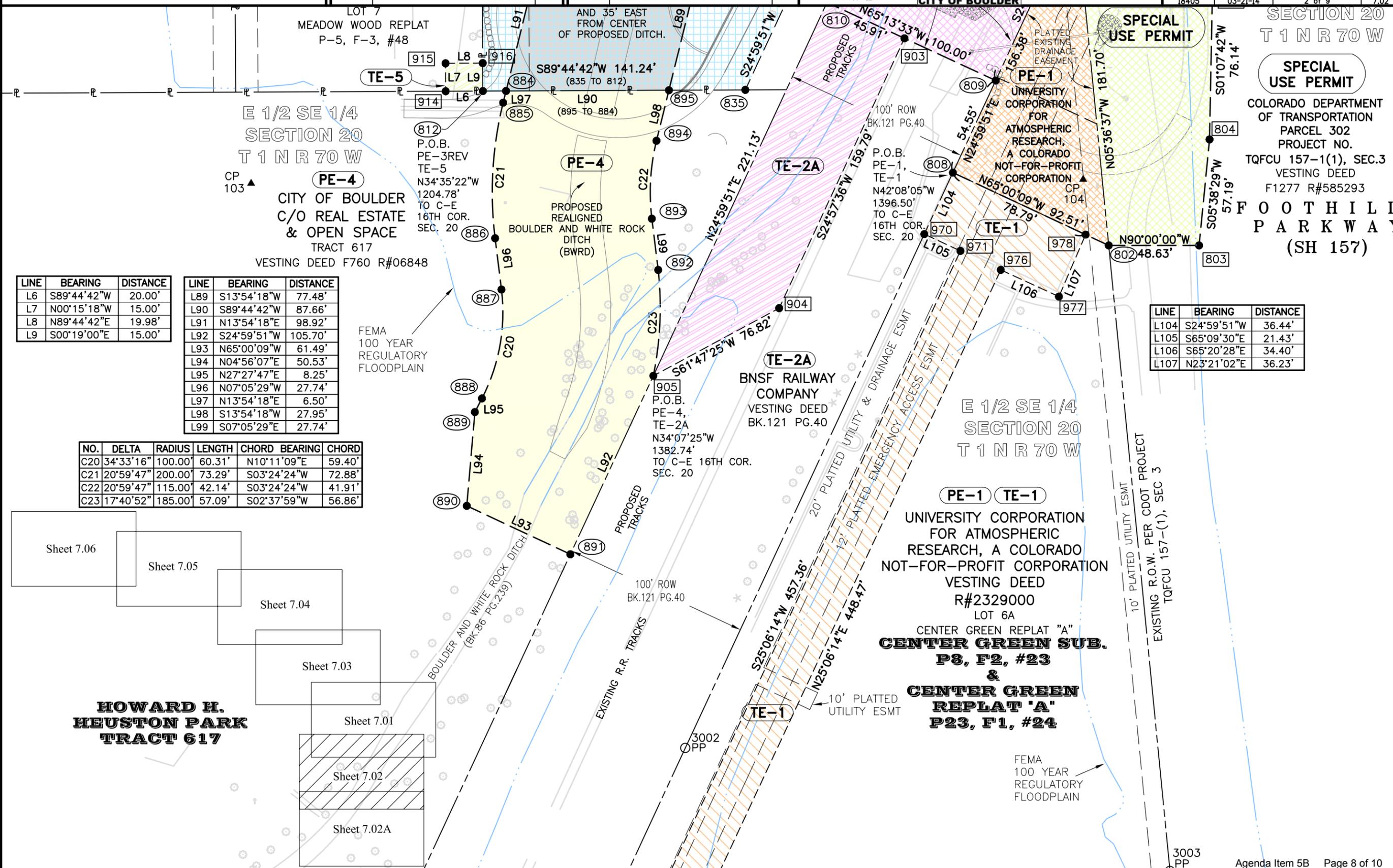


LUND
PARTNERSHIP
12265 W. Bayaud Ave., Suite 130
Lakewood, Colorado 80228
P:303.989.1461 F:303.989.4094
CIVIL ENGINEERING & SURVEYING

Right of Way Plans

Plan Sheet

Project Number: STM M110-081
Project Location: Wonderland Creek
City of Boulder
Project Code: 18405
Last Mod. Date: 03-21-14
Subest: 2 of 9
Sheet No.: 7.02



LOT 7
MEADOW WOOD REPLAT
P-5, F-3, #48

E 1/2 SE 1/4
SECTION 20
T 1 N R 70 W

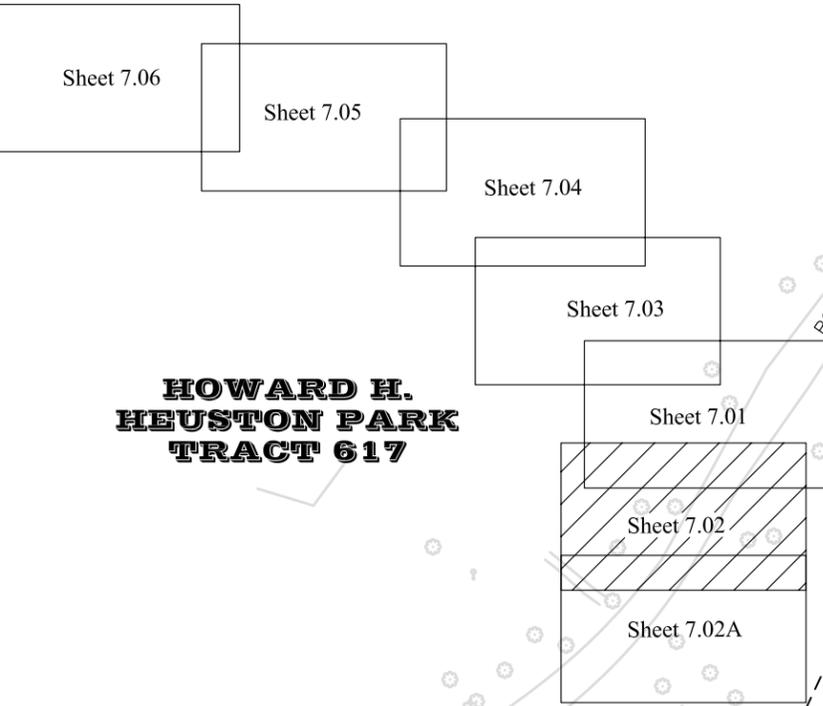
CP 103

PE-4
CITY OF BOULDER
C/O REAL ESTATE
& OPEN SPACE
TRACT 617
VESTING DEED F760 R#06848

LINE	BEARING	DISTANCE
L6	S89°44'42"W	20.00'
L7	N00°15'18"W	15.00'
L8	N89°44'42"E	19.98'
L9	S00°19'00"E	15.00'

LINE	BEARING	DISTANCE
L89	S13°54'18"W	77.48'
L90	S89°44'42"W	87.66'
L91	N13°54'18"E	98.92'
L92	S24°59'51"W	105.70'
L93	N65°00'09"W	61.49'
L94	N04°56'07"E	50.53'
L95	N27°27'47"E	8.25'
L96	N07°05'29"W	27.74'
L97	N13°54'18"E	6.50'
L98	S13°54'18"W	27.95'
L99	S07°05'29"E	27.74'

NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING	CHORD
C20	34°33'16"	100.00'	60.31'	N10°11'09"E	59.40'	
C21	20°59'47"	200.00'	73.29'	S03°24'24"W	72.88'	
C22	20°59'47"	115.00'	42.14'	S03°24'24"W	41.91'	
C23	17°40'52"	185.00'	57.09'	S02°37'59"W	56.86'	



HOWARD H. HEUSTON PARK TRACT 617

LINE	BEARING	DISTANCE
L104	S24°59'51"W	36.44'
L105	S65°09'30"E	21.43'
L106	S65°20'28"E	34.40'
L107	N23°21'02"E	36.23'

SECTION 20
T 1 N R 70 W

SPECIAL USE PERMIT

COLORADO DEPARTMENT OF TRANSPORTATION
PARCEL 302
PROJECT NO. TQFCU 157-1(1), SEC.3
VESTING DEED F1277 R#585293

FOOTHILLS PARKWAY (SH 157)

E 1/2 SE 1/4
SECTION 20
T 1 N R 70 W

PE-1 TE-1
UNIVERSITY CORPORATION FOR ATMOSPHERIC RESEARCH, A COLORADO NOT-FOR-PROFIT CORPORATION VESTING DEED R#2329000
LOT 6A
CENTER GREEN REPLAT "A"
P8, F2, #23
&
CENTER GREEN REPLAT "A" P23, F1, #24

10' PLATTED UTILITY ESMT
EXISTING R.O.W. PER CDOT PROJECT TQFCU 157-1(1), SEC 3

3003 PP

For Administrative Purposes Only

Property Address: _____

Grantor: City of Boulder

Grantee: Boulder and White Rock Ditch and Reservoir Company

Case#: _____

GRANT OF DITCH EASEMENT

CITY OF BOULDER, a municipal corporation (“Grantor”), whose address is 1777 Broadway, Boulder, CO 80302, for \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the BOULDER AND WHITE ROCK DITCH AND RESERVOIR COMPANY, a nonprofit corporation (the “Grantee”), whose address is 157 Baylor Drive, Longmont, CO 80503, an 85-foot wide easement for the installation, construction, operation, repair, maintenance, and reconstruction of an irrigation ditch and appurtenances thereto, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement, including access for ingress and egress, in and to, over, under, and across the following real property, situated in Boulder County, Colorado,

See Exhibit A attached

Grantor, for itself and for its successors, agents, lessees, and assigns, does hereby covenant and agree that no permanent structure or improvement shall be placed on said easement by itself or its successors or assigns, and that said use of such easement shall not otherwise be obstructed or interfered with.

Grantor warrants its ability to grant and convey this easement.

The terms of this easement shall run with the land and shall be binding upon and inure to the benefit of the Grantor, its agents, lessees and assigns, and all other successors to it in interest and shall continue as a servitude running in perpetuity with the property described above.

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed as of this ___ day of _____, 2015.

GRANTOR:
CITY OF BOULDER
a municipal corporation

By: _____
Jane S. Brautigam
City Manager

[NOTARY BLOCK FOLLOWS]

CITY OF BOULDER
PLANNING BOARD
AGENDA ITEM

MEETING DATE: May 21, 2015

AGENDA TITLE: Staff briefing and Planning Board input regarding the Access Management and Parking Strategy

PRESENTERS:

Molly Winter, Director, Downtown and University Hill Management Division and Parking Services (DUHMD/PS)
Kathleen Bracke, GO Boulder Manager, Public Works Transportation
Chris Hagelin, Senior Transportation Planner, GO Boulder
Bill Cowern, Transportation Operations Engineer
Karl Guiler, Senior Planner, Community Planning and Sustainability
Jay Sugnet, Senior Planner, Community Planning and Sustainability

EXECUTIVE SUMMARY



The purpose of this item is to provide the Planning Board with an update on the city's Access Management and Parking Strategy in advance of the May 26 City Council Study Session, with a particular focus on:

1. Seek input on:
 - a. refined options and draft recommendations for Transportation Demand Management (TDM) policies for new development;
 - b. potential modifications to the existing 72-hour on-street parking restriction;
 - c. options for satellite parking;
 - d. a potential shared parking policy between districts and private development; and
 - e. considerations for parking related code changes.
2. Share ongoing community engagement and work plan items related to AMPS and next steps.

The purpose of AMPS is to review and update the current access and parking management policies and programs and develop a new, overarching citywide strategy in alignment with city goals. The project goal is to evolve and continuously improve Boulder's citywide access and parking management policies, strategies and programs tailored to address the unique character and needs of the different parts of the city.

Staff has gathered input from the community, boards and commissions to help identify priorities for further research and community discussion. Outreach to the city advisory boards and the public is essential, with the dual purpose of educating the community about the multimodal

access system and seeking input and ideas about future opportunities for enhancements. The community and Board members attended a joint Civic Area and AMPS open house in January. Community and board input is summarized in the attached draft memo.

Questions for Planning Board:

1. What is your input on the AMPS 2015 priority work program items, including the options and draft recommendations for Transportation Demand Management (TDM) policies for new development; modifications to the existing 72-hour on-street parking regulations; options for satellite parking; a potential shared parking policy between districts and private development; and considerations for parking related code changes?
2. Do you have any feedback regarding the ongoing AMPS community engagement and related work plan items and next steps?

NEXT STEPS

The attached draft memo includes a timeline for the AMPS project, along with major milestones and outreach activities. Information from the community outreach and input from City Council and boards will be used to refine the AMPS 2015 work plan items. In fall 2015, staff will schedule a joint board workshop in preparation for a November 10 council study session to provide an update on additional AMPS work items and seek Board and Council feedback on proposed policy recommendations and next steps. This next list of AMPS work items includes:

Draft Recommendations:

- District shared parking policy
- District satellite parking strategy
- Parking code standards for new development

Initial Input on Policy/Program Direction:

- Scoping criteria for new district formation
- On-street car share policy
- Parking pricing: parking fines and short term parking and NPP permit pricing.

Community engagement and outreach will continue to ensure public feedback and participation regarding AMPS.

- Fall 2015 – Joint City Board and Commission Meeting
- November 10, 2015 – City Council Study Session next phase of AMPS work plan items
- Second Quarter 2016 – AMPS summary report presented for consideration by Boards and City Council

For more information, please contact Molly Winter at winterm@bouldercolorado.gov or Kathleen Bracke at brackek@bouldercolorado.gov, or visit www.bouldercolorado.gov/amps.

ATTACHMENTS

- A. AMPS Draft memo for May 26 City Council Study Session



Study Session MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager
Maureen Rait, Executive Director, Public Works
Michael Gardner-Sweeney, Acting Director of Public Works for Transportation
David Driskell, Director, Community Planning and Sustainability
Molly Winter, Director, Downtown and University Hill Management Division
and Parking Services (DUHMD/PS)
Susan Richstone, Deputy Director, Community Planning and Sustainability
Lesli Ellis, Comprehensive Planning Manager
Kathleen Bracke, GO Boulder Manager, Public Works Transportation
Chris Hagelin, Senior Transportation Planner, GO Boulder
Bill Cowern, Transportation Operations Engineer
Karl Guiler, Senior Planner, Community Planning and Sustainability
Jay Sugnet, Senior Planner, Community Planning and Sustainability

Date: May 26, 2015

Subject: Update on the Access Management and Parking Strategy (AMPS)

EXECUTIVE SUMMARY

The purpose of this Study Session is to:

1. Seek input on:
 - a. refined options and draft recommendations for Transportation Demand Management (TDM) policies for new development;
 - b. potential modifications to the existing 72-hour on-street parking restriction;
 - c. options for satellite parking;
 - d. a potential shared parking policy between districts and private development; and
 - e. considerations for parking related code changes.
2. Share ongoing community engagement and work plan items related to AMPS and next steps.



The purpose of AMPS is to review and update the current access and parking management policies and programs and develop a new, overarching citywide strategy in alignment with city

goals. The project goal is to evolve and continuously improve Boulder's citywide access and parking management policies, strategies and programs tailored to address the unique character and needs of the different parts of the city. The project purpose, goals and guiding principles are shown in **Attachment A**. The primary focus of the study session is to provide council input on draft staff recommendations on key priority areas for 2015 options and draft recommendations for the following: Transportation Demand Management (TDM) policies for new development; modifications to the existing 72-hour on-street parking regulations; options for satellite parking; a potential shared parking policy between districts and private development; and considerations for parking related code changes.

Staff has gathered input from the community, boards and commissions to help identify priorities for further research and community discussion. Outreach to the city advisory boards and the public is essential, with the dual purpose of educating the community about the multimodal access system and seeking input and ideas about future opportunities for enhancements. The community and Board members attended a joint Civic Area and AMPS open house in January. Community and board input is summarized in Section II below. Staff is preparing the most recent feedback from the boards and commissions, coffee talks and open house which will be submitted to Council prior to the study session.

Questions for City Council

1. What is council's input on the AMPS 2015 priority work program items, including the options and draft recommendations for Transportation Demand Management (TDM) policies for new development; modifications to the existing 72-hour on-street parking regulations; options for satellite parking; a potential shared parking policy between districts and private development; and considerations for parking related code changes? The specific questions are:

Shared parking:

- a. Does Council support staff proceeding with the development of a shared parking policy?
- b. Are there other policy considerations?

Satellite Parking:

- a. Does Council support proceeding with the development of satellite parking opportunities and policies in conjunction with multi-modal transit, bike and car-share/car-pool options?

TDM for Private Development

- a. What is council's feedback on staff draft recommendations for TMP plan ordinance for new development?

Parking Standards for New Development

- a. Does City Council agree with the approach outlined above?

72 Hour Parking Regulation

- a. Does City Council agree with the approach outlined above?
- b. If not, in what manner would City Council like staff to consider changes to B.R.C. 7-6-20? When this issue was considered previously, options for change included eliminating the restriction or extending the restriction to 7 days.

2. Does council have any feedback regarding the ongoing AMPS community engagement and related work plan items and next steps?

MEMO ORGANIZATION

- I. Background
- II. Community, Board and Commission Feedback
- III. Shared Parking Partnership Policy
- IV. Satellite Parking
- V. Transportation Demand Management Plans for New Development
- VI. Parking Standards for New Development
- VII. Long-term on-street parking storage (i.e. 72-Hour Parking Restriction)
- VIII. Ongoing Work Related to AMPS
- IX. Next Steps

I. BACKGROUND

The City of Boulder's parking management and parking district system has a long history, with the first parking meters installed on Pearl Street in 1946. During the past decades, Boulder's parking system has evolved into a nationally recognized, district-based, multimodal access system incorporating transit, bicycling and pedestrians along with automobile parking in order to meet city goals, support the viability of the city's commercial centers, and maintain the livability of its neighborhoods. Parking districts are currently in place in three areas of the community: downtown, University Hill and Boulder Junction. The AMPS project approach emphasizes collaboration among city departments and close coordination with the numerous inter-related planning efforts and initiatives such as the Transportation Master Plan (TMP), Economic Sustainability Strategy, and Climate Commitment. In addition of considering enhancements to existing districts, AMPS is examining parking and access policies and strategies outside of the districts, including parking requirements by land use, bicycle parking requirements, neighborhood parking permit program, and on-street parking throughout the community.

Elements of the AMPS project include:

- Integrated planning coordinated with other master planning efforts;
- A that focuses on a particular set of goals and guiding principles that create an adaptable set of tools and methods, allowing the city to continually improve and innovate to achieve its goals;
- Evaluation of existing and new parking and access management policies and practices within existing districts and across the community, including on- and off-street parking, and public and private parking areas; and,
- Development of context-appropriate strategies using the existing districts as role models for other transitioning areas within the community and incorporating national best practices research.

City Council held study sessions on [Jun. 10](#), [Jul. 29](#), and [Oct. 28](#), 2014 to review work to-date on the seven focus areas (District Management, On- & Off-Street Parking, Technology, Transportation Demand Management, Code Changes, Parking Pricing, and Enforcement) and provide overall direction on the approach for AMPS, as well as short-term code changes. A summary of the June and July study sessions is available [here](#) and the October summary is available [here](#).

This memo contains analysis of options and draft recommendations for the following: Transportation Demand Management (TDM) policies for new development; modifications to the existing 72-hour on-street parking regulations; options for satellite parking; a potential shared parking policy between districts and private development; and considerations for parking related code changes. Also included is an update on other efforts related to AMPS and an updated timeline.

II. COMMUNITY, BOARD AND COMMISSION FEEDBACK

Staff continues to compile community, board and commission feedback to inform the development of AMPS. Staff has been conducting outreach to residents and commuters through the project website, Inspire Boulder, and a series of coffee talks throughout Boulder to help develop a good understanding of how the community currently views parking and access management.

In addition to Inspire Boulder and the coffee talks, the following community, board and commission activities are scheduled.

- January 21 – Joint Board Workshop on AMPS
- April 29 – AMPS Open house
- May 4 – Downtown Management Commission
- May 6 – Boulder Junction Access Districts Commissions
- May 11 – Transportation Advisory Board
- May 13 – Downtown Boulder, Inc.
- May 14 – Downtown Boulder Business Improvement District
- May 20 – University Hill Commercial Area Management Commission
- May 21 – Planning Board

A summary of recent engagement activities is included in **Attachment B**.

III. SHARED PARKING PARTNERSHIP POLICY

The goal of a shared parking partnership policy is to maximize opportunities for additional shared and managed parking between private developments and established parking districts avoiding lost opportunities. The proposed policy could require a mandatory step in the development review process for projects of a certain size within the three parking districts, downtown, University Hill and Boulder Junction, to explore options and opportunities for additional parking and/or parking management strategies benefiting the entire district. Partnerships could take a number of different forms including adding district-funded parking to the private development and/or district management options to increase or maximize private parking utilization to the benefit of the district as well as the private property owner. Staff is proposing the approach of requiring a mandatory discussion between the developer and the parking/access district during the review process with voluntary compliance.

There are several examples of potential and implemented partnerships between Boulder's access districts and private development. These include St. Julien Hotel and the downtown parking district CAGID, the Depot Square garage in Boulder Junction between multiple parties (RTD, Hyatt Hotel, affordable housing, the Depot and the BJAD Access District Parking), and the current negotiations between CAGID and the Trinity Commons project, and UHGID and Del

Mar Interests. Also initial discussions are underway between BJAD and the S'Park development in Boulder Junction, and between UHGID and a coalition of property owners for a potential development at the southwest corner of Broadway and University.

Policy considerations include:

- Is the right approach of mandatory review/discussion and voluntary compliance?
- What are the criteria for triggering a shared parking discussion? What size development would qualify for the mandatory review?
- How could the policy integrate with the development process?
- How could partnerships be structured?
- What are the strategies for maximizing private parking utilization?

Should Council indicate interest in pursuing this approach, next steps would include working with the city attorney's office and CP&S staff to refine the policy and determine how it would integrate with the city's development review standards and review process. Also, staff will seek feedback from the development community regarding their issues and questions.

Policy questions:

- Does Council support staff proceeding with the development of a shared parking policy?
- Are there other policy considerations?

IV. SATELLITE PARKING

Parking opportunities are becoming more limited for employees in the downtown and in the hill commercial area. This strategy explores opportunities for shared parking facilities for non-resident employees who commute into Boulder for work along major transportation corridors associated with available transit service, off-street multiuse paths, and on-street bike lanes and ideally with a multimodal "mobility hub". One could park their vehicle at lots in remote locations and finish their trip into work by transit, bike, carpool, bikeshare, or car share. Staff is reviewing different types of locations:

- existing public (city, RTD, CDOT) and/or private parking lots with multi-modal amenities;
- existing parking lots that would require amenities such as sidewalks, bus shelters, etc., and; and
- locations without existing parking facilities that could become satellite locations.

RTD already has several free park n ride locations which are primarily used for trips from Boulder to outside the community.

As one of the action items from the recently updated [Transportation Master Plan](#), the city is continuing to explore the concept of a mobility hub for North Boulder, at the intersection of North Broadway and US 36. The mobility hub could include potential opportunities for enhancing transit operations and passenger amenities, bike parking, bike-share, car-share, and satellite parking (park-and-ride), kiss-and-ride, etc. The city is continuing to work with CDOT, RTD, Boulder County, and area property owners. The project team is currently revising the conceptual site plan designs based on prior City Council input.

These types of satellite parking lots could be used by employees driving into the city and finishing their trip by transit, carpool, biking, and/or walking. Also satellite parking lots could be used for special events parking.

As next steps, staff is working with transportation consultant, Fox, Tuttle, Hernandez, on analysis of the different potential locations, travel sheds that have the greatest number of employees in-commuting, location assessments, and recommendations regarding the highest priority opportunities both long and short term (see **Attachment C**). Also all sites will be reviewed to ensure compliance with existing zoning regulations and project specific requirements.

Policy question:

- Does Council support proceeding with the development of satellite parking opportunities and policies in conjunction with multi-modal transit, bike and car-share/car-pool options?

V. TRANSPORTATION DEMAND MANAGEMENT PLANS FOR NEW DEVELOPMENT

Based on previous feedback from City Council, Boards, and the community, staff is proposing modifications to the Transportation Demand Management (TDM) Plan process for new developments. The purpose of a TDM Plan is to mitigate the transportation impacts for the new development by providing programs, amenities and services to the employees or residents. Staff is proposing the following draft recommendations for the TDM Plan ordinance, policies and process based on feedback from Boards and Council, the public, local developers and transportation consultants:

Measurable objective(s) to determine TDM Plan compliance and success:

- a. Use vehicle trip generation at AM peak hour for the ordinance through the use of vehicle counters at entrances and exits and conducted by the city or third party.
 - i. Use Single Occupant Vehicle (SOV) mode share as secondary measure through employee travel behavior surveys conducted by third party or city to verify vehicle counts.
 - ii. Travel behavior survey results will also be used to revise strategies and to improve TDM Plan effectiveness after each annual evaluation.
- b. Specific trip generation targets will be based on land use, size, and location in terms of the level of multi-modal access.
 - i. Initial targets will be based on current Transportation Master Plan (TMP) measurable objectives related to mode share targets and adjusted ITE Trip Generation Rates for transit-oriented development.
 - ii. Vehicle trip generation targets will also be designed to lower over time to meet TMP objectives and city-wide sustainability goals related to vehicle miles of travel, SOV mode share and GHG emissions.

Triggers and thresholds for requiring TDM Plans:

- a. Lower threshold for commercial properties from 100 to 20 vehicle trips at peak hour as the trigger to require a TDM Plan. Have residential property trigger remain at 20 vehicle trips at peak hour.

- b. New ordinance would apply to all new commercial and residential properties, except those located within Boulder Junction. Boulder Junction properties would be required to meet the District's current Trip Generation Allowance either on their own or by joining the TDM Access District. Staff proposes that CAGID – the downtown parking district, the University Hill parking district and future districts be managed similar to the Boulder Junction model, and this will involve developing specific trip generation allowances, mode share targets, evaluation and monitoring processes, and funding mechanisms appropriate to the unique context of each existing or new district. It is important to recognize that existing districts such as CAGID have a long-standing history of effectively developing and implementing highly successful TDM, access, and parking management strategies so the impacts of any new TDM Plan requirements will likely be centered on monitoring/reporting programs, rather than on requiring new strategies.

TDM Plans will be flexible and customized for specific development contexts with few required elements. For example, in certain contexts, Eco Pass participation and first and final mile programs will be required properties located along Community Transit Network (CTN) routes and arterial Bus Rapid Transit (BRT) corridors. Multi-tenant commercial and multi-family residential will be required to have shared, unbundled, managed, and paid parking. Over all, the plan is to offer program flexibility to account for context sensitive solutions and innovations based upon commitment to achieve vehicle trip reduction targets.

Timing and duration of TDM Plan monitoring and evaluation:

- a. Properties are evaluated annually for three years.
- b. Properties are required to reach compliance in three years
- c. Properties that are in compliance cease annual evaluations but will continue to be monitored periodically.
- d. Properties that are non-compliant after three years begin the more rigorous monitoring and enforcement process.

TDM Plan enforcement policies and process for non-compliant properties:

- a. Properties that are non-compliant are required to design and implement revised TDM Plans that include financial incentives for non-SOV travel and disincentives to SOV use.
- b. Input from Boards and Council has not produced a consensus on the use of fines or other penalties for initial non-compliance or continued non-compliance.
- c. Based on input to date, staff recommends an approach that offers both incentives with disincentives to developers, property owners and tenants. Incentives could include FAR bonuses and reduced parking requirements in exchange for requiring TDM Plan compliance.
- d. If a property is non-compliant after the first three years, the property could be required to join a transportation management organization, like Boulder Transportation Connections and/or 36 Commuting Solutions, which would provide direct on-going technical assistance.
- e. Only after repeated non-compliance would “meaningful fines” be necessary which could be re-invested into TDM programs and services targeted to tenants.

Policy questions:

- What is council's feedback on staff draft recommendations for TMP plan ordinance for new development?

VI. PARKING STANDARDS FOR NEW DEVELOPMENT

With the exception of the recently approved “fixes” and addition of new bike parking regulations to the parking code in 2014, the City of Boulder has not conducted a comprehensive review of its parking requirements and updated the standards for some time. The current parking requirements do not reflect the mode shift that has occurred in Boulder in recent years nor the desired continued mode shift in the future. Boulder's current mode split, including higher than regional and national trends for walking, biking, and transit, is reflected in the high number of parking reductions that are requested and approved for new development projects and data that shows an increasing use of transit and bike facilities. As part of the AMPS process, the city is evaluating updates to the land use (zoning) code to ensure that parking is being provided according to contemporary and future needs and in recognition of higher percentages of people are choosing to walk, bike and ride transit as alternatives to the automobile. City policies also seek to require more efficient parking solutions and avoid excessive parking as expressed in the two Boulder Valley Comprehensive Plan (BVCP) policies below:

6.09 Integration with Land Use

Three intermodal centers will be developed or maintained in the downtown, Boulder Junction and on the university's main campus as anchors to regional transit connections and as hubs for connecting pedestrian, bicycle and local transit to regional services. The land along multimodal corridors will be designated as multimodal transportation zones when transit service is provided on that corridor. In these multimodal transportation zones, the city will develop a highly connected and continuous transportation system for all modes, identify locations for mixed use and higher density development integrated with transportation functions through appropriate design, and develop parking maximums and encourage parking reductions. The city will complete missing links in the transportation grid through the use of area transportation plans and at the time of parcel redevelopment.

6.10 Managing Parking Supply

Providing for vehicular parking will be considered as a component of a total access system of all modes of transportation - bicycle, pedestrian, transit and vehicular - and will be consistent with the desire to reduce single occupant vehicle travel, limit congestion, balance the use of public spaces and consider the needs of residential and commercial areas. Parking demand will be accommodated in the most efficient way possible with the minimal necessary number of new spaces. The city will promote parking reductions through parking maximums, shared parking, unbundled parking, parking districts and transportation demand management programs.

Staff and Fox Tuttle Hernandez Transportation Consultants, are currently analyzing different land uses throughout Boulder in different contexts (e.g., suburban locations away from transit vs. mixed-use locations along transit) to evaluate current parking needs. See **Attachment D** for a map of parking analysis locations staff and the transportation consultants are planning to present at upcoming Planning Board meetings this summer and will include this information in the next AMPS update to City Council in the fall to seek direction on how the parking requirements

should be updated. Consistent with the policies mentioned above, staff is considering incorporation of the following best practices from other communities into the land use code:

- Updated parking requirements by land use or by context instead of zoning districts
- Parking maximums
- Shared parking requirements
- Automatic parking reductions
- Special parking requirements along multi-modal corridors
- Unbundled parking in areas outside of Boulder Junction
- Requirements for car charging stations

Policy question:

- Does City Council agree with the approach outlined above?

VII. LONG-TERM ON-STREET PARKING STORAGE (72 HOUR PARKING)

The City of Boulder discourages the use of on-street parking spaces as long-term storage by limiting the time that a vehicle can be parked in one on-street location to 72 hours. This restriction is enforced through B.R.C. 7-6-20 “Parking for More than Seventy-Two Hours Prohibited” which has the following code language:

No vehicle shall be parked upon any street for more than seventy-two hours without being moved or for the principal purpose of storage for more than seventy-two hours.

Proof that the vehicle's odometer shows movement of no more than two-tenths of a mile during a period of at least seventy-two hours shall constitute prima facie evidence of violation of this section.

There is concern that our current practices require community members to move their vehicles unnecessarily causing undesirable automobile use and associated environmental impacts. Concern has also been expressed that the requirement to move one’s vehicle discourages one from using other modes of transportation.

Staff has identified the following considerations which pertain to the application of this ordinance:

- The 72 hour restriction is used as part of the City’s practice for notification, ticketing and towing of parking restrictions associated with work zone traffic control and special events. Staff considered the impact any changes to this ordinance would have on these practices.
- The 72 hour restriction is also the first part of the City’s abandoned vehicles enforcement practice. Vehicles are typically ticketed for violating the 72 hour restriction before they are notified that the City is considering their vehicle abandoned and that they must take action to move the vehicle or it will be towed.
- Some residents believe that the 72 hour restriction forces needed turn-over in areas of high parking demand and that less restriction will create more local parking issues,

similar to those which created the need for the City's Neighborhood Permit Parking (NPP) program.

Staff received input from the public through an on-line survey posted on Inspire Boulder. The link to the survey is www.surveymonkey.com/s/BoulderParking. The survey was distributed to neighborhood groups and city organizations, and as of April 27, 2015 has had 329 responses. Responders are fairly split on whether they would like to see our approach to long-term parking storage change. The following information came from the survey responses:

- 41% of the responders did not know that there was an ordinance limiting on-street parking storage to 72 hours.
- 32% of responders would like to see the current ordinance change, while 29% of responders would not like to see the ordinance change. The remaining 39% of responders would need more information.
- The most common reason people wanted the ordinance to change was that they did not drive often and did not want to have to move their car.
- The most common reason people did not want the ordinance to change was that they did not want other people's vehicles parking in front of their homes for long periods of time.

There was a similar discussion concerning possible changes to this ordinance with policy makers in 1999 and then again in 2002. A summary of hotline discussion from 1999 is **Attachment E**. The April 2002 TAB memo detailing staff's findings and recommendations is **Attachment F**. Following those discussions it was determined that there was not a sufficient impact associated with the enforcement of this ordinance to justify a change in the ordinance.

This is a complicated issue as staff finds there to be compelling reasons to both change the ordinance and not to change the ordinance. At this time, staff believes the considerations surrounding this issue remain the same as they did during prior discussions and it is staff's recommendation to not change B.R.C. 7-6-20 at this time.

Policy questions:

- Does City Council agree with the approach outlined above?
- If not, in what manner would City Council like staff to consider changes to B.R.C. 7-6-20? When this issue was considered previously, options for change included eliminating the restriction or extending the restriction to 7 days.

VIII. ONGOING WORK RELATED TO AMPS

In addition to the items described above, the project team is advancing work in several other areas of AMPS in 2015:

- Parking Pricing – Updates to several parking pricing rates, including increases to the long-term permit rates in the downtown and on the hill, and NPP commuter permits will be proposed during the 2016 budget process to reflect increases in the private parking rates. The current street parking fines have not been increased for over twenty years and staff will be coming forward with recommendations for increases as well as considering a graduated fine approach. Short term parking rates on-street and in the garages will also be reviewed including the option of variable rates at different times of day or in different locations. And finally, the parking rates for the Neighborhood Parking Permits will be

evaluated –business and resident – to ensure a comprehensive pricing approach. Community outreach and engagement will be planned and integrated into the process.

- Staff is reviewing proposals for the replacement of downtown garage access, revenue control and permitting systems to a state-of-the-art system that will coordinate with other technologies such as the variable messaging system. Installation is expected in 2015 and will take approximately 2 months to complete once installation is begun. Installation will be phased and managed to maintain access to the garages.
- Negotiations are continuing for a shared parking option between the Central Area General Improvement District (CAGID) and Trinity Lutheran Church in downtown for a mixed use project including senior affordable housing, additional congregational space and additional parking; and a public-private partnership redevelopment of the University Hill General Improvement District (UHGID) 14th Street parking lot with Del Mar Interests for market-rate affordable housing, office and a district parking garage
- Staff is exploring opportunities for mobility hub(s) and potential future managed parking areas as part of the Envision East Arapahoe corridor planning process.
- Staff is considering potential policy recommendations for on-street car-share parking to provide flexibility with new car-share programs. Proposed business models may require staff bringing ordinance changes to Council.
- The communitywide and Downtown Employee Travel Survey was completed at the end of last year. And completed at the beginning of 2015 is a survey of the travel patterns of the hill commercial district employees. The potential of a hill employee pilot Eco Pass program is under consideration. This information is being used to evaluate effectiveness of existing access and TDM programs and more detailed information will be reviewed with Boards this summer and a more in-depth update provided to council as part of the AMPS study session this Fall.
- Preliminary discussions are underway with the Steelyards Association regarding the potential of a coordinated parking management and TDM program for the mixed-use neighborhood in anticipation of the completion of Depot Square at Boulder Junction. The homeowners' association has expressed interest in creating a form of an NPP in their mixed use neighborhood.
- The property owner of the future Google campus at the southwest corner of 30th and Pearl Streets has petitioned to join the Boulder Junction Access District (BJAD) – Travel Demand Management (TDM). The process is anticipated to be completed within the second quarter of 2015. Staff has also had initial discussions with the Reve project at the southeast corner of 30th and Pearl about their petitioning to join the TDM district as well.
- A downtown parklet study will determine potential criteria and locations, operational parameters and considerations, installation requirements, and recommendations for potential sites. The evaluation of the pilot parklet on University Hill has been completed and provided valuable information for the development of future parklets in the downtown. DUHMD/PS is considering implementing a phased Parklet program in the downtown (Business Improvement District). Parklets provide amenities like seating, planting, bike parking, and art and are publicly accessible to all. In downtown Boulder, the public right-of-way offers a variety of spaces that both fit the physical requirements for a parklet and also activate public life, and the city is proposing a mini Parklet adjacent to the parking garage on Spruce Street east of 11th. Staff is exploring a partnership with

Growing Up Boulder, the University of Colorado, and Boulder Valley School District to design and build a movable parklet in collaboration with local students.

- With the projected completion of the Depot Square mixed-use development in Boulder Junction in the second quarter of 2015, staff will be working with the multiple parties – the hotel, RTD, affordable housing and Boulder Junction Parking District – to implement a parking management system to accommodate the variety of users of the shared parking garage. The Boulder Junction district has developed a parking pricing strategy to implement the SUMP principles and reflect the market of the surrounding area. Staff is also phasing in on-street parking management as new streets become available following construction.
- Coordination is ongoing with Community Planning and Sustainability staff, Transportation staff, and consultants regarding the parking and access projections for the Civic Area planning effort and integration of future TDM programs and additional parking.
- Downtown and University Hill development and access projections will be updated during the second and third quarters of 2015 to reflect recent zoning changes on the hill, projected development and the results of the multi modal surveys.
- The downtown bike rack occupancy count was completed in August 2014. This survey provides valuable information and informs staff of locations for additional bike racks. The final report and recommendations will be presented in the second quarter of 2015.
- DUHMD/PS is pursuing an innovative pilot program with a downtown Boulder startup company, Parkifi. Parkifi is developing a real-time parking space occupancy technology system and is proposing to pilot the program in the Broadway and Spruce Street surface parking lot, on-street spaces and potentially in the downtown garages. The pilot consists of installing sensors in parking spaces at no cost to the city. The sensors are connected to a Parkifi gateway that is connected to a cloud-based dashboard that displays occupancy data. A goal will be to work with the city's existing mobile payment vendor, Parkmobile, to provide real-time parking data to customers. Installation of the sensors is expected within the next couple of months as details and specifications are worked out.

IX. NEXT STEPS

A timeline for the project, along with major milestones and outreach activities, is being created. Information from the community outreach and input from City Council and boards will be used to refine the AMPS 2015 work plan items. In fall 2015, staff will schedule a joint board workshop in preparation for a November 10 council study session to provide an update on additional AMPS work items and seek Board and Council feedback on proposed policy recommendations and next steps. These include:

Feedback on Draft Recommendations:

- District shared parking policy
- District satellite parking strategy
- Parking code standards for new development

Initial Input on Policy/Program Direction:

- Scoping criteria for new district formation
- On-street car share policy
- Parking pricing: parking fines and short term parking and NPP permit pricing.

Community engagement and outreach will continue to ensure public feedback and participation regarding AMPS.

- Fall 2015 – Joint City Board and Commission Meeting
- November 10, 2015 – City Council Study Session next phase of AMPS work plan items
- Second Quarter 2016 – AMPS summary report presented for consideration by Boards and City Council

Moving forward, staff has created an Infographic to help explain the overall project purpose. (See **Attachment G.**)

For more information, please contact Molly Winter at winterm@bouldercolorado.gov or Kathleen Bracke at brackek@bouldercolorado.gov, or visit www.bouldercolorado.gov/amps.

ATTACHMENTS

- A. AMPS Project Purpose, Goals and Guiding Principles
- B. Engagement Summary
- C. Satellite Parking Map and Analysis
- D. Map of Parking Analysis Locations
- E. 72-Hour Parking Hotline Discussion – 1999
- F. 72-Hour Parking TAB Memo – 2002
- G. AMPS Infographic

ATTACHMENT A: AMPS PROJECT PURPOSE, GOALS, AND GUIDING PRINCIPLES

Purpose

Building on the foundation of the successful multi-modal, district-based access and parking system, the Access Management and Parking Strategy (AMPS) will define priorities and develop over-arching policies, and tailored programs and tools to address citywide access management in a manner consistent with the community's social, economic and environmental sustainability principles.

Goals

The Access Management and Parking Strategy (AMPS) will:

- Be consistent with and support the city's sustainability framework: safety and community well-being, community character, mobility, energy and climate, natural environment, economic vitality, and good governance.
- Be an interdepartmental effort that aligns with and supports the implementation of the city's master plans, policies, and codes.
- Be flexible and adapt to support the present and future we want while providing predictability.
- Reflect the city's values: service excellence for an inspired future through customer service, collaboration, innovation, integrity, and respect.

Guiding Principles

1. Provide for All Transportation Modes: Support a balance of all modes of access in our transportation system: pedestrian, bicycle, transit, and multiple forms of motorized vehicles—with the pedestrian at the center.
2. Support a Diversity of People: Address the transportation needs of different people at all ages and stages of life and with different levels of mobility – residents, employees, employers, seniors, business owners, students and visitors.
3. Customize Tools by Area: Use of a toolbox with a variety of programs, policies, and initiatives customized for the unique needs and character of the city's diverse neighborhoods both residential and commercial.
4. Seek Solutions with Co-Benefits: Find common ground and address tradeoffs between community character, economic vitality, and community well-being with elegant solutions—those that achieve multiple objectives and have co-benefits.
5. Plan for the Present and Future: While focusing on today's needs, develop solutions that address future demographic, economic, travel, and community design needs.
6. Cultivate Partnerships: Be open to collaboration and public and private partnerships to achieve desired outcomes.

ATTACHMENT B: ENGAGEMENT SUMMARY

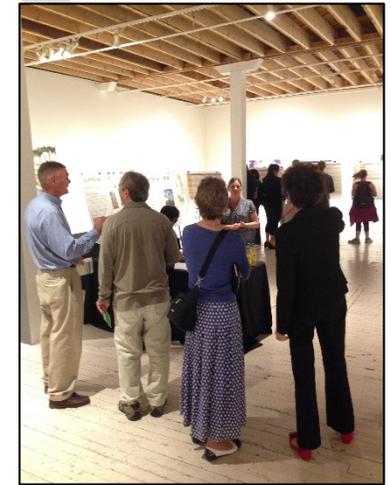
Community, Board and Commission Feedback – May 2015

Community feedback continues to be a foundational element of AMPS. Since the onset of AMPS outreach activities in late Summer 2014, staff have been working closely with representatives from Kimley-Horn and Associates to continue and expand both traditional and online outreach efforts.

A variety of public engagement strategies are being employed to inform, educate and engage community members:

Traditional Strategies

- ***Presentations to community groups*** (Ongoing)
 - Downtown Boulder Inc.
 - Downtown Boulder Business Improvement District
 - The Hill Boulder
 - Frasier Meadows
 - Senior Services Advisory Board (Scheduled)
 - Better Boulder (Scheduled)
 - Code for America (To be scheduled)
 - Commercial Brokers of Boulder (To be scheduled)
 - Boulder Tomorrow (To be scheduled)
 - PLAN Boulder County (To be scheduled)
 - Open Boulder (To be scheduled)
- ***Presentations to boards and commissions*** (Ongoing)
 - Boulder Junction Access District
 - Downtown Management Commission
 - Planning Board
 - University Hill Commercial Area Management Commission
 - Transportation Advisory Board
- ***Coffee Talks***
 - Gunbarrel
 - Spruce Confections NoBo
 - The Cup
 - Buchanan's
 - Ozo on Pearl
- ***Open Houses***
 - Joint Open House with Civic Area (October 2014)
 - AMPS Open House (April 2015)



Online & Digital Media Strategies

- **Inspire Boulder**
 - Multiple topics, surveys and polls have been covered including TDM, Curb Management and general access management questions.
- **Social Media**
 - Twitter: [@BoulderParking](#), [@Bouldergobldr](#) and [#BoulderAMPS](#)
- **Commonplace**
 - Commonplace is a geographically-based online engagement tool that allows participants to make a comment or “rate a place” using a map of Boulder County. The City of Boulder is hosting the first installation of Commonplace in the United States.

Other Outreach Strategies

- ***Walking Audit with the Youth Opportunities Advisory Board (YOAB):***

A walk audit was hosted as part of the Boulder Walks program of GO Boulder and the Access Management and Parking Strategies (AMPS) community engagement process. A primary objective of the University Hill Walk Audit with YOAB members was to gather youth input and perspectives on the current walking environment and opportunities for improving multi-modal access to the Hill commercial district. The Commonplace tool was used by students to document feedback during the Walk Audit.



What We're Hearing

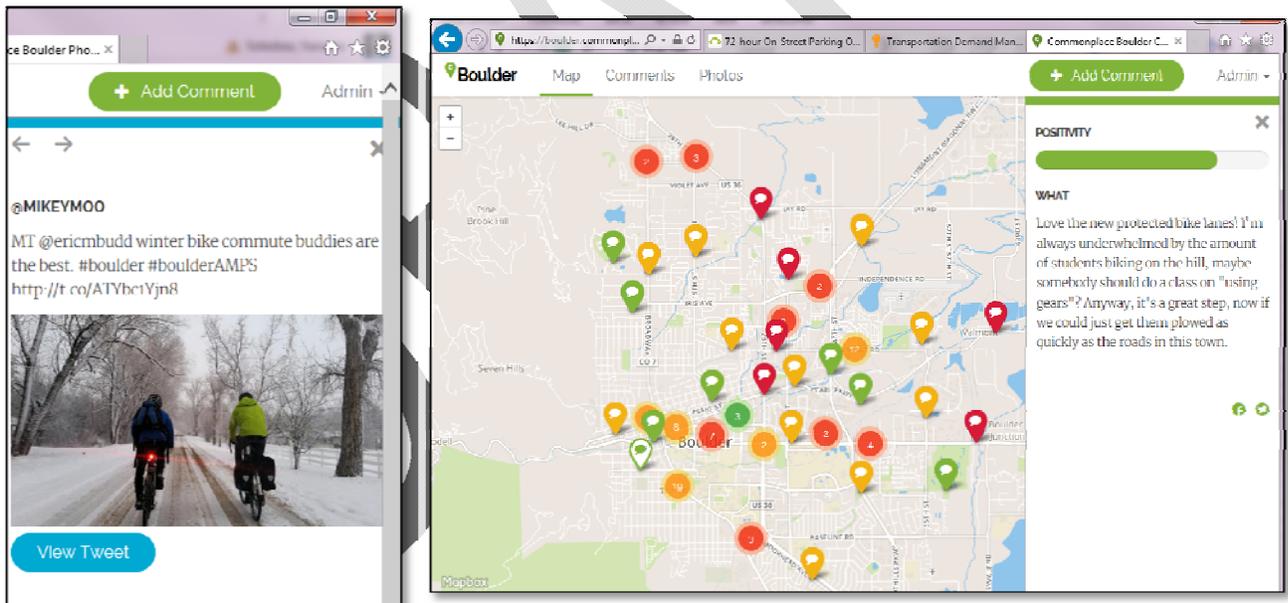
Phase I of the AMPS public outreach and involvement was driven by three goals:

1. Introduce AMPS to the community
2. Place access management and parking into the larger context of Boulder's social, economic and environmental goals
3. Begin gathering feedback from the community on how Boulder's parking and transportation system can better meet the unique goals of the city's diverse residential and commercial districts

Based on meeting notes, engagement with online tools and other outreach efforts, like the YOAB Walking Audit, several key themes were heard.

- Key Themes
 - ***Coffee Talks*** (Ranked in order of most frequent response)
 - How are community members getting around Boulder?
 1. Car
 2. Walk
 3. Biking
 - How is parking in Boulder currently?
 1. “Fine”
 2. “Congested”
 3. “Spaces are too small”
 4. “Expensive”

- Both bus and bicycle offerings were described as “good”
 - How could the way you access Boulder be improved?
 1. More off-street parking
 2. Bike parking, lockers and bike sharing offerings
 3. Cheaper parking
 - What do you think is the future of transportation in Boulder?
 1. Better bus and light rail
 2. More bicycle use
 3. Education on alternatives
- **Commonplace** (Launched at the end of January 2015)
- 135 comments to date
 - 34% of users have added one comment; 14% of users have added three or more comments
 - Majority of users are residents between ages 26-35
 - Majority of users are signing up via the Commonplace website, followed by Facebook (20%) and Twitter (15%)
 - Top 5 most frequently tagged themes are:
 1. Crosswalk enhancements
 2. Bike lanes
 3. Sidewalk improvements
 4. Traffic calming / Pedestrian safety
 5. Streetscaping



As the AMPS team transitioned into Phase II outreach in the Winter/Spring of 2015, outreach efforts became more focused around the Phase II Priorities outlined in each of the Focus Areas. Recent examples of this type of targeted outreach include a [72-Hour On-Street Parking Ordinance online survey](#) and [TDM questionnaire](#) on InspireBoulder about the role that private development companies might play in managing transportation demands of new development. In addition to targeted online outreach, the AMPS Communication and Outreach team is working to “meet people where they are” and give presentations at existing group meetings instead of creating additional meetings for community members to attend.

ATTACHMENT C: SATELLITE PARKING MAP AND ANALYSIS

DRAFT

ATTACHMENT D: MAP OF PARKING ANALYSIS LOCATIONS

DRAFT

ATTACHMENT E: 72-HOUR PARKING HOTLINE DISCUSSION 1999

From: Jennifer Bray
To: Patterson, Kate; WinterM.DMC.COB06
Date: 11/30/99 2:51pm
Subject: **FOLLOW-UP TO HOTLINE RESPONSE:** The 72 Hour Law

>>> Don Mock 11/30/99 01:30PM >>>

I asked about this law, along the same line of thought as Will, a few years back. What I would suggest is that the 72-hr law be extended to 7 days (or maybe even 14 days?), IF the vehicle is parked adjacent to the property address to which it is registered. That would help avoid junkers being parked in front of "other" people's houses.

-Don

<<< Will Toor 11/29 3:55p >>>

This is a law that I have always wondered about. While I understand the concern about using public streets for longterm storage of junked cars, I also think there is something a little perverse about requiring people to use their cars. As an example, I was ticketed a number of years ago under this law, for not driving enough. I had a perfectly functioning older vehicle that I only drove about once every 2 weeks, and ignored the rest of the time. It seems to me that we should encourage people to leave their cars parked for long periods of time, rather than driving them often. I wonder whether a reasonable alternative approach would be to modify the law to only apply to nonfunctioning vehicles. This would still address the concern about turning streets into junkyards, while removing the perverse incentive to drive every three days.

>>> Molly Winter 11/29/99 02:49PM >>>

Please find below our procedures for what is being call the "72 hour law."

The process can begin with a citizen complaint or the observations of a parking enforcement officer. If the citizen calls in a complaint and is willing to sign the paperwork, a ticket can be issued at that time. If the officer observes a vehicle believed to be abandoned they will mark the vehicle and return 72 hours later to confirm the vehicle has not moved. At that time a ticket will be issued.

In either case, once ticketed paperwork is started to remove the vehicle. The plate is cleared and listed through the Police Department and the registered owner is notified that they have seven days to remove the vehicle. If the vehicle is not moved after 7 days it can be impounded.

The reality is that citizens are rarely willing to sign the complaint and the officer may start the 72 hours on a Wed. afternoon and not get back until Monday to issue the ticket. We try to give the vehicle owner as much time as possible to correct the situation.

I hope this is helpful.
Best, Molly

>>> Spense Havlick 11/26/99 10:03PM >>>

Dear Jeff..You raise some useful concerns and I will forward your note to staff and council. I did observe this week after our snow, that many student cars have been stored for many days on neighborhood streets. Evidence was snow on top of car and none underneath and no tire tracks. Car storage areas off the streets are probably hard to find. One wonders when CU will discourage students from bring cars to Boulders cluttered streets.

>>> Jeff Lukas <jlukas@ibm.net> 11/09 10:20 pm >>>

Dear Will and Spense-

Given your commitment to alternative transportation in Boulder, I thought I would direct this concern your way. As you are probably aware, the City Code contains what I call the 72 Hour Law, which finds that any car parked for more than 72 hours in one spot without permission of the property owner (typically the city) to be in violation and subject to \$15 fine, if not towing.

I understand the potential utility of the 72 Hour Law in keeping literally abandoned cars off the streets, particularly in commercial areas where the free flow of commerce depends on parking. But the 72 Hour Law, has, I believe, unintended consequences when it is enforced in residential areas: 1) to encourage people to drive their cars more than they would otherwise; 2) to discourage people from using alternative transportation, and 3) to needlessly diminish the goodwill generated by the City's myriad useful services. I'll use three anecdotes (at least 95% true) to support my point:

Case #1: A friend of mine lived three years ago at 4th and Arapahoe, from where he would either walk or bike to campus for work. His car was driven maybe once a week or less, and was parked on the street because the 3-bedroom condo where he lived only had two private spaces, both occupied by the owner's cars. The 72 Hour Law was enforced fairly regularly in that neighborhood, apparently because parking is fairly tight. My friend began accumulating tickets, and soon found himself, for no good reason, starting the car at odd intervals and parking it elsewhere on the block. Unfortunately, he did not master the art of musical cars, and ended up with maybe a dozen tickets in a year's time, penalized essentially for not using his car.

Case #2: Another friend of mine, who works for the City Water Department, told me the tale of her coworker who used to bike or bus to work religiously, before he ran afoul of the 72 Hour Law. After numerous tickets, he reluctantly began driving to work to avoid the hassle.

Case #3: I live in Martin Acres on a quiet street that has houses with one-car driveways and households with 2 or more adults (many are rentals). So about every house typically has at least one car parked on the street, though it is far from crowded. My car, shared with my partner, is technically in violation much of the time because we bike or shuttle to work every day. The enforcers of the 72-hour law had left us in relative peace for about two years, but came last week. They luckily passed over my car but nailed my neighbor's ELECTRIC car (a converted Saab), which, because he is still tinkering with it, he drives only once a month or so (it does have current registration). He got a ticket AND a tow order, and he will be hard-pressed to move the car since he's in Nepal until the 15th.

I also note, as suggested in the examples above, that the 72 Hour Law is effectively biased

against those who live in residences, typically older ones, without multi-car driveways/garages or otherwise adequate off-street parking. These places, furthermore, are concentrated in the core area of the city, where the residents have better access to alternative transportation to get to their jobs, school, etc. And further, these same areas are probably the ones that receive the lion's share of enforcement.

If the 72 Hour Law must remain on the books, I would at least hope that those who enforce it could show more restraint when enforcing it in residential areas. The general concept of ticketing someone's otherwise legally parked and registered car in front of their own home disturbs me, and the specific effects of doing so, as suggested above, are equally egregious.

Thank you very much for your time and consideration; I look forward to hearing from you (and/or any city employee you feel would provide a thoughtful response).

Regards,
Jeff Lukas
120 S. 34th Street
Boulder, CO 80303
(303) 499-5815
jlukas@ibm.net

ATTACHMENT F: 72-HOUR PARKING TAB MEMO 2002

**CITY OF BOULDER
TRANSPORTATION ADVISORY BOARD AGENDA ITEM
(MEETING DATE: April 8, 2002)**

SUBJECT: Public hearing and consideration of a recommendation to City Council regarding options for the 72-Hour Parking Prohibition, BRC 7-6-20
REQUESTING DEPARTMENT: <u>City Attorney's Office</u> Joe de Raismes, City Attorney Jerry Gordon, Deputy City Attorney <u>Downtown University Hill Management Division</u> Molly Winter, DUHMD/Parking Services Dave Bradford, DUHMD/Parking Services
BOARD ACTION REQUESTED: Board recommendation to City Council.
FISCAL IMPACT: To be determined based on alternative selected.

PURPOSE:

City Council has asked staff to reevaluate the policy reflected in ordinance 7-6-20, B.R.C., "Parking for More than 72 Hours Prohibited." This memorandum is intended to seek feedback from the Transportation Advisory Board before staff reports back to Council on this subject.

BACKGROUND:

At the request of city council, staff has reviewed issues associated with the 72-hour parking ordinance. Section 7-6-20, B.R.C., provides, in part:

- (a) No vehicle shall be parked upon any street for more than seventy-two hours without being moved or for the principal purpose of storage for more than seventy-two hours.

A Weekly Information Packet memorandum (WIP) on this subject was presented to Council in March 2000. (See Attachment A.) It provides the background relating to the ordinance and some enforcement and amendment alternatives. No change in the ordinance or its enforcement was initiated as a result of the March 2000, memorandum.

Council most recently discussed this ordinance within the context of a concern about encouraging the use of alternative transportation modes. Several Council members expressed a concern that individuals who use alternative modes will, as a consequence, sometimes leave their cars parked on City streets. They worried that forcing such alternative mode users to move their cars every 72 hours works as a disincentive to their use of alternative modes.

On the other side of the issue, Parking Services regularly receives requests from citizens to shorten the period of time during which motor vehicles are allowed to remain parked on City streets. Neighbors sometimes complain that the regular utilization of streets as long-term storage facilities for motor vehicles

creates a visually unattractive environment and, thereby, contributes to a decline in the quality of life in our neighborhoods.

Current City Practice:

Currently, Parking Services handles “abandoned” vehicles largely on a complaint basis. During 2001, Parking Services began processing a total of 235 vehicles as possibly abandoned. The majority were from citizen complaints rather than initiated by Parking Services officers as a result of observation of accumulated trash. Of the initial 235 vehicles that were initially observed, 111 vehicles (47%) were still in the same spot after 72 hours and issued citations; and 27 (11.5%) were never moved and were actually impounded. Parking Services issues approximately 110,000 parking tickets per year.

OPTIONS:

Following the expression of concern by some Council members, staff discussed a number of options. Those include the following:

1. Establish a defense for people who park their cars in front of their own homes by adding an element of proof that a motor vehicle was not parked in front of its owner’s home:

One Council member suggested that while the seventy-two hour street parking restriction might be retained, it would be appropriate to allow people to park in front of their own homes for as long as they like. One way to accomplish that would be to add an “element” of proof that a car was not parked in front of its owner’s home. This means that a prosecutor would have to prove this fact in order to get a conviction in a 72 -hour parking situation.

This approach would present several logistical challenges.

- It may not be easy for an enforcement officer (or prosecutor) to know that a car is not parked in front of its owner’s home. Cars are not always registered at a particular address, as in the case where a young college student lives near college but drives a car registered to a parent’s address.
- No matter what a prosecutor or enforcement officer knows in this respect, it may be hard to establish this element at trial. Proving a negative is always difficult. In this case, a prosecutor would have to prove that a given car does not belong to anyone in an adjacent house.
- It may be hard to establish which car is in front of which house. Where does the property line end?
- It may be hard for all residents to park directly in front of their own houses. Sometimes there is a fire hydrant or other parked car that causes some residents to park only partially in front of their own homes or a short distance down the street. This could, in individual cases, mean that citizens would feel that the law was not fair in their individual situations.

2. Establish an affirmative defense for people who park their cars in front of their own homes by adding an affirmative defense for such owners.

This approach is similar (in intent) to the one noted above. However, instead of making a prosecutor prove that a given car was *not* parked in front of a given owner’s house, the burden of proof would be shifted to the car’s owner to establish the defense. In other words, an owner who is cited for parking on the street for more than seventy-two hours could come to court and prove the defense of having parked in front of his or her own home.

The main problem with this approach is that it would require citizens who parked in front of their own houses to take time off from work and go to court to prove their defense. This would result in a number of trials and be less convenient for most people than just moving their car a short distance every 3 days.

3. Change the ordinance to reflect a policy that ordinarily tickets for this offense will not be issued in the absence of a citizen complaint, but make clear that such complaint is not an element of the offense that must be proven in court.

This approach would be very unusual in the Code. It would express a general policy preference for complaint based enforcement of the seventy-two hour ordinance, but would not require the proof of a complaint in a court case.

Difficulties with this approach include the following:

- This approach is apt to play into the hands of some offender who challenges a ticket based upon a theory of selective (improper) prosecution. The argument would be that while no element of proof is required, a “preference” is clearly expressed. The challenger might then argue that the fact that the preferred approach was violated in his or her case demonstrates improper motives on the part of the officer who wrote the citation.
 - Enforcement systems that are wholly complaint based put a lot of power in the hands of potential complainers. Such systems can foster very differential enforcement. Thus, in neighborhoods where neighbors tend not to be upset by a long-term street parking, one standard of legal enforcement will prevail. Identical parking conduct on another block might be stringently prosecuted because a single neighbor on that block is hypersensitive with regard to the matter. A resultant pattern of variable enforcement might be hard to defend legally against a due process attack since it could be seen as arbitrary and capricious.
- 4. Establish a permit system for those who can prove that they regularly utilize alternative transportation modes.**

To the extent that the contemplated change is motivated by a desire to assist those who regularly utilize alternative modes, one idea would be to create a permit system for those people allowing more long term street storage.

Such a system would require that special permits be given to individuals who pledged to use alternative transportation modes for some predetermined percentage of their travel.

Challenges associated with this approach might include the following:

- Appropriate criteria for participation in the program would need to be developed. For example, participation in educational programs and a pledge relating to the use of alternative modes might be required.
- It would be very difficult to determine compliance with alternative modes utilization. How would staff know if a citizen violated their percentage of travel by alternative modes pledge?
- The administrative demands to administer this program, either by Transportation or Parking Services, are considered excessive for unpredictable results.

5. Repeal the ordinance and allow people to park on the street for as long as they like.

Another approach to this issue is to simply rescind the ordinance and allow cars to be parked on the streets indefinitely. This resolves the perceived problem of discouraging the use of alternative modes. On the other hand, this approach would very likely cause great anxiety on the part of neighborhood activists who think that aesthetic qualities of a streetscape set the tone for behavioral norms in a neighborhood.

6. Leave the ordinance and its enforcement the way it is.

There have not been many complaints about the manner in which the ordinance is being enforced. Therefore, an option is simply to continue the enforcement protocol as outlined above. That enforcement is largely compliant-based, with the notable exception of those vehicles that clearly show signs of long-term storage, such as accumulation of debris around the vehicle.

7. Increase the permitted street storage period for motor vehicles to a period longer than the current 72 hours.

The ordinance could be amended to allow motor vehicles to remain on street for a longer period such as 7 days. Once a complaint was received from a citizen, or an Officer observed a vehicle that appears to be abandoned, the vehicle would be observed for 7 days. After 7 days if the vehicle is still there, and has not been moved, a ticket would be issued and paperwork would be started giving it another 7 days to move or it would be towed. That gives the owner a total of 14 days to move their vehicle. Citizen calls to Parking Services to shorten the time period outnumber citizen calls to extend the time period.

8. Exclude trailers and RV's.

During the discussion of vehicle parking on-street, the case arose whether trailers, boats or RV's should be treated differently than vehicles. Staff has received several complaints from citizens about trailer, boat or RV storage on street regarding their aesthetic appearance and safety concerns.

A number of different approaches could be taken to minimize or exclude trailers or RV's from on-street parking:

- Trailers and RV's could be excluded from any lengthening of the 72-hour ordinance. Trailers and RV's could remain with a 72-hour restriction. Due to their nature of being larger and occupying more space residents tend to become irritated more quickly when they sit on the street for extended periods.
- Another option for Trailers and RV's is to include them into Ordinance 7-6-24a that would restrict their being parked on-street, overnight. The ordinance states:

No vehicle with a gross vehicle weight of six thousand pounds or more shall be parked on any street in any district of the city zoned RR, RR1, ER, LR, MR, MXR, HR, HZ, MH, P, or A for more than thirty minutes between 8:00 p.m. and 7:00 a.m. The penalty for a first violation of this section is \$10.00. The penalty for a second violation of this section by the same vehicle or the same registered owner of a vehicle is \$20.00. The penalty for a third and any subsequent violation of this section by the same vehicle or the same registered owner of a vehicle is \$30.00.

This ordinance could be amended to say: No vehicle with a gross vehicle weight of six thousand pounds or more, or any trailer or RV, etc., shall be parked on-street, overnight.

9. Enforce existing ordinance on a non-compliant basis after a two-week time period.

The ordinance could remain as it is, be enforced on a non-complaint basis, if vehicles have been left for longer than two weeks. This would not be practicable. Parking Control Officers rotate through districts on a daily basis. With twelve districts this means that an Officer may only go through any given district once every 12–14 days. Another option would be to go through large areas of the City, chalking all vehicles in the area, and then returning two weeks later to see if any still remain. Then a ticket would be issued and abandoned paperwork started and impounded seven days later. This is not practicable either because of the large amount of time required to administer and it would require pulling an Officer out of an existing district.

RECOMMENDATIONS:

Staff does not recommend options 1, 2, 3, 4, 5 and 9 for reasons stated above. Options that staff recommends for consideration are:

6. Leave the Ordinance and its enforcement the way it is.

The ordinance strikes a balance between the counter demands of supplying storage for vehicles of individuals who do not need to drive or use alternative modes, and of maintaining a level of neighborhood livability.

7. Increase the permitted street storage period for motor vehicles to a period longer than 72 hours.

Changing the ordinance to extend the amount of time for on-street vehicle storage could have a positive impact on alternative mode use, however staff does not have the data to support this at this time. Staff would anticipate an increase in complaints from citizens who view extended on-street vehicle storage as a detriment to the quality of their neighborhood.

8. Exclude trailers and RV's.

Staff would recommend additional public input on this issue. While Parking Services does receive some citizen complaints regarding trailer, boat and RV on-street storage, staff does has not done a thorough investigation of this issue to make an informed recommendation. However, staff would not recommend including trailers, RV, etc. in any extension of the 72-hour time period.



Access Management & Parking Strategy

Boulder is a national leader in providing options for access, parking and transportation. To support the community's social, economic and environmental goals, it is important to create customized solutions that meet the unique access goals of Boulder's diverse districts, residential and commercial.

AMPS: A balanced approach to enhancing access to existing districts and the rest of the community by increasing travel options — biking, busing, walking and driving — for residents, commuters, visitors and all who enjoy Boulder.

TOOLS FOR CHANGE



Mixed-income, mixed-use neighborhoods where residents can easily walk or bicycle to meet all basic daily, non-work needs.



**CITY OF BOULDER
INFORMATION ITEM FOR:**

ENVIRONMENTAL ADVISORY BOARD – May 6, 2015
PLANNING BOARD – May 21, 2015
TRANSPORTATION ADVISORY BOARD – May 11, 2015
OPEN SPACE BOARD OF TRUSTEES – May 13, 2015
WATER RESOURCES ADVISORY BOARD – May 18, 2015
PARKS AND RECREATION ADVISORY BOARD – May 18, 2015

GREENWAYS ADVISORY COMMITTEE AGENDA ITEM
MEETING DATE: May 26, 2015

<p>SUBJECT: 2016-2021 Greenways Capital Improvement Program</p>
<p>REQUESTING DEPARTMENT: Annie Noble – Flood and Greenways Engineering Coordinator</p>
<p>PURPOSE: The 2016-2021 Greenways Capital Improvement Program is being provided to board members as an information item. If you have any comments or concerns regarding the 2016-2021 Greenways Capital Improvement Program, please pass them along to your Greenways Advisory Committee representative. If you have questions on this material, please contact Annie Noble at 303-441-3242 or noblea@bouldercolorado.gov</p>
<p>GREENWAYS ADVISORY COMMITTEE ACTION REQUESTED: A recommendation from the Greenways Advisory Committee to the City’s Planning Board and City Council concerning the proposed Greenways Capital Improvement Program is requested.</p>

Attached is information concerning the proposed 2016-2021 Greenways Capital Improvement Program (CIP) for review and consideration. A recommendation by the Greenways Advisory Committee to the city’s Planning Board and Council will be requested at the May 26, 2015 GAC meeting.

- Attachment A: Greenways 2016-2021 Capital Improvement Program Overview
- Attachment B: Greenways 2016-2021 Capital Improvement Program Summary Spreadsheet
- Attachment C: Greenways Program CIP Map

Greenways

Program Overview

The City of Boulder Greenways System is comprised of a series of corridors along riparian areas including Boulder Creek and its 14 tributaries, which provide an opportunity to integrate multiple objectives, including habitat protection, water quality enhancement, storm drainage and floodplain management, alternative transportation routes for pedestrians and bicyclists, recreation and cultural resources.

The Greenways CIP follows an opportunistic approach, contributing funding toward projects that are being completed by other departments or private development in order to meet the various objectives of the Greenways Program. The Greenways CIP also looks to leverage funds with outside agencies in order to move projects forward that meet more than one objective of the Greenways Program, but may not be the highest priority when evaluating any one particular objective. Projects included in the Greenways CIP are typically called out in the Greenways Master Plan and are projects that Greenways staff can take the lead in coordinating.

Funding Overview

The total 2016 Greenways capital budget is \$320,441, with \$105,000 in the operating budget. Greenways projects are funded from the Transportation Fund, Stormwater and Flood Management Utility Fund, and the Lottery Fund. Annual funding distribution for the Greenways Capital Program for 2016 is as follows:

Transportation	-	\$97,500
Flood Utility	-	\$97,500
Lottery Fund	-	\$125,441

Historically the Lottery contribution to the Greenways Program has been \$150,000 per year. As a result of a projected reduction of the city's allocation of Lottery funds, starting in 2015, the Lottery contribution to Greenways is expected to be reduced to \$125,441 (based on Greenways receiving 15% of the city's funding allocation, with a projection of total Lottery proceeds being \$836,275). Should the city's allocation of Lottery funds exceed the projected amount, a budget adjustment will be made to reflect the increase.

Accomplishments and Highlights

Projects to be Completed in 2015:

- The Goose Creek Restoration Project includes restoration improvements along Goose Creek between Foothills Highway and 55th Street. This project was completed in 2014. However, it was determined that reinforcement of the multi-use path was necessary after several small storm events last summer. This work will be completed this summer. This project is primarily being funded through a Section 206 Restoration grant through the U.S. Army Corps of Engineers. The city's 35% funding match is being met mostly through credits from city owned real estate.
- Flood mapping studies are expected to be completed in 2015 and submitted to FEMA for Boulder Slough, and Upper Goose and Twomile Canyon Creeks and Skunk, Kings Gulch and Bluebell Canyon Creeks.
- Flood mitigation major drainageway plans are anticipated to be completed by the end of 2015 for South Boulder Creek and Gregory Canyon Creek.
- Construction of the Wonderland Creek Foothills to Winding Trail Greenways Improvement Project is anticipated to begin in 2015 and is scheduled to be completed in 2017.
- The Urban Drainage and Flood Control District (UDFCD) also completes maintenance projects along the major drainageways. In 2015 this includes a request for sediment removal along Wonderland Creek from Foothills Parkway to the confluence with Goose Creek. Selective thinning of non-native vegetation is also planned and coordinated through the UDFCD for Bear Canyon Creek. These maintenance projects will help maintain conveyance capacity in these drainageways.

Projects Expected for Completion in 2016:

- A CEAP for the Fourmile Canyon Creek stream reach upstream of Upland Avenue to west of Broadway is expected to be completed in 2016.
- Flood mitigation plans are anticipated to be completed in 2016 for Boulder Creek and Bear Canyon Creek.
- Stream bank restoration work, which is being funded by the Community Culture and Safety projects November 2014 tax increase is anticipated to be completed in 2016.

Projects Started in 2016, but Not Completed:

- Fourmile Canyon Creek at 19th Street is in preliminary design but was put on hold following the September 2013 flood event. It is anticipated that the design of this

project will be completed in 2015 and the project will be bid in 2016 and completed in 2017.

Highlights of 2016 – 2021 Projects:

The focus of the 2016–2021 Greenways CIP is on flood mitigation, bicycle and pedestrian multi-use paths and underpasses, and habitat and water quality improvements along the Fourmile and Wonderland Creek corridors. In addition to the projects along Fourmile Canyon Creek and Wonderland Creek, possible habitat restoration projects during the next few years include:

- Confluence of Bear Creek and Boulder Creek at Foothills Community Hospital
- Dry Creek habitat improvements through Flatirons Golf Course
- Goose Creek, railroad to 47th Street tree plantings
- Fish Passage enhancement projects in association with Fishing is Fun grants
- South Boulder Creek minimum stream flow
- Removal of Russian Olive trees east of 75th Street along Boulder Creek

Relationship to Guiding Principles

CIP Guiding Principles:

Greenways projects address many of the CIP guiding principles. Greenways projects are identified in multiple master plans and meet the community sustainability goals. Most of the Greenways projects leverage outside or interdepartmental funding. Greenways habitat improvements seek to be sustainable and are intended to reduce the future maintenance required.

The Greenways CIP has been developed within the context of and is consistent with the Boulder Valley Comprehensive Plan (BVCP), the Transportation Master Plan (TMP), the major drainageway flood mitigation plans, the Comprehensive Flood and Stormwater Master Plan and the Greenways Master Plan. The Greenways Master Plan was updated in 2011 to reflect improvements that had been completed, and adopted changes that have been made in other master plans, city policies and ordinances that affect the Greenways Program since the last Master Plan update in 2001.

Prioritization:

Many of the Greenways projects shown in the CIP are being designed and constructed in

coordination with major flood or transportation improvements. The Greenways funding associated with these projects focuses on habitat restoration, water quality improvements and trail connections. In addition to leveraging funding with the Transportation and Flood Utilities budgets, funding for Greenways projects is also available through the Urban Drainage and Flood Control District and Federal Transportation funds.

Projects not in Master Plans:

It should be noted that the city experienced a major flood in September 2013 that resulted in extensive flooding along most of the city's major drainageways. Following the flood, additional funds have been allocated in the Flood Utility CIP to reflect an increased interest in pursuing flood mitigation efforts along the city's major drainageways. As a result of updated mapping and the September 2013 flood, flood mitigation plans were initiated for Gregory Creek, Bear Canyon Creek and Boulder Creek to identify economically feasible improvement projects. Flood mitigation plans will be initiated in 2016 for Upper Goose Creek and Twomile Canyon Creek, and Skunk, King's Gulch and Bluebell Creeks after completion of flood mapping updates on these drainageways. Results from these flood mitigation plans will inform future capital improvements. Continued evaluation of potential improvement may result in additional changes to the Flood Utility and Greenways CIP in upcoming years.

New Projects

The 2016–2021 CIP continues to focus on Fourmile Canyon and Wonderland Creeks. As stated above, flood mitigation plans are currently being developed for several of the drainageways as a result of either flood mapping updates or deficiencies identified during the September 2013 flood. These plans will identify potential economically feasible CIP projects which may provide opportunities for future Greenways improvements.

Operation and Maintenance Impacts

\$105,000 is budgeted each year for Greenways operations and maintenance. \$80,000 of the operating budget is dedicated to habitat maintenance. The Greenways habitat crew works closely with Parks and Open Space maintenance staff to provide on-going maintenance, as well as on collaborative projects as part of the operations budget. Major drainageway improvements are maintained by the flood maintenance staff and multi-use paths and underpasses are maintained by either Transportation or Parks maintenance, depending upon jurisdiction.

Deferred, Eliminated, or Changed Projects

None

Unfunded Projects and Emerging Needs

Since the Greenways Program is opportunistic, taking advantage of projects that are funded through other departments, there are no unfunded needs.

Board Action

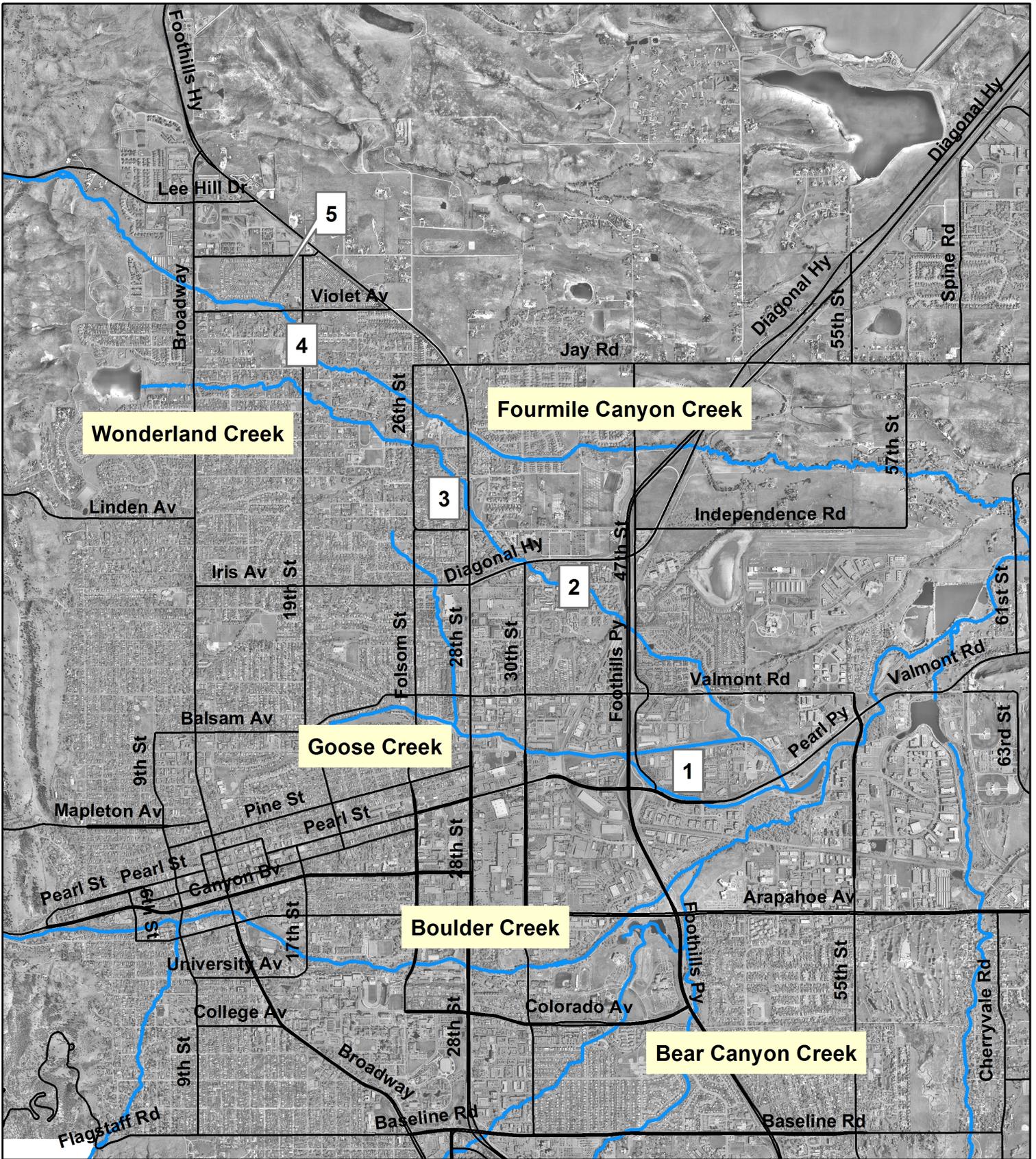
The Greenways Advisory Committee will meet on May 26, 2015 to make a recommendation on the 2016–2021 Greenways Program CIP to Planning Board and City Council.

**CITY OF BOULDER
CAPITAL IMPROVEMENTS PROGRAM**

GREENWAYS PROGRAM 2016-2021 SUMMARY SHEET with Carry Overs from 2014 to 2015												
CAPITAL IMPROVEMENTS PROGRAM		Total Greenways	Expended in Prior Years	2014 Carry Over	2015 Budget	2015 Budget + Carry Over	2016 Projected	2017 Projected	2018 Projected	2019 Projected	2020 Projected	2021 Projected
1	Goose Creek Restoration	\$170,566	\$170,566	\$0	\$0	\$0						
2	Wonderland Foothills to 30th Street	\$391,716	\$42,689	\$349,027	\$0	\$349,027						
3	Wonderland 28th Street Underpass	\$565,441	\$0	\$295,000	\$270,441	\$565,441						
4	Fourmile 19th to 22nd	\$747,900	\$29,072	\$718,828	\$0	\$718,828						
5	Fourmile Upland to Violet	\$1,622,646	\$0	\$0	\$0	\$0	\$270,441	\$270,441	\$270,441	\$270,441	\$270,441	\$270,441
6	Restoration, Water Quality and Trail Improvements		\$0	\$102,439	\$50,000	\$152,439	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
7	CU Bike/Ped Bridge Replacement	\$200,000	\$0	\$200,000	\$0	\$200,000						
TOTAL GREENWAYS BUDGET				\$1,665,294	\$320,441	\$1,985,735	\$320,441	\$320,441	\$320,441	\$320,441	\$320,441	\$320,441

FLOOD FUNDING BY YEAR										
CAPITAL IMPROVEMENTS PROGRAM	Expended in Prior Years	2015 Budget + Unencumbered Carry Over	2016 Projected	2017 Projected	2018 Projected	2019 Projected	2020 Projected	2021 Projected	Total	
1	Goose Creek Restoration	\$0	\$0							\$0
2	Wonderland Foothills to 30th		\$23,337,000							\$23,337,000
3	Wonderland 28th Street Underpass		\$0							\$0
4	Fourmile 19th to 22nd		\$2,000,000							\$2,000,000
5	Fourmile Upland to Violet	\$0		\$500,000	\$500,000	\$1,000,000	\$1,500,000	\$1,250,000	\$500,000	\$5,250,000
6	Bear Canyon Creek	\$0	\$100,000	\$500,000						\$600,000
7	Gregory Canyon Creek	\$0	\$100,000	\$500,000						\$600,000
8	Boulder Creek	\$0	\$600,000		\$2,500,000	\$2,250,000				\$5,350,000
9	Boulder Slough	\$788,164	\$0							\$788,164
10	Twomile Canyon Creek	\$0			\$100,000	\$500,000				\$600,000
11	Bluebell Canyon / Kings Gulch Creek	\$0			\$100,000	\$500,000				\$600,000
12	Skunk Creek	\$0			\$100,000	\$500,000				\$600,000

TOTAL PROJECT FUNDING					
CAPITAL IMPROVEMENTS PROGRAM	All Years Greenways	Pre-flood Funds	Flood Funds	TIP	Project Total
1	Goose Creek Restoration	\$170,566	\$0		\$170,566
2	Wonderland Foothills to 30th Street	\$391,716	\$23,337,000	\$2,000,000	\$25,728,716
3	Wonderland 28th Street Underpass	\$565,441	\$0	\$900,000	\$1,465,441
4	Fourmile 19th to 22nd	\$747,900	\$2,000,000		\$2,747,900
5	Fourmile Upland to Violet	\$1,622,646	\$5,250,000		\$6,872,646



- Projects
- 1 Goose Creek Restoration
 - 2 Wonderland Foothills to 30th Street
 - 3 Wonderland 28th Street Underpass
 - 4 Fourmile - 19th to 22nd
 - 5 Fourmile - Upland to Violet

2016-2021
Greenways Program CIP
Attachment C



MEMORANDUM

TO: Planning Board

FROM: Kristin Dean, Utilities Planner, Public Works, Utilities

DATE: May 21, 2015

SUBJECT: **Information Item:** Floodplain mapping revisions for Upper Goose Creek and Twomile Canyon Creek

Floodplain mapping provides the basis for the city's floodplain management program by identifying the areas at the highest risk for flooding. Changes in land use, updated topographic mapping and upgrades to hydrologic and hydraulic models warrant periodic mapping updates.

On March 16, 2015 the Water Resources Advisory Board (WRAB) recommended City Council approval of the proposed Upper Goose Creek and Twomile Canyon Creek floodplain mapping revisions. Information about the proposed changes is included in the WRAB Agenda Memo ([Attachment A](#)).

The proposed floodplain map revision will be considered by City Council on July 21, 2015. If City Council approves the map revision, the city will submit a request to FEMA for review and approval.

Following formal adoption by FEMA, the city would regulate solely based on the new mapping. However, during the FEMA review and approval process (2-4 years) it is recommended that development within the newly identified flood zones be subject to city floodplain regulations. In order to comply with FEMA requirements, development within the areas that are being removed from the floodplain would still be subject to the city's floodplain regulations until FEMA officially adopts the new floodplain mapping.

Although the proposed mapping is not currently regulatory, the Planning Board should be aware of the proposed changes and how the new floodplain mapping may impact any current projects under review.

Questions regarding these floodplain mapping revisions should be directed to Kristin Dean in Public Works, Utilities at 303-441-4289 or deank@bouldercolorado.gov.

Attachments:

A. [WRAB Agenda memo](#)

**CITY OF BOULDER
WATER RESOURCES ADVISORY BOARD
AGENDA ITEM**

MEETING DATE: March 16, 2015

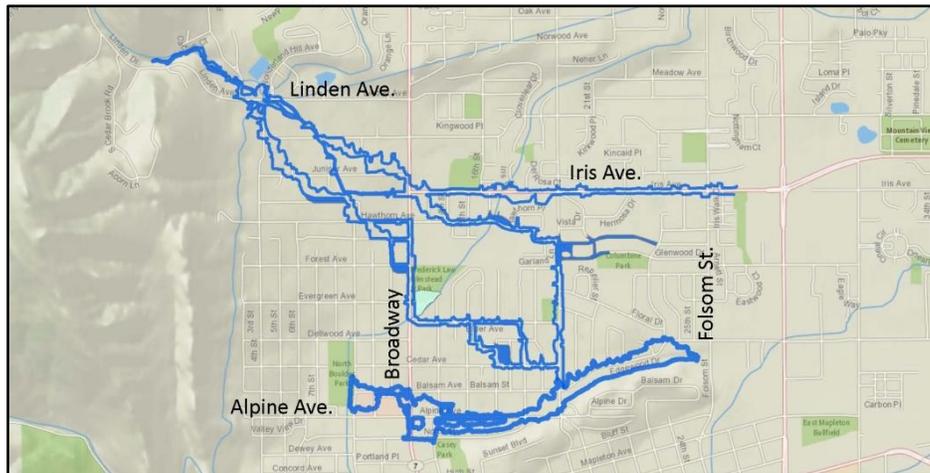
AGENDA TITLE: Public hearing and consideration of a recommendation to City Council regarding the Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Update.

PRESENTER/S:

Jeff Arthur, Director of Public Works for Utilities
Annie Noble, Acting Principal Engineer for Flood and Greenways
Kurt Bauer, Engineering Project Manager

EXECUTIVE SUMMARY:

The purpose of this memorandum is to provide a brief summary of the history and revised results of the Upper Goose Creek and Twomile Canyon Creek floodplain remapping study and request a motion from the WRAB to recommend to City Council to adopt the mapping. The study includes the area located west of Folsom Street to the city limits as shown by the blue areas in the figure below:



The Upper Goose Creek and Twomile Canyon Creek floodplain mapping update began in 2011. The initial draft revised mapping was presented to WRAB in May 2013. Based on a WRAB recommendation, the mapping was remodeled using the new city LiDAR topographic mapping information and presented to WRAB on November 17, 2014. The maps have been further revisited and revised to address issues raised by the public and the WRAB including changes to the High Hazard Zone, Conveyance Zone and limited

changes to the 100-year floodplain. As a result of these changes, no structures would be located in the revised draft High Hazard Zone, 13 structures would no longer be added to the Conveyance Zone and 15 structures would no longer be added to the 100-year floodplain. The proposed Upper Goose Creek and Twomile Canyon Creek floodplain mapping would result in a net:

- Decrease of 130 structures identified in the 100-year floodplain;
- Decrease of 97 structures identified in the Conveyance Zone and;
- Decrease of 64 structures identified in the High Hazard Zone.

The WRAB review of the floodplain mapping update does not require board members to verify the analysis and calculations, but accepts the overall mapping study process and that results are reasonable and acceptable. The WRAB is being asked to make a recommendation to City Council on whether to adopt the mapping update and forward it for consideration by FEMA.

STAFF RECOMMENDATION:

Staff requests Water Resources Advisory Board consideration of this matter and action in the form of the following motion:

Motion to recommend that City Council adopt the Upper Goose Creek and Twomile Canyon Creek floodplain mapping update.

BOARD AND COMMISSION FEEDBACK:

The initial draft revised mapping was presented to WRAB in May 2013. As a separate effort, in 2012 the city initiated collection of new topographic mapping using LiDAR to provide more accurate city-wide base mapping. During the May 2013 meeting, the Board and public voiced concern over the dramatic differences between the existing 1994 single-flow-path floodplain and the proposed split-flow-condition floodplain. Based on Board and public feedback, the floodplain mapping update was delayed until the new LiDAR topographic information was available and could be used to verify or update the study hydraulic models.

The WRAB made the following motion (4-0) at the May 20, 2013 meeting:

Move to table recommendation of adoption of Upper Goose Creek and Twomile Canyon Creek floodplain remapping study to Council, pending further information, evaluation of the study and additional public process with an emphasis on differences between current and prior studies.

The revised mapping was remodeled using the new city LiDAR topographic mapping information and presented to WRAB on November 17, 2014. The WRAB was not asked to make a motion at that meeting, but issues were raised by the Board and public concerning some of the draft High Hazard Zone, Conveyance Zone, shallow flooding and

100-year delineations. The mapping was revisited and revised to address the issues and concerns.

PUBLIC FEEDBACK:

The following provides a summary of the public process and corresponding feedback:

- The initial remapping results were presented at a public open house on March 20, 2013. Sixty people attended the initial open house and the city received 11 written comments;
- City and consultant staff conducted an extensive site visit of the study area following the 2013 flood event and conducted a post-flood open house to collect post-flood information; and
- Revised mapping that incorporated the new LiDAR data was presented to the public at an open house on November 13, 2014 and at the November 17, 2014 WRAB meeting. Issues were raised by the Board and public concerning some of the draft High Hazard Zone, Conveyance Zone, shallow flooding and 100-year delineations at these meetings.

In addition, the public will have opportunities to provide comments at the March 16, 2015 WRAB meeting, the City Council meetings and during the FEMA 90-day public comment period. Following map adoption by FEMA, the public can also submit a request to be removed from the floodplain based on site specific survey information using the FEMA Letter of Map Amendment (LOMA) process.

BACKGROUND:

Floodplain maps (Flood Insurance Rate Maps (FIRMs)) provide the basis for flood management by identifying the areas subject to the greatest risk of flooding. This information is essential for determining areas where life safety is threatened and property damage is likely, and forms the basis for floodplain regulations and FEMA's National Flood Insurance Program. Once adopted by FEMA, the FIRMs are the official maps used to determine flood insurance requirements and therefore the methodology to develop these maps is prescribed by FEMA. In addition, these maps are used to implement the city's land development regulations and help the city identify and prioritize opportunities for flood mitigation projects.

This mapping study area includes Upper Goose Creek and Twomile Canyon Creek west of Folsom Street to the city limits. The existing regulatory floodplain maps date back to 1994 and were based on analysis conducted in 1987. The 1994 floodplain maps show one major flow path along Twomile Canyon Creek. The original modeling was based on two-foot contour interval topographic mapping and 1-dimensional hydraulic models. One-dimensional models simulate flow in only one direction and therefore make it difficult to accurately define spill flow conditions (areas where stormwater overtops the main creek channel and flows downstream along one or more flow paths) along creek systems. While the land use has not changed significantly in the nearly 25 years since the original mapping, hydrologic and hydraulic modeling capabilities and topographic mapping technologies have changed dramatically.

In 2011, the city hired ICON Engineering to conduct an updated study. The study, co-funded by the Urban Drainage and Flood Control District (UDFCD), was conducted in the following three phases:

1. Hydrologic analysis
2. Field survey and investigation
3. Hydraulic analysis

As a separate project, the city in 2012 initiated collection of new topographic mapping using state-of-the-art Light Detection and Ranging (LiDAR) technology to provide more accurate city-wide base mapping. The initial floodplain remapping results were presented to the public and WRAB in early 2013. Based on Board and public feedback, the floodplain mapping was revised using the new LiDAR mapping.

In September 2013, major flooding occurred along Twomile Canyon Creek. The flood resulted in overtopping of the creek and spilled similar to what was shown in the draft floodplain mapping presented in May 2013. City and consultant staff conducted an extensive field investigation of the project area following the flood to document flow paths, flood limits and collect information from residents.

Following the flood, the city also contracted with Wright Water Engineers to estimate how the 2013 storm correlates with the theoretical design storm used to develop the regulatory FEMA floodplains for all of the city's 15 major drainageways. The 2013 storm was a long-duration storm that did not have very high rainfall intensities. FEMA floodplain mapping is based on prescribed design storm characteristics that reflect a short-duration, high intensity theoretical thunderstorm. For this reason, Wright Water Engineers estimates that many of the city's major drainageways did not see peak flows from the 2013 storm as great as the theoretical 100-year design storm. One exception is the Twomile Canyon Creek system that had received close to or even slightly higher estimated peak flows in 2013 than the 100-year design storm. This information was compared to the draft floodplain mapping to identify areas requiring additional analysis. It should be noted, however, that no two storm events are exactly the same and therefore the refined results will still differ slightly from the 2013 flood event.

Anderson Consulting Engineers was hired to perform a peer review of ICON Engineers work. The peer review was conducted on the initial model parameters, hydrologic analysis, hydraulic modeling and proposed mapping delineations in November 2012. Anderson Engineering then conducted a second peer review in October 2014 of the revised modeling. Both sets of review comments were addressed by ICON Engineering and approved by the city and UDFCD.

The revised floodplain mapping using the LiDAR information was then presented to the public and WRAB in November 2014. The mapping has since been refined based on comments from WRAB and the public. These changes and the methodology for making these changes are described below in the Analysis Section. Information about the city's

floodplain management program, floodplain regulations and flood insurance can be found at: [Flood Management Program Overview](#).

ANALYSIS:

ICON Engineers has revisited the revised draft floodplain mapping presented to WRAB and the public in November 2014 based on issues raised concerning some of the draft High Hazard Zone, Conveyance Zone, shallow flooding and 100-year delineations. The following provides a summary of the changes that have been made by issue.

Attachment A shows the areas of change from the mapping presented in 2014.

High Hazard Zone Delineations

Due to the potential for spill flows to occur along Twomile Canyon Creek, it was decided to develop both a 1-dimensional and 2-dimensional hydraulic model for this floodplain remapping study. A 2-dimensional model (FLO-2D) was developed for Twomile Canyon Creek to better define spill flow conditions and corresponding flow paths. A traditional 1-dimensional hydraulic model (HEC-RAS) which will be used for regulatory purposes, was then developed for the entire creek system (both Twomile Canyon Creek and Upper Goose Creek) with channel alignments mimicking the major flow paths identified by the 2-dimensional model.

Draft delineations of the High Hazard Zone (HHZ) were initially defined based solely on the 1-dimensional model results, an approach typically used in previous studies. The initial draft delineations resulted in very small and isolated HHZ areas along Twomile Canyon Creek. Review of the 2-dimensional model results indicate that other isolated areas of HHZ would exist due to the model detail. To eliminate isolated pockets of HHZ that do not likely reflect a significant risk to life and safety, it was therefore decided to revise the mapping to delineate High Hazard Zones only in areas where results from both the 2-dimensional and 1-dimensional models indicate HHZ are coincident. As a result, no structures are shown to fall within the HHZ in the revised mapping.

Conveyance Zone Delineations

The Conveyance Zone is synonymous with FEMA's Floodway and is defined as the areas in the floodplain that are reserved for the main passage of the entire 100-year flood flow when the 100-year floodplain is artificially narrowed until a maximum six-inch increase in flood water depth is created. This zone is delineated to allow development in areas of the floodplain and still provide passage of 100-year storm flows.

The 2014 draft floodplain maps showed 15 structures falling just inside the proposed Conveyance Zone. The Conveyance Zone was delineated based on interpolating model results between cross sections. Each of these 15 structures were revisited and additional model cross-sections and/or split flow paths added. As a result of adding more modeling detail, 13 of the 15 structures are no longer located in the revised draft Conveyance Zone.

Shallow Flooding and 100-year Delineations

Comments were received during the 2014 public process regarding: 1) how the draft mapping showed flood risk at Foothills Elementary School; 2) structures falling just inside the revised 100-year floodplain; and 3) some areas in the floodplain showing sharp bends at certain street intersections. The following summarizes how each of these issues have been addressed.

1) Foothills Elementary School

The 2014 draft floodplain mapping only showed shallow flooding (Zone X) at the Foothills Elementary School site. This was based on averaged flood depths over the entire school site. The 2015 revised draft now shows areas of shallow flooding (Zone AO 1') in addition to the Zone X shallow flooding. This change was based on information from the 2-dimensional hydraulic model. Unlike the Zone X shallow flooding zone that is regulated by the city under the recent Critical Facilities Ordinance, the Zone AO 1' would be regulated as 100-year floodplain by FEMA.

2) 100-Year Floodplain Delineations

Numerous structures located along 19th Street between Evergreen Avenue and Cedar Avenue and along 17th Street between Elder Avenue and Cedar Avenue were shown in the 2014 draft as falling just inside the revised 100-year floodplain. Model refinements in these areas included defining additional split flows in the model at Broadway and 13th Street and along 19th Street at Grape Avenue, Glenwood Drive, Floral Drive, and Evergreen Avenue. The added model detail resulted in 11 structures no longer shown to be touched by the 100-year floodplain.

3) Bends in Floodplain Delineations

The draft floodplain mapping shows 100-year floodplain delineations taking sharp turns at several intersections within the modeled area. These turns were questioned during the public process, particularly the one shown at the intersection of Broadway and Elder. **Attachment B** shows detailed information at Broadway and Elder and why the revised 100-year floodplain is shown to take a sharp bend at this intersection. At this location, the 100-year discharge splits between flow continuing south on Broadway and that continuing east on Elder and is based on the percentage of discharge originating west and east of the Broadway roadway crown and gradient changes through the intersection. The flow distribution was further supported by the 1-dimensional HEC-RAS model update. Other areas showing sharp turns have been similarly confirmed with by the LiDAR topographic and modeling information.

Summary of Results

The Twomile Canyon Creek watershed is an alluvial floodplain with sections where no channel exists. During major storm events the creek overtops its banks and spills south and east along many flow paths through the watershed. While the proposed mapping is based on criteria established by FEMA for a design storm, the level of detail to model spill flows is not prescribed. The proposed revisions to the draft floodplain mapping along Twomile Canyon Creek differ in the level of modeling detail from what has been done in the past for city floodplain remapping studies. Typically only large spill flows are

modeled within a watershed. The inclusion of the LiDAR topographic mapping and 2-dimensional modeling has allowed us to define smaller spill flows (down to 50 cfs) within the Twomile Canyon Creek watershed. The revised Twomile Canyon Creek floodplain remapping study also differs from previous studies in the method used to define the High Hazard Zone. Typically the High Hazard Zone is delineated from the 1-dimensional model only. The High Hazard Zone for this revision was delineated in areas only where it was identified in both the 1- and 2-dimensional models.

These changes in modeling approach have resulted in narrower flood zone delineations and correspondingly fewer structures identified in the flood zones. While these changes result in fewer properties being burdened with regulatory restrictions and flood insurance requirements, this more detailed modeling approach has potential implications. The less conservative delineation (narrower) of flood zones may lead residents and visitors to believe there is a more limited flood risk. No two storms are alike and an individual major storm event will likely not manifest itself in exactly the way depicted by the flood zones defined by the FEMA theoretical design storm. Human intervention, sediment and debris can also greatly impact flow paths and result in flooding outside of mapped zones. In addition, floodplain mapping provides the basis for the city's flood mitigation studies. As a result, this less conservative mapping approach might affect future mitigation planning alternatives and priorities. Considering these potential implications, staff still recommends the revised mapping approach due to the more detailed topographic mapping using LiDAR and the thorough evaluation using both the 1- and 2-dimensional modeling. It should, however be understood that ultimately FEMA will be reviewing the mapping and may not concur with this less conservative modeling approach.

In summary, if adopted, the 2015 revised Upper Goose Creek and Twomile Canyon Creek floodplain mapping would result in the following net changes from the current FEMA regulatory floodplains:

- Decrease of 130 structures identified in the 100-year floodplain;
- Decrease of 97 structures identified in the Conveyance Zone and;
- Decrease of 64 structures identified in the High Hazard Zone.

Additional background information for this study can be found on the project web site: [Upper Goose Creek and Twomile Canyon Creek Floodplain Mapping Update](#). The following attachments present the revised 2015 floodplain maps for Twomile Canyon Creek and Upper Goose Creek:

- **Attachment A** - Areas of change from mapping presented in 2014.
- **Attachment B** - Detailed information at Broadway and Elder showing reasons for sharp bend in 100-year floodplain
- **Attachment C, D and E** - Revised (2015) 100-year floodplains, Conveyance Zones and High Hazard Zones respectively for both creeks in comparison to the existing regulatory FEMA floodplain. Each of these figures show the structures (including summary numbers) that would be identified to be in the revised flood zones, those that would remain in the flood zones and those that would be removed should this revised mapping be approved. All of the map attachments

can be accessed on the project website and via the hyperlinks below for better viewing capabilities.

NEXT STEPS:

Following a formal recommendation from WRAB, the mapping study will be presented to City Council in early 2015. If City Council adopts the study, the city will forward the mapping to FEMA for review. The FEMA adoption process includes a 90-day appeal process. During the FEMA review and approval process (which can take from six months to four years to complete), it is recommended that the more restrictive of the existing and proposed mapping be used for regulatory purposes. This means that development within newly identified flood zones would be subject to the city's floodplain regulations. In order to comply with FEMA requirements, development within areas that are being removed from the floodplain would still be subject to the city's floodplain regulations until FEMA officially adopts the new floodplain mapping. Following formal adoption by FEMA, the city would regulate solely based on the new mapping.

ATTACHMENTS:

- A. [Areas of Change Between 2014 and 2015 Revised Floodplain Mapping](#)
- B. [Existing FEMA and Revised \(2015\) Proposed 100-Year Floodplain](#)
- C. [Existing FEMA and Revised \(2015\) Proposed Conveyance Zone](#)
- D. [Existing FEMA and Revised \(2015\) Proposed High Hazard Zone](#)