



**CITY OF BOULDER  
CITY COUNCIL AGENDA ITEM**

**MEETING DATE: March 20, 2012**

**AGENDA TITLE:** Proposed Housing First Project at 1175 Lee Hill Road

**PRESENTER/S**

Jane S. Brautigam, City Manager

Tom Carr, City Attorney

Karen Rahn, Director of Housing and Human Services

**EXECUTIVE SUMMARY**

At the Feb. 21 business meeting, council requested a public hearing regarding the proposed Boulder Housing Partners (BHP) Housing First project at 1175 Lee Hill Road. The purpose for the meeting is to allow a full and fair opportunity for council members to hear from the community about this project. The public hearing will give council members an opportunity to provide staff direction about how to proceed with future city involvement with this project, including BHP's proposed process, the proposed Statement of Operations (SO) and any additional matters council members wish to address.

**BACKGROUND**

BHP purchased land at 1175 Lee Hill Road and proposed to build a thirty-one unit facility to house chronically homeless members of the community. The proposed project would apply the Housing First model supported by council as part of the 10-Year Plan to Address Homelessness. Prior to submitting an application, BHP representatives had a pre-application meeting with planning staff. Planning staff identified the proposed project as "Transitional Housing" regulated pursuant to § 9-6-3(h) B.R.C. 1981 ("Specific Use Standards - Residential Uses"). Transitional Housing in the applicable zoning district is subject to staff review. On Jan. 19, 2012, Angela McCormick, BHP's Board Chair, wrote to council with a proposed voluntary public process, which BHP plans to undertake before filing a building permit application. (*Attachment A*). Excerpts of the letter, provided below, described the elements of BHP's proposed plan:

- BHP will continue to provide opportunities for input and public engagement, via neighborhood meetings and social media tools such as our website. We will put in place a formal structure for addressing neighborhood concerns. We will also continue to provide opportunities to educate the community about Housing First, such as offering tours of similar communities to a representative selection of interested neighbors. Through these efforts, our intent is to provide assurance that 1175 Lee Hill can and will be a good neighbor.
- BHP will engage with interested members of the public regarding a Statement of Operations (SO) that addresses resident and property management at 1175 Lee Hill. The SO may include hours of operation, staffing, resident selection processes, lease violations and consequences, case management, security, as well as emergency and property manager contact information. City staff will be invited to submit their comments as well.
- BHP will assemble and summarize public comments on the SO for consideration by BHP's Board of Commissioners. BHP will hold a public hearing and invite testimony regarding the draft SO. Subsequent to the hearing, the Board will amend the SO prior to final adoption as deemed appropriate. If the SO is to be modified after it is adopted, BHP will publicize opportunities for public testimony to be held at a regularly scheduled monthly Board meeting.
- BHP will engage with interested members of the public regarding the proposed design for 1175 Lee Hill.

In a letter to council dated March 7, 2012, Betsey Martens, Executive Director of BHP provided an outline of a draft SO identifying key considerations in the process and timeline (*Attachment B*). BHP is facing a July 1, 2012 deadline to obtain tax credit financing. If BHP misses this deadline, there will most likely be a funding gap for the 1175 Lee Hill Road project.

Under current law neither the Planning Board nor the City Council has any oversight over this approval. BHP sought pre-filing review from city staff. Looking at the proposal, staff determined that it fit within the definition of "Transitional Housing" in the city's land use code. The land use code is as follows:

"Transitional housing" means a facility providing long-term housing in multi-family dwelling units with or without common central cooking facilities, where participation in a program of supportive services is required as a condition of residency to assist tenants in working towards independence from financial, emotional, or medical conditions that limit their ability to obtain housing for themselves.

§ 9-16-1(c), B.R.C., 1981. Under the land use code, Transitional Housing is a conditional use. Conditional uses "are those uses which are appropriate in a given zoning district if the applicable conditional use criteria have been satisfied." The code provides that the City Manager determines whether the proposed use meets the conditional use

criteria. With respect to Transitional Housing, the code includes only the following criteria:

- (1) Density: The maximum number of dwelling units with transitional housing facility shall be the same as is permitted within the underlying zoning district, except that for any zoning district that is classified as an industrial zoning district pursuant to section 9-5-2, "Zoning Districts," B.R.C. 1981, the number of dwelling units permitted shall not exceed one dwelling unit for each one thousand six hundred square feet of lot area on the site.
- (2) Occupancy: No person shall occupy such dwelling unit within a transitional housing facility except in accordance with the occupancy standards set forth in section 9-8-5, "Occupancy of Dwelling Units," B.R.C. 1981, for dwelling units.
- (3) Parking: The facility shall provide one off-street parking space for each dwelling unit on the site. The approving authority may grant a parking deferral of up to the higher of fifty percent of the required parking or what otherwise may be deferred in the zoning district if the applicant can demonstrate that the criteria set forth in subsection 9-9-6(e), B.R.C. 1981, have been met.

§ 9-6-3(h), B.R.C., 1981. Thus, any application for the project at 1175 Lee Hill Road will be measured only against the criteria set forth above.

Any action that the city takes must be viewed in light of the Federal Fair Housing Act (FFHA). The FFHA falls under Title VIII of the Civil Rights Act of 1968, and prohibits discrimination in the sale, rental and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status and handicap (disability). A handicap is defined as:

- (1) A physical or mental impairment which substantially limits one or more of such person's major life activities,
- (2) A record of having such an impairment, or,
- (3) Being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

42 U.S.C. 3602(h). Courts have included "homeless and mentally-handicapped adults" in the definition of "handicapped." See *City of Peekskill v. Rehab. Support Serv., Inc*, 806 F.Supp. 1147 (S.D.N.Y 1992).

The FFHA prohibits the following:

- (1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of—
  - (A) that buyer or renter,

- (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available, or
  - (C) any person associated with that buyer or renter.
- (2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap of—
- (A) that person, or
  - (B) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available, or
  - (C) any person associated with that person.

42 U.S.C. 3603(f). While staff will make a brief presentation and be prepared to answer Council questions, no recommended motion language is proposed for the March 20, public hearing. Council input is being sought regarding BHP's proposed process, the proposed SO and any additional matters council members wish to address.

Toward that end, the following questions are proposed for council consideration;

- (1) Does council have comments regarding the proposed housing first project at 1175 Lee Hill Road?
- (2) Does council have any comments regarding potential provisions in the statement of operations?
- (3) Does council wish to affirm its support for the 1175 Lee Hill Road as a housing first project to be developed by BHP?
- (4) Does council wish to identify for later discussions any of the larger issues that have surfaced?

#### **ATTACHMENTS**

- A. Boulder Housing Partners Board of Commissioners letter dated January 19, 2012
- B. Boulder Housing Partners Executive Director letter dated March 7, 2012

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January 19, 2012

Mayor and Members of the City Council  
City of Boulder  
1779 Broadway  
Boulder, CO 80302

Dear Mayor and Councilmembers,

Following up on the December 13, 2011 City Council study session on Housing First Programs and Related Issues, I am writing on behalf of the Board to express our sincere appreciation for staff's comprehensive presentation and for your thoughtful consideration on a very complex and multi-faceted issue. We are grateful for your affirmation of the Housing First model as a key strategy to address chronic homelessness. We also heard Council express interest in changing the ordinance by enhancing the standards for public engagement and public review to a level greater than currently required. We are writing to describe a voluntary process that we are willing to commit to in order to demonstrate our interest and intent in being a good neighbor.

There are several considerations that inform our proposal. One, BHP is, and will likely continue to be, the only developer of Housing First communities in Boulder. Two, time is of the essence for us to maximize available funding opportunities, favorable financing terms, and historically low construction costs. Three, we are a public agency with a commitment to an open and transparent public process as evidenced by the over 15 public meetings held on the project, to date. And four, we heard general agreement among Council members that a "management plan" and "continued opportunities for public input" are desirable.

In order to move forward with 1175 Lee Hill, we, the Board, propose to voluntarily commit the organization to a development process as follows. Prior to a building permit application submittal:

- BHP will continue to provide opportunities for input and public engagement, via neighborhood meetings and social media tools such as our website. We will put in place a formal structure for addressing neighborhood concerns. We will also continue to provide opportunities to educate the community about Housing First, such as offering tours of similar communities to a representative selection of interested neighbors. Through these efforts, our intent is to provide assurance that 1175 Lee Hill can and will be a good neighbor.
- BHP will engage with interested members of the public regarding a Statement of Operations (SO) that addresses resident and property management at 1175 Lee Hill. The SO may include hours of operation, staffing, resident selection processes, lease violations and consequences, case

management, security, as well as emergency and property manager contact information. City staff will be invited to submit their comments as well.

- BHP will assemble and summarize public comments on the SO for consideration by BHP's Board of Commissioners. BHP will hold a public hearing and invite testimony regarding the draft SO. Subsequent to the hearing, the Board will amend the SO prior to final adoption as deemed appropriate. If the SO is to be modified after it is adopted, BHP will publicize opportunities for public testimony to be held at a regularly scheduled monthly Board meeting.
- BHP will engage with interested members of the public regarding the proposed design for 1175 Lee Hill.

Per BHP Board Resolution #15, attached is a historical site evaluation matrix that identifies and describes the sites we considered from 2009 to 2010 for the proposed Housing First community. During this timeframe, we evaluated four sites, including 1175 Lee Hill, based on the criteria described in the attached Site Evaluation Matrix. Over the last five months, we have continued to investigate the suitability of several additional properties, none of which were considered acceptable or practical for the development of this project. Our additional due diligence reaffirms our selection of 1175 Lee Hill as the best possible site. We are confident in our decision and the process that led to it. We hope to move forward with the development of a Housing First community at 1175 Lee Hill, pursuant to the course of action outlined in this memo. We pledge to work now and into the future to ensure that that this project is viewed, in retrospect, as a positive addition to the community.

In closing, while it is our intent to engage the neighbors in good faith, we encourage the City Council to appreciate the financial risk and commitment that BHP would make to this project, which is borne solely by BHP. Therefore, there will be economic and practical limits to the public input we can accommodate. The lack of implementation of such suggestions should not delay the development of the 1175 Lee Hill community.

Please don't hesitate to contact me via Betsey Martens, Stuart Grogan, or Shannon Cox Baker (720-564-4610) if you have any comments or questions.

Sincerely,



Angela McCormick  
Chair of the Board of Commissioners  
Boulder Housing Partners

Cc: Jane Brautigam, City Manager  
Tom Carr, City Attorney  
Karen Rahn, Executive Director, Department of Housing and Human Services

BHP Commissioners  
Betsey Martens, Executive Director, Boulder Housing Partners

Attachment: Site Evaluation Matrix

<b>2009-2010 Housing First Site Evaluation Matrix: Prior to Purchase of 1175 Lee Hill Drive</b>					
<i>Existing Property Name</i> <i>Property Address</i> <i>Zoning Status</i>	<b>Vacant</b> <b>1175 Lee Hill</b> <b>BT-2</b> <b>For Sale</b>	<b>Confidential</b> <b>28th-30th Central</b> <b>Boulder location</b> <b>Commercial</b> <b>For sale</b>	<b>Red Oak Park</b> <b>2637 Valmont</b> <b>RH-4</b> <b>BHP</b>	<b>High Mar</b> <b>4990</b> <b>Moorhead</b> <b>RH-5</b> <b>BHP</b>	
<b>Accessible to public transportation</b> 1: closest bus stop more than 1 block (0.10 mi) and no direct access to Broadway; 2: bus stop within 1/2 block (0.05 mi) serviced by local and regional routes, direct access to Broadway; 3: bus stop within 1/2 block serviced by local and regional buses, including metro Denver transit and direct access to Broadway	2	2	1	3	
<b>Accessible to amenities</b> WalkScore - 1: car-dependent; 2: somewhat walkable; 3: very walkable, walker's paradise	3	3	3	2	
<b>Neighborhood Compatibility</b> 1: single use and/or low density; 2: mixed-use and medium density; 3: mixed-use and high density	2	3	2	1	
<b>Ease of development</b> Considers the time/cost/uncertainty/risk associated with the following: land cost, carrying cost, demolition costs, rehab. costs, horizontal construction costs (utilities, right-of-way), vertical construction costs, environmental clean up, etc.	3	1	1	2	
<b>Compatible with program needs</b> key program elements: density of 30-40 units, private open space, office space for 4 FTE, community room, on-site laundry, parking for minimum 6-10 spaces, highly secured	3	3	2	1	
<b>Operational efficiency</b> considers: (1) the travel time/distance to: BHP, ARC, Hospital, Mental Health Center; (2) cost to run program (PUPA)	3	2	2	1	
<b>Price and Availability</b> 1: price/sf higher than comps and/or for sale on open market; 2: price/sf at or below comps and/or not publically listed; 3: owned by BHP	2	1	3	3	
	<b>Cumulative Score</b>	18	15	14	13

**NOTES:**

1. Ranking scale: 1 - 3 (1 = poor, 2 = average, 3 = excellent)

2. The "Street Smart Walk Score" includes walking routes and distances to amenities, road connectivity metrics such as intersection density and block length, and weighted scores for individual amenity categories (e.g. grocery stores, restaurants, banks, parks, and shopping). See: [www.walkscore.com](http://www.walkscore.com).

3. BHP is regularly presented with real estate opportunities to develop new affordable housing targeted to seniors, families, workforce, and the disabled. Between September 2011 and January 2012, we evaluated numerous development opportunities for permanent supportive housing, including but not limited to: a vacant site on north 28th St, a public housing property on Arapahoe, and an existing commercial building on west Canyon. In our judgement, none were considered suitable for the proposed use.



*Providing Homes, Creating Community, Changing Lives*

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Hearing Assistance: 1-800-659-3656

March 12, 2012

Mayor and Members of the City Council  
Jane Brautigam, City Manager  
City of Boulder  
1779 Broadway  
Boulder, CO 80303

Dear Mayor and Councilmembers,

In a letter to the Mayor and City Council dated January 19, 2012, the BHP Board of Commissioners (Board) voluntarily offered the following prior to submitting a building permit application for the proposed 1175 Lee Hill project:

- Continued opportunities for public input and engagement;
- Creation of a Statement of Operations to address resident and property management at 1175 Lee Hill, including the solicitation of public comments and testimony before final adoption of the Statement of Operations by the Board; and
- Request for public input on the building's proposed design.

As you know, BHP has held over 20 meetings with neighborhood groups and HOAs since September 2011, in addition to many individual meetings. BHP has also kept the community informed about the project via regular distribution of a project newsletter and through regular postings to the project website. In January 2012, BHP led a tour of three supportive housing projects in Denver for 11 area homeowner's association representatives and three City Councilmembers. A summary of the meeting held subsequent to the tour is attached. BHP will continue its commitment to public outreach through the process outlined below. Requests by the public to meet and/or discuss the project will, as a matter of course, continue to be encouraged and accepted.

As detailed on page 2 of this memo, BHP has outlined a voluntary process for engaging the public in the building's operations plan and design. Specific to the Statement of Operations (SO), BHP intends to incorporate in the SO the rules and regulations governing operations and we expect it will also reflect best management practices employed by similar Housing First communities around the country. Attached to this memo is an **initial outline and general framework** for the SO that includes the key topics to be covered. Each topic area includes a short narrative as well as some of the criteria BHP has incorporated to date, including those provided by the project's investors and regulators, such as the Department of Housing and Urban Development (HUD).





*Providing Homes, Creating Community, Changing Lives*

As part of this effort, BHP will solicit comments from the community in the preparation of the SO and the building design based on the following proposed timeline. The timeline describes three public meetings for the public and a continual process of electronic communication and feedback:

Q1 2012

- Publish the attached SO general framework (March 15);
- City Council public hearing (March 20);

Q2 2012

- Submit a development review application to City planning staff;
- Make available to the public a preliminary draft of the SO and drawings of the building's design;
- Hold a public forum to solicit comments and questions on the SO and the building's design;
- Publish a revised draft of the SO and revised drawings of the building's design;

Q3 2012

- Submit a Low Income Housing Tax Credit application to the Colorado Housing and Finance Authority;
- Submit the revised SO draft and building design to the BHP Board of Commissioners for consideration, on first reading, at a regularly scheduled and publicly noticed meeting which includes public testimony;
- Board consideration and adoption of the final Statement of Operations at second reading, and approval of the final building design; and
- Submit a building permit application to City building department

We welcome any City Council and City staff comments on this proposal. Please contact me with any comments or questions. Thank you.

Sincerely,

Betsey Martens  
Executive Director  
BHP



February 23, 2012

**Meeting Notes – Follow Up Discussion with Permanent Supportive Housing (PSH) Tour Attendees**

On February 23, 2012, several community members and other stakeholders who attended the tour of the Cornerstone Residences, Renaissance at Lowry, and Renaissance Blue Spruce projects on February 11, 2012 met to discuss their insights from the tour. The meeting was held at Boulder Housing Partners' Office (4800 N. Broadway) and was moderated by Louise Smart. The agenda and guidelines for the discussion were as follows, with the primary focus on #4:

1. Introductions
2. Meeting purpose
  - To gather your insights about what you heard and saw on the tour
  - To get your advice about how to design and operate a Housing First project based on your observations
  - To answer any factual questions
3. Guidance to help this be a productive meeting
  - Focus on what you learned from the tour
  - Speak only for yourself and your own observations
  - You may ask questions of anyone
  - Allow all who went on the tour to speak
  - One person speaks at a time
  - Be honest and courteous
  - Listen deeply and be willing to be influenced
4. Insights from the tour
  - What you liked
  - What worried you
  - Desired outcomes
5. Questions and clarifications
6. Next steps

The group had a productive discussion and all parties were able to give input on positive attributes of the Housing First model, voice their concerns, and express desired outcomes.

February 23, 2012

With respect to what the group liked and what worried them about the projects they visited, we received the following comments:

LIKES	WORRIES
<ul style="list-style-type: none"> <li>• <b>LOCATION</b> <ul style="list-style-type: none"> <li>○ Lowry: projects blend into diverse, integrated neighborhood</li> </ul> </li> <li>• <b>BUILDING</b> <ul style="list-style-type: none"> <li>○ Nice exterior design</li> <li>○ Room size and composition</li> </ul> </li> <li>• <b>OPERATIONS</b> <ul style="list-style-type: none"> <li>○ Comprehensive and rigorous selection process for residents – starts by choosing people who can be successful</li> <li>○ Enforced rules and non-compliant residents were asked to leave</li> <li>○ Case management: high levels of support onsite</li> <li>○ 24/7 staffing safeguarded resident well-being, safety</li> <li>○ Locked exterior doors</li> <li>○ Management had high levels of institutional knowledge</li> </ul> </li> <li>• <b>RESIDENTS</b> <ul style="list-style-type: none"> <li>○ Residents seemed motivated to stay housed, work towards independence</li> <li>○ Residents appreciative of what the community offered them</li> <li>○ Strong sense of community amongst residents</li> <li>○ Lowry communities mixed formerly homeless with low income residents</li> </ul> </li> <li>• <b>SURROUNDING COMMUNITY</b> <ul style="list-style-type: none"> <li>○ Inspired other local homeless to work towards permanent housing</li> <li>○ Community involvement from the beginning and continuous throughout project</li> <li>○ Limited, benign neighborhood complaints</li> </ul> </li> <li>• <b>GENERAL</b> <ul style="list-style-type: none"> <li>○ 3 Boulder Council members in attendance</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <b>LOCATION</b> <ul style="list-style-type: none"> <li>○ Close proximity to other homeless services results in a high concentration of homeless population in neighborhood</li> <li>○ Siting PSH next to the Shelter will dissuade businesses from locating in NoBo, negatively impact future development</li> </ul> </li> <li>• <b>BUILDING</b> <ul style="list-style-type: none"> <li>○ Institutional interior design</li> </ul> </li> <li>• <b>OPERATIONS</b> <ul style="list-style-type: none"> <li>○ Increased staffing presence a result of close proximity to shelter(s)</li> <li>○ No control of resident behavior once they leave the building</li> </ul> </li> <li>• <b>RESIDENTS</b> <ul style="list-style-type: none"> <li>○ Ability to succeed in program may be compromised by close proximity to shelter</li> <li>○ Without diverse surrounding land uses, residents will not get a good example of a truly integrated neighborhood</li> <li>○ Unsure if residents can ever truly “leave the street life behind”</li> </ul> </li> <li>• <b>SURROUNDING COMMUNITY</b> <ul style="list-style-type: none"> <li>○ Unknown long term impact on community of high concentration of homeless services</li> <li>○ Property values may decrease</li> <li>○ Continuous neighborhood engagement – can it be sustained?</li> </ul> </li> <li>• <b>GENERAL</b> <ul style="list-style-type: none"> <li>○ Locating PSH next to a Shelter creates a perception of “concentration” or “institutionalization” of residential care uses</li> <li>○ Concerned about the unforeseen or unintended consequences that nobody can predict</li> </ul> </li> </ul>
<p><b>(Additional comments not based on insights from the tour are included below)</b></p>	

February 23, 2012

Additional concerns were raised by various stakeholders specifically relating to the proposed Housing First project at Lee Hill in Boulder and the group proposed various "desired outcomes".

One stakeholder voiced a concern that some people may try to compare the toured projects to Lee Hill. He noted that Boulder has different land use conditions and policies that will not allow for comparable densities or integration, especially since there is little developable land available in Boulder.

Relating to land use planning, the group also commented that North Boulder is in a vulnerable planning stage and that this is a complex project with policy implications with long term potential impacts. The group expressed several desired outcomes including: revisiting the North Boulder Sub-community Plan (NBSP) and working with the community to ensure neighborhood diversity, diverse real estate development, and economic growth. One participant noted that the commercial center in North Boulder was not developed per the NBSP and the City needs to revisit this issue to re-establish the vision for the neighborhood and ensure balanced commercial development.

Another concern that arose was whether or not Housing First project next to the Homeless Shelter was optimum for the Housing First residents. The issue at hand was whether "over concentration" of the homeless in one area is possibly detrimental to the neighborhood as well as Housing First residents themselves. Some neighbors thought the Housing First residents would be more likely to fall back into homelessness or lifestyle patterns that contributed to their homelessness if they were exposed to homeless people coming and going from the Shelter, or hanging around north Boulder.

The group desired an outcome that would encourage collaboration and communication between all stakeholders, and would provide guidance on what can be done to make this project acceptable to the neighborhood including:

- Before any decisions are made, such as site selection, the community should be consulted and give its approval;
- Request for a thorough discussion of where (i.e., the best location) a Housing First Project should be located in Boulder before operations are considered;
- Evidence or arguments supporting BHP's contention that locating a Housing First community next to a homeless shelter is not harmful to the Housing First community's residents;
- Request for an honest evaluation of its impacts on the community; and
- More data and research that would provide better guidance on the best location to help assure successful results.

Several concerns were raised by the participants regarding the negative impacts of homeless people in North Boulder. The Boulder Shelter for the Homeless indicated they are strongly committed to being a good neighbor in North Boulder. They are always open to hear comments and concerns from the public and will work diligently to address these issues. Stakeholders' were concerned that the Lee Hill Housing First project will exacerbate problems in the community that have increased over the years as a result of increased homeless activity in the area since the Shelter moved up to North Boulder. Yet another stakeholder worried about future homeless services moving to North Boulder (e.g. a day shelter) that would further concentrate the homeless population in their neighborhood. When asked, BHP

February 23, 2012

responded they would never build a second Housing First project in North Boulder. The City could also aggressively annex the remaining enclaves to eliminate the jurisdictional issues the police and sheriff have responding to complaints.

BHP has provided a brief response to the 'desired outcomes' expressed by the meeting attendees. Comments and questions for BHP are encouraged and should be directed to Shannon Cox Baker: [cox-bakers@boulderhousingpartners.org](mailto:cox-bakers@boulderhousingpartners.org).

February 23, 2012

### **BHP's Response to 'Desired Outcomes'**

- Request to revisit the North Boulder Sub-Community Plan and/or create a land use plan for a North Boulder commercial center

BHP strongly supports the neighborhood's request to revisit the North Boulder Sub-Community Plan. As a long-time resident of the community, owner and property manager of several rental units and integral contributor to the area's redevelopment, BHP has a strong stake in the community's future. We hope the focus of such an exercise will be on the redevelopment potential of undeveloped and underdeveloped areas of the community and the reestablishment of a vision for the commercial center and civic amenities.

- Address the Inclusionary Housing Ordinance's off-site provisions, which currently allow for 100% affordable housing projects

BHP has actively worked with neighborhood representatives and City staff to address the implications for the current ordinance and potential changes in policy and regulation. Neighborhood representatives have indicated that they will continue to meet with City staff on this issue.

- Request for continued public outreach

BHP has committed to voluntarily engaging the public in a Statement of Operations and building design process. This effort will take place prior to BHP's submission of a building permit application for 1175 Lee Hill. Included in the Statement of Operations will be a descriptions of our plans for the long-term operations of 1175 Lee Hill.

- Request to create a community-wide site selection and approval process for Housing First developments

BHP believes that the 1175 Lee Hill Rd site is suitable for a Housing First community. The City of Boulder established zoning and related land use regulations governing housing and sheltering for the homeless in 2002 after a substantial and inclusive public process. We feel these standards sufficiently address the community's interests and goals.

- Evidence or arguments supporting BHP's contention that locating a Housing First community next to a homeless shelter is not harmful to the Housing First community's residents;

BHP believes there is not sufficient evidence showing that supportive housing communities located next to or near shelters are harmful to the residents of the supportive housing community. To the contrary, there are many examples around the country where the two, separate uses coexist, such as: Portland Housing Authority's Bud Clark Commons, Catholic Charities of St. Paul and Minneapolis' Box's Place, and Archway Housing's Cornerstone Residences in Denver. Our own experience housing the formerly homeless, as well as that of several supportive housing operators, shows that with proper management and clearly defined expectations, success of the residents can result independent of the supportive housing community's location.

February 23, 2012

- Request for information about the community impacts of Housing First projects

BHP has included a link on its website to a compilation of studies on the community impacts of Housing First projects. The website can be accessed by clicking [here](#) or by pasting this link into a web browser: <http://shnny.org/research-reports/research/>.

- Request to address existing problems and issues with the homeless population in North Boulder

The Boulder Shelter for the Homeless' Executive Director and Board of Directors are in the process of reestablishing the Shelter Neighborhood Action Group to address community concerns about homeless behaviors in north Boulder. The Group will be comprised of residents and business owners in north Boulder. Please direct all questions and concerns about homeless related issues to Greg Harms at [greg@bouldershelter.org](mailto:greg@bouldershelter.org).

## Statement of Operations Framework

### **I. Project Scope**

1175 Lee Hill is a 31-unit permanently affordable apartment building intended to house the chronically homeless in Boulder County. Approximately 30,000 square feet in size, the building will include case management offices, maintenance and property management storage facilities, covered bicycle parking, a community room, laundry facilities and an outdoor courtyard. Boulder Housing Partners (BHP) will be the developer, owner, leasing agent, and property manager. The Boulder Shelter for the Homeless (the Shelter) will provide the case management support for the residents.

### **II. Governing Principles**

The community at 1175 Lee Hill will be operated by a number of guiding documents including those summarized below and those established by our investors and regulators.

The mission of BHP is to provide quality, affordable housing, developed and managed with respect for the dignity of all involved. We also seek to create a sense of community strength and spirit that supports resident efforts to realize success in their lives.

The 1175 Lee Hill Guiding Principles, adopted by the BHP Board of Commissioners, are as follows:

- Help address chronic homelessness in Boulder County through the provision of housing and supportive services.
- Strive to fully integrate the building and its residents into the surrounding neighborhood.
- Design and construct an environmentally high performing building that is energy efficient, healthy, comfortable, and cost effective to operate.

To that end, we intend to:

- Expand Boulder County's Housing First program and inventory to reduce the costs of homelessness on the broader community.
- Create a community that fosters a sense of home and self-determination.
- Emphasize durability, efficiency, and utility without sacrificing quality, comfort, or beauty.
- Further the missions of Boulder Housing Partners and the Boulder Shelter for the Homeless in all aspects of this new community.

### **III. Housing First Program Goals and Outcomes**

The residents at 1175 Lee Hill will be part of the Boulder County Housing First program. The goal of the Housing First program is:

- Clients have safe, permanent housing; become more stable and retain housing in perpetuity.

Program success is measured by monitoring the following desired outcomes:

- Clients move into housing;
- Clients increase skills and income;
- Clients garner greater self-determination;
- Clients stay housed; and
- Clients maintain progress made.

#### **IV. Resident Eligibility and Selection Process**

Resident eligibility and screening criteria are primarily determined by rules associated with the funding agencies that are anticipated to fund this project. Potential funding sources may include: the U.S. Department of Housing and Urban Development (HUD) (McKinney-Vento Act funding as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act and Section 8 Housing Choice Voucher funds), the U.S. Department of Veterans Affairs' (VA) Veterans Affairs Supportive Housing (VASH) Program, and the Low Income Housing Tax Credit (LIHTC) Program. The statement of operations will, at a minimum, address the following:

- The process for determination of homeless status;
- Income qualification requirements;
- The process for conducting mandatory criminal background checks;
- The eligibility threshold for prior criminal history (including a summary of criminal convictions that impact eligibility);
- Basis for denial of admission and due process rights for applicants; and
- Documentation of lawful presence in the U.S.

Background checks will be required and registered sex offenders will not be permitted housing.

BHP will consult with other Boulder County service providers, including the Boulder Shelter for the Homeless, in selecting potential residents who meet the eligibility requirements of the different funding programs and who can be successful in the program. The intention is to prioritize individuals who, first and foremost, want to be housed and, second, who can be successful in the Housing First program.

#### **V. Case Management and Supportive Services**

Residents of 1175 Lee Hill will be assigned a case manager. Case managers will meet regularly with residents to assist them in meeting the goals and outcomes set forth by the program (see Section III above). Activities such as assisting residents with acquiring benefits, obtaining health care, finding employment, and securing addiction recovery services are potential case management roles.

## **VI. Lease Agreement**

Each resident of 1175 Lee Hill will be required to sign a lease with BHP. Violations of this lease agreement will result in corrective action up to, and including, eviction. Residents will pay rent according to their income. Residents must agree to abide by house rules, guest policies, and any other building policies. A copy of the current lease agreement will be made available to the public.

## **VII. Property Management**

The primary building features include:

- 31-units of one bedroom apartments;
- Indoor community room;
- Laundry facilities;
- Screened bike storage area;
- Offices for on-site Housing First case management; and
- Potential office space for on-site Veteran's Administration representative.

The role of the property manager is to enforce the lease, house rules and addendums.

In order to assure the residents' safety and well-being, the property will incorporate the following features:

- One main entrance for clients and guests;
- 24-hour locked exterior doors with restricted access;
- Surveillance cameras;
- 24-hour on-site staffing;
- Random security patrols of the building's exterior and interior; and
- Screened, private outside courtyard.

## **VIII. Building and site maintenance**

BHP will work with the neighborhoods to define standards of care for the neighbors during construction of 1175 Lee Hill.

The building will be maintained by BHP and their in-house maintenance staff. BHP will be responsible for landscape upkeep, snow removal and both exterior and interior repairs and preservation.

## **IX. Resident Complaint Process**

As with all BHP properties, complaints and grievances from residents are handled in the following way:

- Resident calls or submits a written complaint to Property Manager, Case Manager, or equivalent;
- Staff researches the complaint, logs it in the resident's file, and provides written follow up to the resident upon request (i.e., lease violation letter, adverse action letter, referral to mediation);
- If the complaint is not resolved, it continues up the supervisory levels in the same fashion, until it reaches the Executive Director; and
- If not resolved at the Executive Director level and the complainant seeks a non-legal option, the BHP Board of Commissioners can receive a complaint (but again only one that has been fully reviewed by staff). The Board chair may appoint a sub-committee of the Board to review and/or hear the complaint.

## **X. Neighborhood Communication**

Communication between BHP, as the owner and operator of 1175 Lee Hill, and the neighboring community is important to develop and maintain positive relationships. Methods will be established to ensure routine communication, feedback, and monitoring of this Statement of Operations.

In general, the residents and staff of 1175 will be available to participate in community activities, events, meetings as appropriate to help build good relations with the community. BHP has an active Resident Services program that will be available to support on site case management. The BHP Board meets monthly in public session and begins each meeting with public participation and the Board encourages all members of the community to participate in these meetings. Any person can address the Board on any topic, consistent with the public participation guidelines.

In the event of a problem, neighbors will be asked to call the property manager assigned to 1175 Lee Hill for problem resolution. If the property manager cannot resolve the problem, the complaint will be elevated, in a timely manner, through supervisory levels, until it reaches BHP's Executive Director. If the Executive Director and the neighbor cannot come to resolution of the problem, the issue can be elevated to the BHP Board for resolution. Contact information for the property manager and Executive Director will be made available to the public via BHP's website.

## **XI. Monitoring Plan**

The BHP Board of Commissioners will define a plan for reviewing the operations and outcomes related to 1175 Lee Hill.

## **XII. Amendments to the Statement of Operations**

BHP anticipates determining a reasonable timeframe to periodically review and amend this Statement of Operations. Any future modifications to the Statement of Operations will be preceded by a public notice and a public comment period prior to Board adoption.