



**TO:** Members of Council  
**FROM:** Dianne Marshall, City Clerk's Office  
**DATE:** September 2, 2014  
**SUBJECT:** Information Packet

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**1. CALL UPS**

- A. Use Review approval No. LUR2014-00044, for expansion of the Escoffier Culinary School within the Table Mesa Shopping Center at 693 Table Mesa Dr. The area of expansion is located within the Residential Medium-2 (RM-2) zone district. The applicant intends to pursue Vested Rights per section 9-2-19, B.R.C. 1981

**2. INFORMATION ITEMS**

- A. Flood Commemorative Events & Flood Recovery Status
- B. Left Hand Water District referral for water taps to serve three properties located in Area III-Rural Preservation

**3. BOARDS AND COMMISSIONS**

- A. Human Relations Commission – August 18, 2014
- B. Open Space Board of Trustees – August 20, 2014
- C. Parks and Recreation Advisory Board – July 28, 2014
- D. Water Resources Advisory Board

**4. DECLARATIONS**

None



**INFORMATION PACKET  
MEMORANDUM**

**To:** Members of City Council

**From:** Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Community Planning + Sustainability  
Charles Ferro, Development Review Manager

**Date:** August 21, 2014

**Subject: Call-Up Item:** Use Review approval No. LUR2014-00044, for expansion of the Escoffier Culinary School within the Table Mesa Shopping Center at 693 Table Mesa Dr. The area of expansion is located within the Residential Medium-2 (RM-2) zone district. The applicant intends to pursue Vested Rights per section 9-2-19, B.R.C. 1981

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**EXECUTIVE SUMMARY:**

On April 3, 2014, Planning Board unanimously approved (6-0, B. Bowen absent) the subject application with the conditions found in the disposition of approval, provided as **Attachment A**.

This proposal is to reuse an existing two-story, 13,135 square foot space located in the Table Mesa shopping center (see vicinity map below) that is currently being leased by Mountains Edge Fitness to serve as classroom / kitchen space for the Escoffier Culinary School. The school currently leases classroom and kitchen spaces in other areas of the city outside of the Table Mesa shopping center and would like to consolidate their operations. The school will continue to lease two existing tenant spaces within the shopping center; a 5,012 square feet of classroom / kitchen space on the west side of the shopping center and 2,241 square feet of administrative office space on the south side of the shopping center. If approved, the Escoffier Culinary School would occupy a total of 20,388 square feet in three tenant spaces within the shopping center. Refer to **Attachment B** for the applicant's written statement and plans.

The Use Review will be effective 30 days later on **September 8, 2014** unless the approval is called up by City Council.

**FISCAL IMPACTS:**

None identified.

## COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS:

- Economic: No impacts are anticipated through this Use Review application.
- Environmental: No impacts are anticipated through this Use Review application.
- Social: No impacts are anticipated through this Use Review application.

## BACKGROUND:

The Table Mesa Shopping Center is a 10 acre site located at the southwest corner of Broadway and Table Mesa Dr. Residential uses are located immediately to the south and east and retail and office uses located to the north and west (refer to the vicinity map below). The Table Mesa Shopping Center was originally constructed in the early 1960's with several additions to the center occurring over time. Currently, there is 187,940 square feet of leasable area within the shopping center. The Escoffier Culinary School has been a tenant in the Table Mesa Shopping Center since 1992 and currently occupies two tenant spaces within the shopping center as noted above.



## ANALYSIS:

Staff finds that the proposed Use Review meets the criteria for Use Review found in Section 9-2-15, B.R.C. 1981. Staff's analysis can be found in **Attachment C**.

## PUBLIC COMMENT AND PROCESS:

Notice of the vacation was advertised in the Daily Camera within the 30 day call up period as required by the code. Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject property twice and a sign posted on the property for at least 10 days. All notice requirements of section 9-4-3, "Public Notice Requirements," B.R.C. 1981 have been met. Staff received a few questions from neighboring

property owners however; two adjacent property owner expressed opposition to the proposal based on traffic and a potential loss of neighborhood serving retail uses.

**Planning Board Hearing.** At their August 7, 2014 public hearing, the Planning Board unanimously approved the subject Use Review request in one motion with a vote of 6-0 (B. Bowen absent). One person from the public addressed the board and expressed concern related to the need for more neighborhood serving retail however, the individual did not oppose the proposed use.

City Council may call up this application within the 30-day call up period which expires on **September 8, 2014**. City Council is scheduled to consider this application for call-up at its **September 2, 2014** public meeting.

**ATTACHMENTS:**

- A: Notice of Disposition of Approval
- B: Applicant's Written Statement and Plans
- C: Staff's Analysis of the Use Review Criteria



**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 BOARD**  
**NOTICE OF DISPOSITION**

You are hereby advised that on August 7, 2014 the following action was taken by the Planning Board 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: TABLE MESA SHOPPING CENTER**  
**DESCRIPTION: LUR for an adult education facility in a two-story building currently used as a fitness center. The new use does not involve any additions or alterations to the existing building.**  
**LOCATION: 693 S BROADWAY**  
**COOR: S03W03**  
**LEGAL DESCRIPTION: See Exhibit A Attached**  
**APPLICANT: VINCE PORRECA**  
**OWNER: Table Mesa Shopping Center LLC**  
**APPLICATION: Use Review, LUR2014-00044**  
**ZONING: BC-2 RM-2**  
**CASE MANAGER: Charles Ferro**  
**VESTED PROPERTY RIGHT: NO; the owner has waived the opportunity to create such right under Section 9-2-19, B.R.C. 1981.**

This decision may be called up before the City Council on or before September 8, 2014. If no call-up occurs, the decision is deemed final thirty days after the Planning Board's decision.

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

IN ORDER FOR A BUILDING PERMIT APPLICATION TO BE PROCESSED FOR THIS PROJECT, A SIGNED DEVELOPMENT AGREEMENT AND SIGNED FINAL PLANS 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 BOARD APPROVAL AUTOMATICALLY EXPIRES.

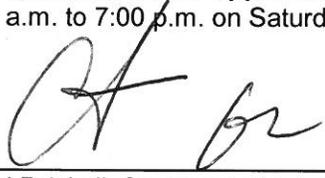
Pursuant to Section 9-2-12 of the Land Use Regulations (Boulder Revised Code, 1981), the applicant must begin and substantially complete the approved development within three years from the date of final approval [or in compliance with the phasing plan]. Failure to "substantially complete" (as defined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

At its public hearing on August 7, 2013 the Planning Board approved the request with the following motion:

On a motion by C. Gray, seconded by J. Putnam, the Planning Board voted 6-0 (B. Bowen absent) that the Planning Board approve the Use Review application LUR2012-00101, adopting the staff memorandum as findings of fact and subject to the recommended conditions of approval with the addition of hours when the approved use may be open to include Saturday from 8:00 a.m. to 7:00 p.m.

**CONDITIONS OF APPROVAL**

1. The Applicant shall ensure that the **development shall be in compliance with all approved plans** and the Applicant's written statement dated June 12, 2014 on file in the City of Boulder Planning Department, except to the extent that the development may be modified by the conditions of this approval.
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: PUD# P-79-20 and Special Review #SR-79-22.
4. The **operation of the approved use shall be** limited to 7:00 a.m. to 11:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on Saturdays.

By: 

\_\_\_\_\_  
David Driskell, Secretary of the Planning Board

# ATTACHMENT A

## Attached Legal Description

### Parcel A:

A tract of land located in Block "B", Third Addition to Martin Acres, a subdivision in the County of Boulder, State of Colorado, according to the recorded plat thereof, described as follows:

Commencing at the Southwest corner of said Block "B"; thence North  $00^{\circ} 02' 40''$  East, 251.53 feet along the West line of said Block "B" to the true point of beginning; thence South  $89^{\circ} 54' 05''$  East, 152.02 feet; thence North  $34^{\circ} 32' 40''$  West, 69.28 feet; thence North  $89^{\circ} 54' 05''$  West, 32.13 feet; thence North  $00^{\circ} 05' 55''$  East, 46.50 feet; thence North  $34^{\circ} 32' 40''$  West, 141.98 feet to the West line of said Block "B"; thence North  $00^{\circ} 02' 40''$  East, 462.40 feet along the West line of said Block "B" to the Southerly line of Table Mesa Drive conveyed to the City of Boulder as described in Deed recorded in Book 1263 at Page 168 of the records of Boulder County, Colorado;

Thence North  $46^{\circ} 12' 50''$  East, 72.00 feet along the Southerly line of said Table Mesa Drive; thence North  $38^{\circ} 38' 10''$  East, 158.45 feet along the Southerly line of said Table Mesa Drive; thence North  $55^{\circ} 31' 30''$  East, 45.70 feet along the Southerly line of said Table Mesa Drive to the Northwest corner of that tract of land conveyed to the City of Boulder as described in Warranty Deed recorded on Film 1155 as Reception No. 435157 of the records of Boulder County, Colorado;

Thence South  $34^{\circ} 28' 30''$  East, 264.00 feet along the Westerly line of that tract of land as described on said Film 1155 as Reception No. 435157 to the Southwest corner thereof; thence North  $55^{\circ} 31' 30''$  East, 5.00 feet along the Southerly line of that tract of land as described on said Film 1155 as Reception No. 435157 to the Northwest corner of that tract of land conveyed to the City of Boulder as described in Quit Claim Deed recorded on Film 1141 as Reception No. 421020 of the records of Boulder County, Colorado;

Thence South  $34^{\circ} 28' 30''$  East, 523.37 feet along the Westerly line of that tract of land as described on said Film 1141 as Reception No. 421020 to the Northerly line of that tract of land conveyed to 4211, Inc. as described in Warranty Deed recorded in Book 1195 at Page 179 of the records of Boulder County, Colorado;

Thence South  $55^{\circ} 31' 30''$  West, 275.00 feet along the Northerly line of that tract of land as described in said Book 1195 at Page 179 to the Northwest corner thereof; thence South  $34^{\circ} 28' 30''$  East, 403.81 feet along the Westerly line of that tract of land as described in said Book 1195 at Page 179 to the South line of said Block "B"; thence North  $89^{\circ} 54' 05''$  West, 315.41 feet along the South line of said Block "B"; thence North  $34^{\circ} 32' 40''$  West, 99.67 feet; thence North  $89^{\circ} 54' 05''$  West, 206.76 feet; thence North  $00^{\circ} 05' 55''$  East, 12.50 feet; thence North  $89^{\circ} 54' 05''$  West, 62.26 feet to the West line of said Block "B"; thence North  $00^{\circ} 02' 40''$  East, 157.03 feet along the West line of said Block "B" to the true point of beginning;

Except a tract of land located in Block "B", Third Addition to Martin Acres, County of Boulder, State of Colorado, described as follows:

Commencing at the Southwest corner of said Block "B", Third Addition to Martin Acres; thence North  $00^{\circ} 02' 40''$  East, 934.24 feet along the West line of said Block "B" to a point on the Southerly line of Table Mesa Drive as described in Deed recorded in Book 1263 at Page 168 in the Boulder County records; thence North  $46^{\circ} 12' 50''$  East, 72.00 feet along said Southerly line of Table Mesa Drive; thence North  $38^{\circ} 38' 10''$  East, 12.87 feet along said Southerly line of Table Mesa Drive to the point of beginning;

Commitment No.: 515-F0484938-170-TV0 Commitment

Thence North  $38^{\circ} 38' 10''$  East, 145.58 feet along said Southerly line of Table Mesa Drive; thence North  $55^{\circ} 31' 30''$  East, 45.70 feet along said Southerly line of Table Mesa Drive to the Northwest corner of that tract of land described on Film 1155 as Reception No. 435157 in the Boulder County records; thence South  $34^{\circ} 28' 30''$  East, 164.23 feet along the Westerly line of said tract described on Film 1155 as Reception No. 435157;

Thence the following two (2) courses:

1. South  $55^{\circ} 31' 30''$  West, 185.00 feet;
2. North  $34^{\circ} 28' 30''$  West, 121.94 feet to the point of beginning.

Parcel A1:

Together with a non-exclusive right of ingress and egress for vehicular parking, as described in Agreement recorded January 4, 1980 on Film 1098 as Reception No. 377680, upon, over and across a tract of land located in Block "B", Third Addition to Martin Acres, a subdivision in the County of Boulder, State of Colorado, according to the recorded plat thereof, described as follows:

Commencing at the Southeast corner of said Block "B"; thence North  $34^{\circ} 28' 30''$  West, 258.22 feet along the Easterly line of said Block "B" to a point on the Northerly right-of-way line of Toedtli Drive as described in Deed recorded in Book 1098 at Page 6 of the records of Boulder County, Colorado;

Thence continuing North  $34^{\circ} 28' 30''$  West, 207.00 feet along the Easterly line of said Block "B" to the true point of beginning; thence continuing North  $34^{\circ} 28' 30''$  West, 135.00 feet along the Easterly line of said Block "B"; thence South  $55^{\circ} 31' 30''$  West, 280.00 feet; thence South  $34^{\circ} 28' 30''$  East, 70.56 feet; thence South  $78^{\circ} 30'$  East, 46.17 feet; thence South  $7^{\circ} 50'$  East, 34.96 feet; thence North  $55^{\circ} 31' 30''$  East, 263.59 feet to the true point of beginning.

Parcel A2:

Together with a non-exclusive right of ingress and egress for vehicular and pedestrian traffic, as described in Agreement recorded January 4, 1980 on Film 1098 as Reception No. 377680, upon, over and across a strip of land located in Block "B", Third Addition to Martin Acres, a subdivision in the County of Boulder, State of Colorado, according to the recorded plat thereof, described as follows:

Commencing at the Southeast corner of said Block "B"; thence North  $34^{\circ} 28' 30''$  West, 258.22 feet along the Easterly line of said Block "B" to a point on the Northerly right-of-way line of Toedtli Drive as described in Deed recorded in Book 1098 at Page 6 of the records of Boulder County, Colorado;

Thence continuing North  $34^{\circ} 28' 30''$  West, 342.00 feet along the Easterly line of said Block "B"; thence South  $55^{\circ} 31' 30''$  West, 280.00 feet to the true point of beginning; thence South  $34^{\circ} 28' 30''$  East, 70.56 feet; thence South  $78^{\circ} 30'$  East, 46.17 feet; thence South  $7^{\circ} 50'$  East, 87.54 feet; thence South  $34^{\circ} 28' 30''$  East, 111.81 feet to a point of curve to the left; thence Southeasterly, 83.82 feet along the arc of said curve to a point tangent, said arc having a radius of 100.00 feet, a delta angle of  $48^{\circ} 01' 30''$  and being subtended by a chord that bears South  $58^{\circ} 29' 15''$  East, 81.39 feet; thence South  $82^{\circ} 30'$  East, 14.77 feet to the Northerly right-of-way line of said Toedtli Drive; thence Southwesterly 14.55 feet along the Northerly right-of-way line of said Toedtli Drive and along the arc of a curve concave to the Northwest to a point tangent, said arc having a radius of 225.00 feet, a delta angle of  $3^{\circ} 42' 15''$  and being subtended by a chord that bears South  $20^{\circ} 45' 57''$  West, 14.54 feet; thence South  $18^{\circ} 54' 50''$  West, 18.19 feet along the Northerly right-of-way line of said Toedtli Drive; thence North  $82^{\circ} 30'$  West, 66.65 feet; thence North  $34^{\circ} 28' 30''$  West, 173.71 feet; thence North  $7^{\circ} 50'$  West, 84.20 feet; thence North  $78^{\circ} 30'$

Commitment No.: 515-F0484938-170-TV0  
Commitment

West, 32.50 feet; thence North  $34^{\circ} 28' 30''$  West, 80.26 feet to a point on a line that bears South  $55^{\circ} 31' 30''$  West, from the true point of beginning; thence North  $55^{\circ} 31' 30''$  East, 24.00 feet to the true point of beginning.

Parcel A3:

Together with easement for vehicular and pedestrian traffic for a term of 99 years, as established under that certain Cross Easement Agreement recorded June 19, 1972 on Film 776 as Reception No. 022995, over, upon and across the common areas as therein defined, of the following described property: Outlot F of Table Mesa Addition, except the parcel of land described on Film 602 as Reception No. 846931.

Parcel A4:

Together with an easement for the construction, maintenance, repair, operation and use of a street or driveway over, under and across Outlot F of Table Mesa Addition, recorded May 9, 1980 on Film 1116 as Reception No. 395069, and described as follows:

Commencing at the Southeast corner of said Outlot F; thence North  $00^{\circ} 02' 40''$  East, 137.00 feet along the East line of said Outlot F to a point of curve to the left, and the true point of beginning; thence Northwesterly 25.49 feet along the arc of said curve to a point of compound curve, said arc having a radius of 15.00 feet, a delta angle of  $97^{\circ} 22' 28''$  and being subtended by a chord that bears North  $48^{\circ} 38' 34''$  West, 22.53 feet; thence Southwesterly, 108.77 feet along the arc of said compound curve to a point of compound curve, said arc having a radius of 258.50 feet, a delta angle of  $24^{\circ} 06' 28''$  and being subtended by a chord that bears South  $70^{\circ} 36' 58''$  West, 107.97 feet; thence Southwesterly, 16.40 feet along the arc of said compound curve to a point on the Westerly line of said Outlot F, said arc having a radius of 28.50 feet, a delta angle of  $32^{\circ} 57' 58''$  and being subtended by a chord that bears South  $42^{\circ} 04' 45''$  West, 16.17 feet; thence Northwesterly, 40.35 feet along the arc of a curve concave to the Southwest and along the Westerly line of said Outlot F, said arc having a radius of 230.00 feet, a delta angle of  $10^{\circ} 03' 10''$  and being subtended by a chord that bears North  $31^{\circ} 42' 32''$  West, 40.30 feet; thence Southeasterly, 16.63 feet along the arc of a curve concave to the North to a point of reverse curve, said arc having a radius of 28.50 feet, a delta angle of  $33^{\circ} 25' 28''$  and being subtended by a chord that bears North  $75^{\circ} 16' 28''$  East, 16.39 feet; thence Northeasterly, 129.31 feet along the arc of said reverse curve to a point of reverse curve, said arc having a radius of 289.50 feet, a delta angle of  $25^{\circ} 35' 31''$  and being subtended by a chord that bears North  $71^{\circ} 21' 30''$  East, 128.24 feet; thence Northeasterly, 21.61 feet along the arc of said reverse curve to a point on the East line of said Outlot F, said arc having a radius of 15.00 feet, a delta angle of  $82^{\circ} 33' 26''$  and being subtended by a chord that bears North  $42^{\circ} 52' 33''$  East, 19.79 feet; thence South  $0^{\circ} 02' 40''$  West, 61.00 feet along the East line of said Outlot F to the true point of beginning.

Parcel C:

A tract of land located in Block "B", Third Addition to Martin Acres, a subdivision in the County of Boulder, State of Colorado, according to the recorded plat thereof, described as follows:

Commencing at the Southwest corner of said Block "B"; thence North  $00^{\circ} 02' 40''$  East, 251.53 feet along the West line of said Block "B" to the true point of beginning; thence South  $89^{\circ} 54' 05''$  East, 152.02 feet; thence North  $34^{\circ} 32' 40''$  West, 69.28 feet; thence North  $89^{\circ} 54' 05''$  West, 32.13 feet; thence North  $00^{\circ} 05' 55''$  East, 46.50 feet; thence North  $34^{\circ} 32' 40''$  West, 141.98 feet to the West line of said Block "B"; thence South  $00^{\circ} 02' 40''$  West, 220.31 feet along the West line of said Block "B" to the true point of beginning.



June 12, 2014

City of Boulder  
 Planning & Development Services  
 P.O. Box 791  
 Boulder, Colorado 80306

RE: Table Mesa Shopping Center—Land Use Review

Dear Planning & Development Services Staff:

The subject property, 693 S. Broadway, Building 2, Boulder, Colorado, is owned by Table Mesa Shopping Center, LLC. Since October 2009 the building has been leased to a fitness club. The owners now wish to lease the building to an existing tenant in the shopping center, a culinary school, which will use the building as an Adult Educational Facility. The culinary school has been a tenant in the shopping center for 22 years. Their program currently occupies space in two different locations at Table Mesa Shopping Center: 5,012 square feet of classroom space on the west side of the Center, and 2,578 square feet of administrative offices in another building on the south side of the Center. The school also leases classrooms and kitchens in other areas of Boulder outside of the Shopping Center and is now seeking to consolidate all of its classrooms onto one campus at Table Mesa. It also would like to have the potential of eventually expanding their operation in a larger space. The building in question will be used for classrooms only; administration will remain where it is currently located.

The building was constructed in 1980; it is two stories in height with a total square footage of 13,135. The proposed reuse will involve interior renovations only; no expansion of the footprint is contemplated. The building is part of an established shopping center that is primarily retail space.

The current fitness center use of the building represents a high-traffic, high-density use that will be greatly reduced by the new proposed use. The fitness center is open extended hours 363 days per year. With over 700 persons holding memberships, and offerings of almost 65 fitness classes per month, added to a population that largely accesses the property via private vehicle, this business relies on large numbers of patrons to remain viable. In contrast, the culinary school has a somewhat typical academic schedule comprised of classes that are offered weekdays with regular seasonal breaks. The hours of operation are from 7:00 a.m. to 11:00 p.m., Monday through Friday. There are no classes on holidays, and there are winter and summer breaks. Classes are held in three sessions per day Monday through Friday; the average class size is 12-15 students. The school has a total active student body of 170 adults 18 years and over attending classes in the current location and other locations in the City of Boulder that will all be located at Table Mesa Shopping Center. The average age of the students is 24 to 28 years. There are 16 instructors on the faculty.

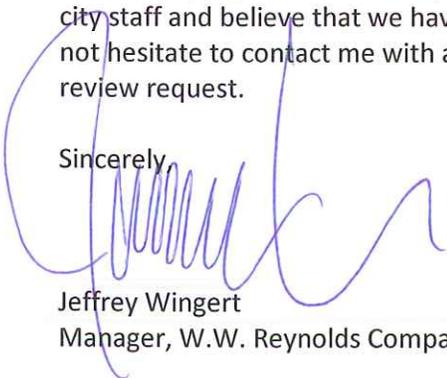
REAL ESTATE SERVICES, LLC

With regard to the infrastructure of the property, this project will have a positive impact. Utility use will decrease; the use of showers will be reduced if not eliminated, electricity will be used only as needed in focused areas rather than the entire building as is now the case. Noise and traffic will be much reduced because of the lower load on parking. The student body averages 25 to 35 monthly active riders on the bus (the school issues a RTD College pass to each student).

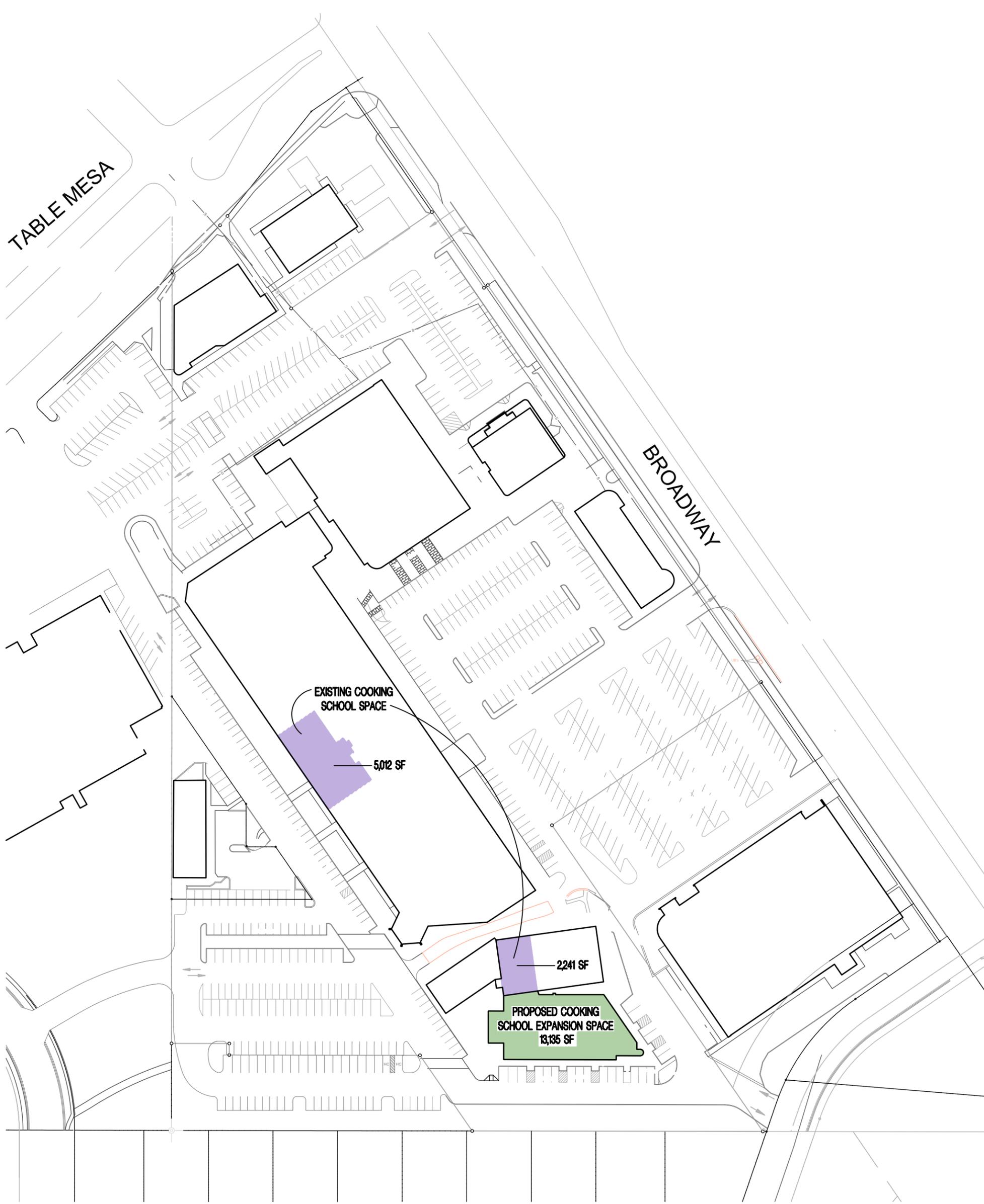
This proposed project is highly compatible with the existing use of the shopping center, in fact is more compatible because of the reduced traffic as previously mentioned. The building's appearance will continue to retain the predominant character of the surrounding buildings; the exterior will not change, nor will the floor area increase. Because of the transition from high-density use to low-density use, this project will enhance compatibility with the nearby neighborhood.

During the preparation of the Application for Land Use Review, we have had invaluable feedback from city staff and believe that we have addressed any comments and concerns that there may be. Please do not hesitate to contact me with any question or if you require additional information regarding this review request.

Sincerely,



Jeffrey Wingert  
Manager, W.W. Reynolds Companies



5,012 SF (EXIST)  
2,241 SF (EXIST)  
13,135 SF (PROPOSED EXPANSION)  
20,388 SF (TOTAL PROPOSED)

CALL UP  
693 Table Mesa



NORTH

TABLE MESA SHOPPING CENTER  
SCHEMATIC SITE PLAN  
1" = 100'-0"

**ANALYSIS OF USE REVIEW CRITERIA 9-2-15(e), B.R.C. 1981:**

(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 project site is zoned Residential Medium – 2 (RM-2). These areas are defined in the City's Land Use Code as "Medium density residential areas which have been or are to be primarily used for attached residential development, where each unit generally has direct access to ground level, and where complementary uses may be permitted under certain conditions." Additionally, Section 9-6, B.R.C. 1981 supports "Adult Education Facility" uses through the Use Review process. The proposed relocation of the existing culinary school into a different tenant space is consistent with the intent of complimentary uses contemplated by the RM-2 zone district.*

(2) Rationale: The use either:

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

*Not applicable.*

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

*The proposed use will not result in additional impacts compared to the existing use. Additionally, a landscape buffer and fencing exists directly to the south to screen adjacent residential properties.*

(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

*Not applicable.*

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

*Not applicable.*

X (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 proposal is compatible with the surrounding area. The exterior of the existing building will not change and no new impacts will be created.*

*The current fitness center use of the building represents a high-traffic, high turn-over use that will be reduced by the new proposed use. The fitness center is open 363 days per year, seven days a week from 5:00 A.M. to 10:00 P.M. Monday – Thursday, 5:00 A.M. to 9:00 P.M. on Fridays, 7:00 A.M. – 7:00 P.M. on Saturdays, and 8:00 A.M. to 7:00 P.M. on Sundays, totaling 107 hours of operation per week. With over 700 persons holding memberships, and offerings of almost 65 fitness classes per month, added to a population that largely accesses the property via private vehicle, this business relies on large numbers of patrons to remain viable.*

*In contrast, the culinary school has a somewhat typical academic schedule comprised of classes that are offered weekdays with regular seasonal breaks. The hours of operation are from 7:00 a.m. to 11:00 p.m., Monday through Friday totaling 80 hours of operation per week. There are no classes on holidays, and there are winter and summer breaks. Classes are held in three sessions per day Monday through Friday and the average class size is 12-15 students. The school has a total active student body of 170 adults 18 years and over attending classes and 16 faculty members in the current location and other locations in the City of Boulder that will all be located at Table Mesa Shopping Center. The average age of the students is 24 to 28 years.*

*With regard to parking, there is currently a previously approved 6% parking reduction granted for the entire shopping center. Since the parking requirements for an adult education use are the same as a gym (1 space per every 300 square feet), the parking requirements on the site will not be impacted. Overall, proposed use will have reduced impacts on surrounding properties and will maintain more predictable periods of operation than the previous use. Gyms are considered high turn-over uses for parking, similar to a medical or dental office whereas the school will maintain three regular sessions per day and provide eco passes to students. Weekend impacts will also be diminished since the school is not open on Saturdays or Sundays. While there are no dedicated parking spaces for the culinary school, the lease indicates that there is a “preferred” parking area along the edge of the building and to the southwest.*

*With regard to the use, the zoning in the area supports a variety of non residential uses including office uses and a variety of personal service and convenience retail however; the location of the space is considered low visibility and is not necessarily a desirable retail space.*

(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 proposed development will not adversely impact the existing infrastructure of the surrounding area. The replacement of a gym use with a culinary school use will not introduce new demands on the existing systems.***

(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; and

***The expansion of the existing culinary school use into an additional tenant space will not alter the character of the area. The shopping center has served a multitude of diverse retail, office, restaurant, automotive and personal services uses over the last 50 years. Further, the culinary school has held a presence in the shopping center for over 20 years. (Note that there are no area plans or design guidelines that have been adopted for the area).***

(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.***



## INFORMATION PACKET MEMORANDUM

**To:** Members of City Council

**From:** Jane S. Brautigam, City Manager  
Maureen Rait, Executive Director of Public Works, Flood Recovery Manager

**Date:** September 2, 2014

**Subject:** Information Item: Flood Commemorative Events & Flood Recovery Status

This City Council information item provides a summary of events scheduled for the flood commemorative week, a high-level overview of the September 2013 flood event and recovery efforts, as well as a financial update.

City staff, consultants and community partners continue to work diligently to make progress in achieving the council-adopted objectives for both near-term recovery and long-term resilience. Highlights of the progress were provided at the Flood Recovery briefing immediately before the regular City Council meeting on July 22, 2014 and included in the Flood Recovery Status Information Packet item ([available here](#)). The next briefing is tentatively scheduled for Oct. 28, 2014. Additional information on flood impacts to people, private property and infrastructure citywide and the current status of recovery can be found at [www.BoulderFloodInfo.net](http://www.BoulderFloodInfo.net).

### Summary of Flood Commemorative Week Events

BoCo Strong Flood Commemoration Week is an opportunity for cities and individuals across Boulder County to remember, learn and unite around the anniversary of the September 2013 flood events. As part of Flood Commemoration Week, the City of Boulder is sponsoring and hosting various community events, including:

- **Boulder Creek Flood Cleanup & Cookout**  
**Sept. 6, 9 a.m. – 12 p.m. | Rocky Mountain Anglers, 1904 Arapahoe Ave.**  
Rocky Mountain Anglers in partnership with Boulder Parks & Recreation is sponsoring a Boulder Creek clean up. Join the fun to pick up trash and debris along the Boulder Creek Path and celebrate with a cookout afterwards. No registration required. Volunteers should meet at Rocky Mountain Anglers at 9 am. on Saturday morning. To participate as a group leader or for more information, contact Randy Hicks at 303-447-2400 or [randy@rockymt anglers.com](mailto:randy@rockymt anglers.com).

- Open Space and Mountain Parks Flood Clean-up Project**  
**Sept. 9** | [Event details and sign up are available at the Foothills United Way website](#)  
 Join us for this community volunteer project to remove portions of destroyed fence and flood debris from cattle fence on OSMP property. The volunteer project is open to the public. Interested parties should sign up on the [at the Foothills United Way website](#).
- The Science of Disaster Planning: Research and Response**  
**Sept. 10, 1 - 5 p.m.** | **Museum of Boulder, 2205 Broadway**  
 The City of Boulder in partnership with the Geological Society of America is hosting a half-day science sharing event. Researchers and county leaders will engage in a dialogue about climate, geology and social behaviors related to the 2013 flood. To register call the Center for ReSource Conservation at 303-999-3020 x 217.
- Boulder Flood Tribute: Community Stories in Action.**  
**Sept. 10, 6 – 8 p.m.** | **Museum of Boulder, 2205 Broadway**  
 Join Mudslingers, first responders, volunteers and mayors for a night of stories, community and discussion. Fueled by Ignite-type presentations, community members will share their stories to commemorate the 2013 flood event. Info: [www.BoulderFloodInfo.net](http://www.BoulderFloodInfo.net).
- Forests to Faucets and Floods**  
**Sept. 12, 2014, 9 a.m. – 1 p.m.** | **Guided bus tour**  
 Take a guided bus tour that follows the City of Boulder’s water supply from source to stream and discusses the impacts of the September 2013 flood. To save your seat, call the Center for ReSource Conservation at 303-999-3020 x 217.
- Elks Park Opening Celebration: Marking One Year of Flood Resiliency**  
**Sept. 12, 5:30 – 7 p.m.** | **Elks Park, 3995 N 28<sup>th</sup> St**  
 Join us for the ribbon cutting to celebrate the new park amenities including a new mosaic inside of the renovated park shelter. There will be activities for families and children of all ages, light refreshments and a recreation center pass raffle for attendees. Info: [www.BoulderParkNews.org](http://www.BoulderParkNews.org)

Flood Commemoration events are being held across Boulder County, a complete calendar of BoCo Strong events can be found at [www.bocostrong.org/events.html](http://www.bocostrong.org/events.html).

## **Brief Overview of 2013 Flood & Recovery – One Year Later**

### **Flood Overview**

- September 2013 brought unprecedented rainfall to the region causing significant flooding and extensive damage to both private property and city infrastructure. Total damage to city infrastructure and public lands is estimated at \$27.3 million, and private property damage is estimated at \$300 million.
- The National Weather Service has described the storm event as a 1,000-Year precipitation event – an event with a 1 in 1,000 probability of happening in any given year.

- 8,000 individuals and 6,000 households within the City of Boulder registered for Federal Emergency Management Agency (FEMA) assistance (14 percent of the city’s total households). Of those, approximately 1,700 had damage that made their unit not habitable until repairs were made. Two commercial properties were destroyed.

### **Flood Recovery Update Highlights**

- Due to the September 2013 flooding, the city was declared a national disaster and created the opportunity for possible reimbursement through FEMA, Federal Highway Administration (FHWA) and the State of Colorado
- As of July 31, 2014, the city has spent approximately \$16 million on flood recovery, with remaining work on city infrastructure and public lands estimated at \$11.2 million, recovery efforts are 59 percent complete.
- Estimated reimbursements from FEMA, the State of Colorado and the Federal Highway Administration (FHWA) are anticipated to be \$14.5 million. To date, the city has received \$720,000 in reimbursements from FEMA and the State of Colorado.
- The city is also pursuing additional grant funding sources. The city has been awarded \$2.9 million for flood recovery and resilience projects from federal and state agencies, including:
  - Housing rehabilitation and temporary rental assistance;
  - Wastewater interceptor re-route;
  - Water and Sewer infrastructure in adjacent neighborhoods;
  - Stream restoration in Boulder Creek; and
  - Planning study in the west fourmile canyon creek area for Ponderosa Mobile Home Park and Foothills Community.
- The city has been invited to submit full applications for \$595,000 of resilience projects by two federal agencies, including:
  - Sediment and debris removal in waterways; and
  - Emergency generators at fleet services and the wildland fire station.
- The city is pursuing additional CDBG-DR funds in Rounds 2 and 3 (\$257 million available) along with countywide partners. The objectives of the preferred funding approach are intended to provide more predictability and allow the city to leverage funds more effectively.

### **Learning Together & Planning for the Future**

- The flood tested the city, county, and the community’s emergency preparedness and recovery plans, and resulted in many successes, as well as lessons learned and areas for additional work and coordination. The flood disaster also highlighted certain vulnerabilities in the city’s infrastructure.

- The city has begun development of a disaster recovery plan, to assist in being more resilient after a future disaster. The plan development includes:
  - Analysis of city policies and procedures; and
  - New or revised detailed planning documents, such as a debris plan, damage assessment plan and shelter plan.

The objective of this work is to be more prepared, maximize FEMA assistance and eligibility, and enhance communication, collaboration, and community preparedness.

### **Attachments**

- **Attachment A** – Flood Commemorative Event Poster
- **Attachment B** – BoCo Strong Countywide Flood Commemoration Events

# THE BOULDER FLOOD: ONE YEAR LATER.

## WEDNESDAY, SEPT. 10, 2014

### MUSEUM OF BOULDER, 2205 BROADWAY

#### AFTERNOON EVENT 1 - 5 P.M.

### The Science of Disaster Planning: Research and Response

The City of Boulder, in partnership with the Geological Society of America (GSA), is hosting this half-day science sharing event. Researchers and county leaders will engage in a dialogue about climate, geology and social behaviors related to the 2013 flood. Space is limited.

#### EVENING EVENT 6 - 8 P.M.

### Boulder Flood Tribute: Community Stories in Action

Join Mudslingers, first responders, volunteers and mayors for a night of stories, community and discussion. Fueled by Ignite-type presentations, community members will share their stories to commemorate the 2013 flood event.

**REGISTER TODAY!**

Call the Center for ReSource Conservation at 303-999-3020 X217

or visit [www.BoulderFloodinfo.net](http://www.BoulderFloodinfo.net)



# September Anniversary Events

6

**Boulder Creek Flood Cleanup & Cookout, 9 a.m. – 12 p.m., Rocky Mountain Anglers, 1904 Arapahoe Ave., Boulder** - To participate as a group leader or for more information, contact Randy Hicks at 303-447-2400.

7

**Lyons Flood History Exhibit, Redstone Museum, 340 High St., Lyons** - The Exhibit will include artifacts, photographs and stories related to the flood event and recovery. Week long.

**BoCo Strong Flood Commemoration Week Kickoff Event, 12-4pm at Gateway Park Fun Center, 4800 28th St, Boulder** -

Sharing stories of resilience from communities throughout the county. Family friendly, activities for kids, food, music, and recovery and resiliency booths.

9

**Flood Reflections: One Year Later, 5-7pm, Museum of Boulder, 2205 Broadway, Boulder** - Temporary “pop-up” display commemorating the 1st Anniversary of the Boulder County Floods.

**Boulder 2013 Floods: The What and Why of Forecasting a Record Flood Event, 7 – 8pm, Museum of Boulder, 2205 Broadway, Boulder** - Doors open at 5pm for viewing of the display. Nzette Rydell - National Weather Service will be presenting.

10

**The Science of Disaster Planning: Research and Response, 1-5pm** - The City of Boulder in partnership with the Geological Society of America are hosting a half-day science sharing event. Researchers and county leaders will engage in a dialogue about climate, geology and social behaviors related to the 2013 Flood. Space is limited. Call the Center for ReSource Conservation at 303-999-3020 x 217 to reserve your seat.

**Boulder Flood Tribute: Community Stories in Action, 6 – 8pm, Museum of Boulder, 2205 Broadway** - Join Mudslingers, first responders and mayors for a night of stories, community and discussion. Fueled by Ignite-type presentations, community members will share their stories to commemorate the 2013 Flood. Info: [www.BoulderFloodInfo](http://www.BoulderFloodInfo).

11

**Flood Reflections: One Year Later, 5-7pm, Museum of Boulder, 2205 Broadway, Boulder** - Temporary “pop-up” display commemorating the 1st Anniversary of the 2013 Flood.

**One Year After the Flood: Boulder Open Space and Mountain Parks, 7 – 8pm, Museum of Boulder, 2205 Broadway, Boulder** - Doors open at 5pm to view the display. Dave Sutherland will be presenting.

**Rockin’ Rollout: An overview and discussion of recovery priorities for the town of Lyons and surrounding areas, 6-8pm, Wildflower Pavilion, Planet Blugrass** - Presented by the leads of the various Flood Recovery Working Groups.

# 12

**Day of Caring 2014: A Day to Give Back, A Day to Make a Difference: Foothills United Way's 20th Annual Day of Caring, 8am-12:30pm.** - Go to <http://volunteer.unitedwayfoothills.org/dayofcaring2014> for more information.

**Forests to Faucets and Floods, 9am-1pm** - Guided bus tour that follows the City of Boulder's water supply from source to stream and discusses the impacts of the 2013 Flood. The tour costs \$10 which includes lunch. Call the Center for ReSource Conservation at 303-999-3020 x 217 to reserve your seat.

**One Year Strong 3-D Mural Unveiling, 1:45pm, Fork Restaurant, Lyons** - Mural created by Jake and Kaylee Sue Pinello, Rachel Tallent, and Sally Truitt

**Lyons - Six Islands Parade, Main Street 2-3pm, recognition and reflection event following the parade at Sandstone Park** - Interactive parade where each 'islanded' community of Lyons parades a decorated float, with a unique, community designed pirate flag.

**Lyons Islands One Year Strong Parade, Main Street (end at Sandstone park) 2-3 pm** -Interactive parade where each 'islanded' community of Lyons parades a decorated float, with a unique, community designed pirate flag (gift to attendees).

**Jamestown Flood Commemoration Open House, 3-8pm.**  
**Jamestown Town Hall, 118 Main Street** - Flood related displays by local artists, recovery slideshow, authors and the labyrinth.

**Lyons Community Barbecue 4-7pm and Football Game 7pm kickoff, Lyons Middle/Senior High School** - The 18th Annual Lyons Community Barbecue will be held before the first home football game. Lyons Middle/Senior High School is proud to invite the entire extended community of Lyons to the school 'on the Island' to meet, talk and reflect.

**Solidarity in Sandstone, Sandstone Park 3-4pm, Lyons** - Music and speakers to remember our strengths and acknowledge our struggles. The Watergirls, Emily Flemming, and more!

**Sounds of Lyons - Crazy About You, 8 pm Rogers Hall, 4th and High Street, Lyons** - A stunning tapestry of Classical, Flamenco, Jazz, Folk, and Original music with guitarist Alfredo Muro, flutist Emma Shubin, singer Shannon Johnson, dancers, and the Sage Ensemble.

**Flood Reflections: One Year Later, 3-9pm, Museum of Boulder, 2205 Broadway, Boulder** - Temporary "pop-up" display commemorating the 1st Anniversary of the 2013 Flood.

# 13

**Cyclists 4 Lyons, 9 am, Bohn Park, South Second Ave., Lyons** - An all-day event with food, live music, beer, silent and live auction, pro cyclist appearances, and great rides – all to benefit the Lyons Community Foundation. Gov. Hickenlooper will be at Bohn Park at 4:30pm.

**Flood Reflections: One Year Later, 10am-7pm, Museum of Boulder, 2205 Broadway, Boulder** - Temporary "pop-up" display commemorating the 1st Anniversary of the 2013 Flood.

**Longmont Neighborhood Commemorative Events, the Valley, the Greens, Champion Greens neighborhoods as well as St. Vrain Mobile Home Park** - The City of Longmont is supporting individual neighborhoods, that were impacted by the flood, to have neighborhood based events to commemorate the anniversary of the flood.

**Colorado United Day of Service** - Sponsored by Serve Colorado, Governor's Commission on Community Service  
Visit [www.ColoradoUnited.com](http://www.ColoradoUnited.com) for more details or to volunteer.

**Sounds of Lyons - Life True 8 pm Rogers Hall, 4th and High Street, Lyons** - Four short documentary films by Jem Moore, a coffee grower, a Buddhist calligrapher chef, an activist singer-songwriter and an immigrant massage therapist, all interconnected by the sublime Late Beethoven String Quartets opus 130 & 132.

14

**Flood Reflections: One Year Later, 12-5pm, Museum of Boulder, 2205 Broadway, Boulder** - Temporary “pop-up” display commemorating the 1st Anniversary of the 2013 Flood.

**Boland Memorial Dedication, 1-2pm, Lyons Elementary School, Lyons** - Boland Lane, a sandstone bench, and a plaque will be dedicated.

**Redstone Museum Flood Display and Heroes Poster Dedication, 2-3pm, Lyons Redstone Museum, 340 High Street** - Photos, books, displays, and videos about the flood.

**Sounds of Lyons - 3-6pm, Sandstone Park, 4th and Broadway** - Local musicians with a national presence including Taarka, The Songbirds and Grantias come together to commemorate the Great Flood and share a sense of new hope with their friends and neighbors.

**Community Picnic and Flood Open Mic, 6-9pm. Wildflower Pavilion, Planet Bluegrass, Lyons**

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**Flood Reflections: One Year Later, 5-7pm, Museum of Boulder, 2205 Broadway, Boulder**- Temporary “pop-up” display commemorating the 1st Anniversary of the 2013 Flood.

**The 2013 Flood in Historical Context, 7 – 8pm, Museum of Boulder, 2205 Broadway, Boulder** - Doors open at 5pm for viewing of the display. Kevin Houck - Colorado Water Conservation Board will be presenting.

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**Flood Reflections: One Year Later, 5-7pm, Museum of Boulder, 2205 Broadway, Boulder** - Temporary “pop-up” display commemorating the 1st Anniversary of the 2013 Flood.

**Boulder’s Waterworks, Past and Present, 7 – 8pm, Museum of Boulder, 2205 Broadway, Boulder** - Doors open at 5pm for viewing of the display. Silvia Pettem – Boulder Historian will be presenting.

Following the 2013 Flood, a wide variety of Boulder County residents and organizations from all sectors of the county have come together to form the LTFRG. In addition to identifying and addressing individual unmet needs, the LTFRG has learned from other communities hard hit by disaster the importance of engaging all parts of the community about how to rebuild stronger and better. BoCo Strong was formed to champion community engagement and build community resilience.

The BoCo Strong calendar will include all the flood commemoration events that are being planned across the county. Please share your events. The BoCo Strong website will also share any and all photos, videos and stories.

Visit [www.BoCoStrong.org](http://www.BoCoStrong.org) to get updates and see the calendar. Submit your events to [bocostrong@gmail.com](mailto:bocostrong@gmail.com).





## INFORMATION PACKET MEMORANDUM

To: Members of City Council

From: Jane S. Brautigam, City Manager  
David Driskell, Executive Director of Community Planning & Sustainability (CP&S)  
Susan Richstone, Deputy Director, CP&S  
Lesli Ellis, Comprehensive Planning Manager  
Edward Stafford, Development Review Manager, Public Works  
Scott Kuhna, Development Review Supervisor  
Mary Wallace, Legal Secretary, City Attorney's Office  
Jeff Hirt, Planner II

Date: September 2, 2014

**Subject: Information Item: Left Hand Water District referral for water taps to serve three properties located in Area III-Rural Preservation**

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### EXECUTIVE SUMMARY

The purpose of this item is to inform Council of three Left Hand Water District (District) referrals for water taps to serve properties in the Boulder Valley Planning Area. The referrals and this information item are in accordance with an Intergovernmental Agreement with the Left Hand Water District to provide Council with the opportunity to comment. Each of the three referrals is in Area III – Rural Preservation to serve single family homes in accordance with Boulder County zoning requirements.

The city's review of the requests summarized in this memo focuses on whether the request is consistent with the BVCP.

Attachment B includes the three letters of request for District water service for:

1. 5864 Rustic Knolls Drive – single family residential water service for a currently vacant lot
2. 5235 Independence Road – single family residential water service for an existing home, built in 1957
3. 3863 North 57<sup>th</sup> Street – single family residential water service for an existing home, built in 1977

The District has indicated it can serve all three properties. City staff has concluded that the requests are consistent with the BVCP and the Agreement.

**Please provide any comments on this matter through the Council Hotline by Friday, September 5, 2014 or at the September 2, 2014 City Council meeting.**

### **FISCAL IMPACTS**

None anticipated. Area III–Rural Preservation is an area where the city intends to preserve existing rural land uses and character with no intent to annex the properties into the city.

### **COMMUNITY SUSTAINABILITY ASSESSMENTS AND IMPACTS**

- Economic: None anticipated. Area III–Rural Preservation is an area where the city intends to preserve existing rural land uses and character with no intent to annex the properties into the city. No city improvements are proposed at this time.
- Environmental: Water service from the District will provide the properties with safe potable water. The applicants will be able to cease, avoid or limit use of wells, ditch water or trucking in water for their potable water source.
- Social: The water service will help to ensure that basic health and safety needs of the residents and visitors to the property are met.

### **BACKGROUND**

The District is a special district that provides treated water to approximately 6,500 homes in Boulder and Weld Counties. The City of Boulder and the District entered into the 1995 Amended and Restated Agreement (Agreement) that provides a process for the city to comment on requests that are made for new service or changes in service to District water customers in the Boulder Valley Comprehensive Plan (BVCP) area. According to the terms of the Agreement, the District will seek comments from the city, and give due consideration to these comments, prior to expanding its water supply utility or granting requests for new water taps in the Boulder Valley. If the city has any concerns, it can request a full hearing before the District’s Board of Directors as part of this process.

The city and the District have a long history of coordinating utility services within the BVCP area. Special districts like Left Hand are quasi-municipal corporations and political subdivisions under state law. (See C.R.S. § 32-1-101 *et seq.*) While there are a number of special districts that provide various services within the Boulder Valley Planning Area, the city and Boulder County have discouraged the expansion of such districts to discourage urban development outside of the urban municipalities. Since the early 1970’s, the city and the District have worked to prevent conflicts and overlaps between city and District water service and to ensure that any utility service within the Boulder Valley is done in a manner that is consistent with the BVCP.

Each of these three properties are in Area III – Rural Preservation that sets forth a Boulder Valley Comprehensive Plan (BVCP) policy where the “city and county intend to preserve existing rural land uses and character” with no intent to annex the properties into the city. Attachment A provides a vicinity map.

## **CONCLUSION**

City staff has concluded that the requests are consistent with the BVCP and the Agreement for the following reasons:

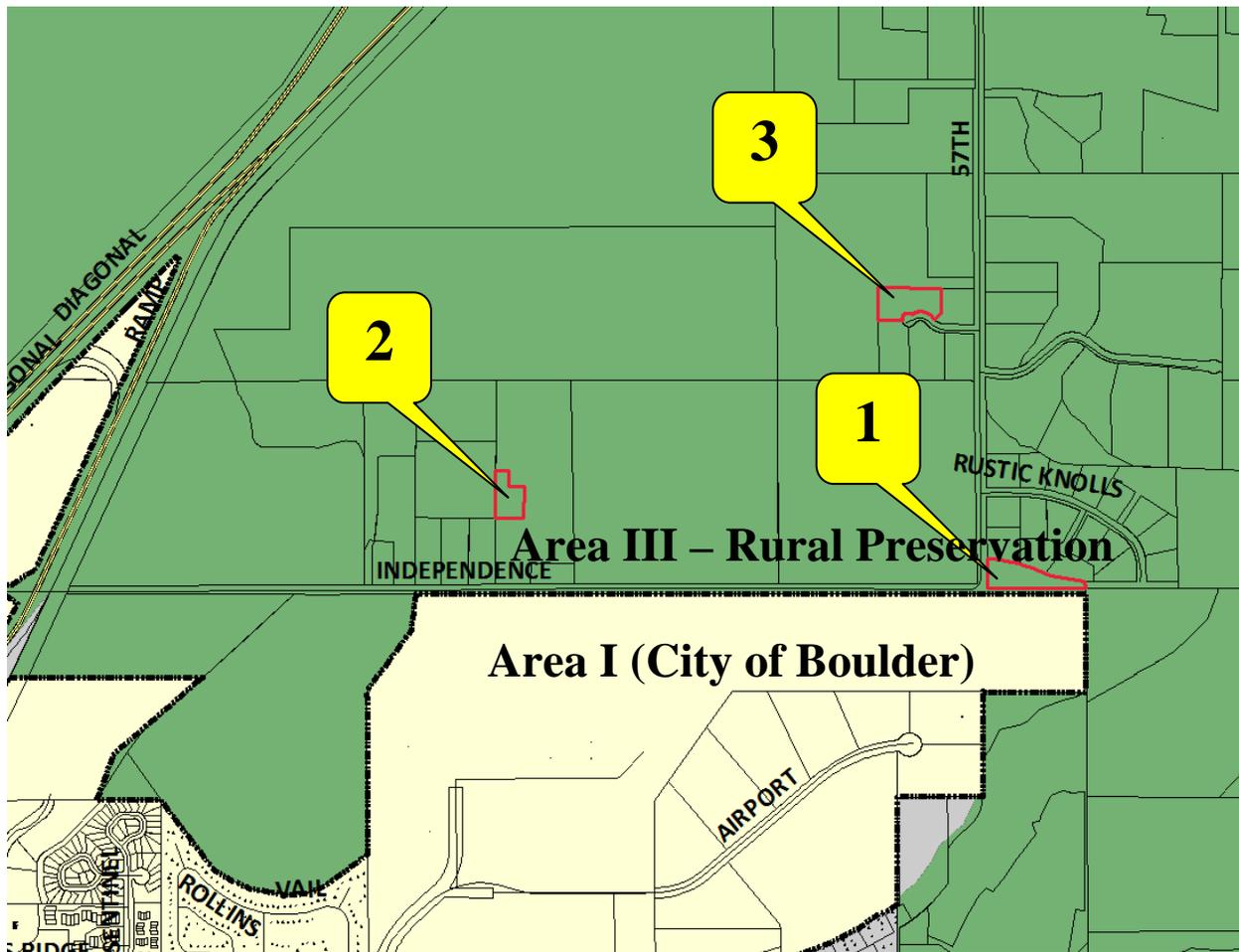
1. The requests are consistent with the BVCP policies for Area III-Rural Preservation properties to preserve existing rural land uses and character, and the city does not intend to annex the subject properties. Therefore, the city anticipates that the District will be the water supplier for this area.
2. The requests will serve existing parcels that are recognized by Boulder County, and the city does not anticipate any expansion of uses or over intensification of land uses because of the District's water service, per BVCP policies.
3. The Agreement contains a covenant that "in the event that the District agrees to provide a water tap to an existing use or parcel, the District agrees to provide such tap solely by means of a service contract with the District, not by an expansion of the District." The District has indicated that each of the three requests would be by contract and would not expand the District's boundaries.

## **NEXT STEPS**

The city manager will be asked to sign a letter to the District, attaching the city review comments, along with any comments that the City Council members may wish to add. Council members may provide comments through the Council Hotline. City staff anticipates the letter will state the city does not have any comments regarding the water tap requests to the subject properties.

## **ATTACHMENTS**

- A. Vicinity Map
- B. District Referral Letters



- #1 - 5864 Rustic Knolls Drive – single family residential water service for a currently vacant lot
- #2 - 5235 Independence Road – single family residential water service for an existing home, built in 1957
- #3 - 3863 North 57<sup>th</sup> Street – single family residential water service for an existing home, built in 1977



June 26, 2014

Jane Brautigam, Boulder City Manager  
PO BOX 791  
BOULDER CO 80302

Re: Referral notice for Left Hand Water tap request

Dear Ms. Brautigam,

The Left Hand Water District has received a request for a single family residential water service to the following property:

Address/Legal Description: 5864 Rustic Knolls Dr/ Tract 720 – A Less ½ MIN 22-IN- 70 BOOK  
1258 PG 215 BCR  
Parcel ID #: 146322200001  
Tap Request #: 2535

The District has the ability to serve this property with a standard 3/4" water tap. The property is vacant land.

Because this property is in the City's planning area, the District is providing the City with this opportunity to comment on service to this tap, as required in our IGA.

All referral responses are due by: August 26, 2014. A hearing before the District's Board on this matter is scheduled for: September 18, 2014. Please note request #2539 when responding to this correspondence and send referral responses to the District Engineer at [dwilliams@lefthandwater.org](mailto:dwilliams@lefthandwater.org).

Service to this tap, if granted by the District, will be by contract, and not by inclusion into the District boundaries.

Sincerely,

LEFT HAND WATER DISTRICT

Christopher P. Smith, P.E.  
General Manager

Cc: David Driskell, Planning Director  
Maureen Rait, Public Works Director  
Mary Wallace, City Attorney's Office  
Jeff Arthur, Utilities

Left Hand Water District  
P.O. Box 210 ~ Niwot, CO 80544-0210 ~ Phone 303-530-4200 ~ Fax 303-530-5252 ~ [www.lefthandwater.org](http://www.lefthandwater.org)



June 26, 2014

Jane Brautigam, Boulder City Manager  
PO BOX 791  
BOULDER CO 80302

Re: Referral notice for Left Hand Water tap request

Dear Ms. Brautigam,

The Left Hand Water District has received a request for a single family residential water service to the following property:

Address/Legal Description: 5235 Independence Rd/Tract 2387 21-IN – 70 Book 1231 Page 402

Parcel ID #: 146321000004

Tap Request #: 2539

The District has the ability to serve this property with a standard 5/8" water tap. The property includes an existing home, built in 1957. Their source of water is a well.

Because this property is in the City's planning area, the District is providing the City with this opportunity to comment on service to this tap, as required in our IGA.

All referral responses are due by: August 26, 2014. A hearing before the District's Board on this matter is scheduled for: September 18, 2014. Please note request #2539 when responding to this correspondence and send referral responses to the District Engineer at [dwilliams@lefthandwater.org](mailto:dwilliams@lefthandwater.org).

Service to this tap, if granted by the District, will be by contract, and not by inclusion into the District boundaries.

Sincerely,

LEFT HAND WATER DISTRICT

Christopher P. Smith, P.E.

General Manager

Cc: David Driskell, Planning Director  
Maureen Rait, Public Works Director  
Mary Wallace, City Attorney's Office  
Jeff Arthur, Utilities

Left Hand Water District  
P.O. Box 210 ~ Niwot, CO 80544-0210 ~ Phone 303-530-4200 ~ Fax 303-530-5252 ~ [www.lefthandwater.org](http://www.lefthandwater.org)



July 11, 2014

Jane Brautigam, Boulder City Manager  
PO BOX 791  
BOULDER CO 80302

**COPY**

Re: Referral notice for Left Hand Water tap request

Dear Ms. Brautigam,

The Left Hand Water District has received a request for a single family residential water service to the following property:

Address/Legal Description: 3863 N 57<sup>TH</sup> ST/TR 4661-d 15-1N-70 TOTAL 1.8 AC  
Parcel ID #: 146315000026  
Tap Request #: 2540

The District has the ability to serve this property with a standard 5/8" water tap. The property includes an existing home, built in 1977. Their source of water is a well.

Because this property is in the City's planning area, the District is providing the City with this opportunity to comment on service to this tap, as required in our IGA.

All referral responses are due by: August 26, 2014. A hearing before the District's Board on this matter is scheduled for: September 18, 2014. Please note request #2539 when responding to this correspondence and send referral responses to the District Engineer at [dwilliams@lefthandwater.org](mailto:dwilliams@lefthandwater.org).

Service to this tap, if granted by the District, will be by contract, and not by inclusion into the District boundaries.

Sincerely,

LEFT HAND WATER DISTRICT

Christopher P. Smith, P.E.  
General Manager

Cc: David Driskell, Planning Director  
Maureen Rait, Public Works Director  
Mary Wallace, City Attorney's Office  
Jeff Arthur, Utilities

**City of Boulder**  
**BOARDS AND COMMISSIONS MEETING SUMMARY FORM**

<b>NAME OF BOARD/COMMISSION:</b> Human Relations Commission
<b>DATE OF MEETING:</b> Aug. 18, 2014
<b>NAME/TELEPHONE OF PERSON PREPARING SUMMARY:</b> Robin Pennington 303-441-1912
<b>NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:</b> <b>Commissioners</b> – Amy Zuckerman, Shirly White, Emilia Pollauf <b>Staff</b> – Karen Rahn, Carmen Atilano, Kim Pearson, Robin Pennington <b>Commissioners absent</b> - José Beteta
<b>WHAT TYPE OF MEETING (CIRCLE ONE) [REGULAR] [SPECIAL] [QUASI-JUDICIAL]</b>
<b>AGENDA ITEM 1 - CALL TO ORDER</b> – The Aug. 18, 2014 HRC meeting was called to order at 5:59 p.m. by <b>A. Zuckerman</b> .
<b>AGENDA ITEM 2 – AGENDA ADJUSTMENTS</b> – The Aug. 26 Study Session on <b>Update Regarding Ten Year Plan for Services Related to the Homeless</b> was added as a Discussion/Informational item.
<b>AGENDA ITEM 3 – APPROVAL OF MINUTES</b> – <b>E. Pollauf</b> moved to accept the July 21, 2014 minutes. <b>S. White</b> seconded the motion. <b>Motion carries 3-0.</b>
<b>AGENDA ITEM 4 – COMMUNITY PARTICIPATION (non-agenda action items)</b> – None.
<b>AGENDA ITEM 5 – ACTION ITEMS</b> <b>A. Declaration on Unaccompanied Immigrant Children</b> – <b>C. Atilano</b> reviewed the draft declaration. <b>S. White</b> moved to approve. <b>E. Pollauf</b> seconded. <b>Motion carries 3-0.</b>
<b>AGENDA ITEM 6 – DISCUSSION/INFORMATIONAL ITEMS</b> <b>A. Work Plan Update</b> <ol style="list-style-type: none"> <li><b>1. Living Wage Public Forum</b> – <b>S. White</b> provided an update on the Sept. 3 Living Wage Public Forum. Staff provided commissioners with a copy of the flyer and noted that the event may be video-recorded.</li> <li><b>2. 2014 MEI Scorecard</b> – <b>C. Atilano</b> provided an update on next steps for the HRC in response to the scorecard.</li> <li><b>3. Marriage Equality</b> – No updates were provided.</li> <li><b>4. Proclamations</b> <ol style="list-style-type: none"> <li><b>a. PrideFest</b> – <b>C. Atilano</b> noted that the proclamation would be read at the Sept. 2 City Council meeting.</li> <li><b>b. Celebration of Immigrant Heritage</b> – <b>C. Atilano</b> noted that the proclamation is scheduled to be read at the Sept. 16 council meeting.</li> </ol> </li> <li><b>5. September HRC Meeting Location</b> – Commissioners and staff discussed the logistical needs of off-site meetings and potential locations for the September meeting.</li> </ol> <b>B. Bolder Boulder</b> – <b>A. Zuckerman</b> reported on the progress of the community group working with Bolder Boulder on their publicity campaign. <b>C. Study Session on Update Regarding Ten Year Plan for Services Related to the Homeless</b> – <b>K. Rahn</b> provided the commissioners with information on the Aug. 26 Study Session, an update and presentation on homelessness issues that will focus on the chronically homeless. The session will be televised. <b>D. Event Reports</b> – <b>S. White</b> attended the Boulder Asian Festival which took place Aug. 9 and 10. <b>E. Follow Up Tasks</b> – Submit the approved July minutes, submit the declaration to the Council Agenda Committee (CAC), translate the Living Wage flyer into Spanish and promote the event,

continue to look for an off-site location for the September HRC meeting, forward the Study Session packet to commissioners.

**AGENDA ITEM 7 – IMMEDIATE ACTION ITEMS** – None. It was noted that council will appoint a new HRC commissioner on Aug. 19.

**AGENDA ITEM 8 – Adjournment** – **E. Pollauf moved** to adjourn the Aug. 18, 2014 meeting. **S. White seconded** the motion. **Motion carries 3-0.** The meeting was adjourned at 6:43 p.m.

**TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:** The next regular meeting of the HRC will be Sept. 15, 2014 at 6:00 p.m. at a location to be determined.



CITY OF BOULDER  
Boards and Commissions Minutes

NAME OF COMMISSION: Open Space Board of Trustees
DATE OF MEETING: August 20, 2014
NAME/EXTENSION OF PERSON PREPARING SUMMARY: Leah Case x2025
NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:  MEMBERS: Tom Isaacson, Shelley Dunbar, Frances Hartogh, Molly Davis, Kevin Bracy Knight  STAFF: Jim Reeder, Dave Kuntz, Mark Gershman, Greg Seabloom, Don D'Amico, John D'Amico, Leah Case, Brad Skowronski, Lynn Riedel, Megan Bowes, Alyssa Frideres, Annie McFarland, Cecil Fenio  GUESTS: Kurt Bauer, Environmental Project Manager, Utilities; Craig Eicher, Xcel (Boulder)Area Manager
TYPE OF MEETING: <u>REGULAR</u> CONTINUATION SPECIAL
SUMMATION:  AGENDA ITEM 1- <b>Approval of the Minutes</b> Frances Hartogh moved to approve the minutes from July 9, 2014. Kevin Bracy Knight seconded. This motion passed unanimously.  AGENDA ITEM 2- <b>Public Participation</b> Several members from the public asked that their neighborhood access to Open Space not be restricted as a result of the Open Space trail management in combination with NIST.  Several members from the public commented on the South Boulder Creek flood mitigation project.  AGENDA ITEM 3- <b>Director's Updates</b> <b>NIST Trail Management</b> Annie McFarland, Visitor Master Plan Implementation Coordinator, gave an update on the management plan for trails bordering Open Space and Mountain Parks (OSMP) and National Institute of Science and Technology (NIST).  <b>South Boulder Creek Flood Mitigation Proposed Alternative</b> Don D'Amico, and Kurt Bauer, Environmental Project Manager, Utilities, gave a presentation on the South Boulder Creek flood mitigation.

### **Chautauqua Meadow Trail Repair/Rehabilitation Project**

Greg Seabloom, Trails Supervisor, gave an update on the upcoming trail project at Chautauqua Meadow.

### **Monitoring Protocol: Undesignated Trail Closure and Restoration - Sanitas (Wittemyer) and Anemone Subareas**

Megan Bowes, Ecological Technician, gave an update on the monitoring protocol for Sanitas (Wittemyer) and Anemone.

### **AGENDA ITEM 4- Matters from the Board**

Kevin thanked staff for getting the cattle guards put in. He also noted that the work done on Hogback Trail was really great.

**AGENDA ITEM 5 – Consideration of a motion to approve the purchase of approximately 80 acres of land, the mineral estate, nine shares of Left Hand Ditch Company water, 80 shares of Dry Creek-Davidson Ditch Company water, two houses and associated outbuildings located at 3285 and 3287 95<sup>th</sup> St. from the Martinson family for \$3,000,000 for Open Space and Mountain Parks purposes.\***

John D’Amico, Property Agent, gave a presentation to the Board on a possible acquisition.

This item spurred one motion:

**Frances Hartogh moved the Open Space Board of Trustees approve a motion recommending that the Boulder City Council approve the purchase of approximately 80 acres of land, mineral estate, nine shares of Left Hand Ditch Company water, 80 shares of Dry Creek-Davidson Ditch Company water, two houses and associated outbuildings located at 3285 and 3287 95th Street from the Martinson family for \$3,000,000 for Open Space and Mountain Parks purposes. An additional \$40,000 for immediate property improvements such as home repairs, boundary fencing and irrigation improvement is also being requested for expenditure from the acquisition budget. Kevin Bracy Knight seconded. This motion did not pass; Tom Isaacson, Shelley Dunbar, and Molly Davis dissented.**

**AGENDA ITEM 6 – Recommendation to enter into a nonexclusive license pursuant to Boulder City Charter Section 175(h) between Open Space and Mountain Parks and Public Service Company of Colorado for three power pole support beams on the East Rudd property for the purpose of facilitating the construction of the Boulder County/Colorado Department of Transportation road improvement project on State Highway 93. This is the same highway improvement project which encompasses the Open Space and Mountain Parks new Community Ditch underpass.\***

Jim Reeder, Land and Visitor Services Division Manager, gave a presentation to the Board.

This item spurred one motion:

**Shelley Dunbar moved the Open Space Board of Trustees recommend that the Open Space and Mountain Parks Director grant a nonexclusive license to Public Service Company of Colorado to allow it to place three support beams for utility poles on the East Rudd Open Space property for the purpose of facilitating the construction of the Boulder County/CDOT road improvements on SH 93. Molly Davis seconded. This motion passed unanimously.**

**AGENDA ITEM 7 – Consideration of the Anemone Hill area on-trail requirement during trail construction and undesignated trail restoration.\***

Annie McFarland, Visitor Master Plan Implementation Coordinator, gave a presentation on Anemone Hill.

This item spurred one motion:

**Kevin Bracy Knight moved The Open Space Board of Trustees approve Open Space and Mountain Parks implementation of Alternative A Revised-- “Rolling Trail Opening” -- that implements opening the Anemone Hill Trail sequentially as sections are completed for visitor access. Molly Davis seconded. This motion passed four to one. Frances Hartogh dissented.**

ADJOURNMENT: The meeting adjourned at 11:30 p.m.

**ATTACH BRIEF DETAILS OF ANY PUBLIC COMMENTS:**

One member from the public commented on the plan for Anemone Hill and asked for staff to consider keeping the alignment with a higher grade. He also suggested including the public in the planning process.

**TIME AND LOCATION OF ANY FUTURE MEETINGS, COMMITTEES OR SPECIAL HEARINGS:**

The next OSBT meeting will be September 10, 2014 at 6:00 p.m.

**CITY OF BOULDER, COLORADO  
BOARDS AND COMMISSIONS MEETING SUMMARY FORM**

**NAME OF BOARD/COMMISSION:** Parks and Recreation Advisory Board

**DATE OF MEETING:** July 28, 2014

**NAME/TELEPHONE OF PERSON PREPARING SUMMARY:** Sally Dieterich 303-413-7242

**NAMES OF MEMBERS, STAFF AND INVITED GUESTS PRESENT:**

Board Present: Mike Conroy, Michelle Estrella, Mike Guzek, Marty Gorce, Tom Klenow

Board Absent: Myriah Conroy, Kelly Wyatt

Staff Present: Jeff Dillon, Yvette Bowden, Sally Dieterich, Jeff Haley

**TYPE OF MEETING: REGULAR**

The meeting was called to order at 6:01 p.m.

**OUTLINE OF AGENDA:**

**I. APPROVAL OF AGENDA:** The agenda was approved.

**II. FUTURE BOARD ITEMS AND TOURS**

Dillon provided a timeline update:

- Future meeting – Boulder City Council – Pay As You Go short term sales tax discussion
- 9/23/14 Boulder City Council meeting – Proposed smoking ban

**III. PUBLIC PARTICIPATION**

Public participation was opened.

No one spoke.

Public participation was closed.

**IV. CONSENT AGENDA**

**A. Approval of minutes from June 23, 2014**

The minutes were approved as written.

**B. Informational Items**

Written updates were provided to PRAB as part of packet materials and required no board action or discussion.

**V. ITEMS FOR ACTION**

There were no Items for Action

**VI. ITEMS FOR DISCUSSION/INFORMATION**

There were no Items for Discussion/Information

**VII. MATTERS FROM THE DEPARTMENT**

There were no Matters from the Department

**VIII. MATTERS FROM BOARD MEMBERS**

There were no Matters from Board Members

**IX. NEXT BOARD MEETING:** August 25, 2014

**X. ADJOURN:** The meeting adjourned at 6:07 p.m.

**CITY OF BOULDER, COLORADO  
BOARDS AND COMMISSIONS MEETING MINUTES**

<b>Name of Board / Commission:</b> Water Resources Advisory Board	
<b>Date of Meeting:</b> 21 July 2014	
<b>Contact Information of Person Preparing Minutes:</b> Kaaren Davis 303.441.3203	
<b>Board Members Present:</b> Vicki Scharnhorst, Dan Johnson, Mark Squillace, Lesley Smith, Ed Clancy <b>Board Members Absent:</b> None	
<b>Staff Present:</b> Jeff Arthur, Director of Public Works for Utilities Bob Harberg, Principal Engineer - Utilities Katie Knapp, Engineering Project Manager Kurt Bauer, Engineering Project Manager Annie Noble, Flood and Greenways Engineering Coordinator Bret Linenfelser, Water Quality and Environmental Services Manager Kaaren Davis, Board Secretary	
<b>Meeting Type:</b> Regular	
<b>Agenda Item 1 – Call to Order</b>	<b>[7:00 p.m.]</b>
<b>Agenda Item 2 – Approval of the 16 June 2014 Meeting Minutes:</b>	
<b>16 June minutes:</b> Motion to approve minutes from June 16th as presented. Moved by: Squillace Seconded by: Johnson Vote: 4:0	<b>[7:01 pm]</b>
<b>Agenda Item 3 – Public Participation and Comment</b>	<b>[7:06 p.m.]</b>
<b>Public Comment:</b>	
<ul style="list-style-type: none"> <li>• <b>Yael Cohen:</b> Condo owners. FEMA insurance was inadequate to deal with flood damage. Want to make sure preventative measures are taken at this time. Show of hands shows approximately 10 residents of the condominium development were wiped out by the flood.</li> <li>• <b>Kathie Joyner:</b> Significant property damage from the floods. Hopes the city can find a way to accomplish one of its goals to remove hundreds of dwellings from the floodplain. There are far reaching financial effects from the flood. Action is critical. Some did not have flood insurance, but those who did know that flood insurance is inadequate. Hopes that productive ways to mitigate future events can be found through cooperation between all of the involved agencies.</li> <li>• <b>Steve Karakitsios:</b> Significant flood damage. Knows that the city has much on its plate. How do the residents track progress and budget expenditures related to the flood mitigation project proposals? How do we hold accountability? How can we see it and track it ourselves?</li> <li>• <b>Jeff McWhirter:</b> President of SE Boulder neighborhood association. We are victims of geography and ourselves. We dodged a bullet last fall, the event was not as bad as it could have been. We have hundreds of homes in the floodplain and that will be expensive to mitigate. Staff has done a good job in the past. Problems are expensive to fix but we really do need to fix them.</li> <li>• <b>Don Prince:</b> Had some flooding but was not too bad. Three things could have reduced flooding. Water going north on 9<sup>th</sup> had no route to the creek and ended up on Canyon. No ingress to Farmers Ditch. At 17<sup>th</sup> Farmers Ditch goes under the road and there was a bottle neck there. Believes that Farmer's Ditch needs to be deeper to accommodate flood waters.</li> <li>• <b>Diane Fritz:</b> Goss Grove neighborhood association representative. Here to observe the conversation about mapping the Boulder Slough. Even though most of the discussion is farther downstream, believes Farmer's Ditch was a key factor in their neighborhood flooding. Want to keep abreast of the neighborhood's interest and offer help.</li> </ul>	
<b>Board follow up:</b>	
<ul style="list-style-type: none"> <li>• Board requested details from staff on Osage and Quala and Quayden (South Boulder Creek).</li> <li>• Board and staff provided information on how the public can follow up on projects and budget expenditures and keep themselves informed throughout the flood recovery, reconstruction and</li> </ul>	

mitigation process moving into the future.

**Agenda Item 4 –**

[7:26 p.m.]

**Information Item – Overview of Floodplain Management Program and Floodplain Mapping Studies.**

Jeff Arthur and Annie Noble presented the item.

**Executive Summary from the Packet Materials:**

The purpose of this memorandum is to provide a general summary of the history and progress made to date on the South Boulder Creek flood mitigation planning study. This mitigation plan was initiated in 2010 after the floodplain mapping was updated in 2007. Since the study was initiated, multiple flood mitigation alternatives have been evaluated to address flooding associated with South Boulder Creek. A consultant recommendation has been developed and is described in this memorandum. A more detailed description of the recommended alternative will be presented and a request for a motion from the WRAB will be made at a meeting scheduled on August 18. Attachment A shows the location of the study area.

Hydraulic modeling indicates that a major storm event will cause water from South Boulder Creek to overtop US36 near Table Mesa Drive and result in flooding through the West Valley (area generally located west of South Boulder Creek, north of US36, east of Foothills Parkway and south of Arapahoe Avenue). The September 2013 flood event did overtop US36, causing an estimated \$45 million in flood damage. A flood mitigation planning study began in early 2010 with a focus on developing and evaluating alternatives designed to mitigate flood hazards affecting structures and areas along South Boulder Creek and the West Valley within the current incorporated city limits.

Conceptual alternatives were initially developed by problem area in a matrix format that included a wide range of mitigation measures. These concepts were then presented at a public meeting and subsequently combined into 15 Alternative Plans. These alternatives were evaluated and nine Best Alternative Plans were developed and presented at a second public meeting and to WRAB in late 2010.

Four of the nine Best Alternative Plans were further refined and analyzed and the consultant team selected an engineering recommendation. Major components of the consultant recommended alternative include construction of a regional stormwater detention facility south of US36, a smaller detention facility at Manhattan Middle School and one at Flatirons Golf Course.

The recommended alternative would provide significant flood protection within the West Valley area, including eliminating the 100-year floodplain designation that currently affects approximately 700 structures. The estimated cost of the alternative is approximately \$46 million, but the project could be constructed in three phases. Construction of the project would require numerous permits, agreements with the University of Colorado and Boulder Valley School District, disposal of Open Space and Mountain Park land and would be regulated by the State as a high hazard dam. Construction of the regional detention facility at US36 would result in significant impacts to wetlands, habitat for threatened and endangered species and other environmental and aesthetic resources.

**WRAB Discussion Included:**

- Clarifying questions on FEMA reimbursement rules and how this affects immediate flood recovery projects.
- Clarification on the scope and duration of FEMA audits on the drainage way recovery projects.
- Questions regarding resources available to residents to report issues and find information.
- Discussion on what would be required for Boulder to elevate itself from Class 5 to Class 4 in the community flood insurance program.
- Discussion of potential changes in how FEMA conducts flood reimbursements and flood insurance programs.
- Questions about how the drainage way system is handling the thunderstorms that Boulder has been having this season.
- Discussion of the role that Greenways paths and underpasses play in flood control.

No Board action was requested at this time.

Agenda Item 5 –

[7:51 p.m.]

**Public Hearing and Consideration of Motions to Recommend Adoption of Floodplain Mapping Revisions for Lower Bear Canyon Creek and Upper Boulder Slough.**

Jeff Arthur, Bob Harberg and Katie Knapp presented the item.

**Executive Summary from the Packet Materials:**

The city has a comprehensive floodplain management program designed to identify flood risks, mitigate the risks of flooding, minimize loss of life and property damage and support recovery following a major flood event. 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. This memorandum presents two proposed floodplain mapping revisions:

**Public Comment:**

- **Rick Mahan:** Severe damage from the September event. Water from his property traveled down and contributed to issues further downstream. The structures remaining in the flood zone really need to be removed, and soon.
- **Don Prince:** Potential loss of life resulting from bottle necks under bridges. Is there any chance to increase the size of the wall where the Boulder Slough starts?

**WRAB Discussion Included:**

- Clarifications regarding the new High Hazard designations in the studied revisions.
- Questions about how the flood event of September 2013 may have changed the topography and hence the mapping.
- Discussion of how the assumptions that the studies are based on can be provided to the public and how the City's confidence in the data provided is established.
- Discussion of reasons behind the significant changes to the mapping for the Boulder Slough.
- Discussion regarding how the ditches relate to floodplains, regulations etc.

**Motion: Motion to recommend that City Council adopt the Lower Bear Canyon Creek floodplain mapping revision.**

**Motion by: Squillace; Seconded: Johnson**

**Vote: 5-0**

**Motion: Motion to recommend that the City Council adopt the Upper Boulder Slough floodplain mapping revision.**

**Motion by: Johnson; Seconded: Squillace**

**Vote: 5-0**

Agenda Item 6 –

[8:30 p.m.]

**Information Item – Update on South Boulder Creek Floodplain Mitigation Study.**

Jeff Arthur and Kurt Bauer presented the item.

**Executive Summary from the Packet Materials:**

The purpose of this memorandum is to provide a general summary of the history and progress made to date on the South Boulder Creek flood mitigation planning study. This mitigation plan was initiated in 2010 after the floodplain mapping was updated in 2007. Since the study was initiated, multiple flood mitigation alternatives have been evaluated to address flooding associated with South Boulder Creek. A consultant recommendation has been developed and is described in this memorandum. A more detailed description of the recommended alternative will be presented and a request for a motion from the WRAB will be made

at a meeting scheduled on August 18. Attachment A shows the location of the study area.

Hydraulic modeling indicates that a major storm event will cause water from South Boulder Creek to overtop US36 near Table Mesa Drive and result in flooding through the West Valley (area generally located west of South Boulder Creek, north of US36, east of Foothills Parkway and south of Arapahoe Avenue). The September 2013 flood event did overtop US36, causing an estimated \$45 million in flood damage. A flood mitigation planning study began in early 2010 with a focus on developing and evaluating alternatives designed to mitigate flood hazards affecting structures and areas along South Boulder Creek and the West Valley within the current incorporated city limits.

Conceptual alternatives were initially developed by problem area in a matrix format that included a wide range of mitigation measures. These concepts were then presented at a public meeting and subsequently combined into 15 Alternative Plans. These alternatives were evaluated and nine Best Alternative Plans were developed and presented at a second public meeting and to WRAB in late 2010.

Four of the nine Best Alternative Plans were further refined and analyzed and the consultant team selected an engineering recommendation. Major components of the consultant recommended alternative include construction of a regional stormwater detention facility south of US36, a smaller detention facility at Manhattan Middle School and one at Flatirons Golf Course.

The recommended alternative would provide significant flood protection within the West Valley area, including eliminating the 100-year floodplain designation that currently affects approximately 700 structures. The estimated cost of the alternative is approximately \$46 million, but the project could be constructed in three phases. Construction of the project would require numerous permits, agreements with the University of Colorado and Boulder Valley School District, disposal of Open Space and Mountain Park land and would be regulated by the State as a high hazard dam. Construction of the regional detention facility at US36 would result in significant impacts to wetlands, habitat for threatened and endangered species and other environmental and aesthetic resources.

**WRAB Discussion Included:**

- Discussion on how the current alternatives were developed and selected, as well as why other alternatives were not selected.
- Clarification regarding cost/benefit analysis to proposed options (including environmental impacts)
- Discussion on whether it makes sense to have a “preferred” alternative at this time in light of NEPA requirements for multiple alternatives and the widely divergent costs of the various options.
- Clarification regarding the reason for a HWY 93 Detention option. Out of City limits and City unwilling to pursue an eminent domain option.
- What it means to have a structure regulated as a High Hazard Dam.
- How the detention basins would function in an event such as the September 2013 flood, which differed from the “design storm”.
- Discussion of the benefit/cost ratios for each of the alternatives.
- Discussion of how likely it is that the alternatives that affect endangered species would be approved.
- Questions as to whether there is a more modest alternative than the large detention ponds which would be less costly and have less impact on habitat.
- Request for a summarization of the 15 options which were originally presented to WRAB so that current board members can understand the background and development of the current options.

**No Board action was requested at this time.**

**Agenda Item 7 – Matters**

**[9:04 p.m.]**

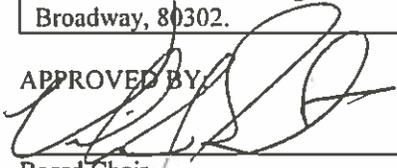
**From the Board:**

Board member Clancy brought up the below matter(s):

- Concerned about the size of the Wastewater Treatment Plant. Has gone to the EPA to check on wet weather capacity. Interested in knowing what system infiltration rates are and whether they are reasonable.

<b>From Staff:</b>	[9:07 p.m.]
<ul style="list-style-type: none"> <li>• Flood Briefing: to Council tomorrow night.</li> <li>• Follow-up on public outreach regarding proposed rate increases</li> <li>• Barker Pipeline US Forest Service permitting agreement going to Council as a consent item tomorrow night.</li> <li>• Water Treatment: Equipment issues at both plants have resulted in some difficulties treating water at 63<sup>rd</sup>, and reduction to a single point of failure system at Betasso water treatment facility.</li> </ul>	
<b>Agenda Item 8 – Future Schedule</b>	[8:55 p.m.]
South Boulder Creek in August. Flood studies in coming months.	
<b>Adjournment</b>	[9:14 p.m.]
There being no further business to come before the Board at this time, by motion regularly adopted, the meeting was adjourned at 9:14 p.m.	
Motion to adjourn by: Squillace; Seconded by: Johnson	
Motion Passes 5:0	
<b>Date, Time, and Location of Next Meeting:</b>	
The next WRAB meeting will be Monday, 18 August 2014 at 7:00 p.m., in the Council Chambers, 1777 Broadway, 80302.	

APPROVED BY:



Board Chair

08/18/14  
Date

ATTESTED BY:



Board Secretary

8/13/2014  
Date

An audio recording of the full meeting for which these minutes are a summary, is available on the Water Resources Advisory Board web page.