

5400 Spine Road Rezoning

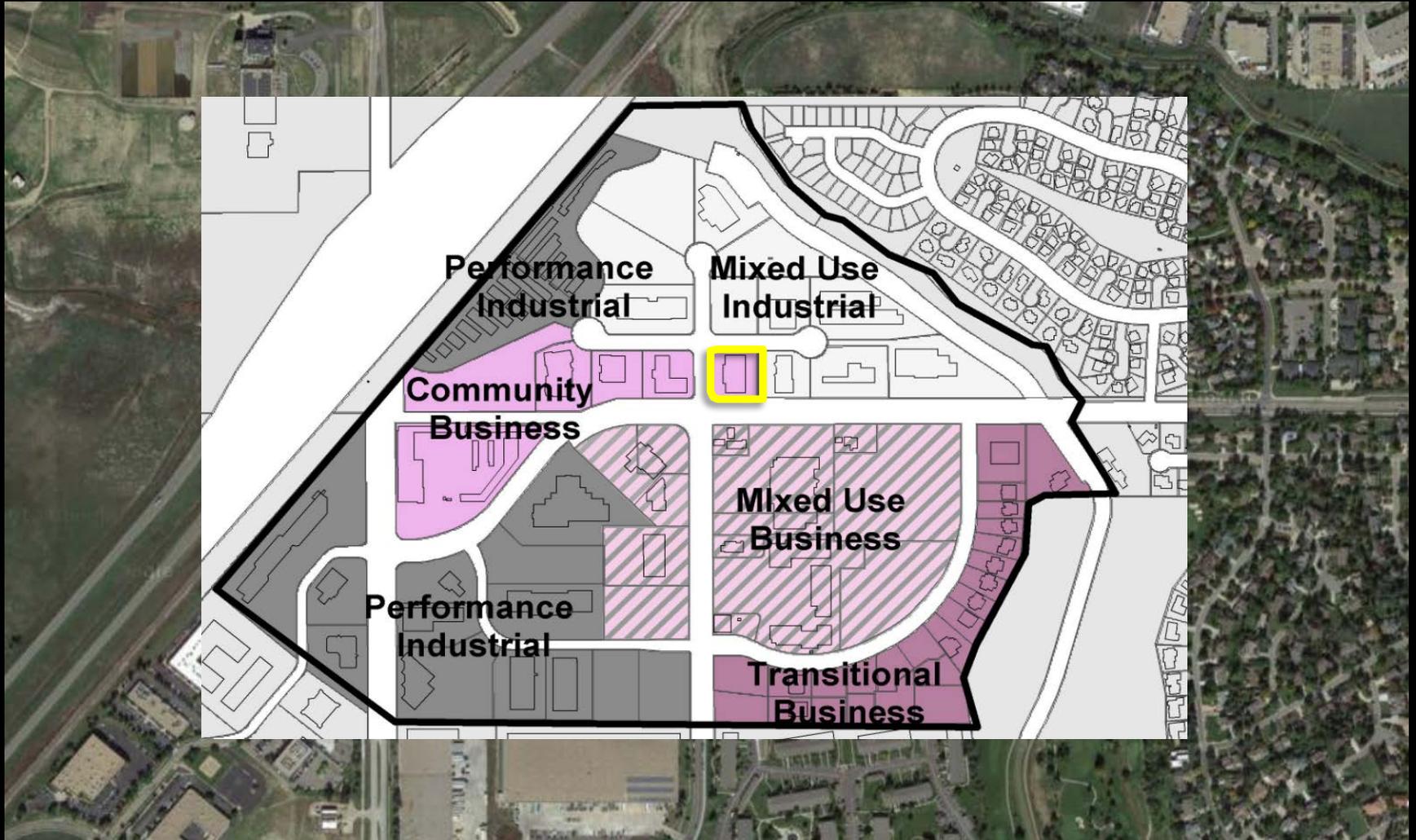


City Council ▪ Dec. 2, 2014

Rezoning Criteria

- The applicant demonstrates by clear and convincing evidence that the proposed rezoning is necessary to come into compliance with the Boulder Valley Comprehensive Plan map;**
- The existing zoning of the land was the result of a clerical error;
- The existing zoning of the land was based on a mistake of fact;
- The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;
- The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area; or
- The proposed rezoning is necessary in order to provide land for a community need that was not anticipated at the time of adoption of the Boulder Valley Comprehensive Plan.

5400 Spine Road in Gunbarrel



Gunbarrel Community Center Plan

adopted in 2004 after public process:

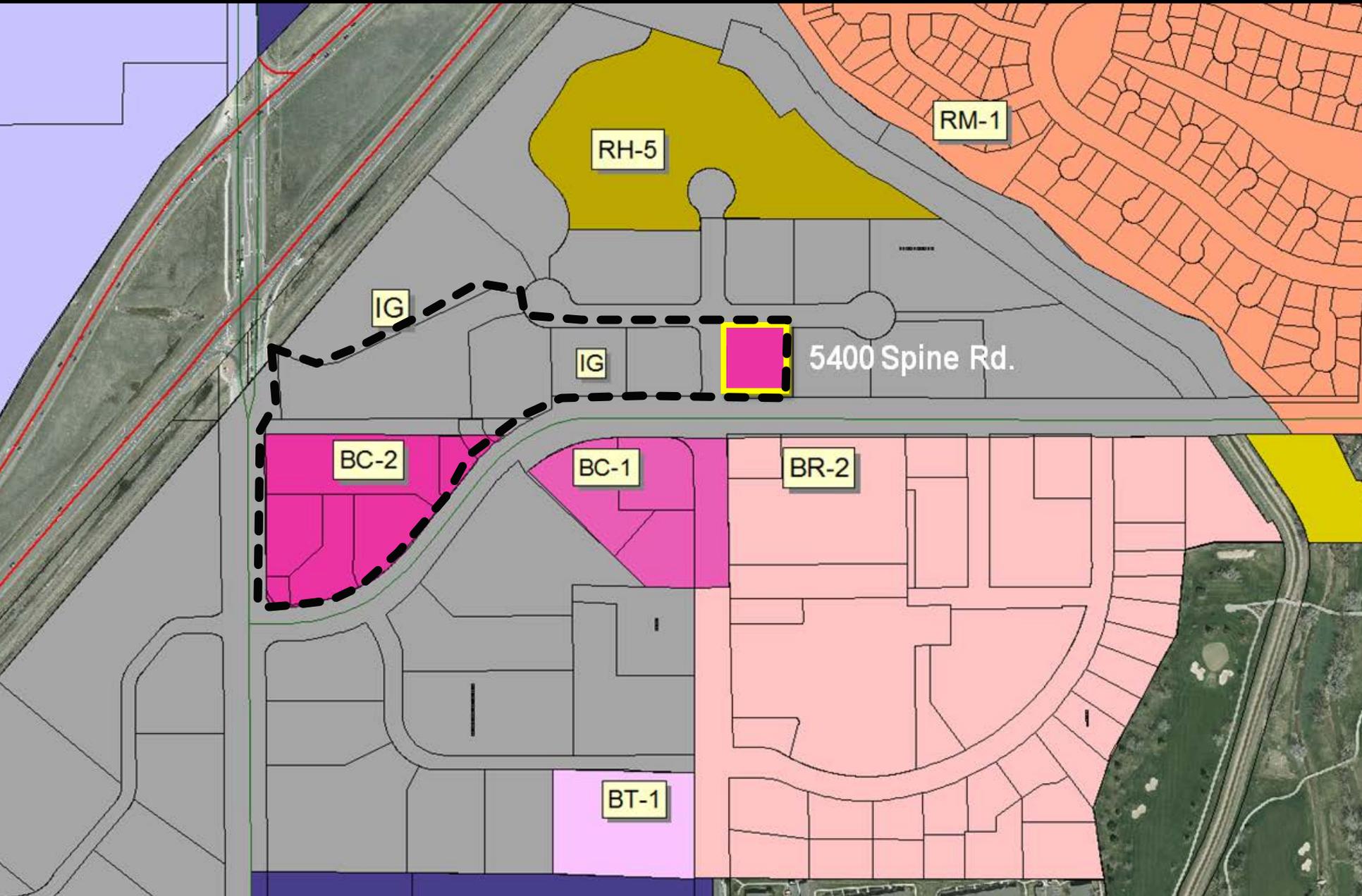
Purpose and Goals

The purpose of the Gunbarrel Community Center Plan is to provide a blueprint for the Gunbarrel commercial area that will result in a viable and vibrant, easily accessible, pedestrian-oriented center to serve the Gunbarrel subcommunity.

The following are the overall goals for the project:

- *Provide opportunities for developing a viable, easily accessible, pedestrian-oriented retail town center of appropriate scale to serve the Gunbarrel subcommunity, outlying subdivisions and employment centers.*
- *Provide safe and convenient vehicular and non-vehicular connections between the commercial center and the surrounding area and within the center itself.*
- *Provide a commercial center with a unique identity that is the heart of social and cultural activity in the subcommunity and supports day and evening activity seven days a week.*

Zoning: Proposed Community Business 2



ZONING DISTRICT PURPOSE:

BC-1 and BC-2: Business areas containing retail centers serving a number of neighborhoods, where retail-type stores predominate.

COMP. PLAN DEFINITION:

Community Business – is defined as the focal point for commercial activity serving a subcommunity. **These areas are designated to serve the daily convenience shopping and service needs** of the local population

Example uses: restaurants, personal services, large or small retail, banks, hotels, motels, medical or dental offices, recreational facilities, schools, day care, art studios, and professional offices.



Evolving Context





Rezoning Criteria

Section 9-2-18(e)(1), B.R.C. 1981

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Motion to:

Approve Ordinance 8010 rezoning the property located at 5400 Spine Road from Industrial – General to Business Community-2, consistent with the Boulder Valley Comprehensive Plan land use designation of Community Business.

- **Uses Allowed By-Right** (*per Land Use Code section 9-6-1, B.R.C. 1981*):

Note: the following are the uses permitted by-right in the BC-2 zoning district; not all of these by-right uses could be constructed on the subject site at 5400 Spine Road, due to parking requirements with each associated use.

Residential:

- *Detached and Attached Dwelling Units;*
- *Duplexes;*
- *Townhomes;*
- *Efficiency Living Units if < 20% of total units;*
- *Congregate Care Facilities;*
- *Dormitories;*
- *Boarding Houses*

Dining and Entertainment, and Lodging uses:

- *Arts and Craft Studios*
- *Restaurants, brewpubs and taverns no larger than 1,500 square feet in floor area, which may have meal service on a an outside patio not more than ½ the floor area and which close no later than 11 p.m.*
- *Restaurants, brewpubs and taverns that are over 1,500 square feet in floor area or which close after 11p.m.*
- *Hostels*
- *Motels/Hotels*

- **Uses Allowed By-Right** (*per Land Use Code section 9-6-1, B.R.C. 1981*):

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Public and Institutional Uses

- *Daycare center with ≤ 50 children*
- *Daycare center with ≥ 50 children*
- *Essential municipal and public utility services*
- *Governmental facilities*
- *Nonprofit membership clubs*
- *Private elementary, junior and senior high schools*
- *Public elementary, junior and senior high schools*
- *Private colleges and universities*
- *Religious assemblies*
- *Adult education facilities*
- *Vocational and trade schools*

- **Uses Allowed By-Right** (*per Land Use Code section 9-6-1, B.R.C. 1981*):

Note: the following are the uses permitted by-right in the BC-2 zoning district; not all of these by-right uses could be constructed on the subject site at 5400 Spine Road, due to parking requirements with each associated use.

Office, Medical and Financial Uses:

- *Data processing facilities*
- *Financial institutions*
- *Medical or dental clinics and laboratories*
- *Offices: administrative, professional, technical*

Parks and Recreation:

- *Indoor recreational or athletic facilities*
- *Parks and recreation uses*

Commercial, Retail and Industrial Uses:

- *Animal hospital or veterinary clinic*
- *Broadcasting and recording facilities*
- *Business support services <10,000 square feet*
- *Person service uses*
- *Convenience Retail*
- *Retail sales*
- *Computer design and development facilities*
- *Telecommunications use*

TABLE 8-1: INTENSITY STANDARDS

Zoning District	Intensity Module	Minimum Lot Area (in square feet unless otherwise noted)	Minimum Lot Area Per Dwelling Unit (square feet)	Number of Dwelling Units Per Acre	Minimum Open Space Per Dwelling Unit (square feet)	Minimum Open Space on Lots (Residential Uses)	Minimum Open Space on Lots (Nonresidential Uses) (a)	Minimum Private Open Space (Residential Uses) (square feet)	Maximum Floor Area Ratio
RH-5, BC-2	19	6,000	1,600	27.2	600 (400 by site review if in a mixed use development)	–	10 - 20%	0	0
IM	20	7,000	1,600	27.2	600	40% (20% if within a park service area)	10 - 20%	60	0.4:1
BT-2	21	6,000	1,600	27.2	600	–	10 - 20%	0	0.5:1
IG	22	7,000	1,600	27.2	600	40% (20% if within a park service area)	10 - 20%	60	0.5:1

See [Section 9-9-11](#) for additional open space requirements. For mixed use developments, use the requirements of either the residential or nonresidential standards that result in the greatest amount of open space.

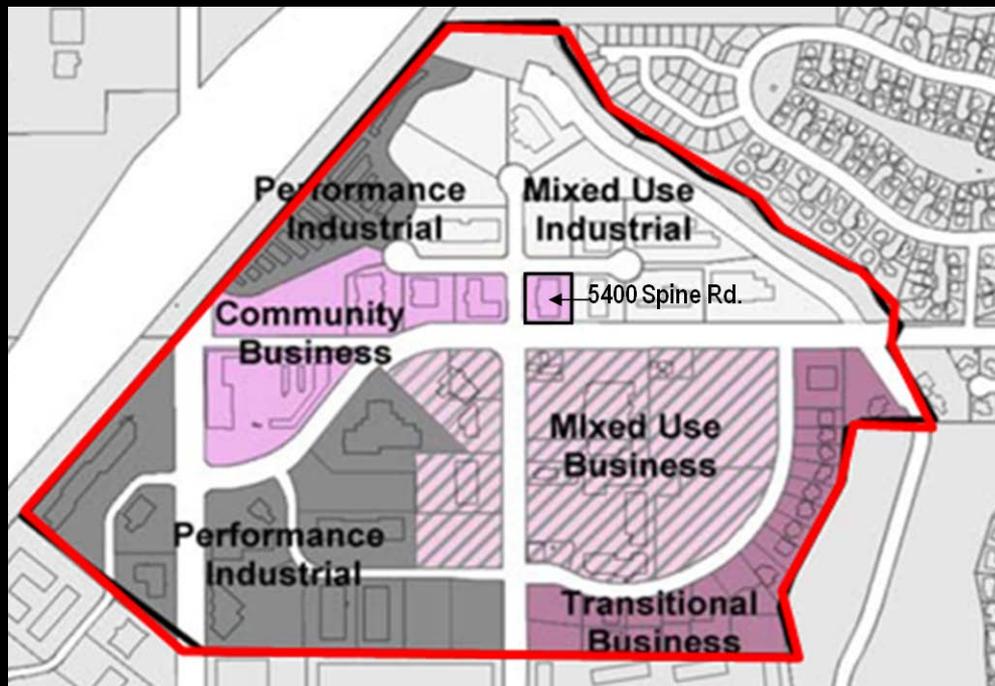
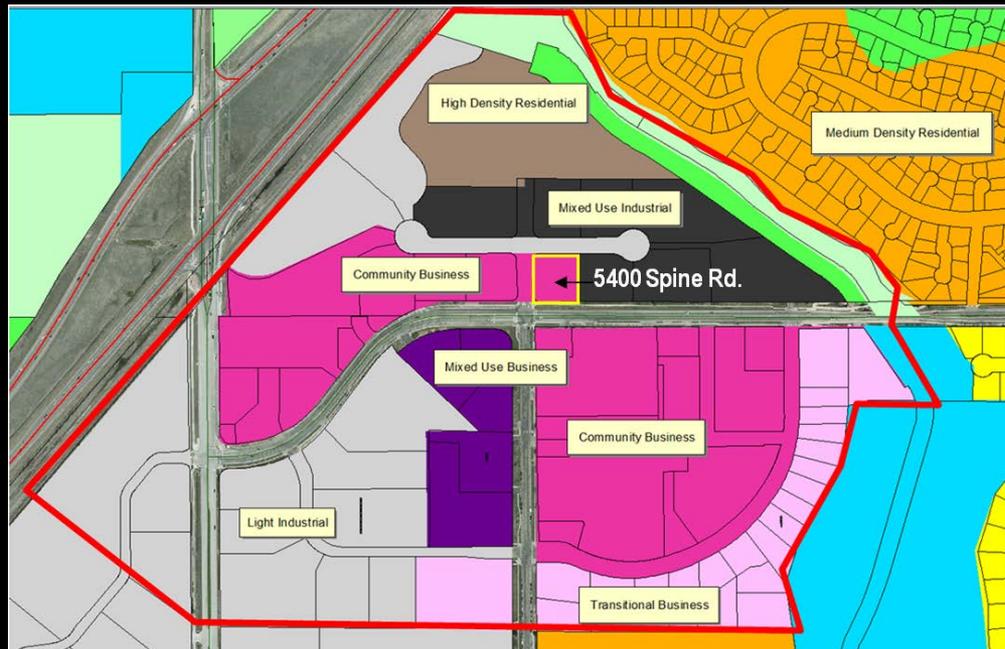
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RH-5, BC-2	19	10 - 20%	0	0
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BT-2	21	10 - 20%	0	0.5:1
IG	22	10 - 20%	60	0.5:1

(c) Open Space Standards for Buildings Over Twenty-Five Feet in Height: Certain building types shall provide open space in the following amounts:

(1) Nonresidential Buildings up to Thirty-Five Feet in Height: Any building that contains a business or industrial use which is up to thirty-five feet in height shall provide at least ten percent of the total land area as usable open space.

(2) Buildings Between Thirty-Five and Forty-Five Feet in Height: Any building over thirty-five feet but less than forty-five feet in height shall provide at least fifteen percent of the total land area as useable open space.

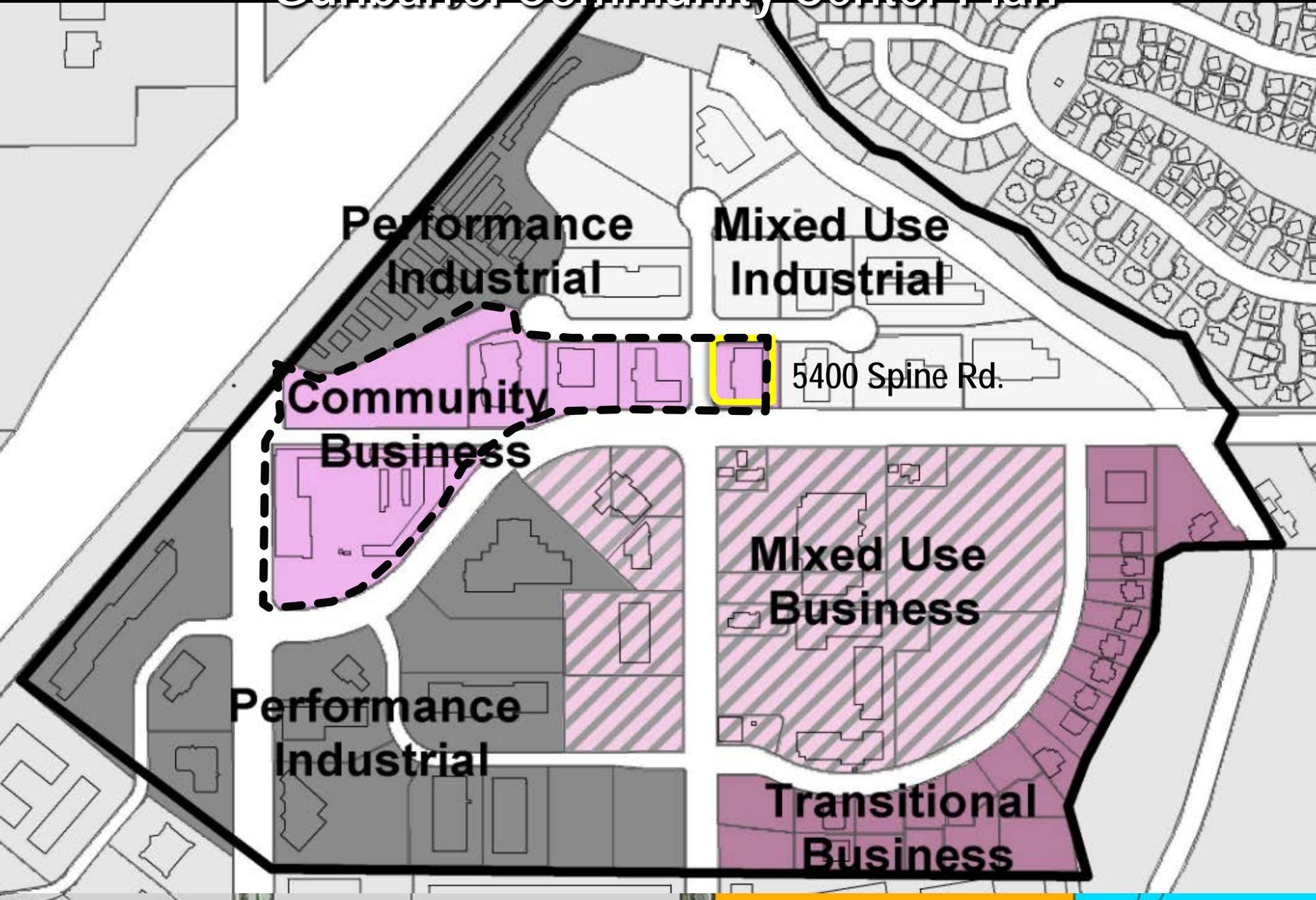
(3) Buildings Over Forty-Five Feet in Height: Any building over forty-five feet but less than fifty-five feet in height shall provide at least twenty percent of the total land area as useable open space.



Gunbarrel Community Center Plan



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