

STAFF ANALYSIS FOR THE INITIAL SCREENING OF CHANGE REQUESTS

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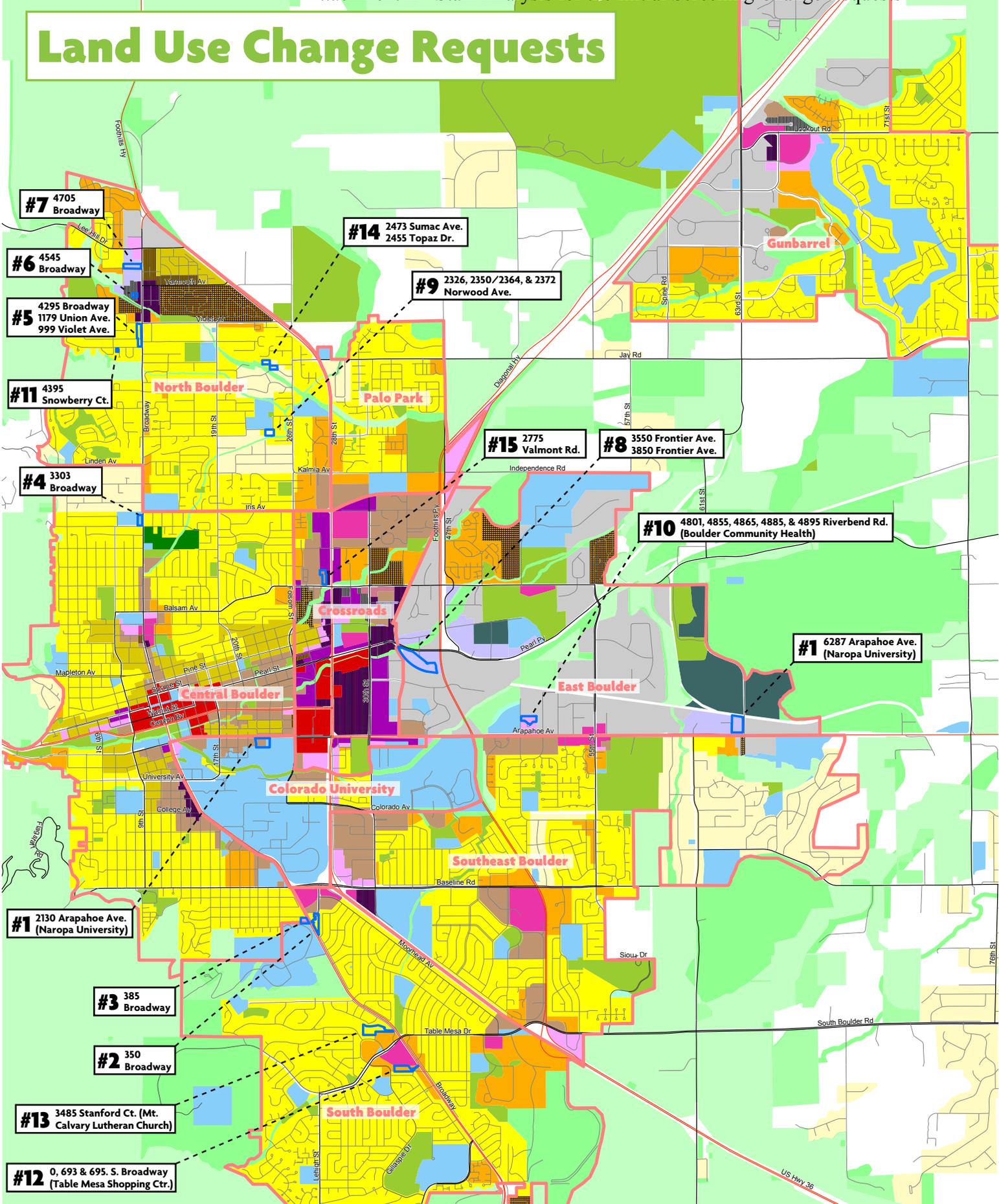
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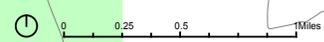
Part 1:

MAP AND LIST OF REQUESTS;
WORKSHEET OF REQUESTS

Land Use Change Requests



BVCP Land Use		Change Requests		Subcommunity		Mixed Use		Open Space and Mountain Parks	
	Very Low Density Residential (VLR)		Change Requests		Subcommunity		Mixed Use Business (MUB)		Open Space, Acquired (OS-A)
	Low Density Residential (LR)		Business		Community Industrial (CI)		Mixed Use Industrial (MUI)		Open Space, Development Rights (OS-DR)
	Manufactured Housing (MH)		Community Business (CB)		General Industrial (GI)		Mixed Use Residential (MUR)		Open Space, Other (OS-O)
	Medium Density Residential (MDR)		General Business (GB)		Light Industrial (LI)		Other		Public (PUB)
	Mixed Density Residential (MXR)		Service Commercial (SC)		Performance Industrial (PI)		Agricultural (AG)		Environmental Preservation (EP)
	High Density Residential (HR)		Regional Business (RB)				Park, Urban and Other (PK-U/O)		



SUMMARY OF REQUESTS

DECEMBER 15, 2015: Planning Board and City Council Joint Public Hearing

A) AREA I AND AREA II ENCLAVES: 15 requests

- 1) **2130 Arapahoe Ave. (Naropa University)** – HR to PUB & **6287 Arapahoe Ave. (Naropa University)** – CI to CB
- 2) **350 Broadway** – LR to TB
- 3) **385 Broadway** – TB to LR
- 4) **3303 Broadway** – PUB to MR or HR
- 5) **4295 Broadway, 1179 Union Ave. *, 999 Violet Ave.** – LR to MUB (*portion of property)
- 6) **4545 Broadway*** – MUI to LI (*portion of property)
- 7) **4705 Broadway*** – CI to MUB (*portion of property)
- 8) **3550-3850 Frontier Ave.** – CI to MUB
- 9) **2326, 2350/2364, & 2372 Norwood Ave.** – VLR to unspecified residential designation
- 10) **4801, 4855, 4865, 4885, & 4895 Riverbend Rd. (Boulder Community Health)** – TB to PUB
- 11) **4395 Snowberry Ct.** - LR to MUR
- 12) **0, 693*, & 695* S. Broadway (Table Mesa Shopping Center)** –MR to CB (*portion of properties)
- 13) **3485 Stanford Ct.** - LR to MR
- 14) **2473 Sumac Ave. & 2455 Topaz Dr.** – VLR to LR
- 15) **2775 Valmont Road** – HR to unspecified designation

B) POLICY AND TEXT REQUESTS: 8 requests

- 16) **Enhance public benefit** (Chapter 2- Built Environment)
- 17) **Clarification regarding ditches** (Chapter 2- Built Environment, Chapter 9- Agriculture and Food, VI- Urban Service Criteria and Standards)
- 18) **Reflect public interest in renewable energy and reduction of carbon footprint** (Chapter 4- Energy and Climate)
- 19) **Addition of conditional use category; addition of conditional use in IS-1 zoning district** (Title 9 Land Use Code)
- 20) **Amendment to use schedule** (Title 9 Land Use Code)
- 21) **Evaluation criteria for new development and establishment of funding mechanisms**
- 22) **Initiation of Phase II – Transit Village Area Plan (TVAP)**
- 23) **Public input process regarding work plan**

A map of all requests and summary of each is available online:

www.bouldercolorado.gov/planning/bvcp-changes

PUBLIC REQUEST WORKSHEET

(P. 1)

<i>Land Use Map Change Requests: AREA I AND AREA II ENCLAVES (Requests 1-15)</i>							
#	Description	Staff Recommendation (further study?)	PB Direction		Council Direction		Notes
			Yes	No	Yes	No	
1	2130 Arapahoe Ave. (Naropa University) Land use designation change from High Density Residential to Public; 6287 Arapahoe Ave. (Naropa University) Land use designation change from Community Industrial to Community Business	<u>Yes</u>					
2	350 Broadway: Land use designation change from Low Density Residential to Transitional Business	No					
3	385 Broadway: Land use designation change from Transitional Business to Low Density Residential	<u>Yes</u>					
4	3303 Broadway: Land use designation change from Public to Medium or High Density Residential	<u>Yes</u>					
5	4295 Broadway, 1179 Union Ave.*, 999 Violet Ave.: Land use designation change from Low Density Residential to Mixed Use Business (<i>*portion of property</i>)	No					

PUBLIC REQUEST WORKSHEET

(P. 2)

<i>Land Use Map Change Requests: AREA I AND AREA II ENCLAVES (Requests 1-15)</i>							
#	Description	Staff Recommendation (further study?)	PB Direction		Council Direction		Notes
			Yes	No	Yes	No	
6	4545 Broadway* : Land use designation change from Mixed Use Industrial to Light Industrial (<i>*portion of property</i>)	No					
7	4705 Broadway* : Land use designation change from Community Industrial to Mixed Use Business (<i>*portion of property</i>)	No					
8	3550-3850 Frontier Ave. : Land use designation change from Community Industrial to Mixed Use Business	No					
9	2326, 2350/2364, & 2372 Norwood Ave. : Land use designation change from Very Low Density Residential to unspecified residential designation	No					
10	4801, 4855, 4865, 4885, & 4895 Riverbend Rd. (Boulder Community Health) : Land use designation change from Transitional Business to Public	<u>Yes</u>					
11	4395 Snowberry Ct. : Land use designation change from Low Density Residential to Mixed Use Residential	No					
12	0, 693*, & 695* S. Broadway (Table Mesa Shopping Center) : Land use designation change from Medium Density Residential to Community Business (<i>*portions of properties</i>)	<u>Yes</u>					

PUBLIC REQUEST WORKSHEET

(P. 3)

<i>Land Use Map Change Requests: AREA I AND AREA II ENCLAVES (Requests 1-15)</i>							
#	Description	Staff Recommendation (further study?)	PB Direction		Council Direction		Notes
			Yes	No	Yes	No	
13	3485 Stanford Ct.: Land use designation change on portion of property from Low Density Residential to Medium Density Residential	<u>Yes</u>					
14	2473 Sumac Ave. & 2455 Topaz Dr.: Land use designation change on portion of property from Very Low Density Residential to Low Density Residential	No					
15	2775 Valmont Rd.: Land use designation change from High Density Residential to unspecified designation - <i>2 submissions received</i>	No					

PUBLIC REQUEST WORKSHEET

(P. 4)

<i>Policy & Text Change Requests (Requests 16-23)</i>							
#	Description	Staff Recommendation (further study?)	PB Direction		Council Direction		Notes
			Yes	No	Yes	No	
16	Enhance public benefit (<i>Chapter 2- Built Environment</i>) in as many subsections of this chapter as possible	<u>Yes</u>					
17	Clarification regarding ditches (<i>Chapter 2- Built Environment, Chapter 9- Agriculture and Food, VI- Urban Service Criteria and Standards</i>)	<u>Yes</u>					
18	Reflect public interest in renewable energy and reduction of carbon footprint (<i>Chapter 4- Energy and Climate</i>) by expanding this chapter	<u>Yes</u>					
19	Addition of conditional use category; addition of conditional use in IS-1 zoning district (<i>Title 9 Land Use Code</i>): Add a conditional use category for community gatherings; include outdoor entertainment in IS-1 zoning district	No					

PUBLIC REQUEST WORKSHEET

(P. 5)

<i>Policy & Text Change Requests (Requests 16-23)</i>							
#	Description	Staff Recommendation (further study?)	PB Direction		Council Direction		Notes
			Yes	No	Yes	No	
20	Amendment to use schedule (Title 9 Land Use Code) to allow existing sites and facilities to develop community-oriented uses	No					
21	Evaluation criteria for new development and establishment of funding mechanisms: Develop criteria including all components of Sustainability Framework and establish funding mechanisms for projects showing community benefit	No					
22	Initiation of Phase II – Transit Village Area Plan (TVAP): Initiate the necessary land use and zoning changes for this area	No					
23	Public input process regarding work plan: Develop a process to identify projects with significant public benefit and alignment with BVCP	No					

Part 2:
CRITERIA (from BVCP
Amendment procedures);
LAND USE CATEGORY DESCRIPTIONS
(from BVCP)

II. Amendment Procedures

The Boulder Valley Comprehensive Plan is a joint policy document that is adopted by the City of Boulder and Boulder County in their legislative capacities. Any amendment to the plan is also legislative in nature. The plan is updated periodically to respond to changed circumstances or community needs. Changes to the comprehensive plan fall into three categories:

- Changes that may be considered at any time
- Changes that may be considered during a mid-term review
- Changes that may only be considered during the five-year update

For changes to the plan:

- Where the “county” alone is referred to in the policy, the policy may be amended by the county, after referral to the city.
- Where the “city” alone is referred to in the policy, the policy may be amended by the city, after referral to the county.
- All other policies will be construed to be joint city and county statements of policy, and are to be amended by joint action.
- Where a particular “area” is not specified in the policy text, the policy will apply to all areas.

This section describes the different types of changes, the process for making changes, the criteria for determining which process to follow, and the procedures for approving proposed changes. The types of changes, when they may be considered, and whether they are subject to approval by the city (Planning Board and City Council), the county (County Planning Commission and County Commissioners), or the city and county (Planning Board, City Council, County Planning Commission, and County Commissioners) is summarized in the following table:

Type of Change	When	Process
Land Use Map	If related to rezoning or annexation, may be considered at any time All others, at Mid-term or 5 year update	City approval subject to county referral if meets criteria and related to annexation or rezoning, or in Area I All others, city and county approval
Change from Area IIb to IIa	May be considered at any time if meets criteria	City approval subject to county referral
Changes to the Area II/III boundary	Mid-term (minor changes) 5 year	City and county approval
Policies	Mid-term (minor only) 5 year	Joint policies approved by city and county; city or county policies by relevant jurisdiction
<ul style="list-style-type: none"> • Amendment Procedures • Referral Process • Land Use Map • Descriptions 	Mid-term 5 year	City and county approval
<ul style="list-style-type: none"> • Plan and Program Summaries • Urban Service Criteria and Standards 	Any time	City approval

1. Changes that may be considered at any time

The following changes may be considered at any time and require approval by the city Planning Board and City Council.

a. Types of changes that may be considered at any time if they meet the criteria in Subsection b below:

1. Land Use Map changes
2. Changes to the Master Plan and Program summaries
3. Changes to the Urban Service Criteria and Standards
4. Changes to the Subcommunity and Area Plan section
5. Changes in designation of land from Area IIB to Area IIA

a. Criteria for eligibility for changes that may be considered at any time:

(1) Land Use Map changes:

The [Land Use Map](#) is not intended to be a zoning map. It is intended to provide policy direction and definition for future land uses in the Boulder Valley. Thus, a change to the land use designations may be considered at any time if it is related to a proposed change in zoning or proposed annexation and meets all of the following criteria:

- (a) The proposed change is consistent with the policies and overall intent of the comprehensive plan.
- (b) The proposed change would not have significant cross-jurisdictional impacts that may affect residents, properties or facilities outside the city.
- (c) The proposed change would not materially affect the land use and growth projections that were the basis of the comprehensive plan.
- (d) The proposed change does not materially affect the adequacy or availability of urban facilities and services to the immediate area or to the overall service area of the City of Boulder.
- (e) The proposed change would not materially affect the adopted Capital Improvements Program of the City of Boulder.
- (f) The proposed change would not affect the Area II/Area III boundaries in the comprehensive plan.

(2) Criteria for changes in designation of land from Area IIB to Area IIA:

- (a) The proposed change is compatible with the city's existing and planned urban facilities and service systems, as demonstrated by such factors as:
 - (i) The full range of urban facilities and services are available, or will be available within three years, as specified in the urban service standards to be provided through city capital improvements and private investment.
 - (ii) The timing, design and operation of required facility and service improvements are consistent with the city's Capital Improvements Program, master plans and urban service standards in the comprehensive plan.
 - (iii) Off-site improvements that are provided by developers ahead of scheduled capital improvements will not result in premature demand for additional city-provided improvements.
 - (iv) City off-site capital facility costs to serve the property can be recovered by development excise taxes and development exactions.
- (b) The proposed change would be consistent with the city's ability to annex within three years, as demonstrated by such factors as:
 - (i) The property is currently contiguous to the city or there is a reasonable expectation of contiguity within three years, based on expected development trends and patterns.
 - (ii) The public costs of annexation and development of Area IIA properties can be accommodated within the city's Capital Improvements Program and operating budget.

(c) The proposed change would be consistent with a logical expansion of city boundaries, as demonstrated by such factors as: encouraging a contiguous and compact development pattern; encouraging infill and redevelopment or a desired opening of a new growth area; enhancing neighborhood boundaries or edges.

c. Procedures for changes that may be considered at any time:

(1) Requests for changes may be initiated by the city or the property owner:

A request initiated by the property owner must be submitted in writing to the city's Planning Department and must address the criteria for processing the request separately from a mid-term or five-year review.

(2) The city will make a referral with preliminary comments to the county Land Use Department for comment:

For land use changes and changes from Area IIB to IIA, the county will have 30 days after receipt of the referral to provide written notice to the city as to whether the proposed change meets the criteria. If the county determines that the proposed change does not meet the criteria, then the requested change will be processed at the time of the next mid-term or five-year review and will require four body review and approval.

(3) Requests for land use changes and changes from Area IIB to IIA will be considered based on the criteria in Section 1.b.(2) above at a public hearing of the city Planning Board.

If there is an accompanying rezoning application or annexation petition, this review may be concurrent with consideration of those matters. Changes determined to meet the criteria in this section may still be deferred by the city Planning Board or City Council to the mid-term or five-year review upon a finding of good cause.

2. Mid-term review changes

Changes to the comprehensive plan may be proposed in a mid-term review. A mid-term review may be initiated at some point between five-year major updates as needed. The purposes of the mid-term review are to address objectives identified in the last major update and progress made in meeting those objectives, provide an opportunity for the public to request changes to the plan that do not involve significant city and county resources to evaluate, make minor additions or clarifications to the policy section and to make minor adjustments to the service area boundary. The mid-term review is not intended to be a time to consider major policy changes.

a. Types of changes that may be considered as part of the mid-term review:

The following changes to the Boulder Valley Comprehensive Plan may be considered at the mid-term review:

(1) Changes that require approval by the city Planning Board and City Council:

- Land Use Map changes located in Area I subject to the criteria in Section 1.b.(1) above

- Changes to the Master Plan and Program summaries
- Changes to the Urban Service Criteria and Standards
- Changes to the Subcommunity and Area Plan section
-
- Changes in designation of land from Area IIB to Area IIA subject to the criteria in Section 1.b.(2) above

(2) Changes that require approval by the city Planning Board, City Council, County Planning Commission and County Commissioners.

- Changes to the Land Use Map (other than those allowed by city approval in Section 2.a.(1) above)
- Changes to the Plan Amendments section
- Changes to the Land Use Map Description section
- Minor additions or clarifications to the policy section
- Minor Service Area boundary changes subject to the criteria set forth below
- Boulder Valley Planning Area expansions and contractions, i.e., changes to the Area III outer boundary subject to the criteria set forth below.

b. Criteria for minor service area boundary changes and Boulder Valley Planning Area expansions and contractions:

(1) Minor adjustments to the service area boundary

Minor adjustments to the service area boundary are small, incremental service area expansions that create more logical service area boundaries. Changes in designation of land from Area III to Area II may be eligible to be approved as a minor service area boundary adjustment based on the following criteria:

- (a) Maximum size: The total size of the area must be no larger than ten acres.
- (b) Minimum contiguity: The area must have a minimum contiguity with the existing service area of at least 1/6 of the total perimeter of the area.
- (c) Logical Service Area boundary: The resulting Service Area boundary must provide a more logical Service Area boundary (Area III/II), as determined by factors such as more efficient service provision, a more identifiable edge to the urbanized area or neighborhood, a more functional boundary based on property ownership parcel lines or defining natural features.
- (d) Compatibility with the surrounding area and the comprehensive plan: The proposed change of Area III to II must be compatible with the surrounding area as well as the policies and overall intent of the comprehensive plan.
- (e) No major negative impacts: It must be demonstrated that no major negative impacts on transportation, environment, services, facilities, or budget will result from an expansion of the Service Area.
- (f) Minimal effect on land use and growth projections: The proposed change of Area III to II change does not materially affect the land use and growth projections that were the basis of the Comprehensive Plan.
- (g) Minimal effect on service provision: The proposed change of Area III to II does not materially affect the adequacy or availability of urban facilities and services to the immediate area or the overall Service Area of the City of Boulder.
- (h) Minimal effect on the city's Capital Improvements Program: The proposed Area III to II change does not materially affect the adopted Capital Improvements Program of the City of Boulder.
- (i) Appropriate timing: The proposed Area III to II change will not prematurely open up development potential for land that logically should be considered as part of a larger Service Area expansion.

(2) Boulder Valley Planning Area expansions or contractions:

An Area III outer boundary change may be initiated by the city or the county and will be approved only if it is demonstrated that either expansion or contraction of the planning area is needed due to changed circumstances or past error in determining the boundary.

c. Procedures for changes that may be considered as part of the mid-term review:

(1) Prior to the beginning of the mid-term review, the city Planning Department and county Land Use Department will establish a process and schedule for the update. This will include an opportunity for landowners and the general public to submit request for changes to the plan. The schedule and process will be revised as needed during the review process.

(2) For those changes eligible for approval by the city Planning Board and City Council, the city Planning Department will make a referral to the county Land Use Department for comment. For changes to the Land Use Map located in Area I, and changes from Area IIB to Area IIA, the county will have 30 days from the date of receipt of the city's referral to provide written notice to the city if the county finds that the proposed change does not meet the applicable criteria for eligibility. Such finding on the part of the county will require that the requested change be subject to approval by each of the four bodies.

(3) All four approval bodies will hold initial meetings with their staffs to identify changes they wish to be considered as part of the mid-term review. Public attendance is welcomed, but review of public applications will not occur at this time.

(4) Proposed changes from the public, staff and approval bodies will be reviewed by the city Planning Department, which will prepare a recommendation in consultation with the county Land Use Department on whether to include each proposed change in the mid-term review. Determination of whether to include a proposed change will be made based upon:

- (a) consistency with the purposes of the midterm review as described in 3. above,
- (b) available resources to evaluate the proposed change (city and county staffing and budget priorities),
- (c) consistency with current BVCP policies and
- (d) compatibility with adjacent land uses and neighborhood context.

(5) The city Planning Board will consider all requests for changes together with the staff recommendations at a public hearing and will compile a list of proposed changes to be considered during the mid-term review.

(6) Requests for changes to the comprehensive plan that affect an area designated Open Space will be reviewed by the city Open Space Board of Trustees and the county Parks and Open Space Advisory Committee. The board of trustees will make a recommendation prior to any action on that change.

(7) After a list of proposed changes to be considered during that year's review has been determined, the city Planning Department and county Land Use Department will study, seek appropriate public input, and make recommendations concerning proposed changes. The city Planning Board will then initiate the hearings on whether to approve, modify or deny any of the proposed changes.

3. The five-year review

The comprehensive plan will be reviewed at least every five years for possible amendments to reflect changes in circumstances and community desires.

a. Types of changes that may be considered at the five-year review:

Any change to the comprehensive plan may be considered at the five-year review including those that may be considered at other times pursuant to the provisions set forth above. However, certain kinds of changes will be considered only at the five-year review and must be approved by each of the four signatory bodies:

the city Planning Board, City Council, County Planning Commission and County Commissioners. Those include:

- Service area expansions or contractions (changes in the Area II/III boundary) that do not satisfy the criteria for consideration as part of a mid-term review
- Area III-Rural Preservation Area expansions or contractions
- Major changes to policy sections

b. Criteria for approval for Service Area and Area III expansions or contractions:

(1) Service Area expansions (Area III-Planning Reserve to Area II changes)

Following preparation of a service area expansion plan (see Sections 3.c.3 below), the city and county must determine that the proposed change from Area III - Planning Reserve to Area II meets the following criteria:

- (a) Provision of a community need: Taking into consideration an identified range of desired community needs, the proposed change must provide for a priority need that cannot be met within the existing service area.
- (b) Minimum size: In order to cohesively plan and eventually annex by neighborhoods and to build logical increments for infrastructure, it is encouraged that the minimum size of the parcel or combined parcels for Service Area expansion be at least forty acres.
- (c) Minimum contiguity: The parcel or combined parcels for Service Area expansion must have a minimum contiguity with the existing service area of at least 1/6 of the total perimeter of the area.
- (d) Logical extension of the service area: The resulting service area boundary must be a logical extension of the service area. Factors used in making this determination include but are not limited to an efficient increment for extending urban services; a desirable community edge and neighborhood boundary; and a location that contributes to the desired compact urban form.
- (e) Compatibility with the surrounding area and comprehensive plan: The proposed Area III-Planning Reserve area to Area II change must be compatible with the surrounding area and the policies and overall intent of the comprehensive plan.
- (f) No major negative impacts: The Service Area Expansion Plan must demonstrate that community benefits outweigh development costs and negative impacts from new development and that negative impacts are avoided or adequately mitigated. To this end, the Service Area Expansion Plan will set conditions for new development, and it will specify the respective roles of the city and the private sector in adequately dealing with development impacts.
- (g) Appropriate timing for annexation and development: A reasonable time frame for annexation is projected within the planning period after Area III-Planning Reserve area land is brought into the service area.

(2) Service Area contractions (changes from Area II to Area III-Rural Preservation Area)

Proposed changes from Area II to Area III-Rural Preservation Area must meet the following criteria:

- (a) Changed circumstances indicate either that the development of the area is no longer in the public interest, the land has or will be purchased for open space, or, for utility-related reasons, the City of Boulder can no longer expect to extend adequate urban facilities and services to the area within 15 years;

- (b) Any changes in proposed land use are compatible with the surrounding area and the policies and overall intent of the comprehensive plan.

(3) Area III-Rural Preservation Area expansions: Expansion of the Area III-Rural Preservation Area must meet the following criteria:

- (a) There is a desire and demonstrated need for expansion of the Area III-Rural Preservation Area due to changed circumstances, community needs, or new information on land use suitability (e.g., environmental resource or hazard constraints, feasibility of efficient extension of urban services, and compact and efficient urban form).

(4) Area III-Rural Preservation Area to Area III – Planning Reserve

Changes of land from the Area III-Rural Preservation Area to the Area III-Planning Reserve Area must meet the following criteria: There is a demonstrated need for contraction of the Area III-Rural Preservation Area due to changed circumstances, community needs, or new information on land use suitability (e.g., environmental resource or hazard constraints, feasibility of efficient extension of urban services, and compact and efficient urban form); and land to be considered for a change from Area III-Rural Preservation Area to Area III-Planning Reserve must have a minimum contiguity with the Area III-Planning Reserve area or the existing service area (Area I or Area II) of at least 1/6 of the total perimeter of the area.

c. Procedures for the five-year review:

(1) Process and schedule

Prior to the beginning of the five-year review, the city Planning Department and the county Land Use Department will establish a process and schedule for the update. The schedule and process will be revised as needed during the review process. The process will include an opportunity for landowners and the general public to submit requests for changes to the plan. All submittals for proposed changes will be reviewed at initial public hearings. Staff will provide recommendations and the approval bodies will provide direction on which proposals should go forward and which proposals should receive no further consideration. During each five-year review, the city and the county will assess whether or not the service area or the Area III-Rural Preservation Area should be expanded or contracted.

(2) Expansions or contractions of Area III – Rural Preservation Area

Prior to consideration of an expansion of the Area III– Rural Preservation Area or a change from Area III-Rural Preservation Area to Area III Planning Reserve Area, a study will be completed by the city and county demonstrating compliance with the criteria applicable to the proposed change. The city or the county will decide whether to authorize a study of the proposed change after a public hearing is held.

(3) Changes from Area III-Planning Reserve to Area II

During each five-year review, the city and county may assess whether or not sufficient merit exists to authorize a service area expansion plan. The determination of sufficient merit will be based on demonstration that a desired community need cannot be met within the existing service area. If the city and county find that sufficient merit exists, the city and county may authorize a planning effort to develop a joint city county service area expansion plan for the area proposed to be brought into the service area in consultation with Area III property owners and the public. The Service Area Expansion Plan must address the following:

- (a) the types of development needed to meet long term community needs;
- (b) key requirements to ensure compliance with community goals and policies, and to ensure compatibility with the existing development context and surrounding area;
- (c) conceptual land use and infrastructure plan components;

(d) requirements for development impact mitigation and offsets (both on-site and off-site); and

(e) development phasing.

(4) Reinstatement of Area III – Rural Preservation Area back to Area II – Service Area

A property owner that has been moved from Area II to Area III may request that the change be reevaluated under the same procedures and criteria that were used to make such a change for a period ten years after the change was made. Thereafter, such properties will be subject to all of the procedural requirements of this section.

4. Notification

a. Any property owner whose property would be affected by a proposed change in land use designation or by service area expansions, contractions or boundary changes will receive timely written notice that such change or changes will be considered. Planning staff will exert its best efforts to provide such notice within 30 days of receiving a request that is to be considered. However, no hearing to approve or deny any such proposal will be held unless the affected property owner was provided with this written notice at least 30 days prior to the date set for the hearing on the proposed change.

b. General public notice of all proposed changes will be provided in the following manner. The city Planning Department will publish a Comprehensive Plan map indicating where the proposed changes are located and a description of each change in the newspaper at least ten days prior to the first public hearing to consider the proposed changes.

5. Errors

If a discrepancy is found to exist within the Boulder Valley Comprehensive Plan that is clearly a drafting error or a clerical mistake, either the city or the county, after a referral request to the other agency, may correct such error.

III. Land Use Map Descriptions

The Boulder Valley Comprehensive Plan Land Use Map provides a sketch plan of the desired land use pattern in the Boulder Valley. Land use categories include residential, business, industrial, public/semi-public, open space, and park use. The map also shows the location and functional classification of roads. The following descriptions are meant to be used in interpreting the map.

Land Use

Residential Land Use and Densities

Residential land use areas on the Boulder Valley Comprehensive Plan, for the most part, reflect the existing land use pattern or current zoning for an area. The highest density areas are generally located close to the University of Colorado or in areas planned for transit oriented redevelopment. Medium density areas are generally situated near community shopping areas or along some of the major arterials of the city. Mixed density areas surround the downtown and are located in some areas planned for new development. Lower density areas in the older section of the city consist predominantly of single-family detached structures. Many of the areas developed in the city and the county over the last 30 years are characterized by a mixture of housing types ranging from single-family detached to cluster and patio homes, townhouses and apartments. A variety of housing types will continue to be encouraged in developing areas during the planning period of the Comprehensive Plan.

Residential densities under the Comprehensive Plan range from very low density (two units or less per acre); low density (two to six units per acre); medium density (six to 14 units per acre); to high density (more than 14 units per acre). It is assumed that variations of the densities on a small area basis may occur within any particular classification, but an average density will be maintained for that classification.

Additionally, in older downtown neighborhoods that were developed with single family homes but for a time were zoned for higher densities, a variety of housing types and densities are found within a single block. The city's goal is to preserve current neighborhood character and mix of housing types, and not exacerbate traffic and parking problems. Some new housing units may be added. The average density in the downtown neighborhoods designated mixed density is in the medium density range (six to 14 units per acre). The mixed density designation is also applied in some areas planned for new development where the goal is to provide a substantial amount of affordable housing in mixed density neighborhoods that have a variety of housing types and densities. The density in the mixed density designation in newly developing areas is from six to 18 units per acre.

The manufactured housing designation is applied to existing mobile home parks. The intent of the designation is to preserve the affordable housing provided by the existing mobile home parks.

Within certain residential areas, there is also the potential for limited small neighborhood shopping facilities, offices or services through special review.

Mixed Use-Residential development may be deemed appropriate and will be encouraged in some residential areas. These areas may be designated Mixed Use-Residential. In these areas, residential character will predominate, although neighborhood scale retail and personal service

uses will be allowed. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses.

Business Land Use and Intensity

Within the Boulder Valley there are five categories of business land use, based on the intensity of development and the particular needs of the residents living in each subcommunity. The five categories are: Regional, Community, General, Transitional and Mixed Use-Business.

The two major Regional Business areas of the Boulder Valley are the Downtown and the Crossroads Area. Within these areas are located the major shopping facilities, offices, financial institutions, and government and cultural facilities serving the entire Boulder Valley and neighboring communities. These areas will continue to be refurbished and upgraded and will remain the dominant focus for major business activities in the region.

A Community Business area is the focal point for commercial activity serving a subcommunity or a collection of neighborhoods. These are designated to serve the daily convenience shopping and service needs of the local populations and are generally less than 150,000 to 200,000 square feet in area. Offices within the Community Business areas should be offices designated specifically for residents of the subcommunity. Where feasible, multiple uses will be encouraged within these centers.

The General Business areas are located, for the most part, at junctions of major arterials of the city where intensive commercial uses exist. The plan proposes that these areas continue to be used without expanding the strip character already established.

The Transitional Business designation is shown along certain major streets. These are areas usually zoned for less intensive business uses than in the General Business areas, and they often provide a transition to residential areas.

Mixed Use-Business development may be deemed appropriate and will be encouraged in some business areas. These areas may be designated Mixed Use-Business where business or residential character will predominate. Housing and public uses supporting housing will be encouraged and may be required. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses.

Service Commercial areas provide a wide range of community and regional retail and service uses generally not accommodated in core commercial areas and which generally require automotive access for customer convenience and the servicing of vehicles.

Industrial Land Use and Intensity

The Comprehensive Plan projects four classifications of industrial use within the Boulder Valley: General, Community, Light, and Mixed Use-Industrial.

The General Industrial classification is shown where the more intensive and heavy industries are located or planned.

The Community Industrial classification is shown for those areas where the predominant uses provide a direct service to the planning area. These uses often have ancillary commercial activity and are essential to the life of the Boulder community. These uses include smaller scale auto-

related uses, small printing operations, building contractors, building supply warehouses, small manufacturing operations and similar uses.

The industrial uses considered as ‘Light’ on the Comprehensive Plan are primarily research and development, light manufacturing, large scale printing and publishing, electronics, or other intensive employment uses. These uses are concentrated primarily in ‘industrial parks’ located within the Gunbarrel area along the Longmont Diagonal, and along Arapahoe Avenue between 33rd and 55th streets.

Mixed Use-Industrial development may be deemed appropriate and will be encouraged in some industrial areas where industrial character will predominate. Housing compatible with and appropriate to the industrial character will be encouraged and may be required. Neighborhood retail and service uses may be allowed. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses.

Public/Semi-Public Land Use Designations

Public/Semi-Public land use designations encompass a wide range of public and private non-profit uses that provide a community service. This category includes municipal and public utility services such as the municipal airport, water reservoirs, and water and wastewater treatment plants. Public/Semi-Public also includes: educational facilities, including public and private schools and the university; government offices such as city and county buildings, libraries, and the jail; government laboratories; and nonprofit facilities such as cemeteries, churches, hospitals, retirement complexes and may include other uses as allowed by zoning.

Agriculture Land Use Designation

An Agriculture land use designation identifies land in the Service Area that is planned to remain in agricultural use. Uses that are auxiliary to agriculture, such as a home, a barn and outbuildings and the incidental sales of farm or horticultural products are expected on land with this designation. Given the urban nature of Boulder, the designation will be used rarely.

Environmental Preservation

The Environmental Preservation designation includes private lands in Areas I and II with environmental values that the city and county would like to preserve through a variety of preservation methods including but not limited to intergovernmental agreements, dedications, development restrictions, rezonings, acquisitions, and density transfers.

Natural Ecosystem Overlay

In order to encourage environmental preservation, a Natural Ecosystem overlay is applied over Comprehensive Plan Land Use Designations throughout the Boulder Valley Planning Area. Natural ecosystems are defined as areas that support native plants and animals or possess important ecological, biological or geological values that represent the rich natural history of the Boulder Valley. The Natural Ecosystems overlay also identifies connections and buffers that are important for sustaining biological diversity and viable habitats for native species, for protecting the ecological health of certain natural systems, and to buffer potential impacts from adjacent land uses.

A Natural Ecosystems overlay will not necessarily preclude development or human use of a particular area or supersede any other land use designation but will serve to identify certain

environmental issues in the area. The overlay will serve to guide the city and the county in decisions about public acquisition, purchase of development rights or conservation easements, promotion of private land conservation practices, density transfers, rezonings, development review, annexations and initial zonings, rezonings, service area boundary changes, and subcommunity and departmental master planning.

A description of the criteria used to identify lands suitable for a Natural Ecosystems designation can be found in the environmental resources element of the plan on the web at: www.bouldervalleycompplan.net.

Open Space and Parks

Open Space

Open Space designations on the Boulder Valley Comprehensive Plan Map include the following three categories of land:

Open Space - Acquired: Land already acquired by the city or Boulder County for open space purposes;

Open Space - Development Restrictions: Privately owned land with conservation easements or other development restrictions; and

Open Space - Other: Other public and private land designated prior to 1981 that the city and county would like to preserve through various preservation methods including but not limited to intergovernmental agreements, dedications or acquisitions.

Open Space designations are not intended to limit acquisition, but to be indicative of the broad goals of the program. Other property that meets Open Space purposes and functions should be considered and may be acquired. Open Space designations indicate that the long-term use of the land is planned to serve one or more open space functions. However, Open Space designations may not reflect the current use of the land while in private ownership.

Urban and Other Parks

Urban and Other Parks includes public lands used for a variety of active and passive recreational purposes. Urban parks provided by the city include pocket parks, neighborhood parks, community parks and city parks as defined in the *Parks and Recreation Master Plan*. The specific characteristics of each park depend on the type of park, size, topography and neighborhood preferences. Neighborhood parks typically provide a children's playground, picnic facilities, benches, walkways, landscaped areas and multi-use open grass areas. Other park uses may include recreational facilities such as basketball or tennis courts, community gardens and natural areas. There are three community park sites (Harlow Platts, East Boulder and Foothills) that are fully or partially developed. Large multi-use city parks are planned for two locations: 1) the Valmont Park site and 2) the Area III - Planning Reserve site, which will be held to meet future recreational needs. The Boulder Reservoir is a regional park that provides opportunities for fishing, swimming, boating, picnicking, etc. Other public recreational facilities, including city recreation centers, a golf course, swimming pools, ballfields, and the Eldorado Canyon State Park are also included in this category.

Part 3:
REQUESTS
(including staff review and
original submitted requests)

AREA I AND AREA II ENCLAVES:

15 Requests

1)

**2130 Arapahoe Ave.
(Naropa University) –
*HR to PUB***

&

**6287 Arapahoe Ave.
(Naropa University) –
*CI to CB***

Request #1**2130 & 6287 Arapahoe Ave.**

Initiated by owner (Naropa University)

Request:

1) Change the BVCP land use designation of 2130 Arapahoe Ave. from High Density Residential (HR) to Public (PUB) and 2) change the BVCP land use designation of 6287 Arapahoe Ave. from Community Industrial (CI) to Community Business (CB).

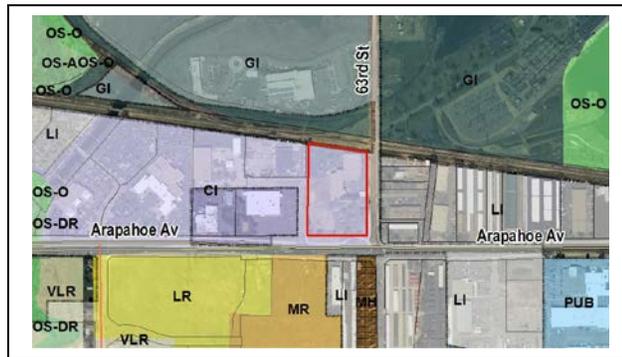


2130 Arapahoe

Staff Recommendation: Yes

Staff recommends that this request be considered further as part of the 2015 BVCP major update for the following reasons:

1. The requested land use designation change should be considered further relative to the forthcoming master plan for Naropa University and the update to the comprehensive plan.
2. The request is consistent with current BVCP policies.



6287 Arapahoe

ANALYSIS:**1.) Consistent with the purposes of the major update?**

Yes. This is a land use designation change request, which is consistent with the purposes of the BVCP major update.

2.) Consistent with current policies in the BVCP or relevant subcommunity or area plans?

With respect to 2130 Arapahoe Ave., the request is consistent with *Policy 5.17 – Diverse Workforce, Education and Training* to “support the Boulder Valley School District as well as the variety of post-secondary educational institutions to offer quality continuing education . . .”

With respect to 6287 Arapahoe Ave., the request is consistent with numerous BVCP policies. *Policy 5.01 - Revitalizing Commercial and Industrial Areas* identifies the East Boulder Industrial Area as an example of an identified area for revitalization. In addition, *Policy 2.22 - Improve Mobility Grid* calls for supporting parts of the city in need of connectivity and mobility, including East Boulder, through coordinated land use and transportation planning. The requested land use change would allow for an increased range of uses for the community, which in turn could generate more activity in the area and thus support prospective transportation improvements along East Arapahoe.

3.) Compatible with adjacent land uses and neighborhood context?

The compatibility of the requested land use changes needs further analysis. The land use and zoning designations on these properties have created challenges for the evolving uses of Naropa University as a post-secondary educational institution. The future uses of the university, as addressed through their

master planning process, and the compatibility of these uses with adjacent land uses and neighborhood context should be considered as part of next phase of BVCP land use amendment process.

4.) Was the proposed change requested or considered as part of a recent update to the Comp Plan or other planning process?

No. However, Naropa University is currently undergoing a master planning process.

5.) Is there any change in circumstances, community needs, or new information that would warrant the proposal be considered as part of this update?

Naropa University is over-programmed for its current space and is therefore considering its future planning needs.

6.) Are there enough available resources to evaluate the proposed change (city and county staffing and budget priorities)?

Yes. Staff does not anticipate that the evaluation of this request will require substantial resources. The master planning process that Naropa University is currently undertaking will serve as the foundation for review of the proposed land use designation changes.



OUR LEGACY. OUR FUTURE.

BOULDER VALLEY COMPREHENSIVE PLAN



BOULDER VALLEY COMPREHENSIVE PLAN 2015 MAJOR UPDATE : REQUEST FOR REVISION

1) Type of Amendment (check all that apply):

- Land Use Map Amendment
- Changes to the Area II/III boundary
- Service Area contractions or Minor Changes to the Service Area Boundary
- Other Map Amendment

2) Please provide the following information

a. Brief description of the proposed amendment:

consider each of five properties from Maropa relative to future planning needs -

b. Brief reason or justification for the proposed amendment:

changes to facilitate city's policies regarding educational inst. + Maropa's operations in their current locations.

a. Map(s) proposed for amendment: *see addresses*

b. Brief description of location of proposed amendment:

Staff note: upon further discussion with Naropa University, three of the five properties were withdrawn from this process. 2130 and 6287 Arapahoe Ave. are the remaining properties for consideration of this request.

Section: _____ Township: _____ Range: _____

c. Size of parcel: _____



**OUR LEGACY.
OUR FUTURE.**
BOULDER VALLEY COMPREHENSIVE PLAN



3) Applicant:

Name: Maropa - see attached email

Address: Aaron Cook.

Phone: _____

4) Owner:

Name: Maropa

Address: _____

Phone: _____

5) Representative/Contact:

Name: see attached

Address: _____

Phone: _____

6) Does the applicant have a development application or some interest in a property that in any manner would be affected by this amendment proposal? (If yes, please explain):



CITY OF BOULDER
Planning and Development Services

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

Parcel Summary Report For Parcel # 0005465

Property Address: 2106 ARAPAHOE AV
 2108 ARAPAHOE AV
 2110 ARAPAHOE AV
 2112 ARAPAHOE AV
 2114 ARAPAHOE AV
 2116 ARAPAHOE AV
 2118 ARAPAHOE AV
 2120 ARAPAHOE AV
 2122 ARAPAHOE AV
 2124 ARAPAHOE AV
 2126 ARAPAHOE AV
 2128 ARAPAHOE AV
 2130 ARAPAHOE AV
 2132 ARAPAHOE AV
 2134 ARAPAHOE AV
 2136 ARAPAHOE AV
 2138 ARAPAHOE AV
 2140 ARAPAHOE AV
 2142 ARAPAHOE AV
 2144 ARAPAHOE AV
 2146 ARAPAHOE AV
 2148 ARAPAHOE AV
 2150 ARAPAHOE AV
 2104 ARAPAHOE AV
 2100 ARAPAHOE AV
 2106 ARAPAHOE AV

Property Owner: NAROPA UNIVERSITY

City of Boulder Information

[Cases, including Building Permits, Associated with Parcel Number 0005465](#)

[GIS Map of Property](#)

Property Tags: 2003Transportation Master Plan
 Please refer to the 2003 Transportation Master Plan for future infrastructure requirements that may apply to this property. Consult city transportation staff with questions or clarification.

Floodplain

Historic Preservation Easement
 CHS Exterior Easement-Exterior restoration, until 2055.
 Contact Historic Preservation planner for more info.

Individual Landmark
 Lincoln School, Landmark 89-8, 10/03/1989

Previous Review

Water/Wastewater Requirement
 There is an existing City water main within the property which does not appear to be located within an easement. An easement should be obtained through future review.

-continued on next page-



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Parcel Summary Report For Parcel # 0511258

Property Address: 3285 30TH ST

Property Owner: NAROPA UNIVERSITY

City of Boulder Information

[Cases, including Building Permits, Associated with Parcel Number 0511258](#)

[GIS Map of Property](#)

Property Tags: 2003Transportation Master Plan
 Please refer to the 2003 Transportation Master Plan for future infrastructure requirements that may apply to this property. Consult city transportation staff with questions or clarification.

Previous Review

Transportation Network Plan

Please refer to the North 28th Street Network Plan for future infrastructure that may apply to this property. Consult city transportation staff with questions or clarification.

Zoning: Business - Community 1 / BC-1

BVCP Land Use: Community Business / CB

Subcommunity: Crossroads

Additional BVCP Land Use: High Density Residential / HR

City Neighborhood: NONE IDENTIFIED

BVCP Area: Area I

Quarter Sect. : N05W04

Previous City Land Use Review: TEC2006-00018, ADR2006-00061

Census Tract: 12203

Census Block: 1028

Approximate Parcel Area (in square feet)* : 83400

*Area is calculated from GIS graphic data, and does not represent legal surveys or plats.

Property Flood Plain Information

City:

Federal FEMA:

Boulder County Assessor Information

[Boulder County Assessor Web Site](#)

Full Legal Description: LOT 1C DIAGONAL PLAZA LOT LINE ADJUSTMENT TOTAL 1.88AC

-continued on next page-



CITY OF BOULDER
Planning and Development Services

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 phone 303-441-1880 • fax 303-441-4241 • web boulderplandevlop.net

Parcel Summary Report For Parcel # 0001493

Property Address: 1900 GOSS ST

Property Owner: NAROPA UNIVERSITY

City of Boulder Information

[Cases, including Building Permits, Associated with Parcel Number 0001493](#)

[GIS Map of Property](#)

Property Tags: 2003Transportation Master Plan

Please refer to the 2003 Transportation Master Plan for future infrastructure requirements that may apply to this property. Consult city transportation staff with questions or clarification.

Floodplain

RHL Occupancy Before Rezoning

In 2002, the Zoning Inspector, Jay Dunlap, researched city records and determined the property is allowed more dwelling units or greater occupancies than allowed by current zoning. The information is available on RHL-0000874. To obtain the archived data, contact Planning and Development Services/Information Resources.

Zoning: Residential - High 2 / RH-2

BVCP Land Use: High Density Residential / HR

Subcommunity: Central Boulder

Additional BVCP Land Use:

City Neighborhood: GOSS GROVE

BVCP Area: Area I

Quarter Sect. : N03W05

Previous City Land Use Review:

Census Tract: 12202

Approximate Parcel Area (in square feet)* : 32300

Census Block: 3010

*Area is calculated from GIS graphic data, and does not represent legal surveys or plats.

Property Flood Plain Information

City: 100 Year

Federal FEMA: 100 Year

-continued on next page-



CITY OF BOULDER
Planning and Development Services

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

Parcel Summary Report For Parcel # 0506638

Property Address: 6287 ARAPAHOE RD

Property Owner: NAROPA UNIVERSITY

City of Boulder Information

[Cases, including Building Permits, Associated with Parcel Number 0506638](#)

[GIS Map of Property](#)

Property Tags: 2003Transportation Master Plan
 Please refer to the 2003 Transportation Master Plan for future infrastructure requirements that may apply to this property. Consult city transportation staff with questions or clarification.

Prairie Dog Habitat

The prairie dog parcel tag identifies properties with potential prairie dog habitat. B.R.C. sections 6-1-11 and 6-1-12 prohibit the destruction of prairie dogs or their burrows. Building or grading permits for properties with this tag must not be issued until the property has been inspected for possible occurrence of prairie dogs or prairie dog burrows and the property is cleared. Please see Bev Johnson for clearance.

Zoning: Industrial - General / IG

BVCP Land Use: Community Industrial / CI

Subcommunity: East Boulder

Additional BVCP Land Use:

City Neighborhood: NOT APPLICABLE

BVCP Area: Area I

Quarter Sect. : N03E02

Previous City Land Use Review:

Census Tract: 12707

Approximate Parcel Area (in square feet)* : 222000

Census Block: 1071

*Area is calculated from GIS graphic data, and does not represent legal surveys or plats.

Property Flood Plain Information

City:

Federal FEMA:

Boulder County Assessor Information

[Boulder County Assessor Web Site](#)

Full Legal Description: TRACTS 929A & 929E LESS E 20.5 FT 27-1N-70 5.27 ACS M/L 100% EXEMPT DPT 07-01494-12

-continued on next page-

Ellis, Lesli

From: Todd Kilburn [REDACTED]
Sent: Friday, October 2, 2015 2:48 PM
To: Ellis, Lesli
Cc: Aaron Cook
Subject: Thank you for the call

Lesli,

Thanks for the conversation today. We greatly appreciate your willingness to submit the following properties to the City for review of the comprehensive plan:

Arapahoe Campus, 2130 Arapahoe Avenue, Boulder, CO 80302 (2106 Naropa) zoning RH-1 HR
Arapahoe Campus, 2111 Arapahoe Avenue, Boulder, CO 80302 RH-2, HR
Nalanda Campus, 6287 Arapahoe Avenue, Boulder, CO 80303 EI, IG
Paramita Campus, 3285 30th Street, Boulder, CO 80301 CB, ~~BC~~ BC-1
Snow Lion Apartments, 1900 Goss Street, Boulder, CO 80302 RH-2, HR

If there is anything more you need from us, please let me know. We will work to set up meetings in October and November and will provide what maps we have prior to those meetings.

Best,
Todd

Todd J. Kilburn
Vice President for Business Affairs and Chief Financial Officer
Naropa University
[REDACTED]
Boulder, CO 80302
Phone: [REDACTED]
www.naropa.edu

would like "public" on main campus + maybe 2111 Arapahoe.
will set up further meetings to discuss.
Brian Bowen is working with Naropa on a master plan.
Charles has a file in his office - should probably be involved as we move forward.

PHASE 1	
EXISTING CAMPUS CONSTRUCTION	39,401 OSF
NEW CONSTRUCTION	
19. ADMINISTRATION BUILDING	18,560 OSF
(PHASE 1 DEMOLITION)	-3,362 OSF
NET CONSTRUCTION GAIN	15,198 OSF
PHASE 1 FINAL CONSTRUCTION AREA (MAIN CAMPUS)	64,653 OSF
(AUXILIARY/SUPPORT)	(9,766 OSF)
FOR PARKING CALCULATION PURPOSES, AREAS BEHIND FOR DECK ARE VEGETATION, ROADS, BATHROOMS AND STAIRWELLS.	
TOTAL NET MAIN CAMPUS AREA	45,887 NSF
26. 2111 ARAPAHOE	6,667 NSF
TOTAL NET CAMPUS AREA	52,554 NSF

PARKING	
PHASE 1 PARKING SPACES REQUIRED (300 SF PLAN GRADE)	213 SPACES
PHASE 2 PARKING SPACES PROVIDED (INCLUDES 22 SPACES @ 2111 ARAPAHOE)	137 SPACES
PHASE 2 PARKING REDUCTION REQUESTED	36%
PARKING REDUCTION INCLUDING 24 SPACES @ THE DAIRY QUEEN	23%

SEE ATTACHED ALTERNATIVE TRANSPORTATION STRATEGY AND NARRATIVE.

LANDSCAPE @ PARKING	
NEW PARKING LOT AREA	13,085 SF
5% INTERNAL LANDSCAPING REQUIRED	654 SF
INTERNAL LANDSCAPING PROVIDED	696 SF

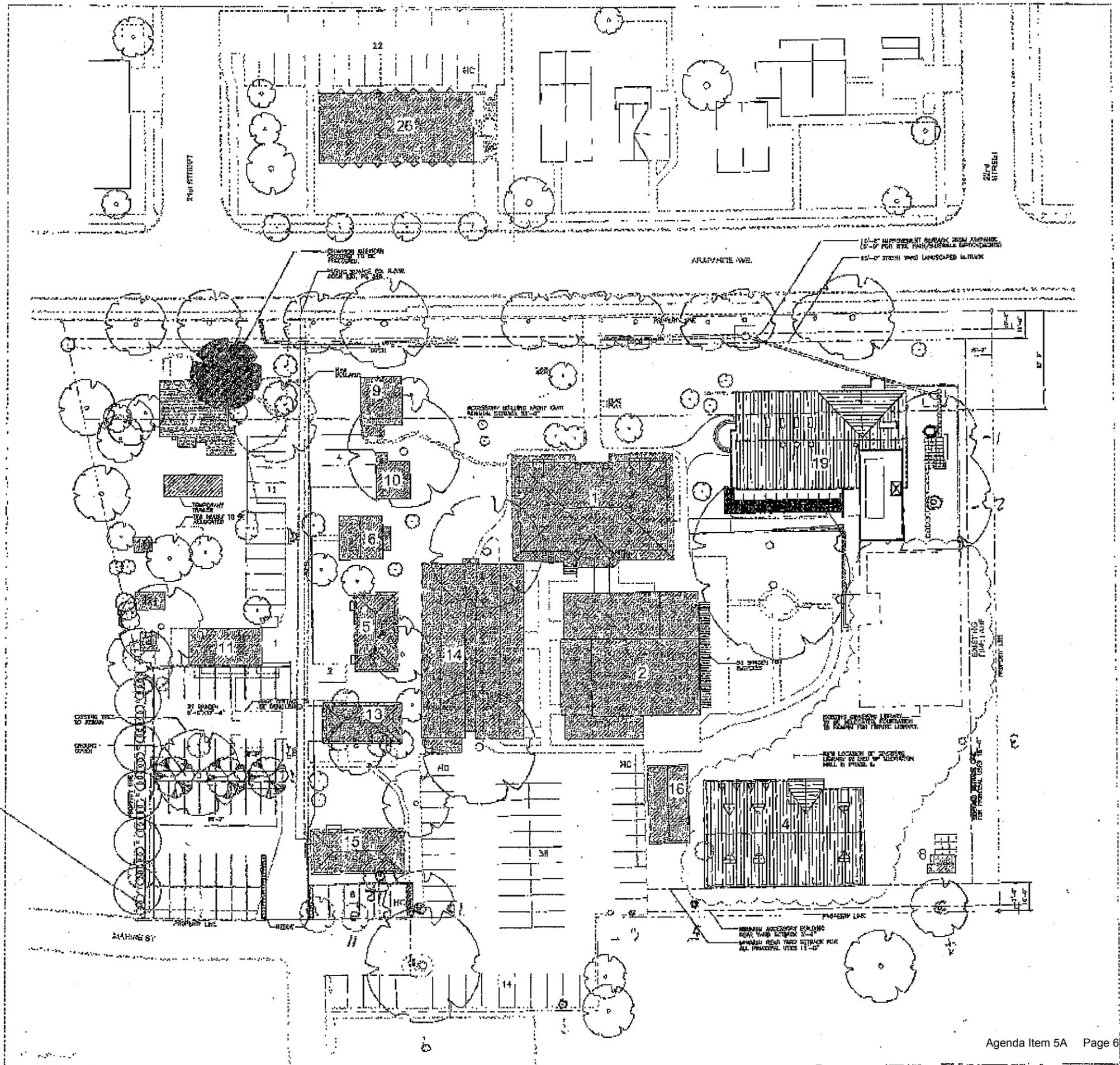
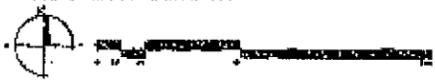
HEDGE WITH TREES PROVIDED @ WEST PROPERTY LINE FOR ENTIRE LANDSCAPE PLAN REFER TO SHEET 1A.

SEE ENLARGED, ATTACHED, PARKING PLAN FOR LAYOUT OF GRASS CRETE PARKING SPACES AND DRIVE SURFACES.

PHASE II LANDSCAPE LOCATED LAST (SOUTHERN) TREE @ ISLAND. SEE SHEET D.

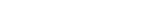
SITE AREA (ARAPAHOE CAMPUS)	156,387 OSF
BUILDING FOOTPRINT AREA	37,593 OSF
BUILT SITE AREA	22.8 %

PHASE 1
THE NAROPA INSTITUTE
ARCHITECTURE/INTERIOR
06 JULY 1998



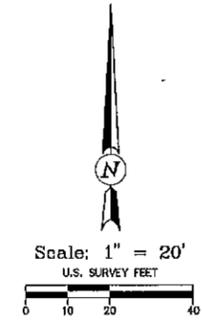
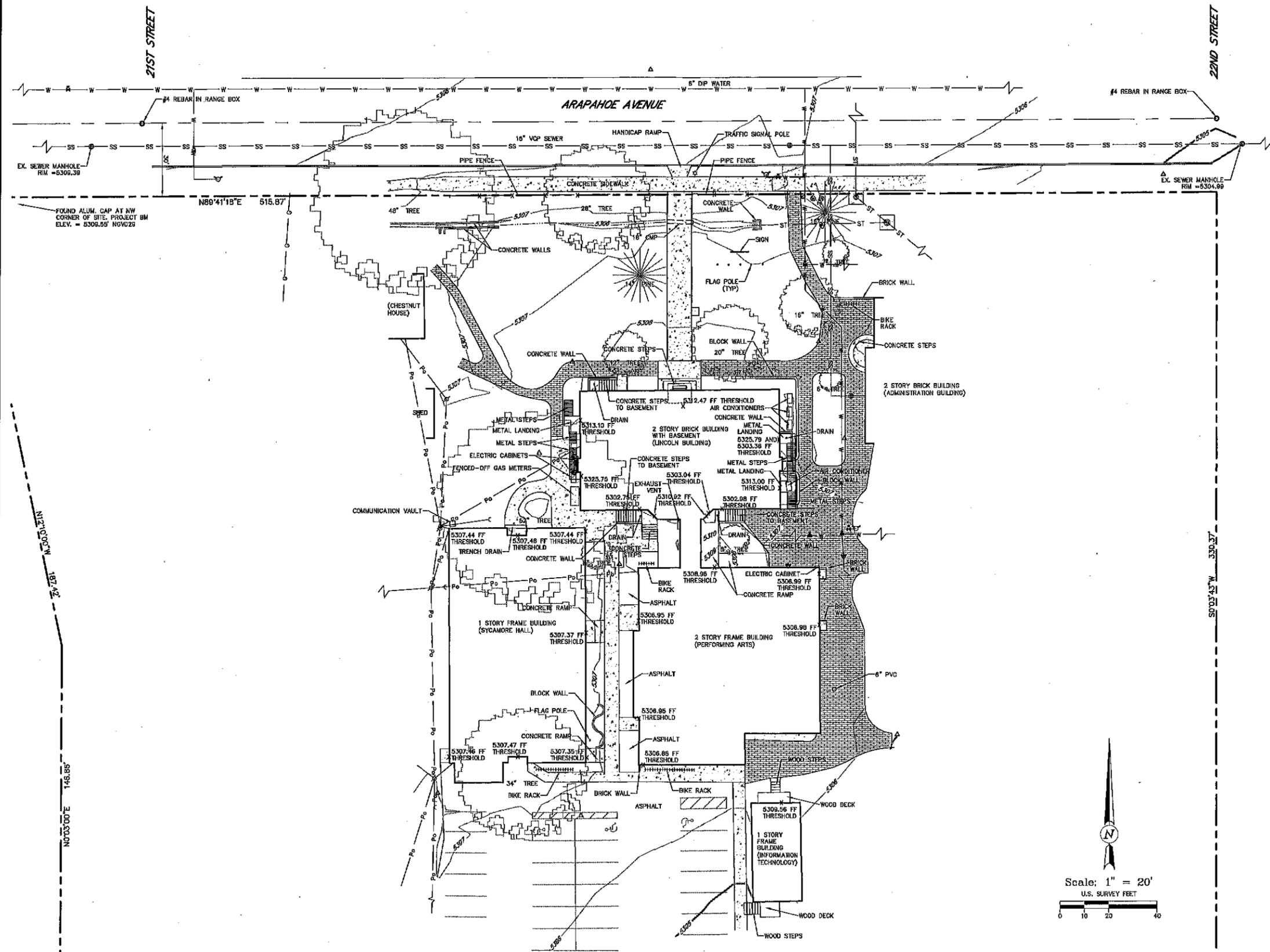
328

LEGEND

-  EXISTING DECIDUOUS TREE
-  EXISTING PINE TREE
-  EXISTING CONTOUR
-  EXISTING BOUNDARY LINE
-  EXISTING SWALE
-  FOUND MONUMENT AS NOTED
-  EXISTING ELECTRIC METER
-  EXISTING WATER VALVE
-  EXISTING BLOW OFF VALVE
-  EXISTING WATER METER
-  CONTROL POINT
-  EXISTING POWER POLE
-  EXISTING LIGHT POLE
-  EXISTING FIRE HYDRANT
-  EXISTING FENCE
-  EXISTING OVERHEAD POWER LINE
-  EXISTING GAS LINE
-  EXISTING SANITARY SEWER W/MANHOLE
-  EXISTING WATER W/FIRE HYDRANT

NOTES

1. BENCH MARK: CITY OF BOULDER P-405-11 FOUND A CUT "I" ON TOP OF CURB LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF ARAPAHOE AVENUE AND 19TH STREET. ELEVATION = 5315.55 NGVD29 PER CITY OF BOULDER.
2. THIS TOPOGRAPHIC SURVEY IS NOT AN "IMPROVEMENT SURVEY PLAT OR "LAND SURVEY PLAT". NO BOUNDARY DETERMINATIONS HAVE BEEN MADE, OR TITLE SEARCHES PREPARED. BOUNDARY SHOWN IS BASED ON LS-07-0111 BY EHRHART GRIFFIN & ASSOC. AND PER FOUND MONUMENTS AS SHOWN.
3. THE LOCATION OF THE ABOVE GROUND UTILITIES SHOWN HEREON ARE BASED ON THE FIELD SURVEY BY SCOTT, COX & ASSOCIATES, INC. THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON SAID SURVEY AND INFORMATION PROVIDED BY OTHERS (WHICH MAY INCLUDE THE UTILITY OWNER OR UTILITY LOCATING SERVICES). SCOTT, COX & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR UTILITY INFORMATION PROVIDED BY OTHERS. SCOTT, COX & ASSOCIATES, INC. RECOMMENDS THAT THE LOCATION OF THE UTILITIES BE FIELD VERIFIED PRIOR TO ANY DIGGING ON, OR ADJACENT TO THE SUBJECT PROPERTY.
4. THE TREES IDENTIFIED ON THIS DRAWING MAY REPRESENT A SINGLE TREE OR THE CENTRAL POINT WITHIN A CLUSTER OF OTHER, SMALLER TREES. WHILE AN EFFORT WAS MADE TO LOCATE ALL TREES WITHIN THE CLIENT'S DIRECTED PARAMETERS, NO GUARANTEE IS PROVIDED THAT ALL TREES WITHIN THESE PARAMETERS HAVE BEEN LOCATED.
5. THIS DRAWING IS BASED ON A FIELD SURVEY COMPLETED ON 01/11/13.
6. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE SHOWN HEREON. CRS-13-80-105(3)c.



TOPOGRAPHIC MAP
NAROPA UNIVERSITY
 2130 ARAPAHOE AVENUE
 BOULDER, COLORADO

		SCOTT, COX & ASSOCIATES, INC. consulting engineers • surveyors 1930 55th Street • Boulder, Colorado 80303 (303) 444 - 3021			
Designed by	AJB	Date	01/21/13	Scale	1"=20'
Drawn by	JAS	Revision		Description	13125A-1
Checked by	AJB	Date		Date	13125A
					Project no.
					13125A
					Page 604

IMPROVEMENT SURVEY PLAT

A PARCEL LOCATED IN THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO

TITLE NOTES:

TITLE REPORT FILE NUMBER 515-F0476414-170-TVD PREPARED BY FIDELITY NATIONAL TITLE COMPANY DATED MAY 5, 2014 WAS RELIED UPON EXCLUSIVELY FOR RECORDED EASEMENTS, RIGHTS-OF-WAY, AND OTHER ENCUMBRANCES DURING THE PREPARATION OF THIS PLAT.

SCHEDULE B-SECTION 2 EXCEPTIONS:

ITEMS 1-8 STANDARD EXCEPTIONS:

ITEM 9, BOOK 837, PAGE 545 (R#471740)-THIS DOCUMENT DESCRIBES A PSCO GAS LINE EASEMENT. THE DOCUMENT DESCRIBES BY METES AND BOUNDS THE CENTERLINE OF THE EASEMENT BUT DOES NOT DESCRIBE A WIDTH OF THE EASEMENT. THE CENTERLINE IS SHOWN HEREON BY THE METES AND BOUNDS DESCRIPTION; HOWEVER, THE DOCUMENT CONTAINS THE PHRASE "ALONG A COURSE AS SAID LINE MAY BE HEREAFTER CONSTRUCTED" AND "MORE OR LESS IN A DRIVEWAY EXTENDING FROM ARAPAHOE TO MARINE STREET". THE UNDERGROUND GAS LINE AS MARKED IS ALSO SHOWN ON THE TOPOGRAPHIC PORTION OF THIS SURVEY. THE MARKED UNDERGROUND GAS LINE DOES NOT COINCIDE WITH THE METES AND BOUNDS CENTERLINE LOCATION.

ITEM 10, FILM 872, R#122516-THIS DOCUMENT DESCRIBES A JOINT USE AGREEMENT FOR A PLAYFIELD; HOWEVER, THE LOCATION OF THE PLAYFIELD IS NOT DESCRIBED IN THE DOCUMENT AND THEREFORE CANNOT BE SHOWN HEREON.

ITEM 11, FILM 1469, R#828293 & #934152-THIS DOCUMENT TRANSFERS PARCELS I, II & III OF THE SUBJECT PROPERTY SUBJECT TO CERTAIN CONDITIONS WHICH CANNOT BE SHOWN GRAPHICALLY HEREON.

ITEM 12, FILM 1536, R#029839-THIS DEVELOPMENT AGREEMENT APPLIES TO PARCEL IV AS SHOWN HEREON.

ITEM 13, FILM 1591, R#999199-THIS DOCUMENT DESCRIBES A 14' CITY OF BOULDER EASEMENT FOR A PUBLIC PEDESTRIAN AND BICYCLE EASEMENT WHICH IS SHOWN HEREON.

ITEM 14, FILM 1596, R#1008167-THIS DEVELOPMENT AGREEMENT APPLIES TO PARCEL IV AS SHOWN HEREON.

ITEM 15, FILM 1599, F#1009297 (ORDINANCE 0235)-THIS DOCUMENT DESIGNATES LANDMARK STATUS ON THE LINCOLN BUILDING SHOWN ON THIS SURVEY ALONG WITH AN AREA SHOWN HEREON BETWEEN THE NORTH FACADE OF THE LINCOLN BUILDING AND ARAPAHOE AVENUE. HOWEVER, SINCE A MORE DETAILED DESCRIPTION OF WHAT CONSTITUTES THE LINCOLN BUILDING (I.E. BRICK FACE, FIRE ESCAPES, CONCRETE STEPS, ETC.) IS NOT INCLUDED, ONLY THE AREA BETWEEN THE NORTH FACADE AND ARAPAHOE AVENUE HAS BEEN SHOWN HEREON ALONG WITH THE BUILDING FOOTPRINT.

ITEM 16, FILM 1607, R#1018682-THIS DOCUMENT DESCRIBES A CITY OF BOULDER ACCESS EASEMENT FOR MAINTENANCE OF A SANITARY SEWER AND IS SHOWN HEREON.

ITEM 17, FILM 1810, F#1279227-THIS DEVELOPMENT AGREEMENT APPLIES TO PARCEL IV AS SHOWN HEREON.

ITEM 18, FILM 1848, R#1316177-THIS DOCUMENT DESCRIBES A CITY OF BOULDER BUS SHELTER EASEMENT. HOWEVER, SINCE THIS EASEMENT WAS CONVEYED, THE PROPERTY UPON WHICH THE EASEMENT LIES HAS BEEN CONVEYED TO THE CITY OF BOULDER VIA R#2045797, THEREFORE IT NO LONGER LIES UPON THE SUBJECT PROPERTY AS IT CURRENTLY EXISTS. FURTHERMORE, BY THE DOCTRINE OF MERGER, THIS EASEMENT MAY NO LONGER EXIST.

ITEM 19, R#2038420-THIS DEVELOPMENT AGREEMENT APPLIES TO PARCELS I, II, III & IV AS SHOWN HEREON.

ITEM 20, R#2045796-THIS DOCUMENT DESCRIBES A 17' CITY OF BOULDER ACCESS EASEMENT WHICH IS SHOWN HEREON.

ITEM 21, R#2194619-THIS UCC FINANCING STATEMENT APPLIES TO PARCELS I, II, III & IV AS SHOWN HEREON.

ITEM 22, R#3351049-THIS DEED OF TRUST DESCRIBES PARCELS I, II, III & IV (WHICH ARE SHOWN HEREON) IN EXHIBIT A ALONG WITH ADDITIONAL PARCELS.

ITEM 23, R#3351050-THIS ASSIGNMENT OF LEASES AND RENTS DESCRIBES PARCELS I, II, III & IV (WHICH ARE SHOWN HEREON) IN EXHIBIT A ALONG WITH ADDITIONAL PARCELS.

BOUNDARY NOTES:

1. BASIS OF BEARINGS FOR THIS PLAT IS SOUTH 89°32'07" WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 31 BETWEEN THE FOUND MONUMENTS AS SHOWN.

2. THERE IS A CONSTRUCTION PROJECT CURRENTLY UNDERWAY ALONG ARAPAHOE ROAD. THE MONUMENTS INDICATED BY THE SYMBOL WERE RECOVERED AND LOCATED AT THE COMMENCEMENT OF THIS AND OTHER RELATED PROJECTS. SUBSEQUENTLY THESE MONUMENTS HAVE BEEN OBLITERATED BY THE ONGOING CONSTRUCTION. THIS NOTE, THE SYMBOLS, AND THE GEOMETRY FOR THE REFERENCED MONUMENTATION IS INCLUDED AS A SERVICE AND FOR CONTINUITY OF LOCATIONS. ALL MONUMENTATION DIRECTLY RELATED TO THIS PROPERTY HAS BEEN FOUND OR SET. THESE MONUMENTS ARE SCHEDULED FOR REPLACEMENT AFTER THE CONSTRUCTION PROJECT IS COMPLETED.

3. THE ABOVE MENTIONED CONSTRUCTION ACTIVITY CONTINUES TO ALTER THE SIDEWALKS ALONG ARAPAHOE AVENUE OUTSIDE THE LIMITS OF THE SUBJECT PROPERTY. THE SIDEWALKS ARE SHOWN AS OF THE DATE OF THE FIELD WORK LOCATING THEM AND MAY HAVE BEEN ALTERED BETWEEN THAT TIME AND THE COMPLETION OF THIS SURVEY.

4. THE CURRENT RECORD DESCRIPTION IS SHOWN HEREON BUT DOES NOT INCLUDE THE EXCEPTION OF A 10' STRIP CONVEYED TO THE CITY OF BOULDER BY SPECIAL WARRANTY DEED RECORDED MAY 17, 2000 AS RECEPTION #2045797. THIS EXCEPTION IS; HOWEVER, INCLUDED IN THE LEGAL DESCRIPTION WITHIN THE TITLE REPORT.

5. ADJOINER OWNER INFORMATION WAS TAKEN FROM THE BOULDER COUNTY EMAPPING WEBSITE.

6. ALL MEASUREMENTS ARE IN US SURVEY FEET.

TOPOGRAPHY NOTES:

1. DIRT, GRAVEL AND LANDSCAPED WALKS AND DRIVES ARE NOT DELINEATED.

2. IRRIGATION STRUCTURES (CONTROL BOXES, SPRINKLER HEADS) AND UNDERGROUND IRRIGATION LINES ARE NOT SHOWN.

3. LANDSCAPING AREAS ARE NOT DELINEATED.

4. THE ENTIRETY OF THE SUBJECT PROPERTY (PARCELS I, II, III, & IV) LIES WITHIN THE 100 YEAR FLOOD PLAIN IN ZONES AO & AE ACCORDING TO FEMA NFIP FLOOD PANEL DB013C0394J DATED DECEMBER 18, 2012 AND CONFIRMED BY BOULDER COUNTY'S EMAPPING WEBSITE.

5. THE IMPROVEMENTS SHOWN ON THIS PLAT WERE LOCATED BY A COMBINATION OF AERIAL PHOTOGRAMMETRY AND CONVENTIONAL GROUND LAND SURVEYING METHODS. THE CONTOURS AND SPOT ELEVATIONS WERE ALL TAKEN FROM THE AERIAL PHOTOGRAMMETRY. THE BUILDING HEIGHTS WERE ALL FIELD MEASURED USING CONVENTIONAL LAND SURVEYING METHODS.

PROPERTY DESCRIPTION:

FILM 1459, RECEPTION #828293 RECORDED ON 2/20/87.

PARCEL I:

A PORTION OF THE NORTH 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 1008.5 FEET WEST AND 30 FEET SOUTH FROM THE NORTHEAST CORNER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.; THENCE SOUTH 380 FEET; THENCE WEST 203 FEET; THENCE NORTH 300 FEET; THENCE EAST 203 FEET TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE REGENTS OF THE UNIVERSITY OF COLORADO BY DEED RECORDED DECEMBER 1, 1974 ON FILM 874 AS RECEPTION NO. 124686.

PARCEL II:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF TRACT 174 (BEING MORE FULLY DESCRIBED IN DEED RECORDED IN BOOK 263 AT PAGE 331), CITY OF BOULDER, BOULDER COUNTY, COLORADO; THENCE SOUTH 89°41' WEST ALONG THE SOUTH LINE OF SAID TRACT 174 A DISTANCE OF 100.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°41' WEST A DISTANCE OF 160.00 FEET; THENCE SOUTH 0°03' WEST A DISTANCE OF 20 FEET; THENCE NORTH 89°41' EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 0°03' EAST A DISTANCE OF 20.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL III:

LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 3, ARAPAHOE PARK ADDITION, CITY OF BOULDER, COUNTY OF BOULDER, STATE OF COLORADO, TOGETHER WITH THAT PORTION OF VACATED 23RD STREET, MARINE STREET AND ALLEY IN BLOCK 3 ALL BEING IN ARAPAHOE PARK ADDITION, AS VACATED BY ORDINANCE NO. 1177, DATED MARCH 1, 1927, THAT REVERTS TO SAID LAND BY OPERATION OF LAW, COUNTY OF BOULDER, STATE OF COLORADO.

FILM 1415, RECEPTION #78750 RECORDED ON 06/24/88. (PARCEL IV.)

A TRACT OF LAND IN THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 70 WEST OF THE 6TH P.M.; THENCE WEST 1299.5 FEET, TO A POINT; THENCE SOUTH 30 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SECTION 31 A DISTANCE OF 330 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SECTION 31 A DISTANCE OF 152 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE SAID SECTION 31 A DISTANCE OF 146.79 FEET; THENCE NORTH 12 10' WEST A DISTANCE OF 187.42 FEET, TO A POINT 30 FEET SOUTH OF THE NORTH LINE OF THE SAID SECTION 31; THENCE EAST A DISTANCE OF 191.5 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PROPERTY ADDRESS:

2100, 2108 & 2130 ARAPAHOE AVENUE, BOULDER, COLORADO 80302

GENERAL NOTES:

1. ACCORDING TO COLORADO STATE LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. PER THE CLIENT'S REQUEST, VISIBLE EVIDENCE TOGETHER WITH MARKED UTILITY LOCATIONS ARE SHOWN. THE LOCATION AND ALIGNMENT OF BURIED UTILITIES WAS BASED ON BOTH VISIBLE SURFACE EVIDENCE AND SURFACE MARKINGS PLACED BY THE UTILITY COMPANY OR A PRIVATE UTILITY LOCATING SERVICE. THESE MARKINGS ARE ±18" FROM THE TRUE LOCATIONS. ZENITH LAND SURVEYING, INC. CAN MAKE NO WARRANTY, EXPRESSED OR IMPLIED, THAT ALL BURIED UTILITIES ARE SHOWN OR THAT THOSE SHOWN WERE ACCURATELY MARKED. ZENITH LAND SURVEYING, INC. RELIED UPON THE EXPERTISE OF THE LOCATING TECHNICIAN TO PROPERLY AND ACCURATELY MARK ALL BURIED UTILITIES. IF MORE ACCURATE LOCATIONS ARE REQUIRED, THE COVER MATERIAL MUST BE REMOVED AND THE EXPOSED UTILITY CAN BE FIELD LOCATED.

3. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-608, C.R.S.

4. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF NAROPA UNIVERSITY. USE OF THIS PLAT BY ANY OTHER PERSON OR ENTITY WITHOUT THE EXPRESSED WRITTEN CONSENT OF ZENITH LAND SURVEYING, INC. IS PROHIBITED.

5. THIS SURVEY IS VALID ONLY WITH THE ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR.

LEGEND

S 89°39'28" W 217.44'	AS MEASURED DIMENSION		POWER POLE
(S 89°37'00" W 217.50')	PLATTED OR DEEDED DIMENSION (IF DIFFERENT FROM MEASURED)		GUY POLE WITH GUY WIRE
	MONUMENT FOUND AS DESCRIBED.		SANITARY SEWER MANHOLE
	MONUMENT SET, #5 REBAR WITH 2" ALUMINUM CAP STAMPED "ZLS PLS 34993" UNLESS OTHERWISE NOTED		STORM SEWER MANHOLE
	MONUMENT FOUND AT COMMENCEMENT OF PROJECT AND SUBSEQUENTLY OBLITERATED BY CONSTRUCTION.		WATER METER
	SITE BENCHMARK (NGS PID LL1092); TOP OF STAINLESS STEEL DEEP ROD IN LOGO CAP JUST EAST OF FLAGPOLE ELEV=5310.61(NAVD88)		GAS METER
	OVERHEAD ELECTRIC, TELEPHONE & UTILITIES		ELECTRIC METER
	UNDERGROUND GAS, ELECTRIC WATER & FIBER OPTIC		TELEPHONE BOX
	WOOD FENCE		FLAG POLE
	CHAIN LINK FENCE		FIRE HYDRANT
	METAL FENCE		LIGHT POLE
	CONCRETE CURB		SPOT ELEVATION
	RETAINING WALL		BUILDING HEIGHT
			BRICK WALK
			STONE WALK
			CONCRETE WALK

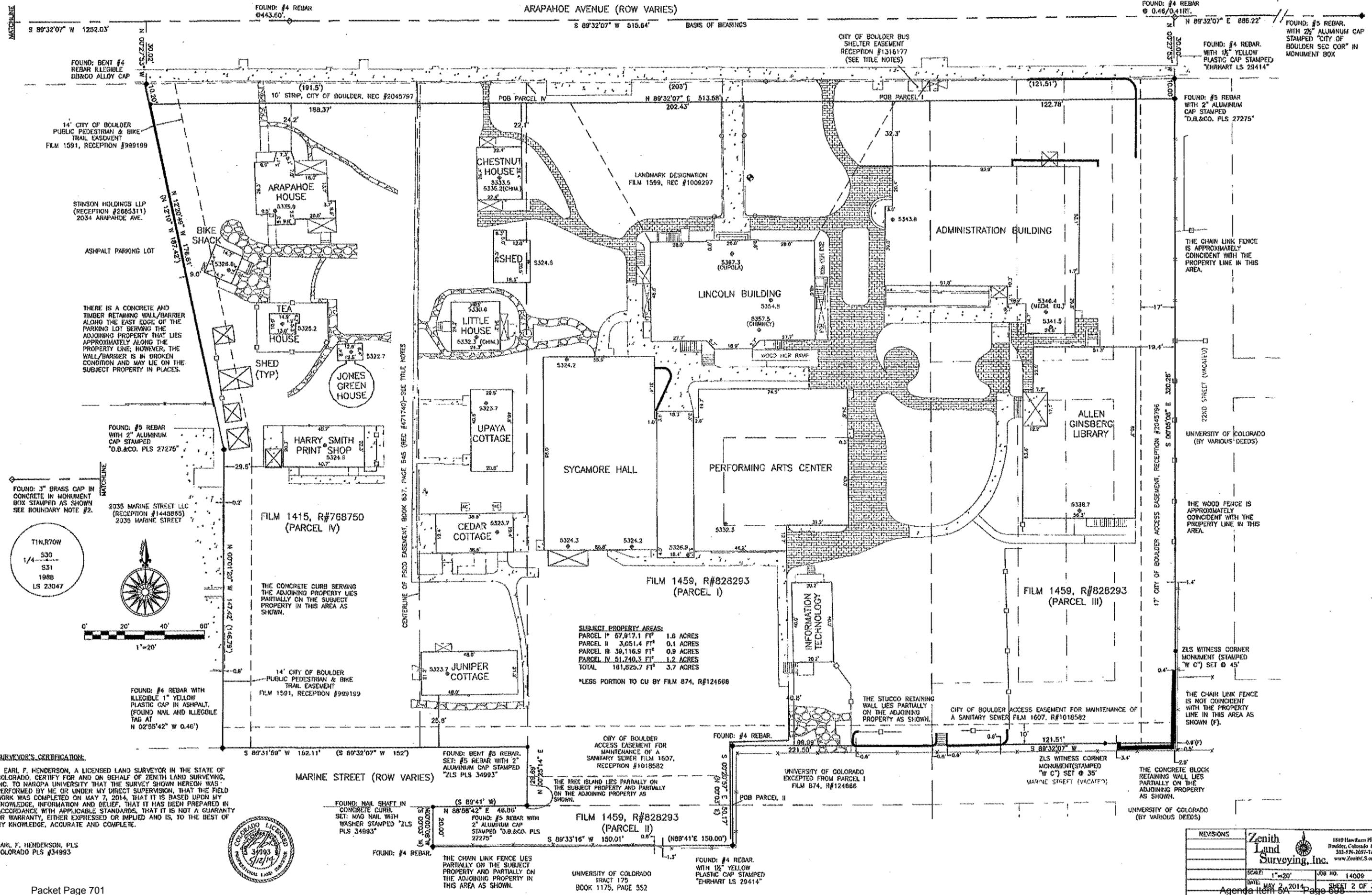
SURVEYOR'S CERTIFICATION:

I, EARL F. HENDERSON, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, CERTIFY FOR AND ON BEHALF OF ZENITH LAND SURVEYING, INC. TO NAROPA UNIVERSITY THAT THE SURVEY SHOWN HEREON WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE FIELD WORK WAS COMPLETED ON MAY 7, 2014, THAT IT IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS, THAT IT IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED AND IS, TO THE BEST OF MY KNOWLEDGE, ACCURATE AND COMPLETE.

EARL F. HENDERSON, PLS
COLORADO PLS #34993



REVISIONS	Zenith Land Surveying, Inc.	1880 Hawthorn Place Boulder, Colorado 80304 303-440-2057 Tel. www.zenith-s.com
SCALE 1"=20'	JOB NO. 14009	
DATE MAY 7, 2014	SHEET 1 OF 3	
Agenda Item 5A Page 697		



SUBJECT PROPERTY AREAS:

PARCEL I	67,817.1 FT ²	1.6 ACRES
PARCEL II	3,051.4 FT ²	0.1 ACRES
PARCEL III	39,116.9 FT ²	0.9 ACRES
PARCEL IV	51,740.3 FT ²	1.2 ACRES
TOTAL	161,825.7 FT²	3.7 ACRES

*LESS PORTION TO CU BY FILM 874, R#124666

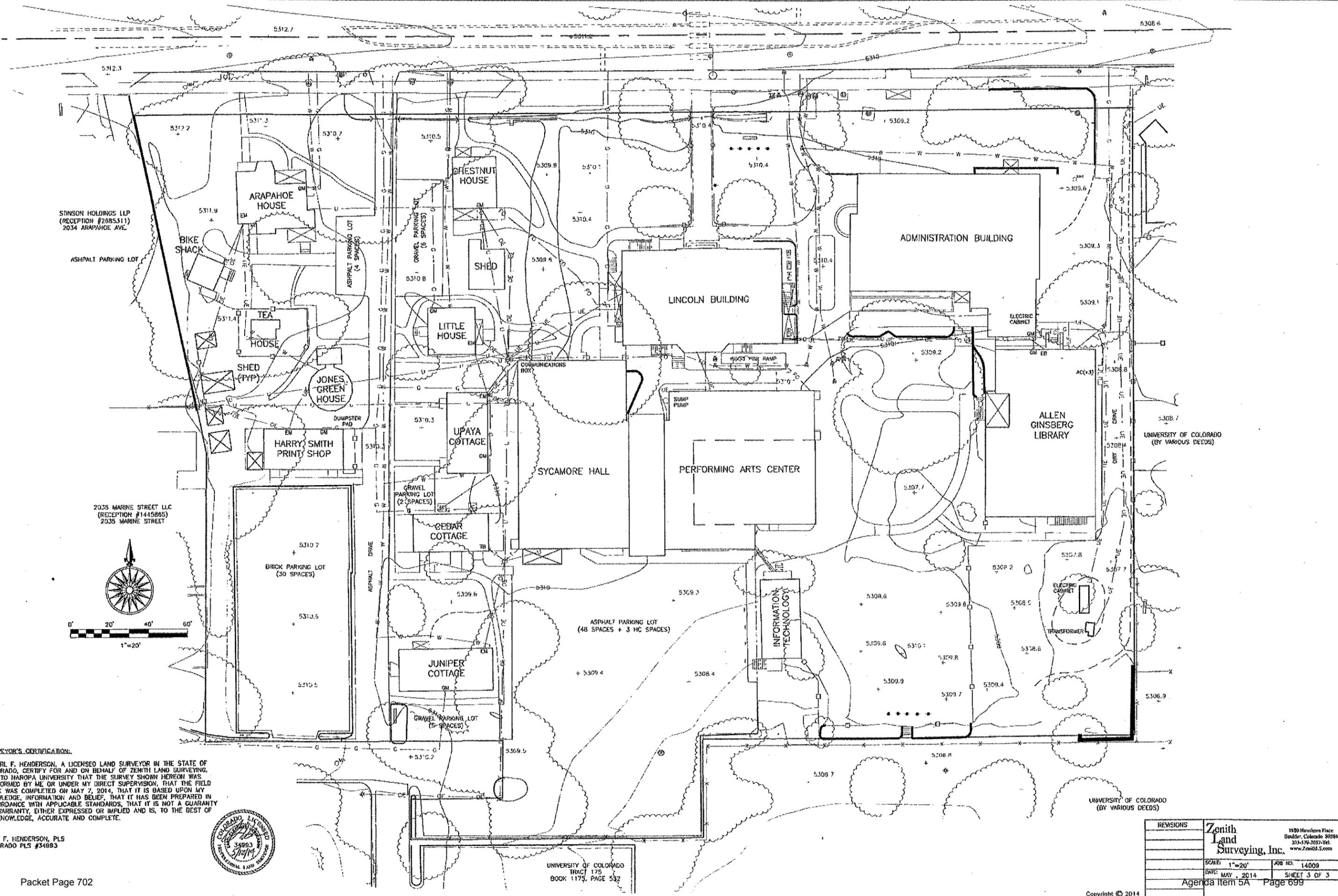
SURVEYOR'S CERTIFICATION:
 I, EARL F. HENDERSON, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, CERTIFY FOR AND ON BEHALF OF ZENITH LAND SURVEYING, INC. TO NAROPA UNIVERSITY THAT THE SURVEY SHOWN HEREON WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE FIELD WORK WAS COMPLETED ON MAY 7, 2014, THAT IT IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS, THAT IT IS NOT A WARRANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED AND IS, TO THE BEST OF MY KNOWLEDGE, ACCURATE AND COMPLETE.



EARL F. HENDERSON, PLS
 COLORADO PLS #34993

		1840 Hawthorn Place Boulder, Colorado 80504 303-599-2057-tel. www.ZenithLS.com
REVISIONS _____ _____ _____ _____ _____	SCALE: 1"=20' DATE: MAY 2, 2014	JOB NO. 14009 SHEET 2 OF 3

Agenda Item 6A Page 606



STINSON HOLDINGS LLP
(RECEPTION #2885311)
2034 ARAPAHOE AVE.

2035 MARINE STREET LLC
(RECEPTION #1445885)
2035 MARINE STREET

UNIVERSITY OF COLORADO
(BY VARIOUS DEEDS)

UNIVERSITY OF COLORADO
(BY VARIOUS DEEDS)

UNIVERSITY OF COLORADO
TRACT 175
BOOK 1175, PAGE 532

SURVEYOR'S CERTIFICATION:
I, EARL F. HENDERSON, A LICENSED LAND SURVEYOR IN THE STATE OF COLORADO, CERTIFY FOR AND ON BEHALF OF ZENITH LAND SURVEYING, INC. TO MAROPA UNIVERSITY THAT THE SURVEY SHOWN HEREON WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE FIELD WORK WAS COMPLETED ON MAY 7, 2014, THAT IT IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, THAT IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS, THAT IT IS NOT A WARRANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED AND IS, TO THE BEST OF MY KNOWLEDGE, ACCURATE AND COMPLETE.

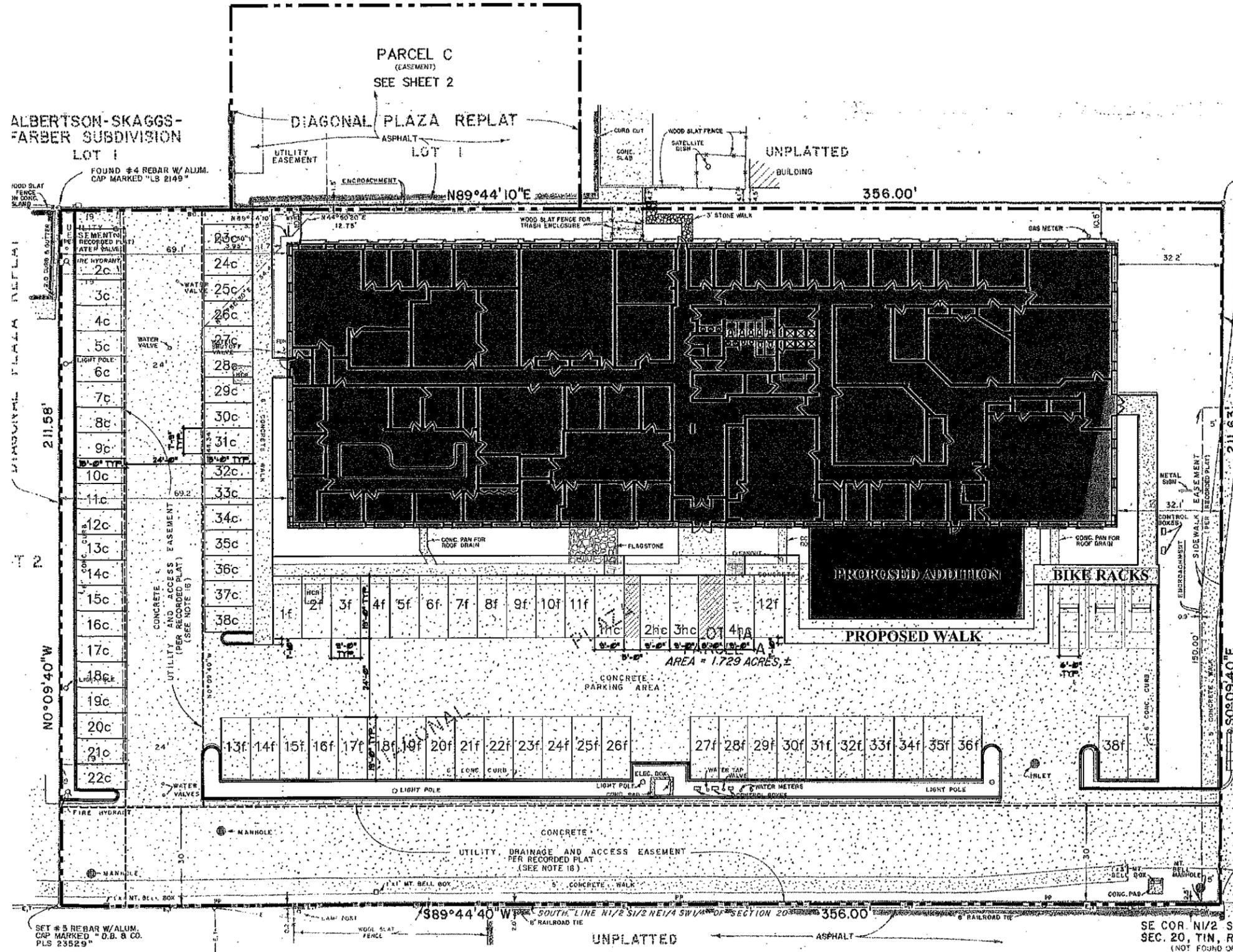


EARL F. HENDERSON, PLS
COLORADO PLS #34893

REVISIONS	Zenith Land Surveying, Inc.	1830 Newborn Place Boulder, Colorado 80504 303-440-2037-Tel. www.ZenithL.com
	SCALE 1"=20'	JOB NO. 14009
	DATE MAY, 2014	SHEET 3 OF 3
Agenda Item 5A Page 699		

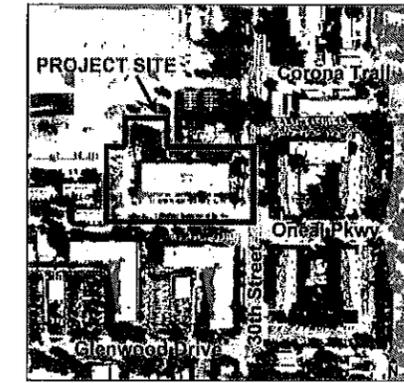
3285 30TH STREET

MINOR MODIFICATION - ADMINISTRATIVE REVIEW



SITE PLAN

SCALE: 1/16" = 1'-0" (11"x17" SHEET: 1/32" = 1'-0")



VICINITY MAP

PARKING ANALYSIS

Existing SOFT per Field Measurements - 22,000
 Proposed Additional SQFT - 1,850
 TOTAL SQFT - 23,850

PARKING CODE - 1 STALL : 300 SQFT
 STALLS REQUIRED - 23,850 / 300 = 79.5 STALLS

HC STALLS REQUIRED PER CODE - 4 STALLS (1 VAN ACCESSIBLE)
 NON-HC STALLS REQUIRED - 76 STALLS

PROPOSED PARKING:

38 COMPACT NON-HC STALLS
 38 FULL SIZED NON-HC STALLS
 2 HC ACCESSIBLE STALLS WITH 5' ACCESS AISLE
 2 HC ACCESSIBLE STALLS WITH 8' ACCESS AISLE

TOTAL PROPOSED

76 NON-HC STALLS - 1/2 full sized (76 Required - 1/2 full sized)
 4 HC STALLS - 2 Van accessible (4 Required - 1 Van accessible)
 80 STALLS TOTAL (80 Required)

BICYCLE RACKS

The existing Bicycle Racks accommodate 34 bicycles.
 The Boulder Revised Code requires that 10% of the total number of required car parking stalls be provided for bicycles.

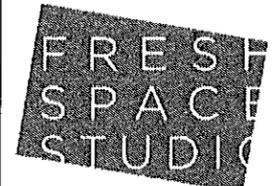
80 Car Parking Stalls Required = 8 Bicycle Parking Spaces Required
 Existing Spaces to be Retained = 3 Bike Racks with 34 Total Bicycle Parking Spaces

SHADOW ANALYSIS

A Shadow Analysis is Not Applicable. The proposed addition is shorter than and on the south side of the existing building.

LAND USE SUMMARY

TOTAL SITE AREA: 81,976 SQFT
 BUILDING AREA - 23,850 SQFT
 Existing Building Area - 22,000 SQFT
 Proposed Addition Area - 1,850 SQFT
 PARKING, BIKES & DRIVE LANE AREA - 36,789 SQFT
 LANDSCAPE AREA - 3,021 SQFT
 LANDSCAPE AREA - 17,716 SQFT



OWNER/DEVELOPER:
 THE NAROPA INSTITUTE
 2130 ANAPHOE AVENUE
 BOULDER, CO 80302
 T: (303) 444-6533
 CONTACT: Todd Kilburn

GENERAL CONTRACTOR:
 DENUVE CONSTRUCTION
 2344 SPRUCE STREET, STE B
 BOULDER, CO 80302
 T: (303) 444-6533
 CONTACT: William DeLoar
 EMAIL: wbd@denuveconstruction.com

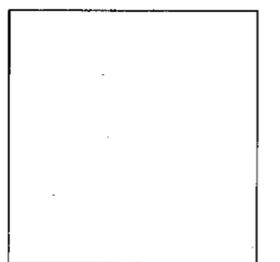
DESIGNER:
 FRESH SPACE STUDIO
 1266 LEE HILL DRIVE
 BOULDER, CO 80302
 T: (303) 444-7876
 CONTACT: Steve Voeger
 EMAIL: Steve@FreshSpaceStudio.com

ARCHITECT:
 PEL-ONA ARCHITECTS & URBANISTS
 4676 BROADWAY
 BOULDER, CO 80304
 T: (303) 444-7876
 CONTACT: Renata Palasio
 EMAIL: Renata@Pel-Ona.com

LANDSCAPE ARCHITECT:
 STUDIO TERRA, INC.
 758 CLUB CIRCLE
 LOUISVILLE, CO 80027
 T: (303) 494-9138
 CONTACT: CAROL ADAMS
 EMAIL: carol@studioterra.net

PARAMITA
 3285 30TH STREET,
 BOULDER, COLORADO

DATE	DESCRIPTION
03-04-2013	MINOR MOD
03-20-2013	REVISIONS



SITE PLAN



350 Broadway – *LR to TB*

Request #2**350 Broadway (and adjacent Lots 2, 3, 4, 5 of Penfold-Telleen Subdivision)**

Initiated by owner

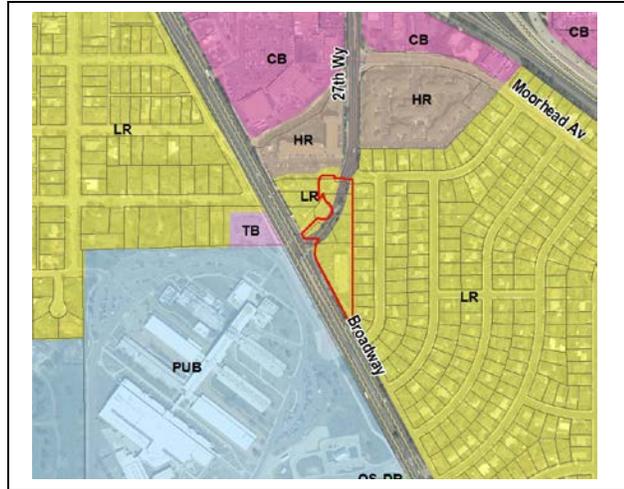
Request:

Change the BVCP land use designation from Low Density Residential (LR) to Transitional Business (TB) to more accurately reflect the medical and dental office use in place since the building's original construction in 1960.

Staff Recommendation: No

Staff recommends that this request not be considered further as part of the 2015 BVCP major update for the following reasons:

1. The medical and dental office use may continue in perpetuity as a legal nonconforming use subject to the city's Nonconformance Standards. BRC Sec. 9-10-3 provides a process for changes to the building in the future.
2. The request does not indicate that the zoning and BVCP designation have acted as a barrier toward the continued use of the property as medical and dental office.
3. The request would increase intensity of use in an established low density residential neighborhood.

**ANALYSIS:****1.) Consistent with the purposes of the major update?**

Yes. This is a land use designation change request, which is consistent with the purposes of the BVCP major update.

2.) Consistent with current policies in the BVCP or relevant subcommunity or area plans?

The request may be consistent with some current BVCP policies with regards to encouraging a mix of uses on transit corridors. As described in the BVCP, the transitional business designation is typically located along a major street and provides a transition to the neighboring residential area. Based on a cursory staff analysis, in most cases, however, the neighboring residential area that borders on a transitional business BVCP land use is of medium, mixed, or high density, and not a low density residential use. The request may therefore be inconsistent with some BVCP policies around compatibility with the existing adjacent low density residential neighborhood, e.g. *Policy 2.13 – Protection of Residential Neighborhoods Adjacent to Non-residential Zones* and *Policy 2.15 – Compatibility of Adjacent Land Uses*.

3.) Compatible with adjacent land uses and neighborhood context?

See #2 above regarding neighborhood context. This site is part of an established residential neighborhood and the proposed land use would increase intensity of use on the site.

4.) Was the proposed change requested or considered as part of a recent update to the Comp Plan or other planning process?

The proposed change has not been part of a recent comprehensive plan update.

5.) Is there any change in circumstances, community needs, or new information that would warrant the proposal be considered as part of this update?

No. There have not been any recent changes in this area, nor are there any articulated in the request that would warrant the proposal be considered as part of this update.

6.) Are there enough available resources to evaluate the proposed change (city and county staffing and budget priorities)?

This request would require a moderate to significant amount of staff time. Analysis of the surrounding area and the impact of potentially allowing for uses in the Transitional Business category absent a broader neighborhood discussion about density/intensity would require careful consideration.



OUR LEGACY. OUR FUTURE.

BOULDER VALLEY COMPREHENSIVE PLAN



BOULDER VALLEY COMPREHENSIVE PLAN 2015 MAJOR UPDATE : REQUEST FOR REVISION

1) Type of Amendment (check all that apply):

<input checked="" type="checkbox"/>	Land Use Map Amendment
<input type="checkbox"/>	Changes to the Area II/III boundary
<input type="checkbox"/>	Service Area contractions or Minor Changes to the Service Area Boundary
<input type="checkbox"/>	Other Map Amendment

2) Please provide the following information

a. Brief description of the proposed amendment:

350 Broadway - change designation to Transitional Business

b. Brief reason or justification for the proposed amendment:

The property has been a medical/dental professional office since 1960.

a. Map(s) proposed for amendment: South Boulder

b. Brief description of location of proposed amendment:

350 Broadway, and adjacent Lots 2, 3, 4, 5 of Penfold-Telleen Subdivision

Section: 6 Township: 1 Range: 70 W

c. Size of parcel: 49,200 plus approx 24,283 (adjacent lots)



3) Applicant:

Name: Flatirons Medical Dental LLC

Address: 350 Broadway, Suite 120, Boulder, CO 80305

Phone: 303-494-3535

4) Owner:

Name: Flatirons Medical Dental LLC

Address: 350 Broadway, Suite 120, Boulder, CO 80305

Phone: 303-494-3535

5) Representative/Contact:

Name: Maureen Eldredge, Hutchinson, Black and Cook

Address: 921 Walnut Street, Suite 200, Boulder, CO 80302

Phone: 303-442-6514

6) Does the applicant have a development application or some interest in a property that in any manner would be affected by this amendment proposal? (If yes, please explain):

Applicant owns the 350 Broadway property and has a permanent easement across the adjacent lots.



Boulder Valley Comprehensive Plan

Request for Revision

Land Use Map Amendment

Applicant and Owner: Flatirons Medical Dental LLC (“*Applicant*”)

Location: 350 Broadway, Boulder, CO

Requested Land Use Designation: Transition-Business

Representative: Maureen Eldredge, Hutchinson, Black and Cook, LLC
Ph: 303-442-6514
Email: eldredge@hbcboulder.com

Attachments: Exhibit A – Detailed Map of Property (Improvement Location Certificate)
Exhibit B – Location Map (BVCP designations shown)
Exhibit C – Location Map (aerial photo)
Exhibit D – Permanent Easement

I. Background and Description of the Property

The property is a two-story medical/dental office building located at 350 Broadway, Boulder, Colorado (the “*Property*”). The Property was originally constructed in 1960, prior to the implementation of the BVCP and prior to the imposition of city zoning, as a medical/dental office building. It has been operated continuously as a medical/dental office building since that time. Currently, the building is home to four dental practices; two suites providing mental health services; a pharmacy; a podiatry office; physical therapy clinic; a fertility clinic; and a medical clinic for the University of Colorado hospital.

The Applicant owns the Property, shown as Parcel I on the attached Exhibit A. Applicant also has an easement over the adjacent Lots 2, 3, 4, and 5, Penfold-Telleen Subdivision, for parking and a driveway, pursuant to a permanent easement granted by the City of Boulder in 1978, Reception No. 275131 (attached as Exhibit D).

The Property is bordered on two sides by 27th Way and Broadway. This corner has developed, since 1960, into a commercial/mixed-use area serving the needs of Boulder and the surrounding community. To the immediate north is a large Park-n-Ride, serving RTD commuters and the multi-family units along 27th Way, with the Whole Foods shopping complex a bit further north. Across Broadway is the large government complex of NIST, and another medical/dental practice to the north of NIST.

II. Justification for the Proposal

Somewhat remarkably for Boulder, this Property has had substantially the same type and character of use since its original construction in 1960. However, the Property is designated as Low Density Residential in the BVCP. It is unclear why the Property was designated as residential, when its use as a medical/dental office building was in existence at least ten (10) years prior any comprehensive planning, and 17 years prior to the legacy BVCP, and has been used as a medical/dental office building for 55 years. While we cannot know the historical reasoning, what we can see is that this Property, like other areas along Broadway, developed, not as low-density residential, but as a vibrant business serving Boulder and the surrounding neighborhoods, and providing a buffer to the high-traffic area of Broadway.

The Applicant would like to bring the land use designation in line with the long-standing use of the Property and correct what appears to be a historical error in the designation. The Applicant intends to continue operating the Property as a medical/dental office building, and does not anticipate any change in use. The Applicant requests a change to the designated land use to Transition-Business, to reflect the current and anticipated use of the Property.

III. Relationship to the Goals and Policies of the BVCP

The BVCP is intended to guide decisions about growth and development in the City of Boulder and Boulder County. This Property has been used as a home for medical and dental practices for 55 years. It has provided, and continues to provide, an important community resource for Boulder residents and also a buffer from Broadway for the residential development east of the Property. The proposed change to Transition-Business reflects the existing development and use of the Property and surrounding area.

In particular, the designation of the Property as Transition-Business supports the goals set forth in Section 2.09 of the BVCP (Neighborhood as a Building Block). The Property has served the community as a medical/dental office building since 1960. It has provided services to generations of Boulderites, as a distinctive community business, on a commercially developed corner that would otherwise have little value.

Additionally, it is contiguous with the development between Broadway and Baseline, including the neighboring uses across Broadway and north of 27th Way. There is walking access between these locations and businesses, supporting efforts to create compact development, a goal under Section 2.03.

Changing the land use designation to Transition-Business supports the goals under Section 2.14 of the BVCP, for complimentary mixed uses. The Property has, for several decades, not only provided services to the surrounding community, but also provided a buffer against traffic noise from Broadway. It is the ideal type of use for this corner. The Property would not be well-suited for low-density residential, due to the traffic light on the corner, heavy traffic on Broadway, and the RTD parking lot to the north. It is very well suited for a business use related to needed community services.

Finally, a change in land use designation to Transition-Business supports the goals identified in Section 5.05, Support for Local Business and Business Retention. There has been a medical/dental office building at this location since 1960. The building houses a wide diversity of health-related practices and businesses. Supporting the business character of this corner is crucial to ensuring the longevity and retention of this business use, which not only serves community needs, but also provides a substantial number of local jobs.

IV. Criteria for Land Use Map Changes

The proposed change in designation meets the criteria as set forth in the BVCP. The change to Transition-Business meets the goals and policies of the BVCP as described above. This use has been present and active at the Property for 55 years. Bringing the Land Use Map into alignment with this pre-existing use would not significantly impact other jurisdictions, nor would it materially affect land use and growth projections. This area has become, over the past 55 years, a Transition-Business area and it is unlikely to ever become residential given current development trends. The change would not impact availability of services, in fact it would help preserve an existing service of medical/dental practices serving the community. It would not result in any change to Area boundaries or impact capital improvement requirements.

Flatirons Medical Dental Land Use Map Amendment

Page 3

V. Additional Information

The Applicant seeks a change to the land use designation for the property owned by the Applicant, as well as the adjacent land, owned by the City of Boulder (Lots 2, 3, 4, and 5), over which Applicant has a permanent easement. An additional portion of Lots 2, 3, 4, and 5 is used for a public road, 27th Way.

The Applicant does not intend to change the current use of the Property, and will continue to own and rent the Property, for medical and dental practices.

Flatirons Medical Dental
350 Broadway

Exhibit A

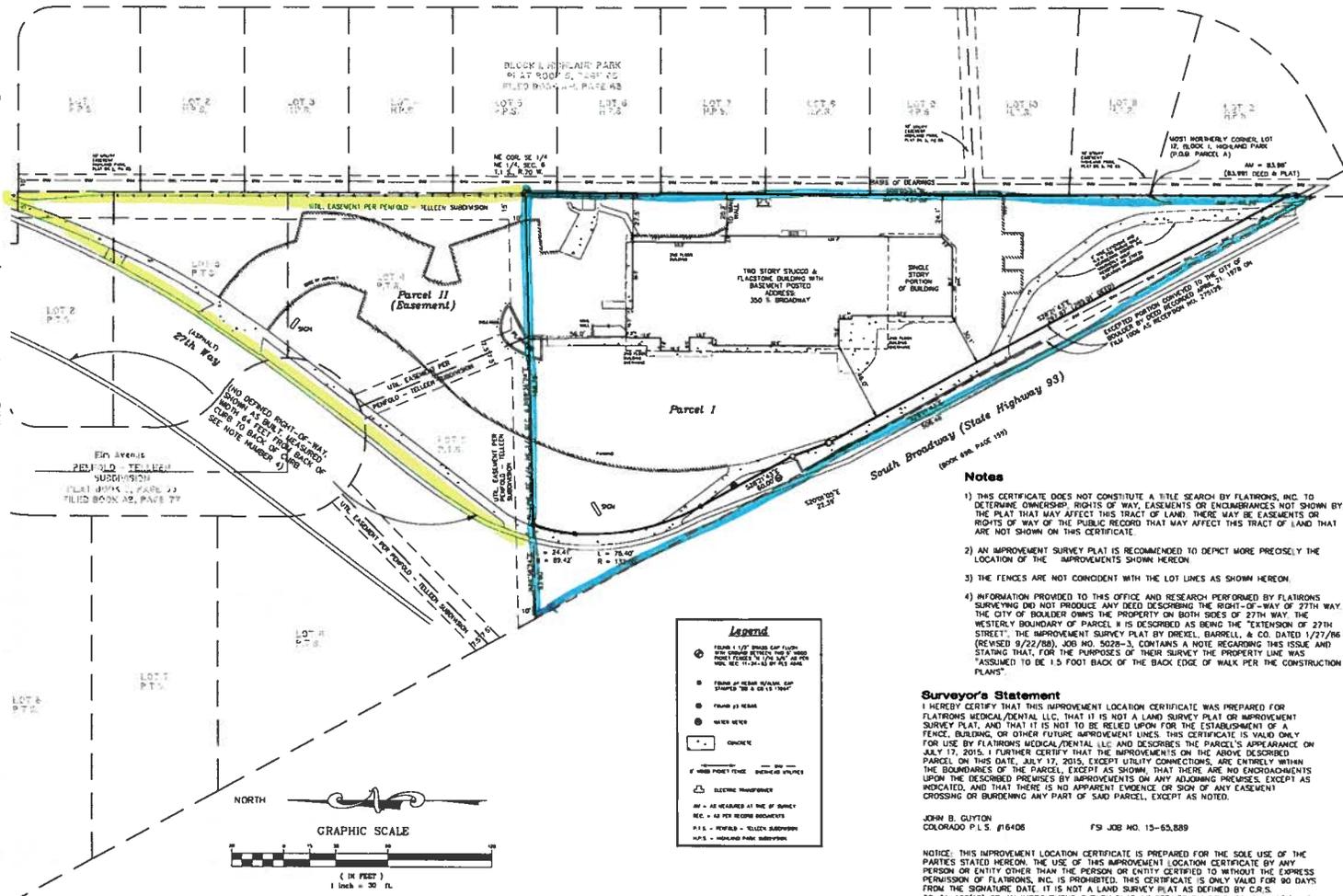
IMPROVEMENT LOCATION CERTIFICATE

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO
SHEET 1 OF 1

Parcel Description
(PROVIDED BY THE CLIENT)
DEED RECORDED ON 03/08/1994 AT REC. NO. 140000
PARCEL 1
THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE 6TH P.M., WHICH LIES EASTERLY OF THE COUNTY ROAD, THE RIGHT OF WAY FOR WHICH WAS CONVEYED TO THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BOULDER, COLORADO BY THE COLORADO AND SOUTHERN RAILWAY COMPANY BY THAT DEED WHICH IS OF RECORD IN BOOK 898 AT PAGE 150, WHICH PROPERTY MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 12, BLOCK 1, HIGHLAND PARK A SUBDIVISION OF A PART OF THE CITY OF BOULDER, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 63.391 FEET; THENCE NORTHERLY ALONG THE EASTERLY LINE OF THE PROPERTY DESCRIBED IN SAID BOOK 898 AT PAGE 150, TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 6, A DISTANCE OF 241.40 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE SOUTH ALONG THE EASTERLY LINE OF SAID SECTION 6 TO THE POINT OF BEGINNING, COUNTY OF BOULDER, STATE OF COLORADO.

EXCEPTING THEREFROM THAT PORTION THEREOF CONVEYED TO THE CITY OF BOULDER BY DEED RECORDED APRIL 21, 1978 ON FILM 1006 AS FOLLOWS:
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 70 WEST OF THE 6TH P.M., DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE SOUTH 88 DEGREES 36' 24" WEST 188.79 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 6 AND ALSO BEING THE NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 988187; TO A POINT OF CURVE CONVEX TO THE SOUTHWEST, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE SOUTHWESTERLY 24.41 FEET ALONG AN ARC OF SAID CURVE CONVEX TO THE SOUTHWEST, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 12 DEGREES 11' 09" WEST, 24.33 FEET AND HAVING A RADIUS OF 89.42 FEET, TO A POINT OF COMPOUND CURVE TO THE LEFT; THENCE SOUTHWESTERLY 75.40 FEET ALONG THE ARC OF SAID COMPOUND CURVE TO THE LEFT, SAID ARC BEING SUBTENDED BY A CHORD BEARING SOUTH 11 DEGREES 59' 51" EAST, 74.38 FEET AND HAVING A RADIUS OF 132.00 FEET; TO THE POINT OF TANGENCY; THENCE SOUTH 28 DEGREES 21'43" EAST, 80.00 FEET PARALLEL WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF SOUTH BROADWAY; THENCE SOUTH 20 DEGREES 01'05" EAST, 22.36 FEET; THENCE SOUTH 28 DEGREES 21'43" EAST 285.01 FEET PARALLEL WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID SOUTH BROADWAY TO A POINT ON THE EASTERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 988187; THENCE SOUTH 00 DEGREES 00'51" WEST, 16.26 FEET ALONG THE EASTERLY LINE OF SAID PARCEL OF LAND DESCRIBED AS RECEPTION NO. 988187 TO THE MOST SOUTHERLY CORNER THEREOF; SAID MOST SOUTHERLY CORNER BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID SOUTH BROADWAY; THENCE NORTH 28 DEGREES 21'43" WEST, 495.63 FEET ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID SOUTH BROADWAY AND ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 988187 TO THE NORTHWESTERLY CORNER THEREOF; THENCE NORTH 88 DEGREES 36'24" EAST, 53.60 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 6 AND ALONG THE NORTHERLY LINE OF SAID PARCEL OF LAND DESCRIBED IN RECEPTION NO. 988187 TO THE TRUE POINT OF BEGINNING, COUNTY OF BOULDER, STATE OF COLORADO.

PARCEL 2:
TOGETHER WITH AN EASEMENT FOR DRIVEWAY AND UTILITIES OVER, UNDER, ACROSS AND THROUGH THAT PORTION OF LOTS 2, 3, 4, AND 5 OF PENFOLD-TULLEEN SUBDIVISION, IN THE CITY OF BOULDER, ACCORDING TO THE RECORDED PLAT THEREOF, BOUNDED ON THE WEST BY THE EXTENSION OF 27TH STREET SOUTHERLY FROM BASELINE ROAD TO BROADWAY, ON THE EAST BY HIGHLAND PARK SUBDIVISION, ACCORDING TO THE RECORDED PLAT THEREOF, AND TO THE SOUTH BY THAT PARCEL OF LAND AS DESCRIBED ON FILM 742 AS RECEPTION NO. 988187 IN THE BOULDER COUNTY RECORDS, ALONG WITH THE RIGHT OF EGRESS AND EGRESS ACROSS SAID PORTION OF LOTS 2, 3, 4, AND 5, AND AS MORE PARTICULARLY DESCRIBED AND DEFINED BY INSTRUMENT RECORDED APRIL 21, 1978 ON FILM 1006 AS RECEPTION NO. 275129, COUNTY OF BOULDER, STATE OF COLORADO.



- Notes**
- 1) THIS CERTIFICATE DOES NOT CONSTITUTE A TITLE SEARCH BY FLATIRONS, INC. TO DETERMINE OWNERSHIP, RIGHTS, WAY, EASEMENTS OR ENCUMBRANCES NOT SHOWN BY THE PLAT THAT MAY AFFECT THIS TRACT OF LAND. THERE MAY BE EASEMENTS OR RIGHTS OF WAY OF THE PUBLIC RECORD THAT MAY AFFECT THIS TRACT OF LAND THAT ARE NOT SHOWN ON THIS CERTIFICATE.
 - 2) AN IMPROVEMENT SURVEY PLAT IS RECOMMENDED TO DEPICT MORE PRECISELY THE LOCATION OF THE IMPROVEMENTS SHOWN HEREON.
 - 3) THE FENCES ARE NOT COINCIDENT WITH THE LOT LINES AS SHOWN HEREON.
 - 4) INFORMATION PROVIDED TO THIS OFFICE AND RESEARCH PERFORMED BY FLATIRONS SURVEYING DID NOT PROVIDE ANY DEED DESCRIBING THE RIGHT-OF-WAY OF 27TH WAY. THE CITY OF BOULDER OWNS THE PROPERTY ON BOTH SIDES OF 27TH WAY. THE WESTERLY BOUNDARY OF PARCEL 1 IS DESCRIBED AS BEING THE EXTENSION OF 27TH STREET. THE IMPROVEMENT SURVEY PLAT BY DIKRELL, BARRELL, & CO DATED 1/27/66 (REVISED 9/22/88), JOB NO. 5029-3, CONTAINS A NOTE REGARDING THIS ISSUE AND STATING THAT, FOR THE PURPOSES OF THEIR SURVEY THE PROPERTY LINE WAS ASSUMED TO BE 1.5 FOOT BACK OF THE BACK EDGE OF WALK PER THE CONSTRUCTION PLANS.

Surveyor's Statement
I HEREBY CERTIFY THAT THIS IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR FLATIRONS MEDICAL/DENTAL LLC, THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF A FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS CERTIFICATE IS VALID ONLY FOR USE BY FLATIRONS MEDICAL/DENTAL LLC AND DESCRIBES THE PARCEL'S APPEARANCE ON JULY 17, 2015. I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE DESCRIBED PARCEL ON THIS DATE, JULY 17, 2015, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN THAT THERE ARE NO ENCUMBRANCES UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

JORN B. GUYTON
COLORADO P.L.S. #16408
FS JOB NO. 15-65,889

NOTICE: THIS IMPROVEMENT LOCATION CERTIFICATE IS PREPARED FOR THE SOLE USE OF THE PARTIES STATED HEREON. THE USE OF THIS IMPROVEMENT LOCATION CERTIFICATE BY ANY PERSON OR ENTITY OTHER THAN THE PERSON OR ENTITY CERTIFIED TO WITHDRAW THE EXPRESS PERMISSION OF FLATIRONS, INC. IS PROHIBITED. THIS CERTIFICATE IS ONLY VALID FOR 90 DAYS FROM THE SIGNATURE DATE. THIS IS NOT A LAND SURVEY PLAT AS DEFINED BY C.R.S. 38-51-102(12) OR AN IMPROVEMENT SURVEY PLAT AS DEFINED BY C.R.S. 38-51-102(10). IT DOES NOT ESTABLISH PROPERTY CORNERS. A MORE PRECISE RELATIONSHIP OF THE IMPROVEMENTS TO THE BOUNDARY LINES CAN BE DETERMINED BY A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT. THE IMPROVEMENTS ARE GENERALLY SITUATED AS SHOWN, AND ONLY APPARENT (VISIBLE AT THE TIME OF FIELDWORK) IMPROVEMENTS AND ENCUMBRANCES ARE NOTED. FLATIRONS, INC. AND JORN B. GUYTON WILL NOT BE LIABLE FOR MORE THAN THE COST OF THIS IMPROVEMENT LOCATION CERTIFICATE, AND THEN ONLY TO THE PARTIES SPECIFICALLY SHOWN HEREON. ACCEPTANCE AND/OR USE OF THIS IMPROVEMENT LOCATION CERTIFICATE FOR ANY PURPOSE CONSTITUTES AGREEMENT TO ALL TERMS STATED HEREON.

easement area (owned by City)
proposed area (owned by applicant)

DATE	
REVISION	
IMPROVEMENT LOCATION CERTIFICATE	
Prepared for	
FLATIRONS MEDICAL/DENTAL COMPANY	
Surveying, Engineering & Geomatics	
www.FlatironsInc.com	
3450 QUINN ST. SUITE 200	
BOULDER, CO 80504	
PH: (303) 441-7000	
FAX: (303) 441-8830	
JOB NUMBER: 15-65,889	
DATE: 07-17-2015	
DRAWN BY: J. KUBE	
CHECKED BY: SB	
SHEET 1 OF 1	

Map Output
Exhibit B

Platons
Medical Dental LLC
350 Broadway

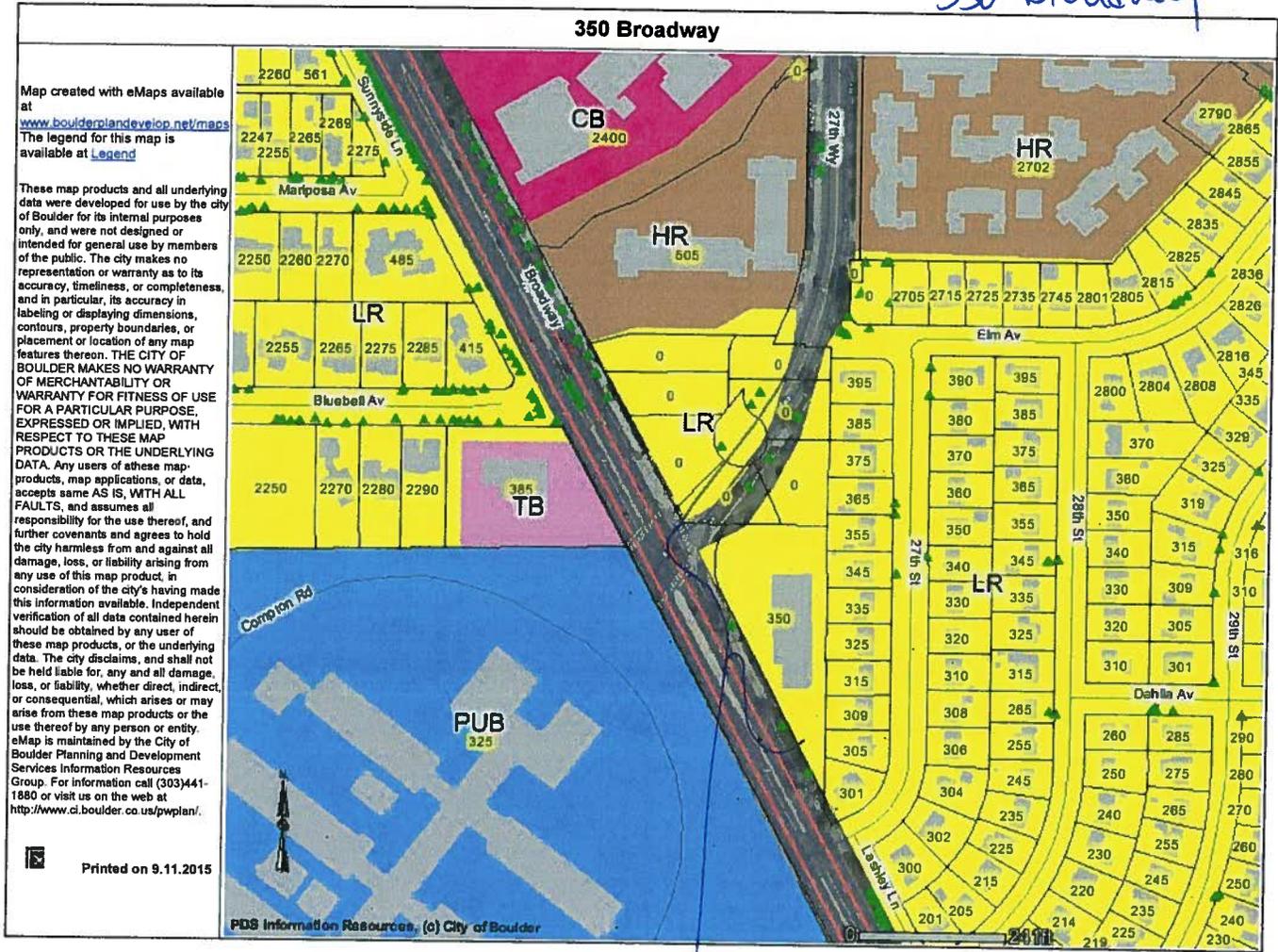
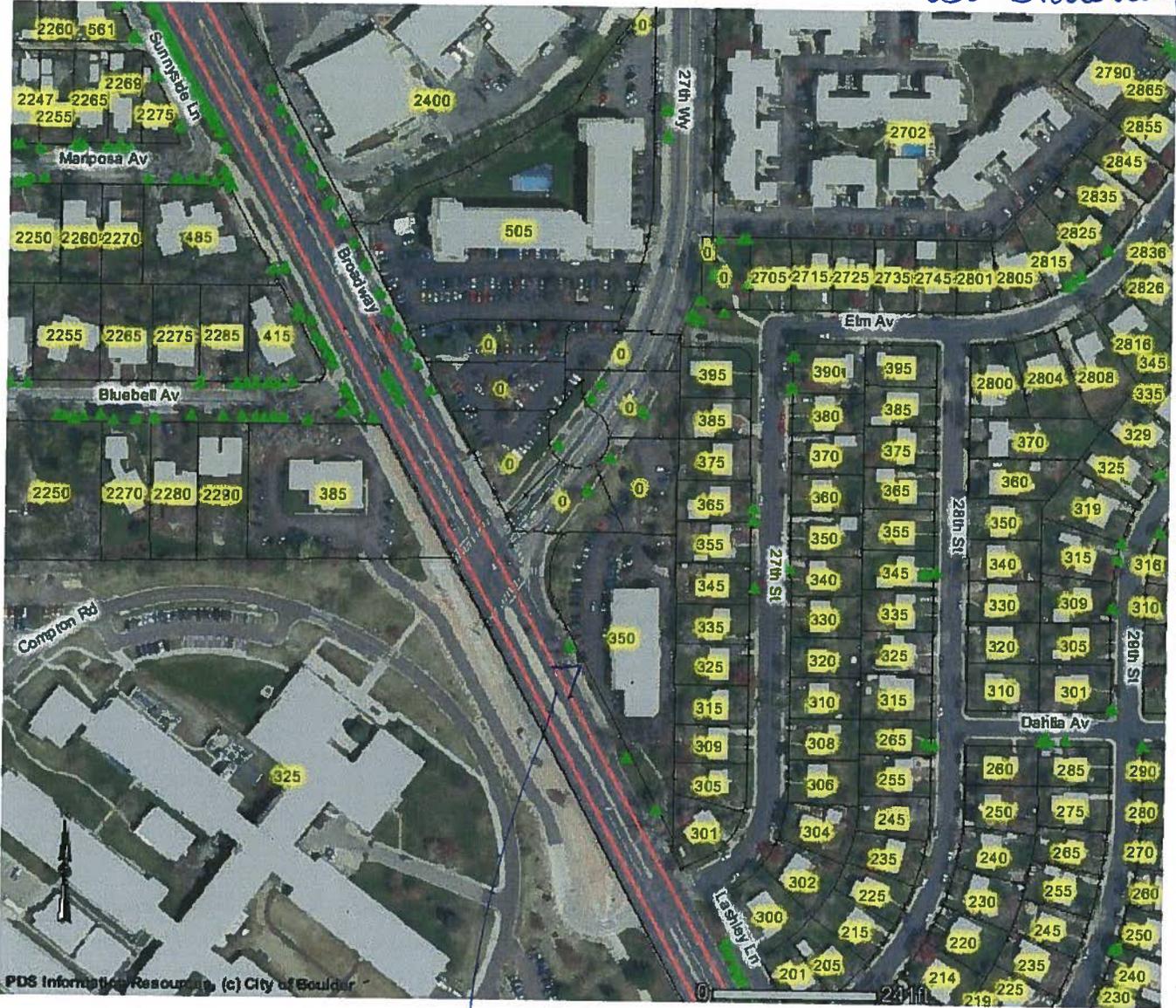


Exhibit C



Property

Flatirons Medical
Dental LLC
2-1 350 Broadway

Exhibit D-1
FILM
1006

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That the City of Boulder, Colorado, a Colorado municipal corporation, whose address is P.O. Box 791, Boulder, Colorado, for valuable consideration does hereby grant, bargain, sell and convey to Flatirons Medical Building, Inc., a Colorado corporation, whose address is 350 Broadway, Boulder, Colorado, a permanent easement for access, ingress and egress, driveway and utility purposes, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement, over and across the following described real property, situate in the City of Boulder, Boulder County, State of Colorado, to-wit:

see Exhibit "A" attached

AND THE UNDERSIGNED, for itself and for its successors, representatives and assigns, does hereby covenant and agree that no permanent structures or improvements shall be placed on said easement by itself or its successors, representatives or assigns and that said use of such easement shall not otherwise be obstructed or interfered with.

1978. WITNESS OUR HANDS AND SEALS this 10th day of April

CITY OF BOULDER, a Colorado municipal corporation

By: [Signature]

Attest:
[Signature]
Director of Finance & Record
Ex-officio City Clerk

STATE OF COLORADO)
) SS.
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 10th day of April, 1978, by Robert G. Westdyke, City Manager, and Pappie I. Fine, Director of Finance & Record, Ex-officio City Clerk, of the City of Boulder, a Colorado municipal corporation.

Witness my hand and official seal.

My commission expires 8/25/81

[Signature]
Notary Public



STATE OF COLORADO
COUNTY OF BOULDER
FILED FOR RECORD
IN MY OFFICE ON
APR 21 8 23 AM '78
275131

Flatiron's Medical
Dental, LLC

Boulder County, CO

00275131

Exhibit A-2

FILM
1006

2.2

Flatiron's Medical Center

Access Easement on City Property

An easement for driveway and utilities over, under, across and through that portion of Lots 2, 3, 4 and 5 of Penfold-Telleen Subdivision in the City of Boulder, County of Boulder, Colorado according to the recorded Plat thereof bounded on the West by the extension of 27th Street Southerly from Baseline Road to Broadway, on the East by Highland Park Subdivision according to the recorded plat thereof and to the South by that parcel of land as described on Film 742 as Reception No. 988167 in the Boulder County Records along with the right of ingress and egress across said portion of Lots 2, 3, 4 and 5.

Zacharias, Caitlin

From: Ellis, Lesli
Sent: Tuesday, September 08, 2015 2:32 PM
To: Zacharias, Caitlin
Subject: FW: 350 Broadway

Hi Caitlin – Might you be able to respond to this question? Thanks! Lesli

From: Maureen Eldredge [mailto: [REDACTED]]
Sent: Tuesday, September 8, 2015 12:42 PM
To: Ellis, Lesli
Subject: 350 Broadway

Dear Ms. Ellis,
Kevin Muller at the Planning Office recommended I contact you regarding the property at 350 Broadway. My client, Flatirons Medical Dental, LLC, is the owner of that property. It has been used as a medical/dental professional office building since it was constructed in 1960, however the zoning and underlying comprehensive land use plan designation for the property is low-density residential. My client would like to get the zoning and BVCP designation corrected to match the long-standing use of the property, which pre-dates both the comp plan and the zoning ordinance.

The draft maps for the BVCP update appear to show commercial use for this property. I am not sure if this reflects something that is being considered as part of the comp plan update, or just actual uses. Can you give me a call to discuss what the best process would be for my client to get the BVCP and zoning designations revised to reflect the actual use? Kevin was not sure if we needed to submit a BVCP change as part of the BVCP update process first, and then zoning, or whether these two changes would be processed simultaneously.

Thanks for any assistance you can provide to help us navigate the process.

Regards
Maureen

MAUREEN E. ELDREDGE, Attorney at Law
Hutchinson Black and Cook, LLC
[REDACTED] | Boulder, CO 80302
[REDACTED] | www.HCBoulder.com | <http://www.hcboulder.com/ebrochure.pdf>

CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you believe that this email has been sent to you in error, please let me know that you received the message in error; then please delete these e-mails. Thank you.

Note: the draft maps referred to in this e-mail regard the existing land use map in the South Boulder subcommunity fact sheet



385 Broadway – *TB to LR*

Request #3**385 Broadway**

Initiated by member of the public

Request:

Change the BVCP land use designation from Transitional Business (TB) to Low Density Residential (LR).

Staff Recommendation: Yes

Staff recommends that this request be considered further as part of the 2015 BVCP major update for the following reason:

1. On December 1, 2015, City Council unanimously denied a request to rezone the property from Residential Low-1 (RL-1) to Business Transitional-2 (BT-2), which is the zoning district that aligns with the comprehensive plan land use designation. The decision indicates a need to further analyze the current BVCP land use designation of Transitional Business.

**ANALYSIS:****1.) Consistent with the purposes of the major update?**

Yes. This is a land use designation change request, which is consistent with the purposes of the BVCP Major Update.

2.) Consistent with current policies in the BVCP or relevant subcommunity or area plans?

The December 1, 2015 council decision indicates a need for analysis of options to change the current BVCP land use designation. The primary issues cited were uncertainty over future access to the property (i.e., whether or not it would come from/through the NIST property to the south or the neighborhood to the west), and related incompatibility with the surrounding neighborhood.

3.) Compatible with adjacent land uses and neighborhood context?

See #2 above.

4.) Was the proposed change requested or considered as part of a recent update to the Comp Plan or other planning process?

The 2008 BVCP update implemented the current BVCP land use designation, primarily to address the existing nonresidential use while providing a buffer to the surrounding low density neighborhood. City Council recently denied case no. LUR2015-00047 to rezone the property from RL-1 to BT-2.

5.) Is there any change in circumstances, community needs, or new information that would warrant the proposal be considered as part of this update?

Yes. The denial by City Council of case no. LUR2015-00047 to rezone the property from RL-1 to BT-2 represents a changed circumstance.

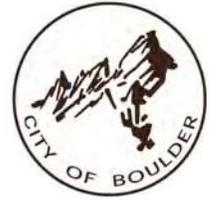
6.) Are there enough available resources to evaluate the proposed change (city and county staffing and budget priorities)?

This request would require a moderate amount of staff time. Analysis of the surrounding area, future access alternatives, and overall implications on BVCP policies will need to be carefully considered.



OUR LEGACY. OUR FUTURE.

BOULDER VALLEY COMPREHENSIVE PLAN



BOULDER VALLEY COMPREHENSIVE PLAN 2015 MAJOR UPDATE : REQUEST FOR REVISION

1) Type of Amendment (check all that apply):

- Land Use Map Amendment
- Changes to the Area II/III boundary
- Service Area contractions or Minor Changes to the Service Area Boundary
- Other Map Amendment

2) Please provide the following information

a. Brief description of the proposed amendment:

Land use map change from Transitional Business - TB, to Low Density Residential - LR. (The majority of the site is currently TB with a LR buffer on the west and north portions. This change would return the entire site to LR.)

b. Brief reason or justification for the proposed amendment:

The 2008 land use change for this property was an anomaly. The change was made without careful consideration of the long term impacts of the TB development potential. LR is consistent with the BVCP goals and policies for this neighborhood.



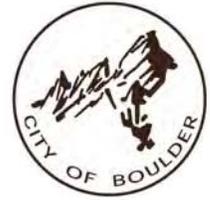
a. Map(s) proposed for amendment: BVCP Map

b. Brief description of location of proposed amendment:

385 Broadway, also known as 385 South Broadway, Boulder, Colorado

Section: 06 Township: 1S Range: 70

c. Size of parcel: 1.01 acres



3) Applicant:

Name: Chuck Palmer

Address: 2270 Bluebell Ave, Boulder, CO

Phone: 303-718-4792

4) Owner:

Name: 385 Broadway LLC

Address: 734 Maxwell Ave, Boulder, CO

Phone: _____

5) Representative/Contact:

Name: Patty Angerer

Address: 2225 Bluebell Ave, Boulder, CO

Phone: 303-449-0968

6) Does the applicant have a development application or some interest in a property that in any manner would be affected by this amendment proposal? (If yes, please explain):

No. The applicant is representing the residents of Lower Bluebell Ave. and Sunnyside Lane, which are properties directly to the north and west of 385 Broadway.

1 | 385 Broadway

NARRATIVE ADDRESSING THE DETAILS OF THE PROPOSED AMENDMENT**1) REASON OR JUSTIFICATION FOR PROPOSAL**

From the time of platting, Lots 26, 27, and 28 of the Oak Park Subdivision were zoned residential. In 1957 a small non-conforming office building was constructed and the site collectively became known as 385 Broadway. In 1970 it was designated Low-Density Residential - LR in the BVCP.

In 2008 the then owner requested that the BVCP land-use designation be changed to BT. The neighborhood was agreeable to the land use change because we were led to believe that the medical/dental building could not be updated because of the residential designation. The BVCP map was changed for a specific use for a specific property owner, but did not further the goals of the comprehensive plan.

We are asking for the change back to the original LR, which matches the neighborhood and protects the neighborhood from intense allowed “by right” development.

2) RELATIONSHIP TO GOALS AND POLICIES OF THE BOULDER V ALLEY COMPREHENSIVE PLAN

There were no BVCP goals or policies cited to support the Land Use change from Residential to Business in 2008.

The current request, to reinstate the Low Density Residential designation, is supported by the following BVCP policies:

1.29 Channeling Development to Areas with Adequate Infrastructure

In order to protect and use past investments in capital improvements, new development and redevelopment will be located in areas where adequate public services and facilities presently exist or are planned to be provided under the city's Capital Improvements Program.

2.09 Neighborhoods as Building Blocks

The city and county will foster the role of neighborhoods to establish community character, provide services needed on a day-to-day basis, foster community interaction, and plan for urban design and amenities. All neighborhoods, whether residential areas, business districts, or mixed land use areas, should offer unique physical elements of neighborhood character and identity, such as distinctive development patterns or architecture; historic or cultural resources; amenities such as views, open space, creeks, irrigation ditches, and varied topography; and distinctive community facilities and business areas.

2 | 385 Broadway

2.10 Preservation and Support for Residential Neighborhoods

The city will work with neighborhoods to protect and enhance neighborhood character and livability and preserve the relative affordability of existing housing stock. The city will seek appropriate building scale and compatible character in new development or redevelopment, appropriately sized and sensitively designed streets and desired public facilities and mixed commercial uses. The city will also encourage neighborhood schools and safe routes to school.

2.13 Protection of Residential Neighborhoods Adjacent to Non-residential Zones

The city and county will take appropriate actions to ensure that the character and livability of established residential neighborhoods will not be undermined by spill-over impacts from adjacent regional or community business zones or by incremental expansion of business activities into residential areas. The city and county will protect residential neighborhoods from intrusion of non-residential uses by protecting edges and regulating the impacts of these uses on neighborhoods.

2.14 Mix of Complementary Land Uses

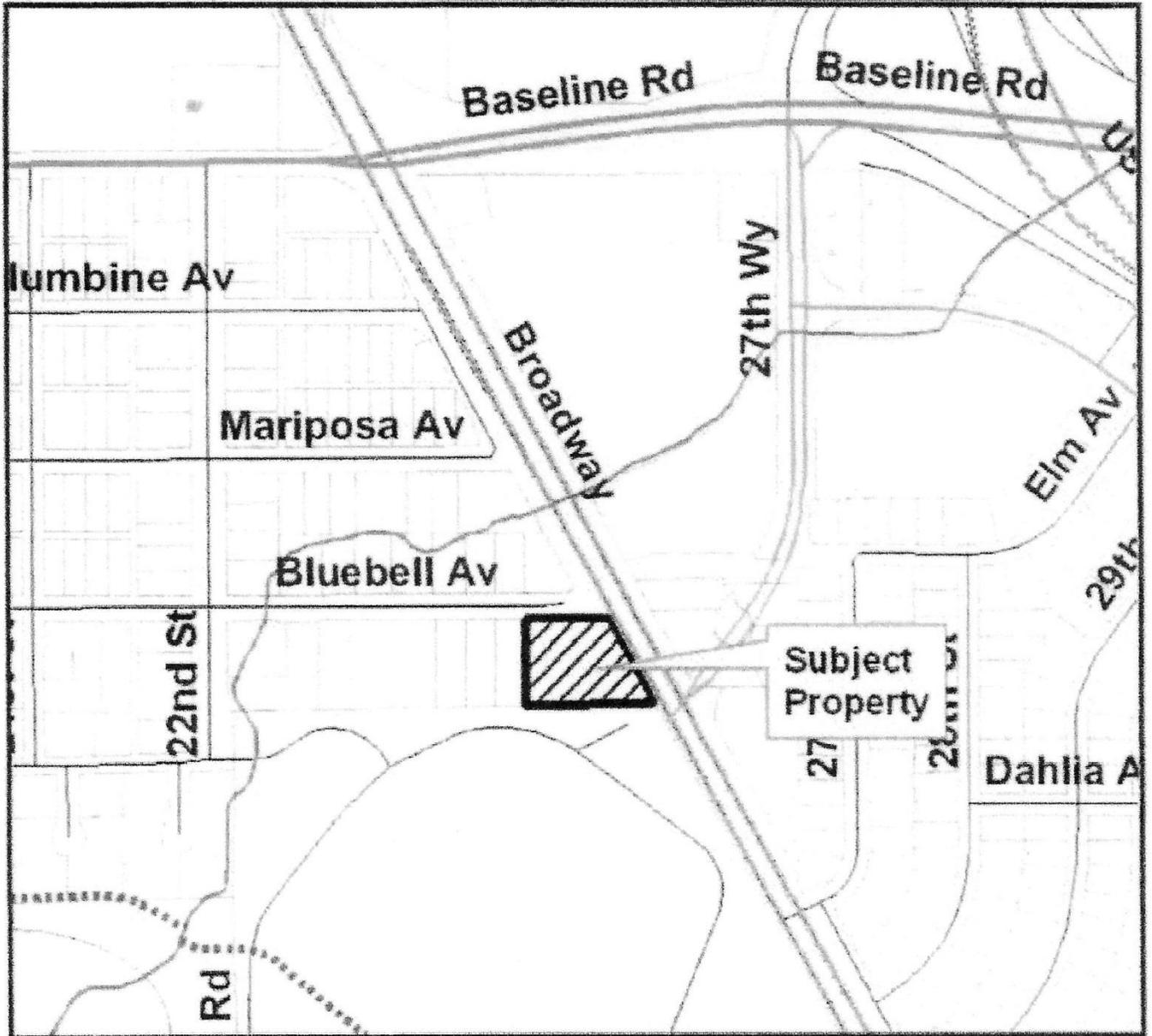
The city and county will strongly encourage, consistent with other land use policies, a variety of land uses in new developments. In existing neighborhoods, a mix of land use types, housing sizes and lot sizes may be possible if properly mitigated and respectful of neighborhood character. Wherever land uses are mixed, careful design will be required to ensure compatibility, accessibility and appropriate transitions between land uses that vary in intensity and scale.

2.15 Compatibility of Adjacent Land Uses

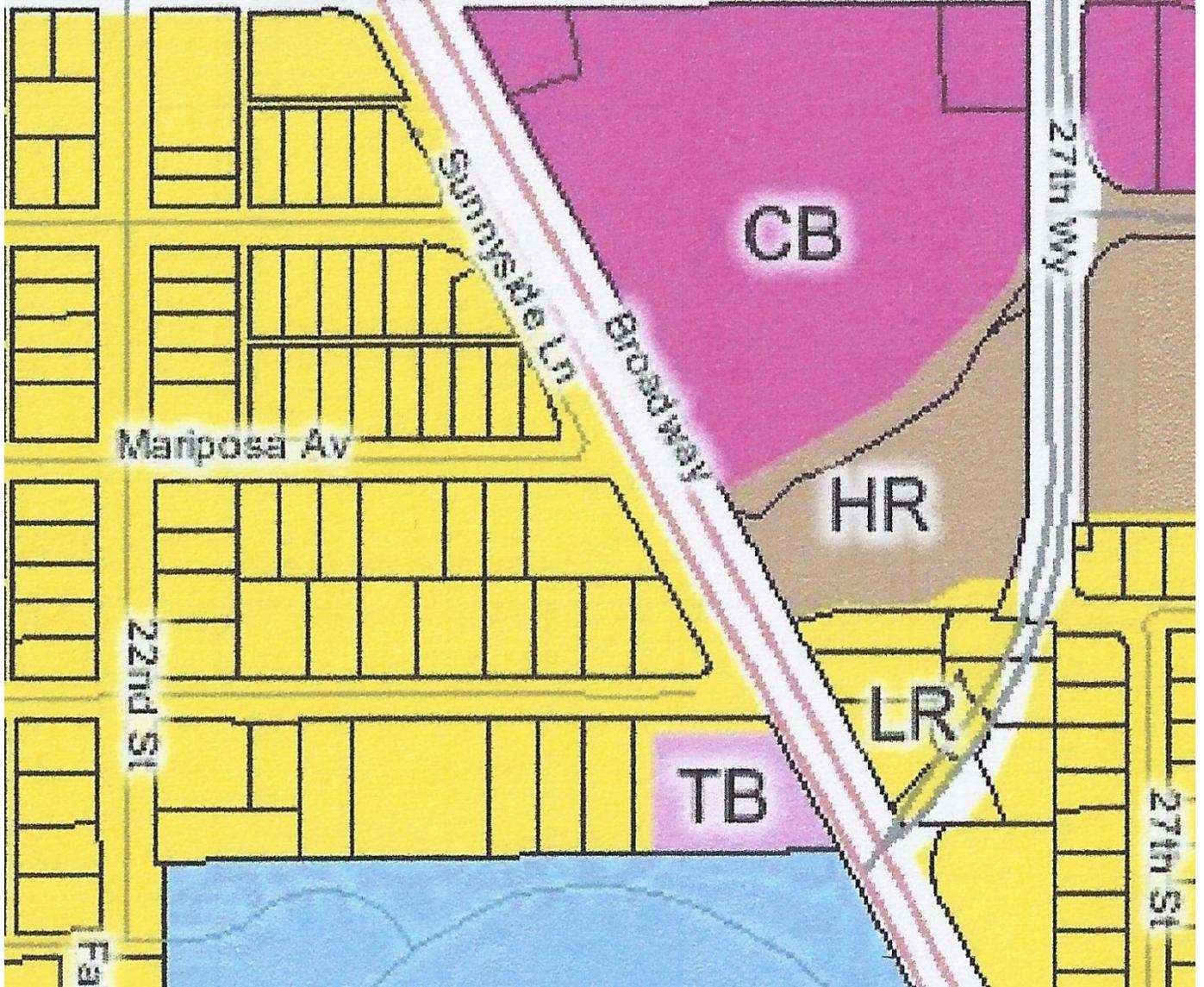
To avoid or minimize noise and visual conflicts between adjacent land uses that vary widely in use, intensity or other characteristics, the city will use tools such as interface zones, transitional areas, site and building design and cascading gradients of density in the design of subareas and zoning districts. With redevelopment, the transitional area should be within the zone of more intense use.

2.30 Sensitive Infill and Redevelopment

With little vacant land remaining in the city, most new development will occur through redevelopment. The city will gear subcommunity and area planning and other efforts toward defining the acceptable amount of infill and redevelopment and standards and performance measures for design quality to avoid or adequately mitigate negative impacts and enhance the benefits of infill and redevelopment to the community and individual neighborhoods. The city will also develop tools, such as neighborhood design guidelines, to promote sensitive infill and redevelopment.

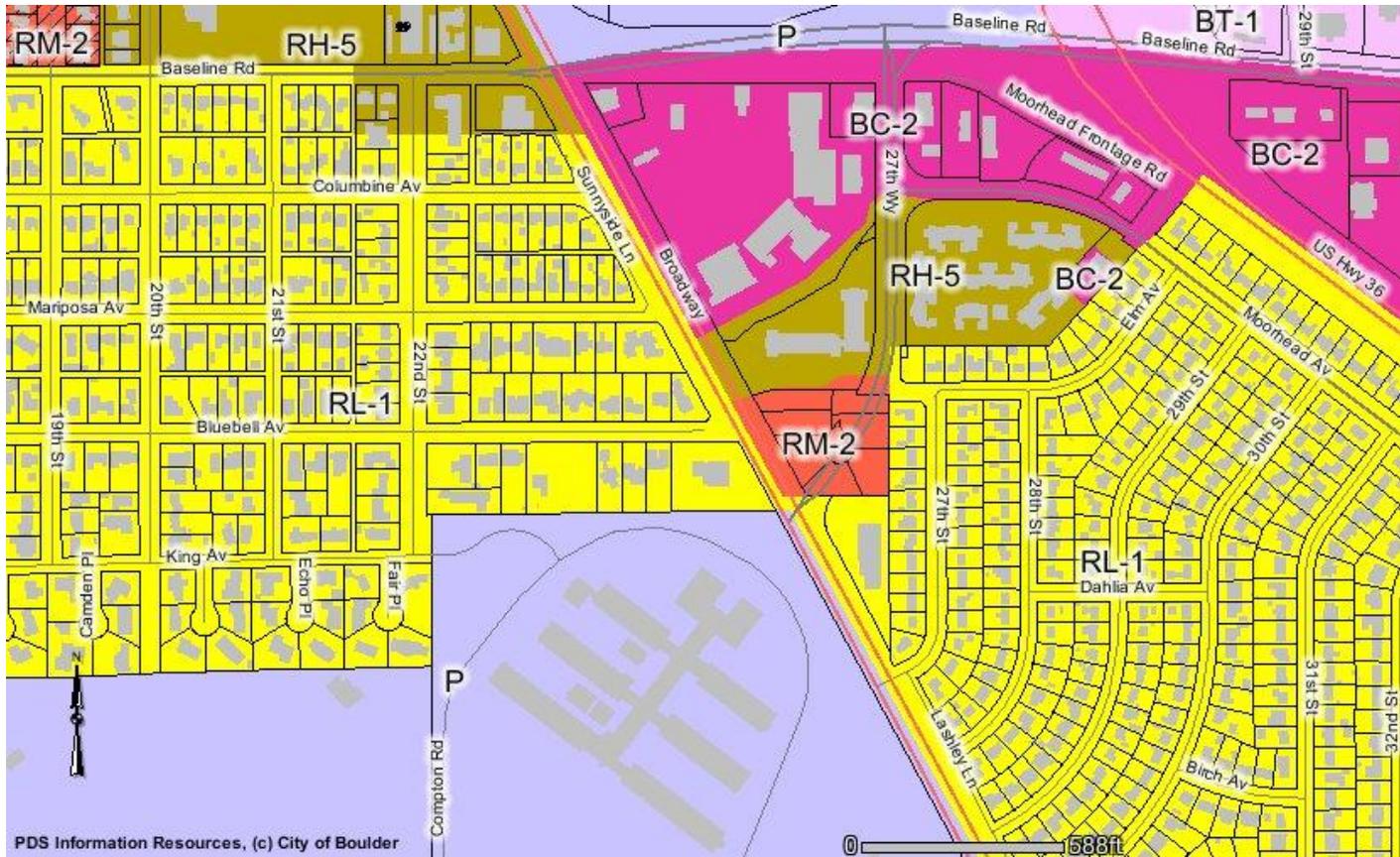


385 Broadway



CURRENT
BVCP LAND USE MAP

5 | 385 Broadway



CURRENT ZONING

6 | 385 Broadway



385 BROADWAY
Looking west from Broadway



AERIAL VIEW
385 BROADWAY



3303 Broadway –
PUB to MR or HR

Request #4**3303 Broadway**

Initiated by applicant for case no.
LUR2015-00058

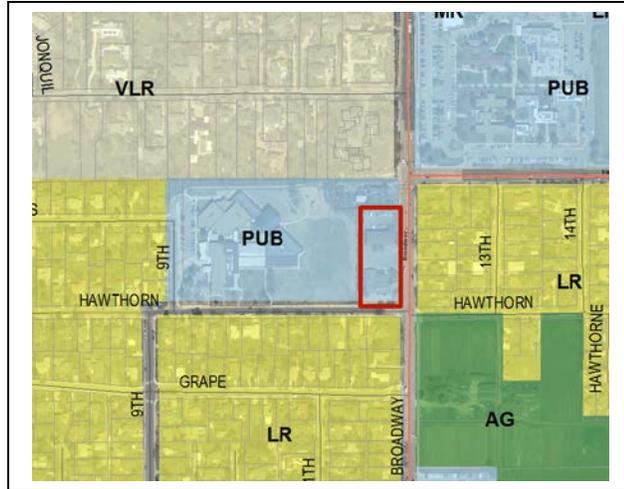
Request:

Change the BVCP land use designation from Public (PUB) to either a Medium (MR) or High (HR) density residential, with the applicant expressing flexibility to determine the appropriate use of the site.

Staff Recommendation: Yes

Staff recommends that this request be considered further as part of the 2015 BVCP major update for the following reasons:

1. The current land use designation of Public is inconsistent with the property owner's interest in selling the property for private development.
2. On October 1, 2015, Planning Board indicated that a context-sensitive medium density designation could potentially be supportable on this site, as part of case no. LUR2015-00058.

**ANALYSIS:****1.) Consistent with the purposes of the major update?**

Yes. This is a land use designation change request, which is consistent with the purposes of the BVCP major update.

2.) Consistent with current policies in the BVCP or relevant subcommunity or area plans?

The request is consistent with several BVCP policies, including: *Policy 7.06 - Mixture of Housing Types*, "to provide and maintain a mixture of housing types . . . to meet the housing needs of the full range of the Boulder Valley population" and *Policy - 2.16 Mixed Use and Higher Density Development*, which encourages "well-designed mixed use and higher density development that incorporates a substantial amount of affordable housing in appropriate locations, including . . . in proximity to multimodal corridors."

3.) Compatible with adjacent land uses and neighborhood context?

Additional analysis is needed to determine the types, locations, and intensities of land uses that may be appropriate at this location.

4.) Was the proposed change requested or considered as part of a recent update to the Comp Plan or other planning process?

The request is part of an active concept plan review case.

5.) Is there any change in circumstances, community needs, or new information that would warrant the proposal be considered as part of this update?

The potential acquisition of the site and an active land use case with a site plan under review represents a changed condition. The current owner of the site is a public agency that is more consistent with a Public land use category (Mental Health Partners), but the property may transition to a private use pending the outcome of the active land use case.

The applicant for case no. LUR2015-00058 submitted a plan with a residential density that required a high density zoning district. On October 1, 2015, Planning Board indicated that a medium density product could potentially be supportable on this site, rather than a high density product. Since that meeting, the

applicant has requested that their BVCP request be amended to reflect a medium density residential request and has indicated the need for more flexibility to determine the appropriate BVCP land use designation.

6.) Are there enough available resources to evaluate the proposed change (city and county staffing and budget priorities)?

This request would require a moderate amount of staff time. Analysis of the surrounding area and the impact of potentially allowing for uses in the Medium or High Density category would need to be carefully considered.



OUR LEGACY. OUR FUTURE.

BOULDER VALLEY COMPREHENSIVE PLAN



BOULDER VALLEY COMPREHENSIVE PLAN 2015 MAJOR UPDATE : REQUEST FOR REVISION

1) Type of Amendment (check all that apply):

<input checked="" type="checkbox"/>	Land Use Map Amendment
<input type="checkbox"/>	Changes to the Area II/III boundary
<input type="checkbox"/>	Service Area contractions or Minor Changes to the Service Area Boundary
<input type="checkbox"/>	Other Map Amendment

2) Please provide the following information

a. Brief description of the proposed amendment:

Amend land use from Public to RH-3.

b. Brief reason or justification for the proposed amendment:

Amending the land use from public to RH-3 would allow for the development of workforce housing in a amenity-rich location with direct access to multi-modal transportation in a neighborhood that has a lack of housing options.

a. Map(s) proposed for amendment: _____

b. Brief description of location of proposed amendment:

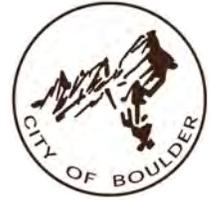
Proposed amendment at the parcel addressed 3303 Broadway. Parcel is located on Broadway between Hawthorne Avenue and Iris Avenue in front of Foothills Elementary School.

Section: 24 Township: 1N Range: 71

c. Size of parcel: 1.27 acres



**OUR LEGACY.
OUR FUTURE.**
BOULDER VALLEY COMPREHENSIVE PLAN



3) Applicant:

Name: Margaret Freund

Address: 3139 7th Street Boulder CO 80304-2511

Phone: (804) 536-9800

4) Owner:

Name: Mental Health Center of Boulder County

Address: 1333 Iris Ave Boulder CO 80304-2226

Phone: _____

5) Representative/Contact:

Name: Fulton Hill Properties

Address: 1000 Carlisle Avenue Richmond VA 23221

Phone: (804) 226-9555

6) Does the applicant have a development application or some interest in a property that in any manner would be affected by this amendment proposal? (If yes, please explain):

Yes, applicant is a resident of the neighborhood and wishes to develop the parcel to the highest and best use that is compatible with the neighborhood.

**Boulder Valley Comprehensive Plan
Request for Revision**

Supplemental Narrative

Parcel Address: 3303 Broadway
Applicant: Margaret Freund

1. Reason or justification for proposal

Amending the land use from Public to Residential High 3 (RH-3) would allow for the development of workforce housing.

The parcel located at 3303 Broadway offers an unparalleled opportunity to provide workforce housing in a location that is:

- (1) within a neighborhood that lacks housing diversity;
- (2) along a busy arterial corridor well served by alternative modes of transportation; and
- (3) in close proximity to shopping, employment, and recreation.

The change in land use to RH-3 at 3303 Broadway is appropriate to the corridor and would continue the existing pattern of development that already exists along the corridor between Balsam and Quince including multi-family housing and commercial uses. Moreover, several areas along Broadway contain more intense uses than the current zoning allows including multi-family housing in the RR-1 zone at 1170 Juniper and a medical office in the RR-2 zone at 3575 Broadway.

2. Relationship to the goals, policies, elements, and amendment criteria of the Boulder Valley Comprehensive Plan

Amending the land use from Public to RH-3 allows for the development of workforce housing and meets the following goals, policies, elements, and amendment criteria:

- a. **Housing Boulder Goal #2: Maintain the Middle** – Amending the land use creates the opportunity to develop a multi-family apartment building with units affordable to individuals earning 80% of the area median income.
- b. **Housing Boulder Goal #3: Diverse Housing Choices** – Amending land use makes it possible to create apartments in an area that is primarily single-family housing.
- c. **Housing Boulder Goal #4: Create a 15-Minute Neighborhood** – The site itself is adjacent to an elementary school, public transportation, bicycle routes, and car-sharing sites and in close proximity to retail services and employment. RH-3 on the North Broadway corridor would allow for workforce housing within this amenity-rich environment.

Developer proposes wellness center, fitness center, micro-offices, and a café on-site to enrich the 15-minute neighborhood module.

- d. **Boulder Housing Preliminary Theme #4: Improve the Relationship Between Jobs and Housing** – Workforce housing provides an opportunity for teachers, especially young teachers, to live adjacent to Foothills Elementary School. Additionally, developer proposes micro-offices to further strengthen the relationship between jobs and housing.
 - e. **Housing Boulder Goal #5: Strengthening Partnerships** – By approving this land use change, the city is a partner in addressing the shortage of workforce housing in Boulder.
 - f. **Housing Boulder Goal #6: Enable Aging in Place** – The apartments in the project enable retirees living in Newlands to downsize from single-family homes and age in place in their neighborhood.
 - g. **BVCP 1.19 Jobs: Housing Balance** – 3303 Broadway is located on a high frequency transit corridor with excellent access to the city’s mobility network to connect to employment centers.
 - h. **BVCP 2.03 Compact Development Pattern** – Strategically placing a higher density residential use at 3303 Broadway takes advantage of the existing urban services and continues the existing higher-intensity land uses already occurring on Broadway. The appropriate location for this zoning allows development to occur in a logical manner rather than leap-frogging.
 - i. **BVCP 2.21 Commitment to a Walkable and Accessible City** – Retail and recreation amenities are within walking distance.
 - j. **BVCP 8.03 Accessibility to Schools** – Site is located adjacent to Foothills Elementary School allowing households with children to drop off and pick up children without driving a car.
3. **Location map** – In an email dated September 28, 2015, Jeff Hirt said we have provided enough maps in the Concept Plan to show the project location. The maps included with this Land Use Change Request are from the Concept Plan submitted on June 15, 2015.
 4. **Detailed map** – In an email dated September 28, 2015, Jeff Hirt said we have provided enough maps in the Concept Plan to show the project details. The maps included with this Land Use Change Request are from the Concept Plan submitted on June 15, 2015.

3303 Broadway: Mixed Use with Workforce Housing

3303 Broadway will be a mixture of small scale housing units to provide workforce housing for singles, couples, and young families. Approximately one half of the apartments on site will be efficiency units. Smaller units serve the demographic most likely to take advantage of the transit and pedestrian lifestyle opportunities provided by this location.

Housing will be complimented by a small coffee shop/juice bar, wellness and functional fitness center and micro-offices.

Neighborhood supportive amenities include a community room dedicated to use by members of the surrounding neighborhoods.

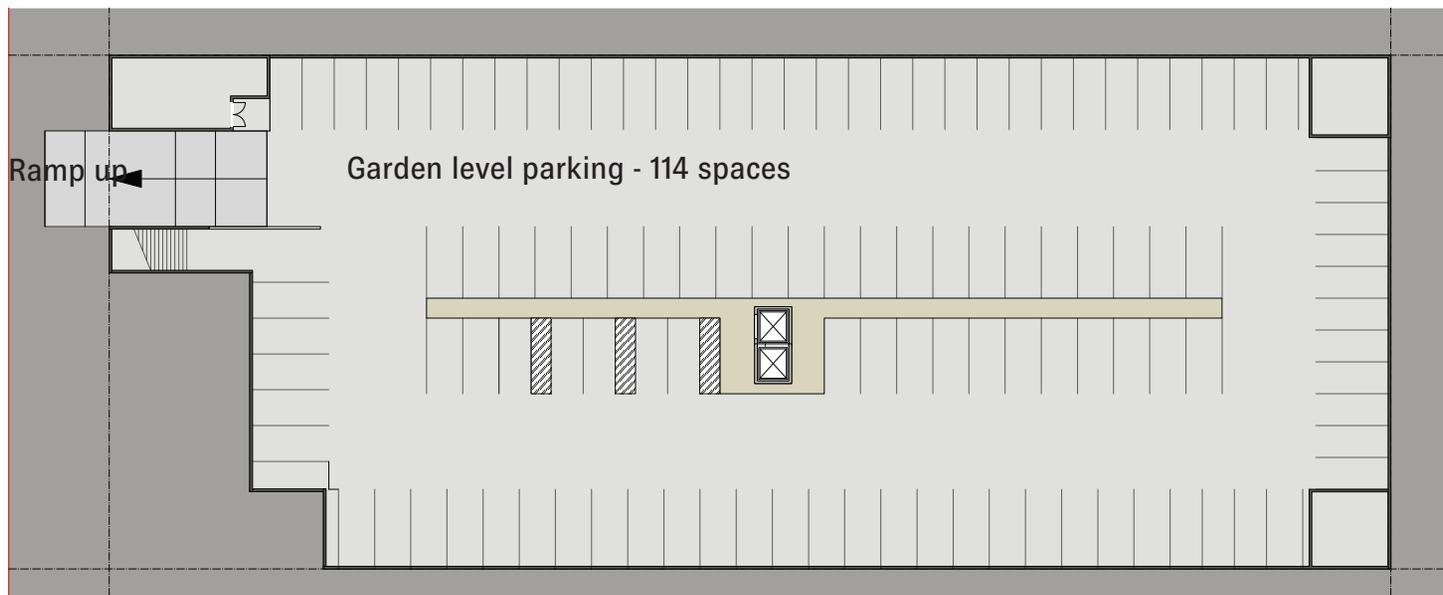
The coffee shop is an amenity nearby neighbors have asked for, and micro-office space provides office space within walking distance to Newlands and the Kalmia/Silverlake neighborhoods.

3303 Broadway Program:

- 94 units of housing
- 55 efficiency units
- 23 one-bedroom units
- 16 two-bedroom units
- 1,700 s.f. community room
- 6,250 s.f. wellness and functional fitness
- 1,200 s.f. coffee shop
- 5,650 s.f. micro office space
- 114 parking spaces



3303 Broadway Concept: Ground Floor and Parking Level Plans

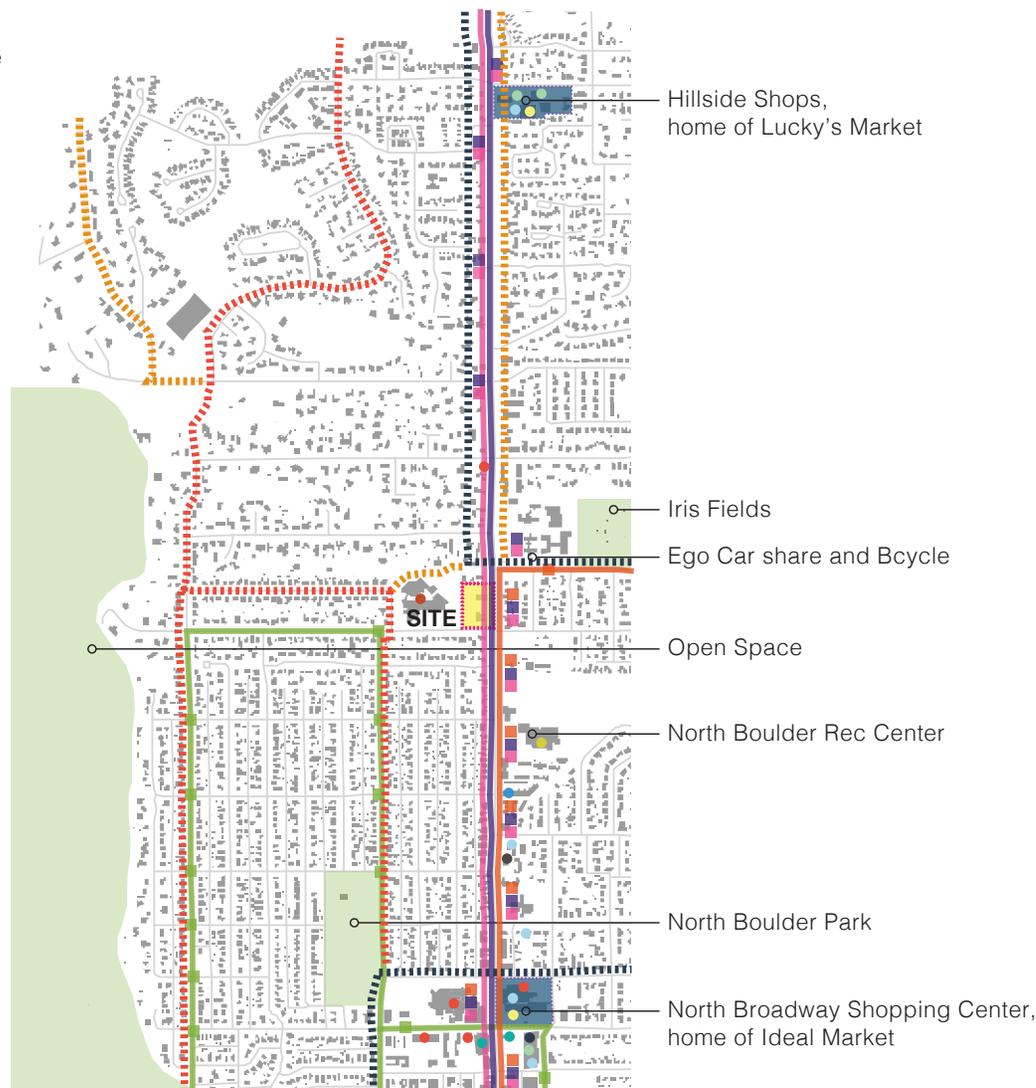


Highest and Best Use: *Multi-family Housing*

Analysis of the site conditions and our community outreach show that the highest and best use of the site is as a primarily residential targeting residents likely to use alternative modes of transportation on a daily basis. Development of the site with the proposed mix of small scale residential units and limited commercial space is supported by the following factors:

- Continues an existing pattern of development on the North Broadway corridor
- Residential land use in harmony with surrounding properties
- Residential use generates less traffic than other uses available through review
- Multi-modal transit opportunities to minimize vehicular traffic: multiple bus routes on Broadway, bike lanes and paths nearby, eGo car share and a B-cycle station across the street
- Close proximity to commercial and retail services: North Broadway Shopping Center, Hillside Shops
- Quick and easy access to major employment centers: Downtown, CU, NIST
- Close to recreational assets: Open Space, North Boulder Recreation Center, North Boulder Park

- ▬ Onstreet Bike Lane
- ▬ Designated Bike Route
- ▬ Multi Use Path
- ▬ 201 Bus Route
- ▬ 208 Bus Route
- ▬ SKIP Bus Route
- ▬ Y Bus Route
- school
- rec center
- market
- cafe or restaurant
- bank
- beauty salon
- small specialty retail
- medical center
- airport taxi
- gas station
- open space
- shopping center



Multi-modal Access



This site offers excellent multi-modal access. It is extremely well served by buses, both the high frequency Skip bus that connects the entire city north to south and neighborhood bus routes 201 and 208. The skip runs every 15 minutes.

The site is adjacent to or nearby several bike routes, on-street bike lanes and multi-use paths.

Across Iris Avenue to the northeast is a Boulder B-cycle station offering bikes for hire.

Also across Iris Avenue is an eGo car station with cars available on a short term basis for members.



- Onstreet Bike Lane
- Designated Bike Route
- Multi Use Path
- 201 Bus Route
- 208 Bus Route
- SKIP Bus Route
- Y Bus Route
- B Cycle Station
- E Go Carshare



Proximity to Shopping

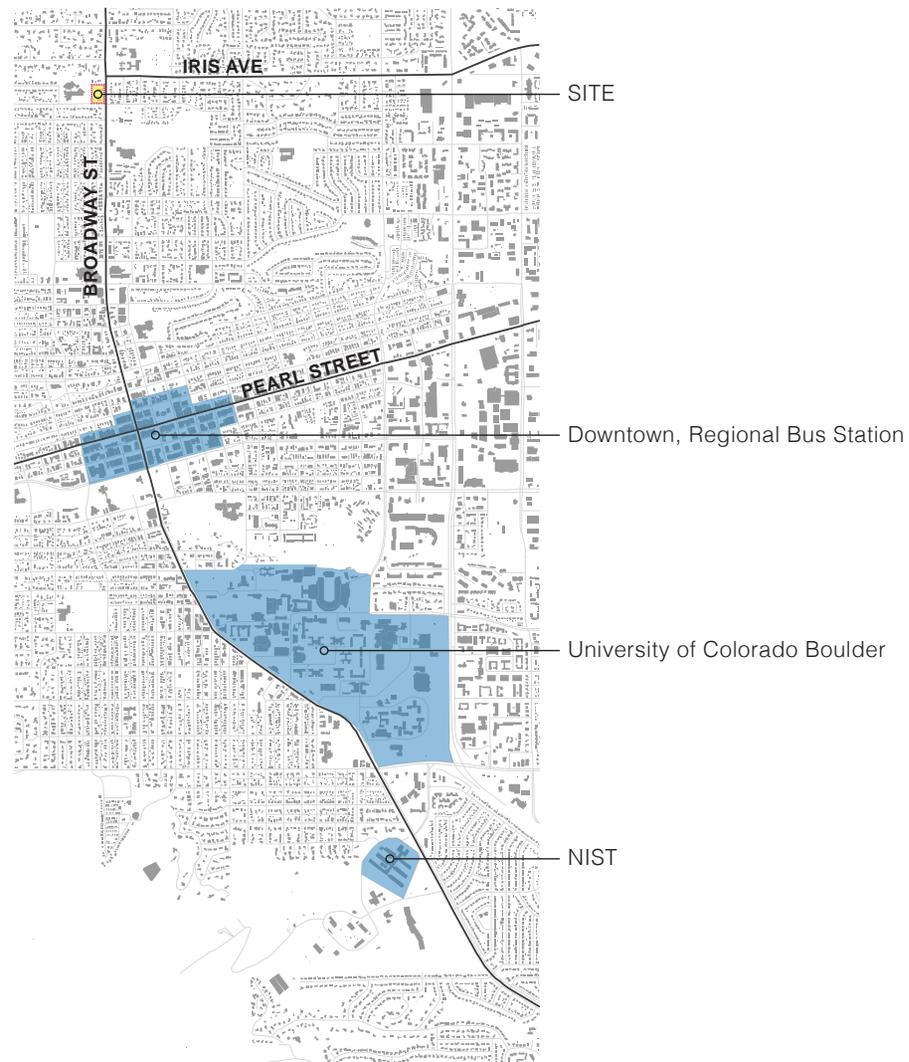
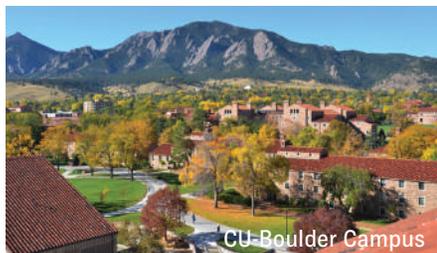
A wide range of commercial services are available on Broadway. Within .9 miles north and .6 miles south of the site are: two grocery stores, a pharmacy, a laundromat, cleaners, 11 restaurants and 7 specialty retail shops.

Lucky's Market



Proximity to Employment Centers

Within a single bus ride or short bike ride of the site are the following employment centers: Downtown, the University of Colorado, NIST. A single bus ride also takes riders to the Downtown transit center with easy connections to buses accessing all parts of Boulder and regional service to Denver, Longmont, Golden and Denver International Airport.



Proximity to Recreation

A short walk to the west along Hawthorn Avenue brings people to a trail accessing Boulder Mountain Parks and Open Space land.

The North Boulder Recreation Center is just two blocks to the south of the site on Broadway.

North Boulder Park is within five blocks to the south of the site and the Boulder Community Gardens are four blocks to the east.

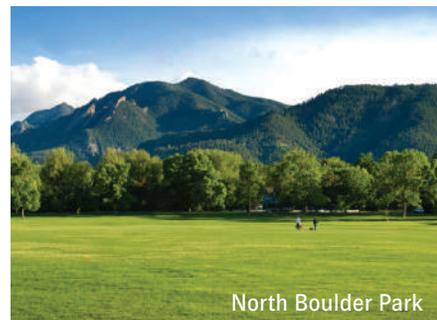


Goat Trail trail head,
Via Hawthorn. Access
to City of Boulder Open
Space and Mountain Parks

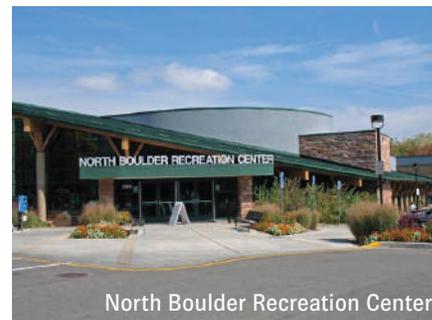
Community Gardens

North Boulder Rec Center

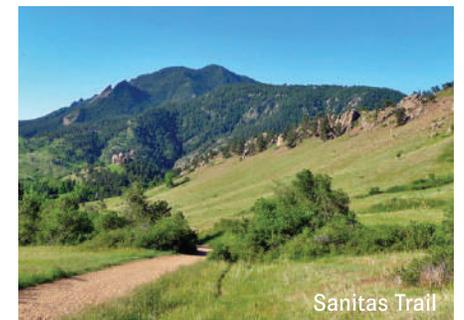
North Boulder Park



North Boulder Park



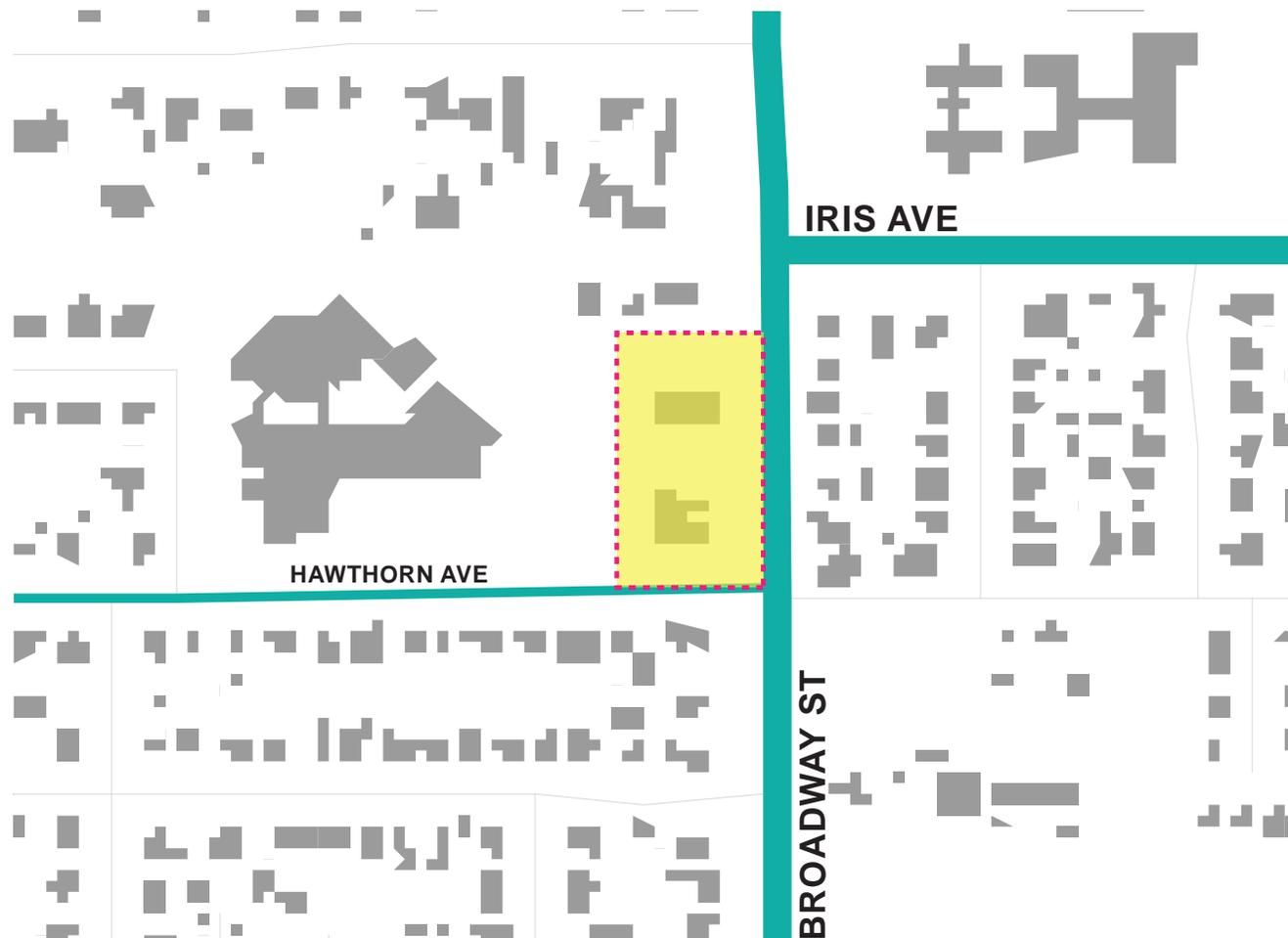
North Boulder Recreation Center



Sanitas Trail

Site Access

The site is easily accessed by two major arterial roads, Broadway and Iris Avenue. These two roads provide easy access to much of Boulder and convenient connections to 28th Street/US 36, Foothills Parkway and the Diagonal Highway providing linkages to the greater Front Range metro area.



Traffic Impact

Any development of the site must carefully consider the traffic impacts upon the adjacent school and neighborhood. Traffic engineers for the City have stipulated that any redevelopment of the site, as part of its approval, remove the existing curb cut on Broadway and provide new site access via Hawthorn.

Additional traffic on Hawthorn could conflict with existing patterns of student drop off and pick up in the "hug-n-go" zone just west of the project site. Cars queue up in this zone to drop off students in the morning and again in the afternoon when parents return to pick their children up.

The proposed development will not disrupt this pattern and will not significantly impact the neighborhood. The proposed residential use will add only 125 daily trips over and above what the People's

Clinic use of the site generated. These trips will occur primarily at hours before and after the school day. Contrast this with the 2480 additional trips that would be generated by a medical office use on site built to the size allowed by current zoning regulations with only a use review. These trips, for a medical office use, would occur throughout the day while parents are dropping off and picking up their children.

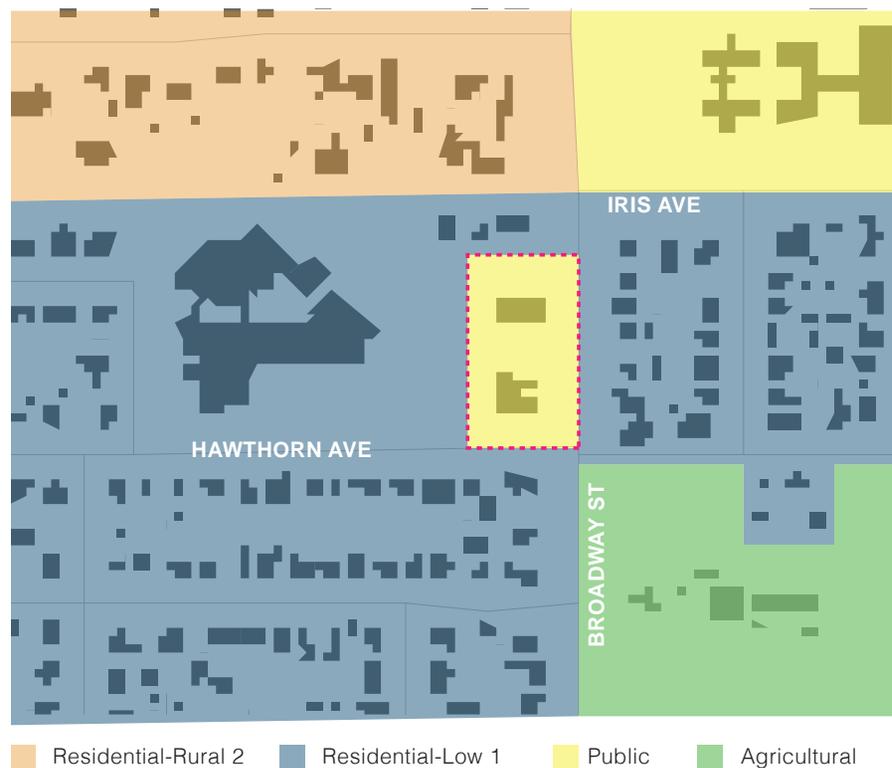


Existing Zoning of the Site and the North Broadway Corridor

The site is currently zoned P/public. Adjacent land to the east and west is zoned RL-1: low density residential. Land to the northwest is zoned RR: rural residential. Land to the northeast is zoned P: public. Land to the southeast is zoned A: agricultural.

The North Broadway Corridor from Balsam north to Quince exhibits a specific pattern of zoning allowing more intense land uses immediately along Broadway with low density residential development beyond. Land along much of this stretch of Broadway is zoned to allow multi-family housing of varying density, public and limited commercial uses. To the east and west of these "arterial" zones land is primarily zoned for low- and very low-density residential development.

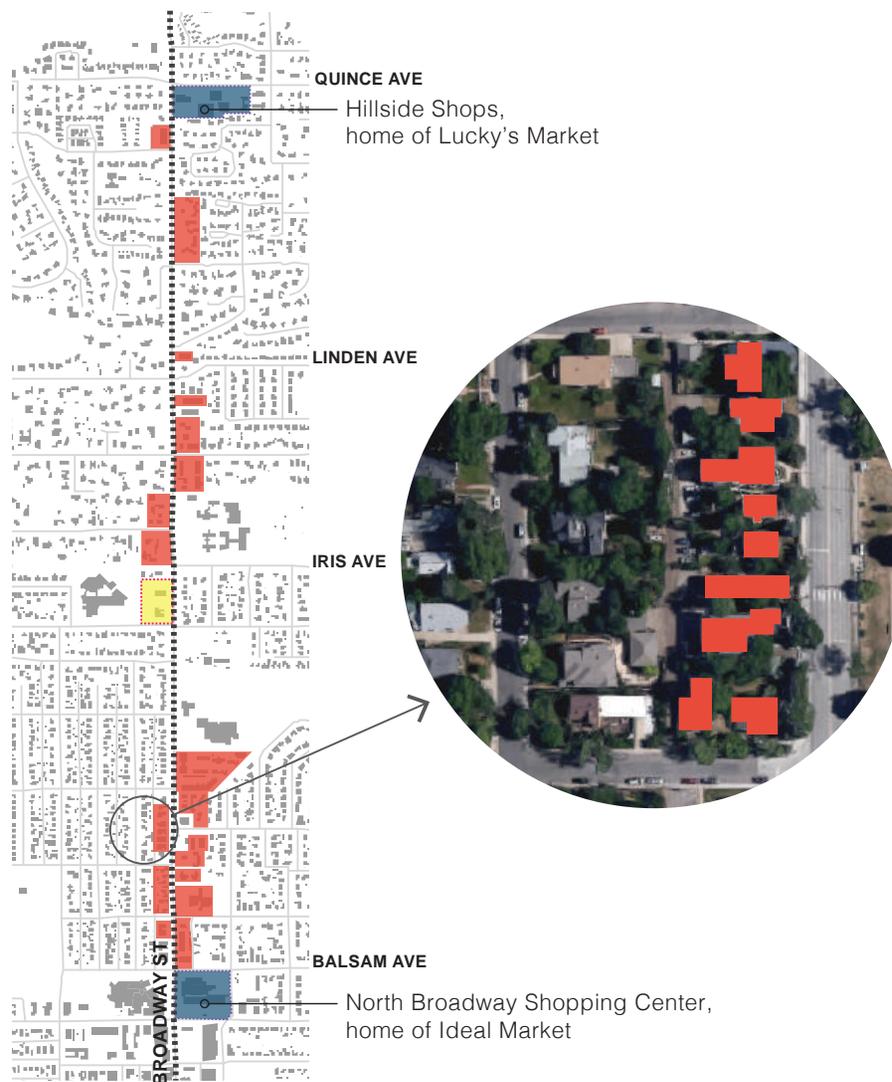
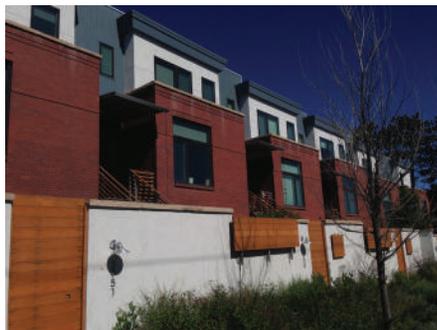
Zoning designations are occasionally misaligned with actual use. It is important to note that even in areas not zoned for more intense use along Broadway those more intense uses exist nonetheless in contravention to the existing zoning regulation. Examples include: multi-family housing in the RR-1 zone at 1170 Juniper and a medical office in the RR-2 zone at 3575 Broadway.



Existing Pattern of Multi-family Development Along Broadway

There is an existing pattern of multi-family housing along Broadway between Balsam and Quince. The multi-family housing occurs on both the east and west sides of Broadway. Along most of this length multi-family development exists only on lots that directly abut Broadway. The pattern is one of multi-story multi-family housing along Broadway with single family residential development immediately behind.

In this pattern, smaller scale more economical multi-family housing occurs along the arterial street. The multi-story, multi-family structures form an edge to the single family neighborhoods behind and act as a buffer from the traffic and noise of the arterial street. This pattern is both appropriate and supportive of alternatives to high cost single family residential development.



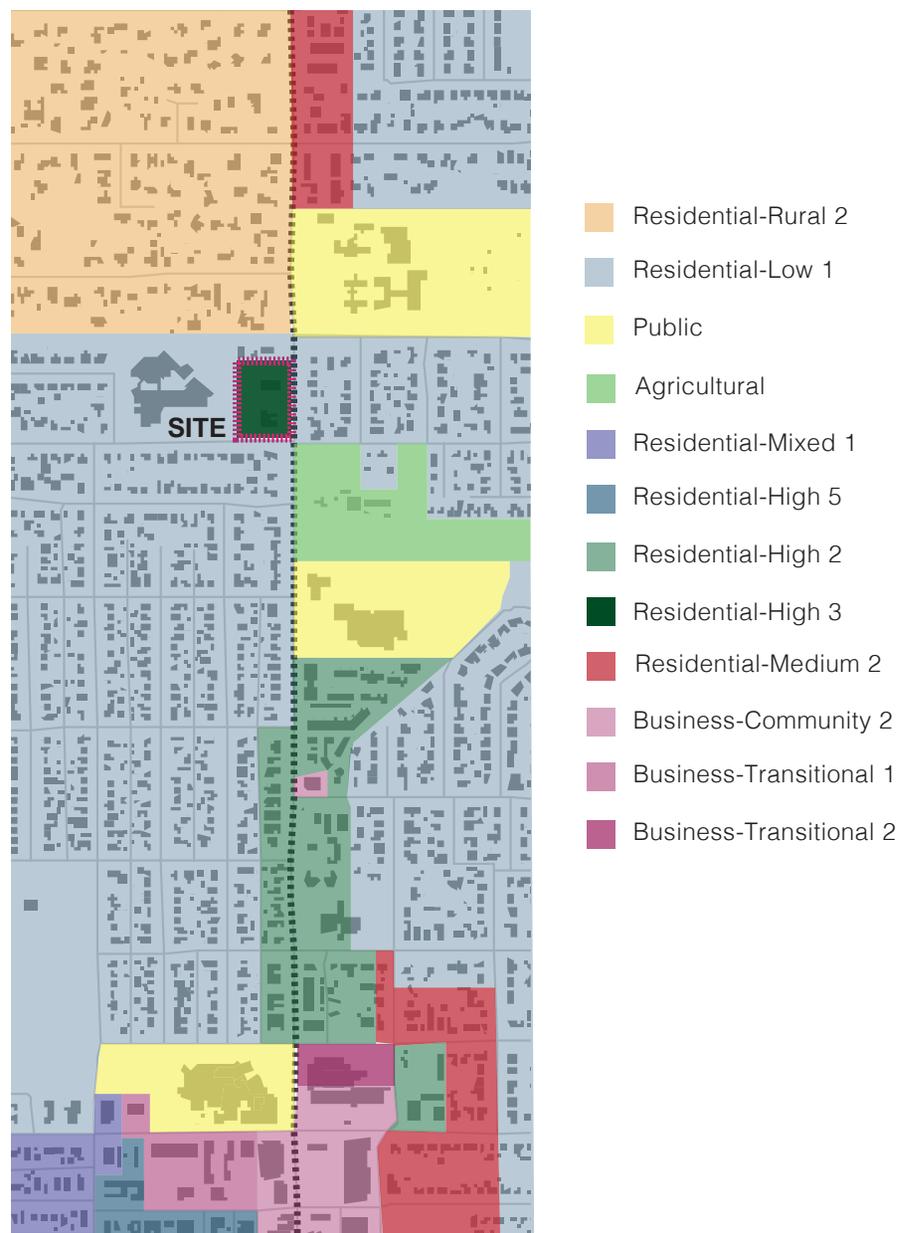
Proposed Zoning

The concept proposes a land use modeled after RH-3.

Along much of the North Broadway Corridor from Balsam to Iris land alongside Broadway is zoned RH-2. The 3303 Broadway concept will not work within this zone designation and thus proposes a zone designation of RH-3.

RH-2 limits the intensity of development through maximum dwelling units per acre and minimum open space requirements. This designation is most appropriate for standard sized and larger residential units. 3303 Broadway intends to deliver more housing in less space through a large number of efficiency units. If the

site was zoned RH-2 the efficacy of small units would be offset by the requirement for a minimum of 600 square feet of open space per unit. In effect the project would need to allocate more land to open space (600 s.f.) than it would to efficiency residential units (475 s.f.). Working within the allowable three story height this would create a building small in volume with a lot of open site area - most likely with surface parking. This suburban pattern of multi-family housing is inappropriate for the urban infill location at 3303 Broadway.



5)

**4295 Broadway,
1179 Union Ave.*,
999 Violet Ave. – LR to MUB**
*(*portion of property)*

Request #5

**4295 Broadway, 1179 Union Ave.,
999 Violet Ave.**

Initiated by owner of 4295 Broadway

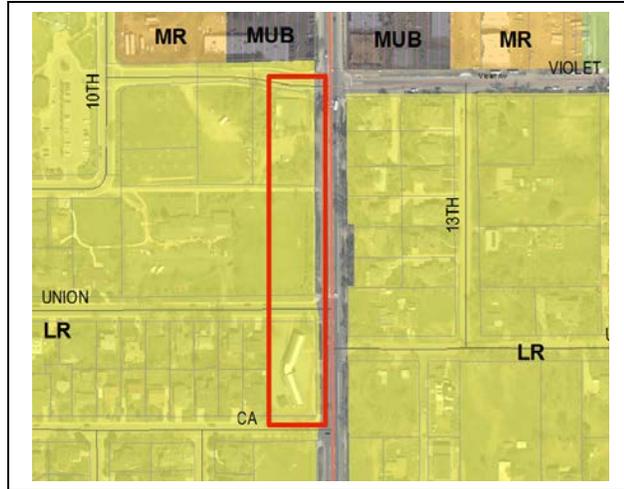
Request:

Change the BVCP land use designation from Low Density Residential (LR) to Mixed Use Business (MUB).

Staff Recommendation: No

Staff recommends that this request not be considered further as part the 2015 BVCP major update for the following reasons:

1. In 2013-2014, the North Boulder Subcommunity Plan (adopted 1995) was re-evaluated through an extensive public process and no changes were recommended on these properties.
2. One reason cited for the request is to enable an existing art studio to operate with more impacts than the city's home occupation regulations allow. A request to modify or get relief from the home occupation regulations is more appropriate outside of the BVCP land use amendment process.

**ANALYSIS:****1.) Consistent with the purposes of the major update?**

Yes. This is a land use designation change request, which is consistent with the purposes of the BVCP major update.

2.) Consistent with current policies in the BVCP or relevant subcommunity or area plans?

This property is within the plan area for the North Boulder Subcommunity Plan. The plan identifies appropriate areas for mixed use development, and the subject property is not in one of these identified areas; therefore, the requested change is inconsistent with the North Boulder Subcommunity Plan.

3.) Compatible with adjacent land uses and neighborhood context?

The existing land use context for nearly all of this part of the corridor identified is low density residential, without any indication that this will change in the short term.

4.) Was the proposed change requested or considered as part of a recent update to the Comp Plan or other planning process?

No, the proposed change was not part of a recent comprehensive plan update. The properties do fall within the purview of North Boulder Subcommunity Plan, which was re-evaluated in 2013-2014 with no changes to this area.

5.) Is there any change in circumstances, community needs, or new information that would warrant the proposal be considered as part of this update?

While there is some momentum in the North Broadway/North Boulder area to better support the arts through arts facilities and arts-oriented placemaking, among others, the current North Boulder Subcommunity plan does not support this request.

6.) Are there enough available resources to evaluate the proposed change (city and county staffing and budget priorities)?

This request would likely require a significant amount of time relative to the other 2015 BVCP change requests. The impacts of transitioning from low density residential to a mixed use area would need to be carefully considered, and the city would need to evaluate the request in concert with the North Boulder Subcommunity Plan, which had its overarching vision largely validated in the 2013-2014 update process.

**BOULDER VALLEY COMPREHENSIVE PLAN
2015 MAJOR UPDATE :
REQUEST FOR REVISION**

1) Type of Amendment (check all that apply):

<input checked="" type="checkbox"/>	Land Use Map Amendment
<input type="checkbox"/>	Changes to the Area II/III boundary
<input type="checkbox"/>	Service Area contractions or Minor Changes to the Service Area Boundary
<input type="checkbox"/>	Other Map Amendment

2) Please provide the following information

a. Brief description of the proposed amendment:

Amend BVCP land use designation map for 4295 Broadway (currently RL-1), eastern 150' of 1179 Union (currently RL-1), and 999 Violet (currently RL-2) to recommend Mixed Use Business along the west side of Broadway from Violet to Utica

b. Brief reason or justification for the proposed amendment:

The current BVCP designation of low density residential prevents the development of mixed use transitional development along Broadway, a major transit corridor, in a manner that creates a buffer for the residential neighborhood west of Broadway

a. Map(s) proposed for amendment: BVCP Land Use Designation Map, NBSP Map

b. Brief description of location of proposed amendment:

4295 Broadway, eastern 150' of 1179 Union, and 999 Violet, all in North Boulder, CO 80304

Section: 13 Township: T1N Range: R71W

c. Size of parcel: 4295 Bdwy (.64ac.) 1179 Union (1ac.) 999 Violet (.82ac.)

3) Applicant:

Name: Rebecca Didomenico

Address: 4295 Broadway, Boulder, CO 80304

Phone: (303) 669-7899

4) Owner:

Name: Waldorf School Assoc. of Boulder

Address: 999 Violet & 1179 Union, Boulder, CO 80304

Phone: (720) 570-1065

5) Representative/Contact:

Name: Ed Byrne

Address: ED BYRNE, PC, 250 Arapahoe Ave., Ste. 300, Boulder, CO 80302

Phone: (303) 447-2555

6) Does the applicant have a development application or some interest in a property that in any manner would be affected by this amendment proposal? (If yes, please explain):

Yes and no. Didomenico has tried to operate as a single family residence with an art studio home occupation, but now believes Mixed Use Business (City MU-2), which allows Art or Craft Studios <2,000s.f. is more appropriate. No new development is proposed. Waldorf School Association of Boulder owns the other two properties, but has not indicated any interest in developing them.

Zacharias, Caitlin

From: Ed Byrne [REDACTED]
Sent: Friday, October 02, 2015 4:43 PM
To: BVCPchanges
Cc: stephen perry
Subject: Affected properties: 4295 N. Broadway, 1179 Union, 999 Violet
Attachments: Didomenico BVCP land-use-request-form 20151002.pdf; Swoon BVCP land use designation map request 20151001.pdf; Didomenico BVCP land-use-request-SLIDES 20151002.pdf

Dear Caitlin,

Please find attached a slightly revised Swoon BVCP land use designation map request.pdf file, which is the narrative statement I just delivered with two minutes to spare. Unfortunately, after having a few minutes to re-read the letter, I corrected a made a few typos and cleaned up some grammar in this electronic version. If you could use this version instead of the one I just handed in, I'd really appreciate it.

To be clear, we included the Waldorf School Association of Boulder parcels, 1179 Union and 999 Violet, without first contacting them. We hope to connect with them in the very near future. I will supplement our submittal in response to any concerns they express or requests they may make of us after we've had a chance to discuss our proposed map revision. I did not want to submit a map change just for 4295 Broadway, the Swoon property, because the zoning logic applies from Utica to Violet, not just between Utica and Union. I also wanted to avoid "spot-zoning," which is disfavored.

If you have any questions about our submittal, please don't hesitate to contact me at your convenience.

Ed Byrne
ED BYRNE, PC
2 [REDACTED]
Boulder, CO 80302-5838
Work [REDACTED]
Fax: [REDACTED]
e-mail: [REDACTED]
web site: www.smartlanduse.com

Ed Byrne, P.C.

A Professional Legal Services Corporation
250 Arapahoe Avenue, Suite 300
Boulder, CO 80302 - 5838

October 2, 2015

City of Boulder
Department of Community Planning and Sustainability
attn: Caitlin Zacharias
P.O. Box 791
Boulder, CO 80306-0791

**Re: Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update
Request for Revision: 4295 Broadway (Didomenico residence & Art
Studio), 1179 Union & 999 Violet (Waldorf School Ass'n. Of Boulder),
Boulder, CO 80304**

Dear Caitlin,

Please find enclosed herewith a copy of the 2015 BVCP Major Update Request for Revision form I am filing on behalf of Swoon Studio, LLC and Rebecca Didomenico, the owner of a single family residence and art studio home occupation located at 4295 Broadway in North Boulder. After years of meetings with city staff, Ms. Didomenico built the single family residence and art studio now known as the Swoon Studio.

Ms. Didomenico's intention to build a home that would be able to house an art studio well-suited to her large scale sculptures was clear from the outset, but staff's assurances that this home occupation would be compatible with other uses in the RL-1 city zone district have not proven to be true. Although pursuing a rezoning of 4295 Broadway to either MU-2 or BT-1 (in which zone districts, among others, an art studio having less than 2,000s.f. in size is allowed by right) could have been an option before her substantial investment in the Swoon Studio was committed, all indications were that this would not be necessary. It now seems absolutely essential.

The North Boulder Subcommunity Planning Process lead to changes in the Boulder Valley Comprehensive Plan Land Use Designation Map along Broadway north of Violet that has lead to a dramatic revitalization of the area. See Slide 1, attached. One of the benefits realized early on was protection of residential neighborhoods adjacent to Broadway by use of mixed use business development along the east side of Broadway. The Swoon Studio's articulated rammed earth building provides just this sort of sound buffering for the residences west of the parcel. See Slide 2, attached. It also replaced a ramshackle structure that was falling down and in serious disrepair.

Although this sort of buffering is typically associated with "cascading" higher density development, the Swoon Studio building, which was designed to be a state-of-the-art net zero home, accomplishes the same result as a single family residence. The proposal to amend the BVCP Land Use Designation Map will permit the art studio to exist without having to make it fit within the strictures of the RL-1 home occupation standards found at B.R.C. §9-6-3 (e)(1):

§9-6-3 (e) Home Occupations:

(1) Standards: A home occupation is a permitted accessory use if the following conditions are met:

(A) Such use is conducted entirely within a principal or accessory building and is not carried on by any person other than the inhabitants living there.

(B) Such use is clearly incidental and secondary to the residential use of the dwelling and does not change the residential character thereof.

(C) The total area used for such purposes does not exceed one-half the first floor area of the user's dwelling unit.

(D) There is no change in the outside appearance of the dwelling unit or lot indicating the conduct of such home occupation, including, without limitation, advertising signs or displays.

(E) There is no on-site sale of materials or supplies except incidental retail sales.

(F) There is no exterior storage of material or equipment used as a part of the home occupation.

(G) No equipment or process is used in such home occupation that creates any glare, fumes, odors or other objectionable condition detectable to the normal senses at the boundary of the lot if the occupation is conducted in a detached dwelling unit, or outside the dwelling unit if conducted in an attached dwelling unit.

(H) No traffic is generated by such home occupation in a volume that would create a need for parking greater than that which can be accommodated on the site or which is inconsistent with the normal parking usage of the district.

Even a cursory read of these standards reveals that there are many very subjective aspects to the City's regulatory standards for home occupations, and not without reason. Ms. Didomenico is not opposed to the standards, which make a lot of sense in many other circumstances, but their application to the Swoon Studio located at 4295 Broadway is making it exceedingly difficult for Swoon to serve as an entry point to North Boulder's nascent arts and cultural district. These regulations are designed to keep home occupations virtually invisible, which is fine in other low density residential contexts.

However, the Swoon Studio, itself, makes an artistic and design gateway statement that is perfectly appropriate given North Boulder's evolution into Boulder's first arts and cultural district.

I do not specifically recall whether anyone involved in the North Boulder Subcommunity Planning Process in 1995, or the City of Boulder's rezoning process to implement its BVCP-adopted land use

designation recommendations anticipated the opportunity the Swoon Studio now provides to welcome visitors to North Boulder while declaring that art and culture find a home in our subcommunity. During this 2015 BVCP Major Update, the Applicant requests that the BVCP Land Use Designation Map be amended to make the Swoon Art Studio a legal, conforming use while allowing future development from Union to Violet to provide a similar buffer for the North Wonderland Community's residential and educational uses in this area.

Amending the North Boulder Subcommunity Plan and BVCP Land Use Designation Map to permit Mixed Use Business on the eastern half block of these three parcels between Utica and Violet is supported by the following BVCP Policies:

1.03 – The City should strengthen our a diverse economy by supporting the desire of many community members and businesses to enhance the new arts and cultural district developing in North Boulder by making the Swoon Art Studio use legal and not merely a home occupation;

1.13 – Allowing mixed use businesses, generally, and an art studio, specifically, along Broadway near the entrance to North Boulder's subcommunity center maximizes economic and resource efficiencies along a transit corridor that provides the public with reliable multi-modal access to the district from their homes and businesses;

1.22, 1.29, 2.03 – Recognition of existing potential urban facilities and services in North Boulder that use existing municipal infrastructure, is preferable to creation of new urban development outside the city limits to replace them;

2.13 – The character and livability of the established North Wonderland Community residential neighborhoods can be enhanced while limiting the mixed use business zone to the half block running along the west side of Broadway between Utica and Violet;

2.15 – Allowing Mixed Use Businesses to locate between Union and Violet along the west side of Broadway creates an opportunity for compatible future development along Broadway that can shelter the neighborhoods behind the half block, providing both a transition to Broadway and an effective visual and sound buffer;

2.17 – The Swoon Studio building can serve as a neighborhood and subcommunity gathering place and occasional activity center because it is within walking distance of most residents, and bicycling and bus service are also readily available (11 on-site parking spaces exist, and plans are being developed to eliminate on-street parking on and along the easternmost 125' of Utica, Union and Violet, with satellite special event parking provided by the Waldorf Shining Mountain school's lot);

2.31 – No new development is proposed, but the Swoon Studio represents a different housing type and a conveniently sited neighborhood and community gathering place carefully designed to mitigate potential impacts from such get-togethers;

2.36 – The Swoon Studio building is a private sector state-of-the-art environmentally sound and architecturally distinctive one that has already improved the character of its North Wonderland Community neighborhood surroundings, while it has also established a visual arts and cultural

statement that introduces visitors to our North Boulder arts district today;

5.03 – Maintenance of existing well-used and appreciated business services supports Boulder’s diverse economic base;

5.09 – Making this BVCP Land Use Designation Map revision will further development of the City’s arts and cultural programs by recognizing the artistic and architectural merit of a unique and iconic building that is already changing the way people experience North Boulder and will serve as an economic generator there for years to come; and,

5.12 – If possible, this applicant is fully supportive of the effort to revisit the home occupation regulations with an eye towards recognizing their economic and neighborhood benefits.

The above considered, the applicant respectfully requests that the North Boulder Subcommunity Plan Land Use Map and BVCP Land Use Designation Map be revised to designate the 4295 Broadway, the eastern 150' of 1179 Union, and 999 Violet for Mixed Use Business along the west side of Broadway from Utica to Violet.

Thank you for your consideration of these comments and the materials enclosed herewith.

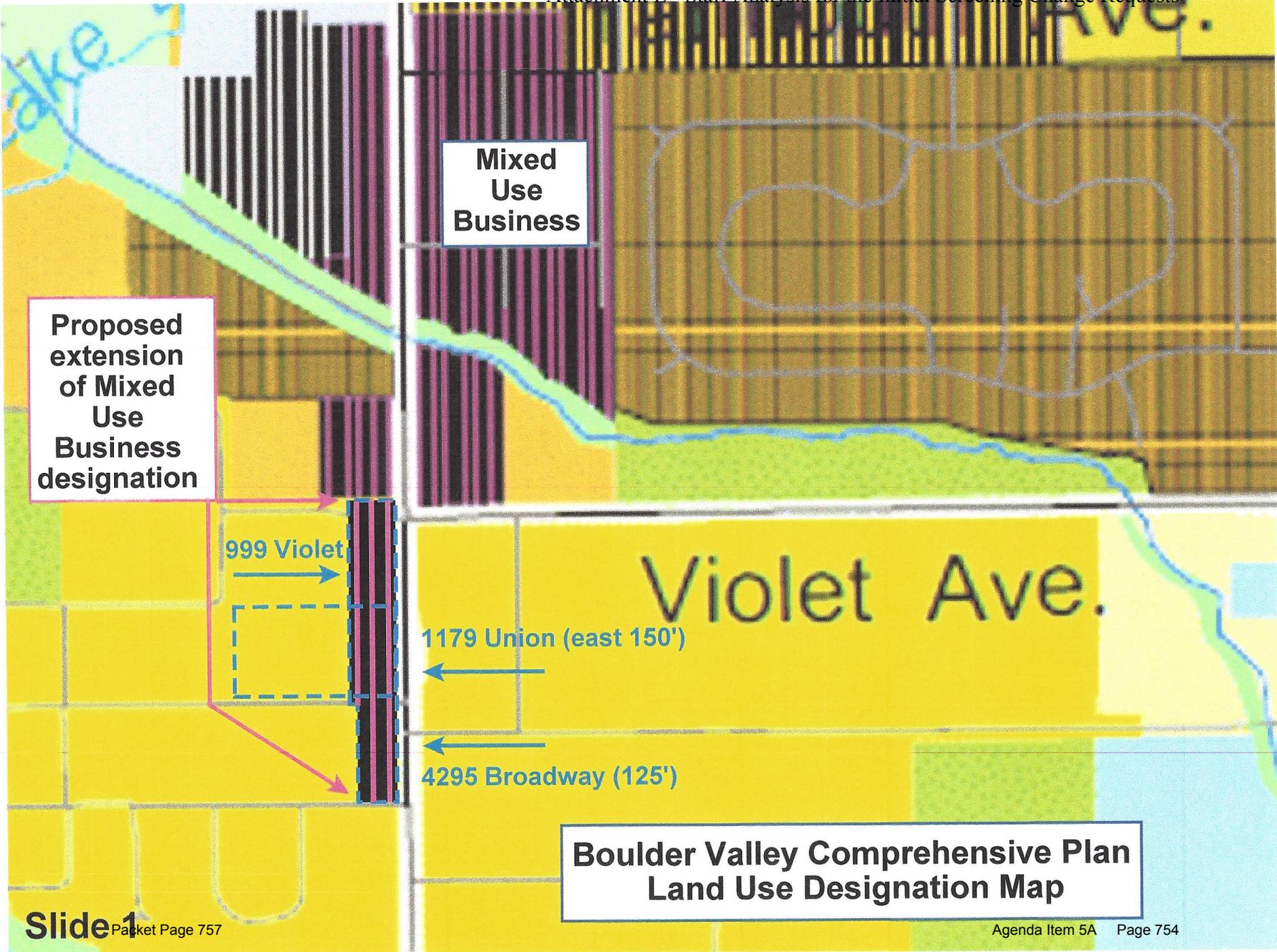
Sincerely,



Edward R. Byrne

enclosures

cc: Rebecca DiDomenico
Stephen Perry
Waldorf School Association of Boulder (not consulted prior to this submittal)



Proposed extension of Mixed Use Business designation

Mixed Use Business

999 Violet

Violet Ave.

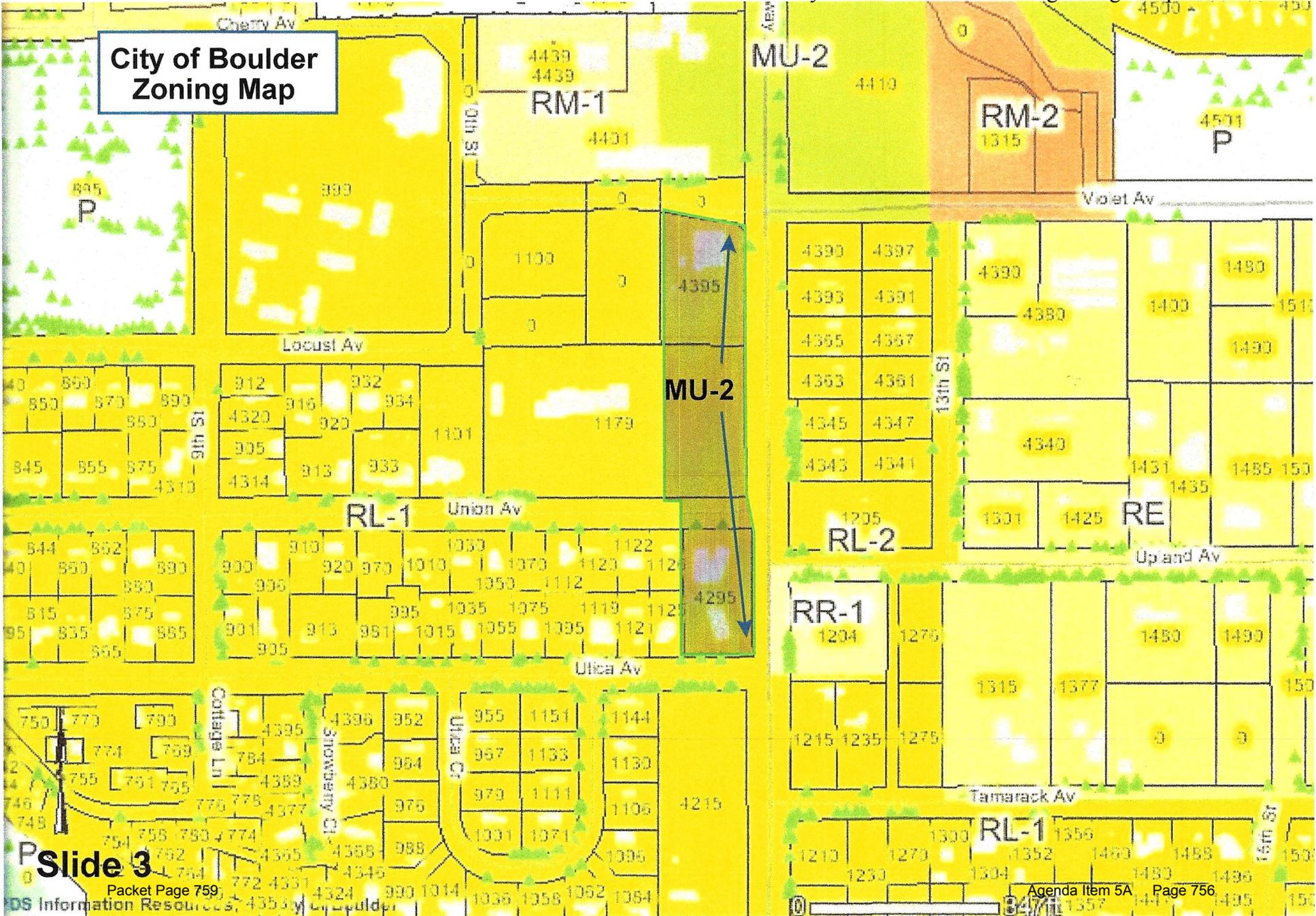
1179 Union (east 150')

4295 Broadway (125')

Boulder Valley Comprehensive Plan
Land Use Designation Map



City of Boulder Zoning Map



Slide 3

To: Zacharias, Caitlin

Subject: Re: Broadway Union and Violet request

Ms Zacharias,

I have read the DiDomenico request for 4295 Broadway land use change. The Waldorf school has not officially requested a land use change for their property. I see that Ms DiDomenico has stated that the Waldorf school, as of October 2nd isn't a part of this change request. I think, because the deadline was 5PM October 2nd 2015, and that the Waldorf school hasn't requested a land use change.

The school should be immediately removed from the review process and that the DiDomenico property be the only party considered for a review.

Best,

Donna & William Gregg Thornton

[REDACTED]
Boulder, Co.

gregg

On Nov 12, 2015, at 2:39 PM, Zacharias, Caitlin <[REDACTED]> wrote:

Hi Gregg,

Attached is the request regarding the three properties you had asked about.

Please find the schedule of public hearings here:

<https://bouldercolorado.gov/planning/bvcp-changes>.

If you scroll down mid-page, you'll see the table.

All the best,

Caitlin

PS- Maybe you have a sixth sense, and I'm about to get a cold! I'll rest up tonight!

Caitlin Zacharias

City of Boulder Planning, Housing + Sustainability

1739 Broadway, 4th Floor, Boulder, CO 80302

Email: [REDACTED]

Phone: [REDACTED]

<1N_Didomenico_Broadway Union Violet.pdf>

Zacharias, Caitlin

From: Elizabeth Black [REDACTED]
Sent: Tuesday, December 01, 2015 9:39 AM
To: Ferro, Charles
Cc: BVCPchanges; Zacharias, Caitlin
Subject: BVCP zoning change request 4295 Broadway, 1179 Union and 999 Violet,

Dear Charles,

My husband and I went to the Boulder Valley Comp Plan meeting at Crestview School, and were surprise to learn that there is a zoning change request for 4295 Broadway, 1179 Union and 999 Violet, in the BVCP update. To see a map showing the site and proposed changes:

<http://boulder.maps.arcgis.com/apps/Viewer/index.html?appid=c5abdc8ec5f04b048fae7865fbfd515> Below is a copy of the requested zoning change from the City's website. The City website says that final approval or disapproval of the requested zoning changes will occur sometime in the spring of 2016, but that the initial meeting to make the first cut will be December 15th, a joint meeting between the Planning Board and City Council.

We have several questions about this proposed change.

1. Are you the lead person on this or is there someone else I should be talking to as well?
2. What is staff's position on this zoning change? Is Planning staff for it or do you oppose it?
3. This zoning change request contradicts the North Boulder Sub-Community Plan, which has been the guiding document for all development in North Boulder. In the 1995 NBSCP, commercial development is to stay north of Violet. A transitional zone (between the business district up by Yarmouth/Yellow Pine/ Rosewood/ Zamia and our residential district south of Violet) is to stay north of Violet as well. That is why the Palmos development is residential and not commercial; it falls in the "transition zone". What is staff's thinking on how this proposed zoning change relates to the NBSCP?
4. What is allowed in MUB zoning? I could not find this particular zoning in the BRC. Are City zoning designations different than the zoning designations in the BVCP? If so, what is the City zoning that would apply here and what is allowed in that zone?
5. My neighbors are quite concerned and want to get their comments in at the right time. When is that appropriate time to comment, and to whom?
6. Do you know what the developer is planning for these parcels? Can you please tell us.

Thanks very much, Elizabeth Black

BVCP 2015 Land Use Change Sites: 1037-1N-1

Request ID 1037-1N-1
Address 4295, 4395 Broadway St., 1179 Union Av.
Current Planning Area I
Type of Change Land Use Map Amendment
Current Future Land Use LR
Current Zoning RL-1, RL-2
Proposed Designation Mixed Use Business (MUB) (Applies to all of 999 Violet and 4395 Broadway and only the east 150 feet of 1179 Union Av.)
Acres 2.60
Narrative The current BVCP designation of low density residential prevents the development of

mixed use transitional development along Broadway, a major transit corridor, in a manner that creates a buffer for the residential neighborhood west of Broadway

Elizabeth Black



Boulder CO 80304



Zacharias, Caitlin

From: Hirt, Jeff
Sent: Wednesday, December 02, 2015 3:38 PM
To: Elizabeth Black
Cc: Ferro, Charles; Ellis, Lesli; Zacharias, Caitlin
Subject: BVCP Changes - Broadway Properties Follow Up
Attachments: 1N_Didomenico_Broadway Union Violet.pdf

Hi Elizabeth,

I am following up on a question you submitted to Charles Ferro as part of the “BVCPchanges” thread regarding the Broadway properties (west side of Broadway, roughly between Violet and Utica). I’ll go through your questions, and feel free to follow up with any additional ones.

#1 – I can be your point person on this, feel free to contact me

#2 – Staff’s recommendation will be set forth in the Dec 15 council memo, and I can send it to you directly (feel free to remind me) when it is finalized and goes to council.

#3 – Regarding the consistency with the NBSCP, same answer as #2 above. The memo will address this, although this is the initial “screening” phase so the analysis won’t be too in depth, as compared to those requests that make it to the next stage (it sounded from your note that you were generally familiar with this, but feel free to follow up with questions on the process)

#4 – Regarding MUB “zoning” – it is important to distinguish between zoning and the BVCP land use categories. Understandable confusion there. The MUB designation is a BVCP land use category. The BVCP and related land use map is advisory, not regulatory. The short answer is that the BVCP land use map provides direction for any future changes. The current BVCP land use on the subject properties is Low Density Residential, which means that only a handful of the city’s zoning districts would be consistent with this, as Title 9 of the city’s code spells out 4 or 5 zoning districts that could be consistent, but would need a closer study. For properties with the BVCP land use designation of MUB (Mixed Use Business), the same applies that only a handful of zoning districts would be consistent with this designation. I clipped out the BVCP land use description for the MUB category below (see page 60 of the [BVCP](#)). I could see a handful of zoning districts being found consistent with this designation, but it would have to be analyzed on a case by case basis. Certainly an industrial or low density residential zoning would not be consistent with MUB but there are always grey areas.

Mixed Use-Business development may be deemed appropriate and will be encouraged in some business areas. These areas may be designated Mixed Use-Business where business or residential character will predominate. Housing and public uses supporting housing will be encouraged and may be required. Specific zoning and other regulations will be adopted which define the desired intensity, mix, location and design characteristics of these uses.

#5 – You can submit comments any time and we’ll make sure they are part of the public record for the Dec 15 hearing. However, in order to get it in the staff report (typically an attachment), we’ll need something in the next couple of days. Anything later than that you can send directly to the city council [hotline](#), or certainly come to the meeting to speak.

#6 – I attached the full request we received – this will all be publicly available but you are getting an advanced copy!

Let me know if you have any other questions -

Jeff Hirt, AICP

City of Boulder Planning, Housing + Sustainability
 1739 Broadway, 4th Floor, Boulder, CO 80302
 Email: [REDACTED]

Zacharias, Caitlin

From: Elizabeth Black [REDACTED]
Sent: Tuesday, December 08, 2015 9:44 AM
To: Council; boulderplanningboard; BVCPchanges; Ferro, Charles; Ellis, Lesli; Zacharias, Caitlin; Hirt, Jeff
Subject: BVCP update proposed zoning change 4295 Broadway, 1179 Union and 999 Violet

To Council, Planning Board and Planning Staff,

I am writing you in regards to a **proposed a zoning change for the west side of Broadway from Utica to Violet, changing it from Low Density Residential to Mixed Use Business, as part of the Comp Plan update.** The addresses involved include 4295 Broadway, 1179 Union and 999 Violet, land which is currently occupied by the Swoon Art Studio and portions of the Waldorf School property. You will be discussing this at your December 15th joint meeting. To see a map showing the site:

<http://boulder.maps.arcgis.com/apps/Viewer/index.html?appid=c5abdc8ec5f04b048faae7865fbfd515> Information from the City's website regarding these proposed changes is at the end of this email.

I oppose this zoning change request because it contradicts the North Boulder Sub-Community Plan, which has been the guiding document for all development in North Boulder. A guiding principle of the NBSCP is that commercial development is to stay north of Violet, with residential districts to the south of Violet. A transitional zone from the business district (up by Yarmouth/Yellow Pine/ Rosewood/ Zamia) is to stay between Four Mile Canyon Creek and Violet. (That is why the Palms Violet Crossing development is residential and not commercial; it falls in the "transition zone".)

Those of you who have been around a while remember the years of extremely contentious meetings to develop the NBSCP. Neighbors were fighting a Safeway development, and vociferously defending their residential areas from encroaching traffic and commercial development. The emotions and issues were much the same as the recent 300/301 campaign. The resultant NBSCP has since served us well, and conflict has been minimized. Houses/apartments/condos have been built, streets and infrastructure have been realigned and upgraded on the assumption that the NBSCP would be followed. South of Violet, the entire east side of Broadway has since been built out with single family residences, all on the assumption that there would be homes across the street from them. When you adopted the NBSCP, you basically promised these homeowners that they would NOT be facing a business district across Broadway.

During the recent election season, I have heard you praise the NBSCP, and offer it as a model and desirable alternative to the restrictions in 300/301. If you do indeed want more Sub-Community Plans for other areas of the City, then you should respect the one you already have. You can't let the latest whims of Planning staff or developers subvert the NBSCP. If, on the other hand, you do decide that the NBSCP should be ignored, then you should not bother with Sub-Community planning for other parts of the City. It will simply be a brain-damaging exercise in futility and lead to greater voter anger and cynicism when you subvert those other plans in the future as well.

Our Crestview West neighborhood generally supports the Swoon Art Studio, and feels that an art studio is a good addition to the neighborhood. Swoon's owner has told me that Swoon has struggled with one particular neighbor, who has made many complaints to Code Enforcement about activities at Swoon. Swoon's owner told me that these complaints are the main reason that they are applying for the zoning change. I appreciate how much distress one neighbor can cause, but I also appreciate that there are two sides to any story. Nevertheless, I do not feel that subverting the NBSCP and inserting 2 blocks of business district into a residential area is an appropriate solution to a dispute.

Rather, I feel that it would be much more appropriate for Swoon to apply for a Use Review, to convert their dwelling unit to a non-conforming use. I and others in Crestview West would probably support this change, depending on its details. The Boulder Revised Code specifically lists art or craft studio space, museums and educational uses as

compelling needs that may allow such a change. (BRC 9-2-15 Use Review, (e) 6: “Conversion of Dwelling Units to Nonresidential Uses: There shall be a presumption against approving the conversion of dwelling units in the residential zoning districts to nonresidential uses that are allowed pursuant to a use review, or through the change of one nonconforming use to another nonconforming use. The presumption against such a conversion may be overcome by a finding that the use to be approved serves another compelling social, human services, governmental or recreational need in the community, including, without limitation, a use for a daycare center, park, religious assembly, social service use, benevolent organization use, art or craft studio space, museum or an educational use.”) Swoon’s commitment to the arts, their long-standing community involvement, their innovative arts programming plans and their generous donations to the arts should all weigh heavily in their favor, in such a Use Review. Their continued successful activities are key to establishing a successful North Boulder Arts District.

I hope you will support the NBSCP and NOT allow Swoon’s proposed zoning change to the BVCP update, but will instead encourage Swoon to apply for a Use Review, and indicate your support of such an application.

Thanks very much, Elizabeth Black

BVCP 2015 Land Use Change Sites: 1037-1N-1

Request ID	1037-1N-1
Address	4295, 4395 Broadway St., 1179 Union Av.
Current Planning Area	I
Type of Change	Land Use Map Amendment
Current Future Land Use	LR
Current Zoning	RL-1, RL-2
Proposed Designation	Mixed Use Business (MUB) (Applies to all of 999 Violet and 4395 Broadway and only the east 150 feet of 1179 Union Av.)
Acres	2.60
Narrative	The current BVCP designation of low density residential prevents the development of mixed use transitional development along Broadway, a major transit corridor, in a manner that creates a buffer for the residential neighborhood west of Broadway

Elizabeth Black



Boulder CO 80304



Zacharias, Caitlin

From: plandevlop
Sent: Thursday, December 03, 2015 11:31 AM
To: Zacharias, Caitlin
Subject: FW: re union ave and broadway boulder

Hi Caitlin,

Here is a message that came in via the plandevlop mailbox regarding the comp plan amendment request for 4295 Broadway.

Thanks!

Chris

From: Steve Glotzer [<mailto:> [REDACTED]]
Sent: Thursday, November 26, 2015 10:45 AM
To: plandevlop
Subject: re union ave and broadway boulder

happy thanksgiving-

it has come to my attention that the art house on the corner of union ave and broadway is trying to get a rezoning to commercial. they were not supposed to build a commercial structure/business to begin with, as it was zoned residential, have been a poor neighbor, and now they are trying to rezone to become a worse neighbor...please stop this ruining of our neighborhood, quality of life, as well as our property values...

thank you for your attention to this

steve

--

steve glotzer

<http://steveglotzer.com>

<http://www.imdb.com/name/nm3080093/>

<http://soulsacrificetributeband.com/>

6)

4545 Broadway* –

MUI to LI

*(*portion of property)*

Request #6**4545 Broadway**

Initiated by owner

Request:

Change the BVCP land use designation of the western 200 feet of 4545 Broadway from Mixed Use Industrial (MUI) to Light Industrial (LI) to better enable continued use of the property for self service storage facilities, with the remaining eastern portion of the property to remain Mixed Use Business (MUB). The request would also require an amendment to the North Boulder Subcommunity Plan.

**Staff Recommendation: Yes**

Staff recommends that this request not be considered further as part of the 2015 BVCP major update for the following reason:

The 2013 flood heavily impacted the subject property and the previously existing self storage facility's ability to reopen and continue operating. While this represents a changed condition, the BVCP amendment process is not the forum to address this issue, as the city's regulations allow an existing non-conforming use to rebuild following a flood.

ANALYSIS:**1.) Consistent with the purposes of the major update?**

Yes. This is a land use designation change request, which is consistent with the purposes of the BVCP major update.

2.) Consistent with current policies in the BVCP or relevant subcommunity or area plans?

The request would require an amendment to the North Boulder Subcommunity Plan and the BVCP land use map. The property owner has other options outside of the BVCP process to address the land use issues articulated in the request.

3.) Compatible with adjacent land uses and neighborhood context?

Continued use of the property as self storage is consistent with the land use in existence prior to the 2013 floods.

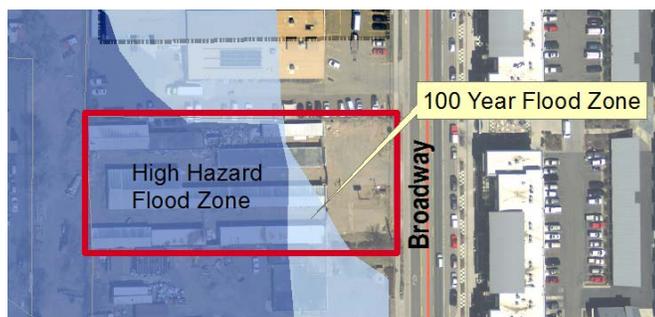
4.) Was the proposed change requested or considered as part of a recent update to the Comp Plan or other planning process?

The proposed change has not been part of a recent Comp Plan update, nor was it part of the 2013-2014 re-evaluation of the North Boulder Subcommunity Plan.

5.) Is there any change in circumstances, community needs, or new information that would warrant the proposal be considered as part of this update?

Yes, the 2013 flood heavily impacted the subject property and have created new challenges. The city is currently working with the property owner for options to repair or reconstruct some or all of the damaged self-storage facilities without the need for a BVCP or North Boulder Subcommunity Plan update. The

main issue is that the majority of the property is in the city's high hazard floodplain, which does not allow for structures intended for human occupancy (see map below). However, the city has concluded that self storage facilities are not intended for human occupancy (BRC Sec. 9-16), and therefore the self storage land use is allowed in the high hazard floodplain, assuming all other technical and land use/zoning requirements are met. Staff is not aware of any other properties in the surrounding area going through a similar process of rebuilding in the high hazard flood zone.



The city is also undertaking the [Fourmile Canyon Creek Greenways Improvements](#) project, which may pertain to the subject property. The first step is a Community and Environmental Assessment Process (CEAP) process with preliminary flood mitigation alternatives. Staff plans to present this process and alternatives to the Greenways Advisory Committee (GAC) in the second quarter of 2016. Once the GAC provides support for concepts, it would progress to the City Council review stage at a date to be determined.

CEAP is the start of a multi-year process to possibly change the official floodplain boundaries. This process involves prioritization into the city's Capital Improvements Plan (CIP) and approvals through the Federal Emergency Management Agency (FEMA). Any floodplain regulatory changes impacting the development opportunities for the property will likely not be in place for several more years, according to city flood engineering staff.

The existing zoning (IMS – Industrial Mixed Services) was implemented as part of the 1995 North Boulder Subcommunity Plan. The IMS zoning district does not allow for self storage facilities, so the pre-flood use of the property was considered a legal nonconforming use subject to the applicable nonconforming use standards in Title 9.

6.) Are there enough available resources to evaluate the proposed change (city and county staffing and budget priorities)?

This request would require a significant amount of staff time. Analysis of the surrounding area, flood conditions, the impact of potentially allowing for uses in the Light Industrial category, changes to the North Boulder Subcommunity Plan (particularly as it relates to the plan's "Village Center" concept) and other non-BVCP options to address the property owner's concerns would need to be carefully considered.



OUR LEGACY. OUR FUTURE.

BOULDER VALLEY COMPREHENSIVE PLAN



BOULDER VALLEY COMPREHENSIVE PLAN 2015 MAJOR UPDATE : REQUEST FOR REVISION

1) Type of Amendment (check all that apply):

- Land Use Map Amendment
- Changes to the Area II/III boundary
- Service Area contractions or Minor Changes to the Service Area Boundary
- Other Map Amendment

2) Please provide the following information

a. Brief description of the proposed amendment:

Change zoning of western 200 feet of 4545 Broadway, the HVP Boulder Storage II, LLC property, from Mixed Use Industrial to Light Industrial in order to allow self-service storage facilities by right; eastern 111-12 feet to remain Mixed Use Business

b. Brief reason or justification for the proposed amendment:

The western 200 feet of 4545 Broadway lie within the 100-year high hazard flood zone. No structures intended for human occupancy are permitted in this area (BRC 9-3-5). Self-Service storage facilities are prohibited in the IMS zone.

a. Map(s) proposed for amendment: BVCP Land Use Designation Map

b. Brief description of location of proposed amendment:

4545 N. Broadway, Boulder, CO 80304

Section: 12 Township: T1N Range: R71W

c. Size of parcel: .97 acre



3) Applicant:

Name: HVP Boulder Storage II, LLC (Att: Jim Meyer)

Address: 191 N. Wacker Drive, #2500, Chicago, IL 60606

Phone: (312) 541-6752

4) Owner:

Name: (Same as above)

Address: _____

Phone: _____

5) Representative/Contact:

Name: Ed Byrne

Address: ED BYRNE, PC, 250 Arapahoe Ave., Ste. 300, Boulder, CO
80302

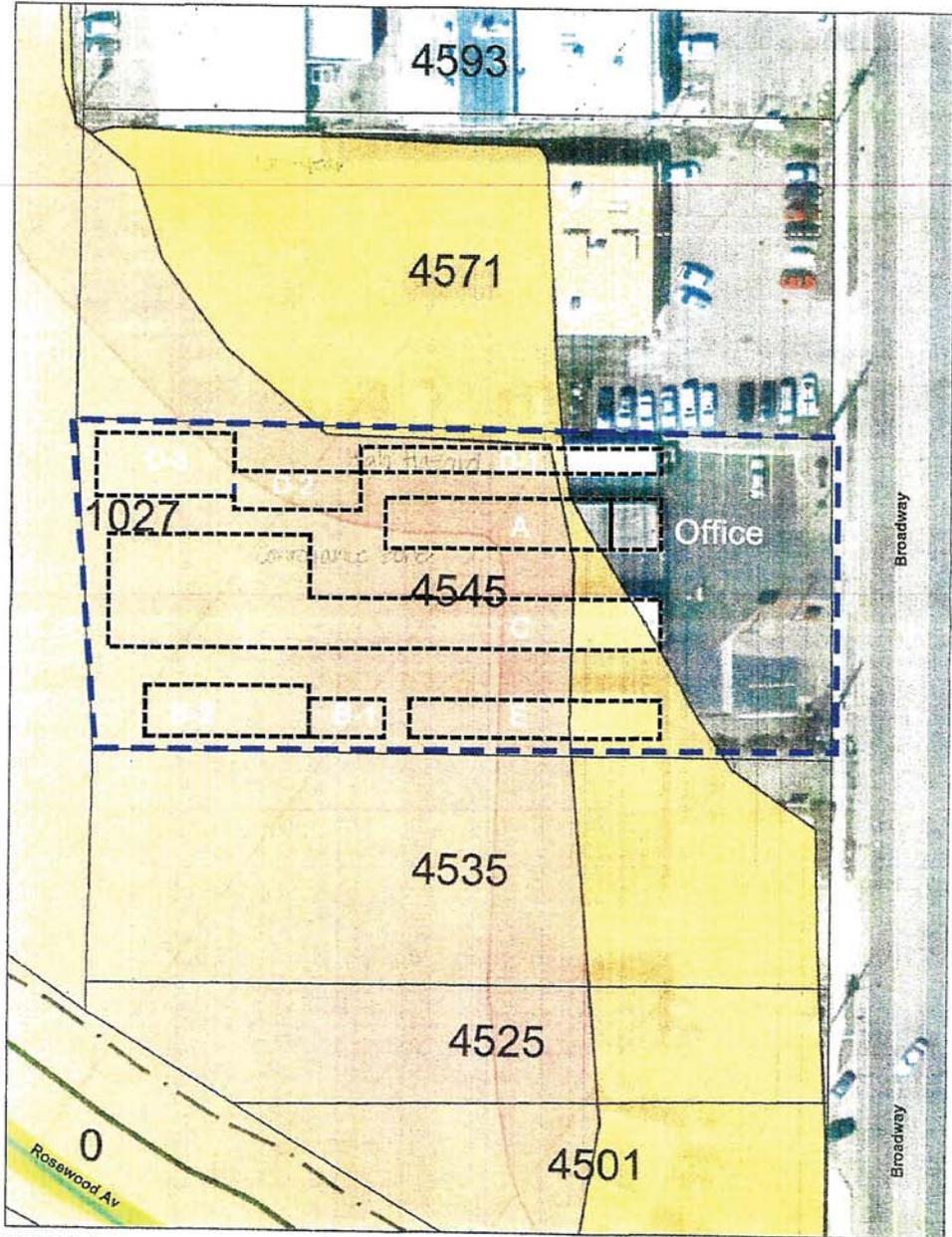
Phone: (303) 447-2555

6) Does the applicant have a development application or some interest in a property that in any manner would be affected by this amendment proposal? (If yes, please explain):

No. Owner is completing reconstruction of self storage units destroyed by September, 2013, Four Mile Creek flood. This Map amendment will cause existing self storage facility to be legal conforming use within the zone district.

Boulder Utilities Viewer

Slide 1



4545 Broadway

City of Boulder
Flood Map

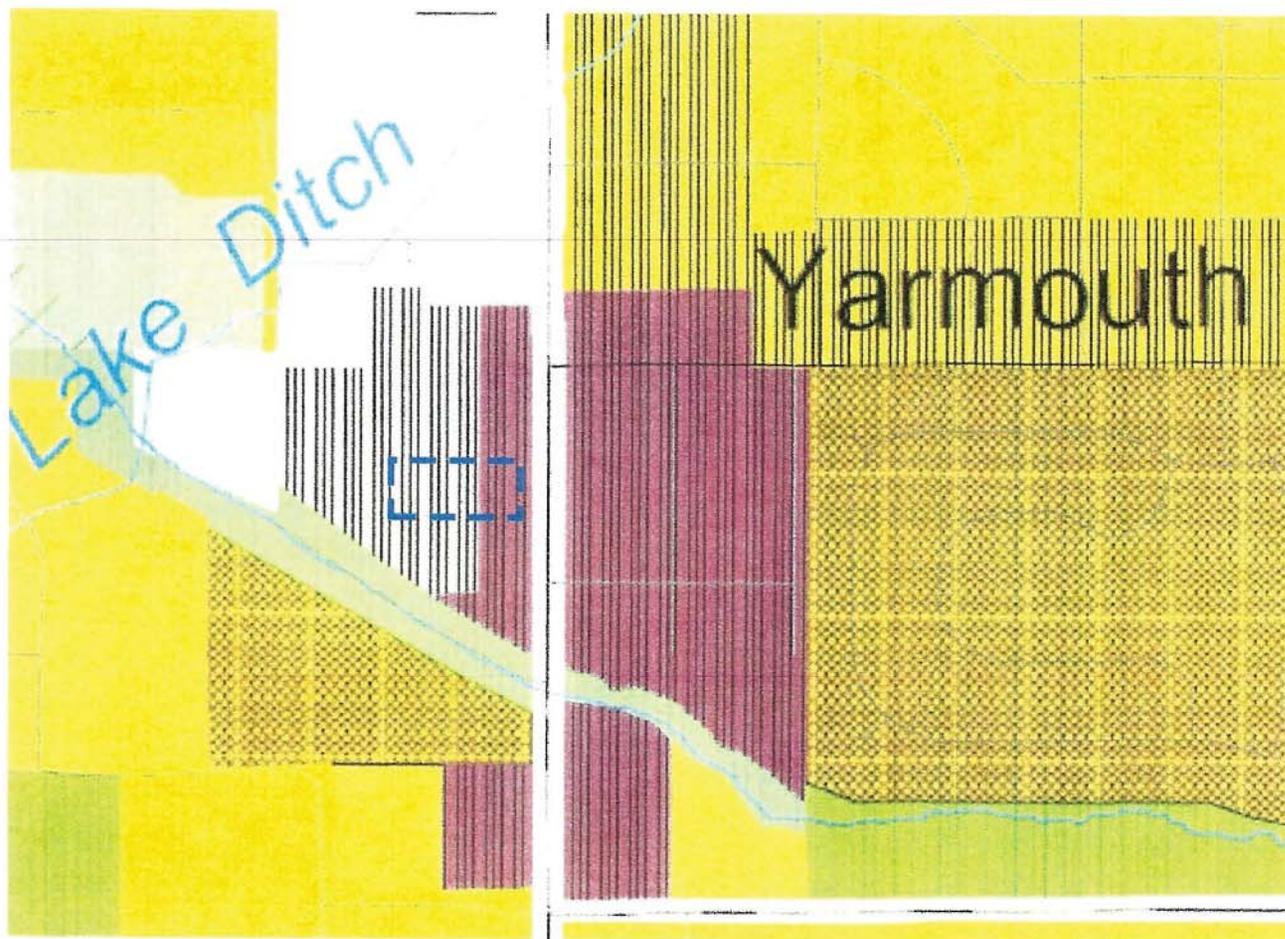
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Map produced by the City of Boulder Utilities Engineering Department.
For information call (303) 441-3256 or visit us on the web at <http://www.bouldercolorado.gov/buv>





Legend

Land Use

Residential

- Very Low Density Residential
- Low Density Residential
- Manufactured Housing
- Medium Density Residential
- Mixed Density Residential
- High Density Residential

Business

- Community Business
- General Business
- Service Commercial
- Transitional Business
- Regional Business
- Industrial**
- Community Industrial

General Industrial

- Light Industrial
- Performance Industrial
- Mixed Use**
- Mixed Use Business
- Mixed Use Industrial
- Mixed Use Residential

Open Space and Mountain Parks

- Open Space, Acquired
- Open Space, Development Rights
- Open Space, Other
- Other**
- Agricultural
- Park, Urban and Other
- Public
- Environmental Preservation

Slide 4

Zoning Districts	BT-1, BT-2	BMS	BC-1, BC-2	BCS	BR-1, BR-2	IS-1, IS-2	IG	IM	IMS	P	A	
Use Modules	B1	B2	B3	B4	B5	I1	I2	I3	I4	P	A	Specific Use Standard
Manufacturing uses ≤15,000 square feet	*	*	*	A	*	A	A	A	A	*	*	
Manufacturing uses >15,000 square feet	*	*	*	*	*	U	A	A	A	*	*	
Manufacturing uses with potential off-site impacts	*	*	*	*	*	*	U	U	*	*	*	9-6-9(e)
Outdoor storage	*	*	*	*	*	A	U	A	*	*	*	
Outdoor storage of merchandise	*	*	C	*	C	C	C	C	C	*	*	9-6-9(g)
Printers and binders	*	*	*	*	*	A	A	A	A	*	*	
Recycling centers	*	*	*	*	*	U	U	U	U	*	*	
Recycling collection facilities - large	*	*	U	U	U	U	U	U	U	U	*	9-6-9(h)
Recycling collection facilities - small	*	C	C	C	U	C	C	C	C	C	*	9-6-9(h)
Recycling processing facilities	*	*	*	*	*	U	U	U	*	U	*	9-6-9(h)
Self-service storage facilities	*	*	*	*	*	A	U	*	*	*	*	

A: Allowed use.

C: Conditional use. See [Section 9-2-2](#) for administrative review procedures.

*: Use prohibited.

U: Use review. See [Section 9-2-15](#) for use review procedures.

G: Allowed use provided that it is located above or below the ground floor.

M: Allowed use provided at least 50% of the floor area is for residential use and the nonresidential use is less than 7,000 square feet per building, otherwise use review.

N: Allowed use provided at least 50% of the floor area is for nonresidential use, otherwise by use review.

n/a: Not applicable; more specific use applications apply.

Ed Byrne, P.C.

A Professional Legal Services Corporation
250 Arapahoe Avenue, Suite 300
Boulder, CO 80302 - 5838

October 2, 2015

City of Boulder
Department of Community Planning and Sustainability
attn: Caitlin Zacharias
P.O. Box 791
Boulder, CO 80306-0791

**Re: Boulder Valley Comprehensive Plan (BVCP) 2015 Major Update
Request for Revision: 4545 Broadway, Boulder, CO 80304 (HVP Self
Storage II, LLC)**

Dear Caitlin,

Please find enclosed herewith a copy of the 2015 BVCP Major Update Request for Revision form I am filing on behalf of HVP Self Storage II, LLC, the owner of a self-service storage facility located at 4545 Broadway in North Boulder. This facility was severely damaged in the floods that occurred in the Four Mile Creek drainage during September of 2013. During the course of applying for City approval to repair and restore the self-storage facility's structures, the owner learned that no other viable economic uses are allowed pursuant to the currently applicable City of Boulder zone districts (IMS and BMS) in the high hazard and conveyance flood zones that traverse the property (see Slide 1, attached), because they all involve structures that are intended human occupancy. B.R.C. §9-3-5.

The North Boulder Subcommunity Planning Process lead to changes in the Boulder Valley Comprehensive Plan Land Use Designation Map, designating Mixed Use Industrial on the western 200 feet of 4545 Broadway, and Mixed Use Business on the eastern 111-12 feet of the property. See Slide 2, attached. This BVCP map amendment, after the City zoning was changed to implement it (see Slide 3, attached), converted the Secure Care self-service storage facility at 4545 Broadway into a legal nonconforming use (see Slide 4, attached), even though it was a legally conforming use prior to the map change.

The result of this nonconforming status was a building repair and reconstruction building permit approval process that was made extremely complicated, time-consuming and expensive by the Federal Emergency Management Administration's (FEMA) policies with respect to nonconforming structures in its high hazard and flood conveyance zones.

It is extremely doubtful that anyone involved in the North Boulder Subcommunity Planning Process or the City of Boulder's rezoning process to implement its BVCP-adopted land use designation recommendations anticipated this unfortunate outcome. During this 2015 BVCP Major Update, the Applicant requests that the BVCP Land Use Designation Map be amended to restore the legal, conforming use of self-service storage facilities in the portions of 4545 Broadway that are in the mapped high hazard and 100-year flood conveyance zones.

Restoring the legal, conforming self-service storage facility use by amending the North Boulder Subcommunity Plan and BVCP Land Use Designation Map to Light Industrial instead of Mixed Use Industrial is supported by the following BVCP Policies:

1.03 – The City should support a diverse economy that supports the demonstrated need of many community members and businesses to store their personal property in proximate self-service storage facilities;

1.13 – Provision of self-service storage facilities within the city limits maximizes economic and resource efficiencies while providing the public with reliable and equitable storage services near their homes and businesses;

1.22, 1.29, 2.03 – Preservation of existing urban facilities and services within North Boulder, using existing municipal infrastructure, is preferable to creation of new urban development outside the city limits to replace them;

2.15 – Splitting the designated uses to include Mixed Use Business along the 111-12 feet of Broadway frontage preserves the opportunity for future development along Broadway that can reflect the more intensive uses on the east side of Broadway, transitioning effectively and providing a visual buffer between Broadway and the service industrial self-service storage facility use;

3.16 – Use of the high hazard and 100-year flood conveyance zone land for structures not intended for human occupancy prevents danger to human life while allowing productive use of land near the center of the North Boulder subcommunity;

3.20 – Similarly, balancing the community’s interest in proximate self-storage facilities while preventing unwise uses in the floodplain serves the public without endangering them; and,

5.03 – Maintenance of existing well-used and appreciated business services supports Boulder’s diverse economic base.

The above considered, HVP Boulder Storage II, LLC, respectfully requests that the North Boulder Subcommunity Plan Land Use Map and BVCP Land Use Designation Map be revised to designate the western 200 feet of 4545 Broadway for Light Industrial Use instead of Mixed Use Industrial.

Thank you for your consideration of these comments and the materials enclosed herewith.

Sincerely,



Edward R. Byrne

enclosures

cc: James Meyer, HVP Boulder Storage II, LLC