

CITY OF BOULDER
AGENDA ITEM PLANNING BOARD
MEETING DATE: October 1, 2015

AGENDA TITLE:

CONCEPT PLAN REVIEW AND COMMENT: Request for citizen, staff and Planning Board comment on a proposal to redevelop the property located at 2801 Jay Rd. with a multi-family residential development consisting of 94 units in eight buildings. The development is proposed as a receiving site to accommodate required affordable housing from a companion development at 3303 Broadway. The applicant seeks to annex the property to the city with Residential - Mixed 2 (RMX-2) zoning and amend the Boulder Valley Comprehensive Plan (BVCP) land use designation from Public to High Density Residential. Case number LUR2015-00074.

Applicant: Margaret Freund, Fulton Hill Properties
Property Owner: Colorado District of the Church of the Nazarene

REQUESTING DEPARTMENT:

Planning, Housing and Sustainability:

David Driskell, Executive Director
Susan Richstone, Deputy Director
Charles Ferro, Development Review Manager
Sloane Walbert, Planner I

OBJECTIVE:

1. Planning Board hears applicant and staff presentations.
2. Hold Public Hearing.
3. Planning Board to ask questions of applicant, the public, and staff.
4. Planning Board discussion and comment on Concept Plan. No action is required by Planning Board.

PROPOSAL AND SITE SUMMARY:

Proposal:

CONCEPT PLAN REVIEW AND COMMENT: Request for citizen, staff and Planning Board input on a proposal to redevelop the property formerly used by Boulder First Church of the Nazarene on the northeast corner of Jay Rd. and 28th St. (U.S. 36). The proposal includes demolishing the existing building and constructing eight multi-family residential buildings. Proposed residential units will consist of 21 three-bedroom row houses, 30 two-bedroom row houses, 38 two-bedroom apartments and 5 one-bedroom apartments (94 units total). The proposed design includes 3 small parks, a community room and 142 parking spaces located along the "woonerf" drive access, in garages and a designated parking area. The development is proposed as a receiving site to accommodate required affordable housing from a companion development at 3303 Broadway. The applicant seeks to annex the property to the city with Residential - Mixed 2 (RMX-2) zoning and amend the Boulder Valley Comprehensive Plan (BVCP) land use designation.

Project Name: 2801 JAY ROAD RESIDENTIAL REDEVELOPMENT
Location: 2801 Jay Rd.
Size of Property: 207,274 square feet (4.76 acres)
Zoning: Existing – County Zoning of RR – Rural Residential
Proposed – Residential - Mixed 2 (RMX-2)
Comprehensive Plan: Existing – Public
Proposed – High Density Residential

I. INTRODUCTION AND BACKGROUND

PROCESS

The project is required to complete Concept Plan and Site Review concurrent with annexation because the site meets the minimum thresholds in both the P and RMX-2 zone districts. Projects that contain 100,000 square feet of floor area in the P zone district and projects over 2 acres or 20 dwelling units in the RMX-2 are required to complete a Concept Plan Review and Site Review. The applicant has submitted a Concept Plan Review prior to an application for Annexation in order to receive initial feedback on the proposal before submitting an annexation package.

The purpose of the Concept Plan review is to determine the general development plan for a particular site and to help identify key issues in advance of a Site Review submittal. This step in the development process is intended to give the applicant an opportunity to solicit comments from the Planning Board as well as the public early in the development process as to whether a development concept is consistent with the requirements of the city as set forth in its adopted plans, ordinances and policies (section 9-2-13, B.R.C. 1981). Concept Plan review requires staff review and a public hearing before the Planning Board.

BACKGROUND

The subject property is located in Boulder County near the intersection of 28th St./U.S. 36, and Jay Rd. 28th St. serves as the general city limits in this area. The 4.76 acre site is located immediately east of the city limits. The subject property contains a church constructed circa 1953 and a parking lot. The Boulder First Church of the Nazarene operated on the property for many years and the property is currently owned by the Colorado District of the Church of the Nazarene. The property is served by city water per an out-of-city utility agreement and revocable permit signed in 1987. The property contains a 42-foot tall monopole for telecommunications equipment, which would not be



Figure 1: Existing Conditions

permissible per city zoning standards. The site was approved in 1997 by Boulder County for a daycare center (which operates at night) for over-flow activity from the Boulder Shelter for the Homeless.



Figure 2: Birds-Eye View of Existing Context

The surrounding area is characterized by primarily low-density single-family residential development. However, a variety of uses exists in the immediate area. A single-story worship building (the Lubavitch Synagogue) is currently under construction immediately to the south, across Jay Rd. (2810 Jay Rd.). The Foothills Animal Clinic is located east of the synagogue (2810 Jay Rd.). In addition, the Peace Evangelical Lutheran Church is located catty-corner to the site on the southwest corner of the intersection of Jay Rd. and 28th St. The site is located just west of the Airport Influence Area.

The property is located in Area II in the [Boulder Valley Comprehensive Plan \(BVCP\)](#), which is the “area now under county jurisdiction, where annexation to the city can be considered consistent with policies 1.16 Adapting to Limits on Physical Expansion, 1.18 Growth Requirements and 1.24 Annexation. New urban development may only occur coincident with the availability of adequate facilities and services and not otherwise.” The subject property is surrounded to the north and east by the Area III-Planning Reserve, that portion of Area III with rural land uses where the city intends to maintain the option of limited Service Area expansion. As part of the 2015 Boulder Valley Comprehensive Plan update, City Council directed staff not to move forward with a Service Area Expansion Assessment for the Planning Reserve during the current plan update. That means that the Planning Reserve area will continue as an option for future service area expansion until at least the next five year update.



Figure 3: BVCP Planning Areas

The location and characteristics of this land make it potentially suitable for new urban development, based on the apparent lack of sensitive environmental areas, hazard areas, and significant agricultural lands, the feasibility of efficient urban service extension, and contiguity to the existing Service Area, which maintains a compact community. Refer to **Figure 3** above.

As shown in **Figure 4** on the following page, the site is currently designated as Public under the BVCP Land Use Map, which reflects the existing religious assembly use. Per the BVCP, the Public designation encompasses a wide range of public and private nonprofit uses that provide a community service, such as municipal and public utility services, educational facilities, including public and private schools and the university, government offices such as city and county buildings, libraries, government laboratories and nonprofit facilities like cemeteries, churches, hospitals and retirement complexes.

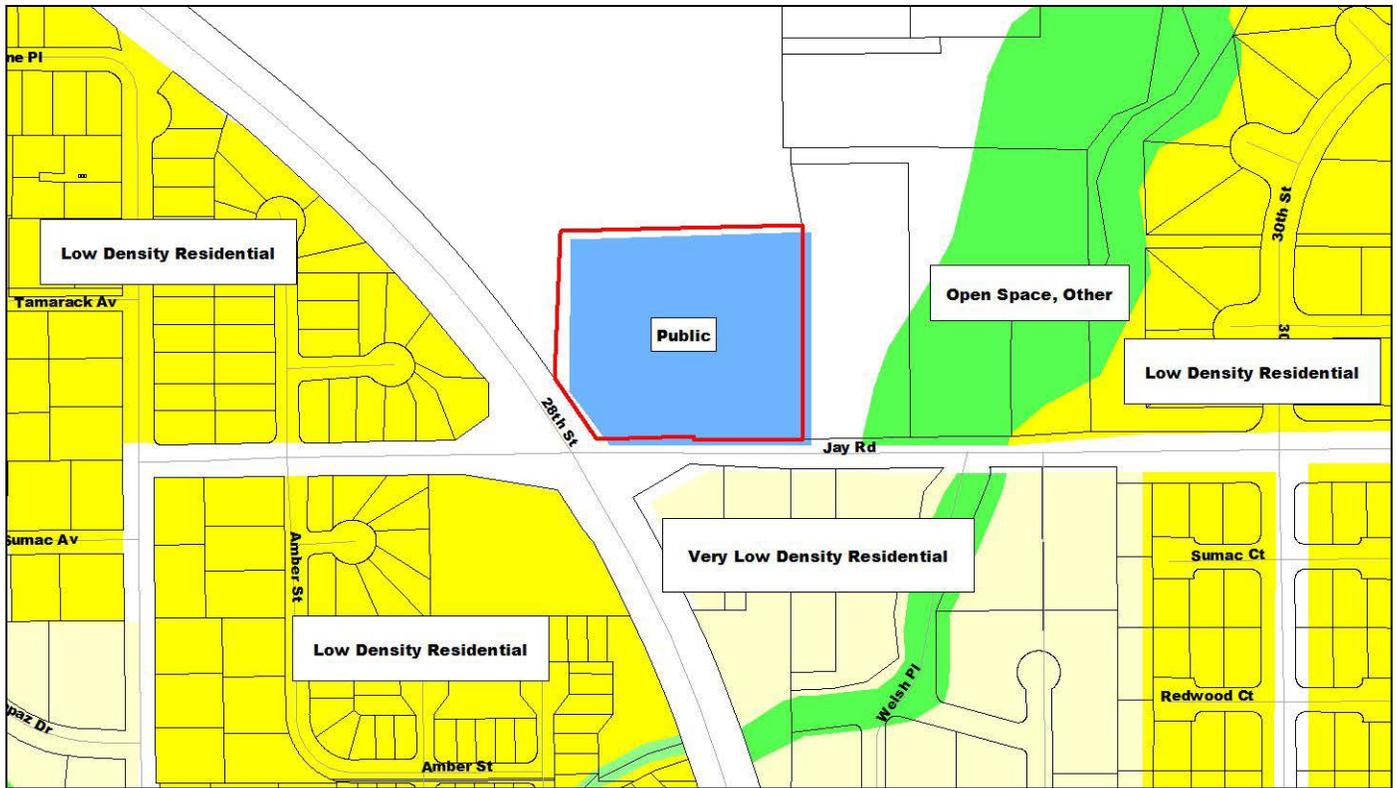


Figure 4: BVCP Land Use

The property is located in unincorporated Boulder County with a county zoning of RR – Rural Residential, which is defined as “residential areas developed at a density and character compatible with agricultural uses” (Article 4-103, Boulder County Land Use Code). **Figure 5** on the following page shows the surrounding city zoning districts. Given the BVCP Public land use designation, the corresponding city zone district designation assigned to the property would be Public. The Public zone district is defined as “public areas in which public and semi-public facilities and uses are located, including without limitation, governmental and educational uses” (section 9-5-2(c)(5), B.R.C. 1981). The proposed residential use is inconsistent with the intent of the existing Public land use designation and would be inconsistent with P zoning. As such, the project would require a BVCP land use designation change. Annexation of the subject property provides an opportunity to determine the community’s desired future for the area and make the zoning and land use designation more consistent with the proposed use and surrounding area.

The applicant has proposed a zoning designation of Residential - Mixed 2 (RMX-2) as part of annexation. This zone district is described as “medium density residential areas which have a mix of densities from low density to high density and where complementary uses may be permitted” (section 9-5-2(c), B.R.C. 1981). However, note that the BVCP defines medium density residential development as six to 14 dwelling units per acre. Thus, the proposal of 19.7 dwelling units per acre would be considered high-density development.

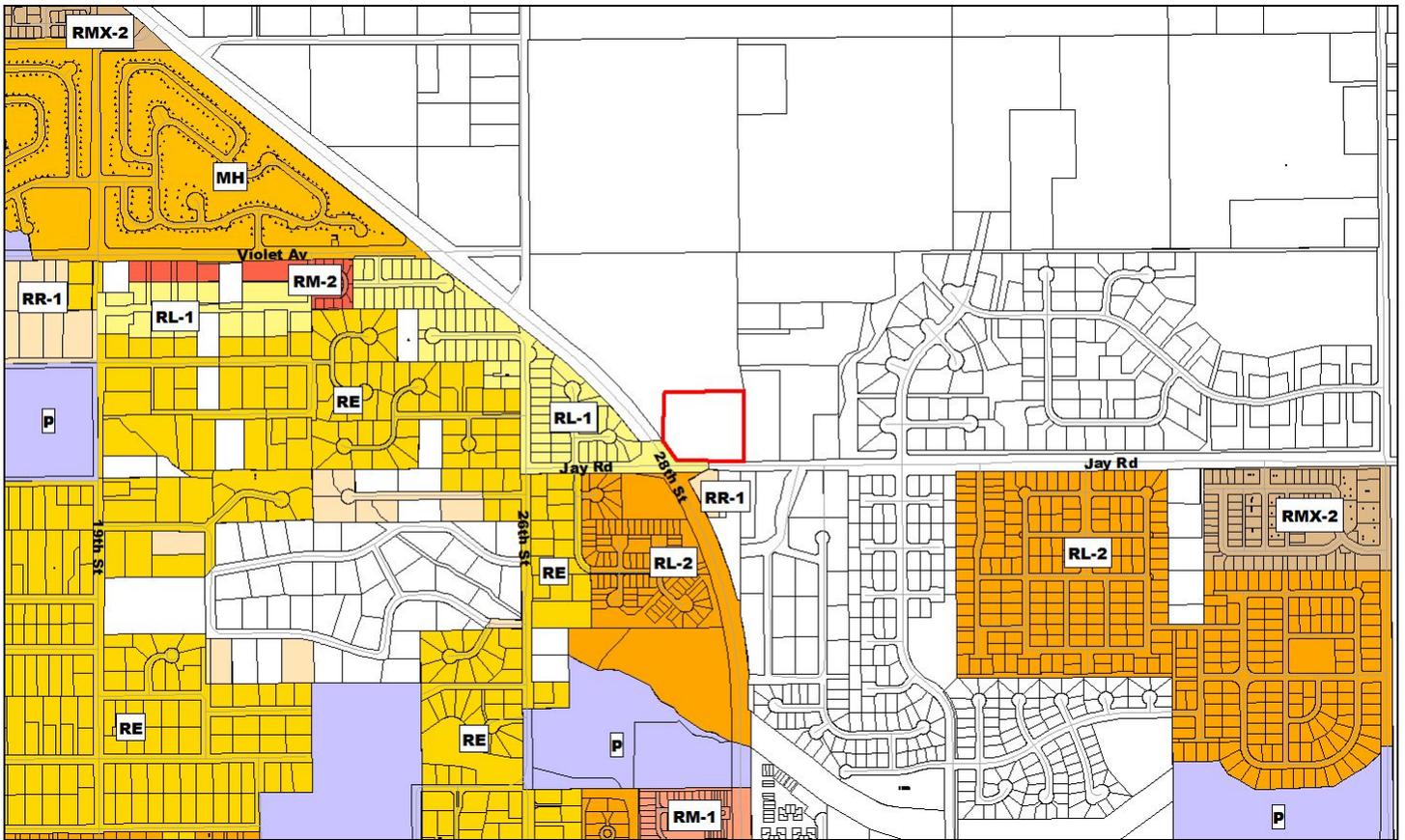


Figure 5: Surrounding City Zoning Districts

II. PROJECT DESCRIPTION

Land Uses. The proposal includes the following uses:

- Residential: 94 permanently affordable residential units. Per the application, the unit mix would be 21 three-bedroom row houses, 30 two-bedroom row houses, 38 two-bedroom apartments and 5 one-bedroom apartments. However, following meetings with the Housing Division the applicant has revised the proposal for 26 three-bedroom and 17 four-bedroom row houses, 8 four-bedroom town houses and 38 two-bedroom and 5 one-bedroom apartments. The applicant has revised the proposal to provide larger units that will meet housing needs for families. Refer to [Attachment B](#) for a letter explaining the revised unit mix count as well as floor area and open space areas. A portion of the units are proposed to satisfy inclusionary housing (IH) requirements generated at a sister site at 3303 Broadway. These units would be considered “off-site” affordable units.
- Community room as an accessory use for use by the development and surrounding neighborhood.

Refer to guideline 2 in Section III below for additional analysis regarding the applicable review processes for each proposed use.

Site Plan. The site design proposes buildings on the perimeter of the development with a central park and circular traffic pattern (refer to [Figure 6](#)). The plan includes an apartment building on the south side of the site, adjacent to the access from Jay Rd. A two-way drive access crosses in front of the apartment building and connects to a round-a-bout in the center

of the site. The drive access winds around the apartment building to lead to surface and tuck-under parking to serve the apartment units.

The round-a-bout also accesses a proposed emergency access to 28th St. and a “woonerf” shared street. A “woonerf” is a shared street concept where pedestrian activity and vehicular movement are located on a shared surface. The street design incorporates landscaping and on-street parking to subordinate vehicular traffic and encourage play options for children and social interaction. On the site plan, the shared street winds through the north end of the site to access the row house units. Five row house buildings are located on the perimeter of the development along the “woonerf”, with on-street parking and private rear yards. Two row houses are located in the center of the development, adjacent to a central park. These row houses have attached one-car garages. Two small parks are tucked in the north corners of the site, adjacent to the planning reserve. The proposed community room is located in the northwest corner of the apartment building across from the central park.



Figure 6: Site Plan

Open Space Areas. As described above, proposed open space for the development consists of a neighborhood park with formal elements like a playground, two smaller pocket parks (dog park and yoga park), back yards for 38 row house units, balconies for the apartment units and a plaza adjacent to the community room. Each row house will also have a small covered front porch and garden to address the street. The applicant has included the “woonerf” in open space calculations. However, the shared street does not meet the criteria for usable open space because the multi-functional space is not physically separated from vehicular access (refer to subsection 9-9-11(i)(1), B.R.C. 1981). Refer to **Figure 7** on the following page for a general massing of the proposal.

Architecture and Building Design. The apartment building is proposed to be three stories. The building has tuck-under parking on the south end of the building. The row houses are two stories in height. Some row houses would have a small stair tower with access to a rooftop deck. A portion of the row homes in the center of the site will have attached one-car garages. The applicant states that each row house will be articulated as a distinct volume to give individual identity and

variety (refer to **Figure 8**). Proposed materials include stucco, cement fiber, metal panels and a small amount of wood siding.

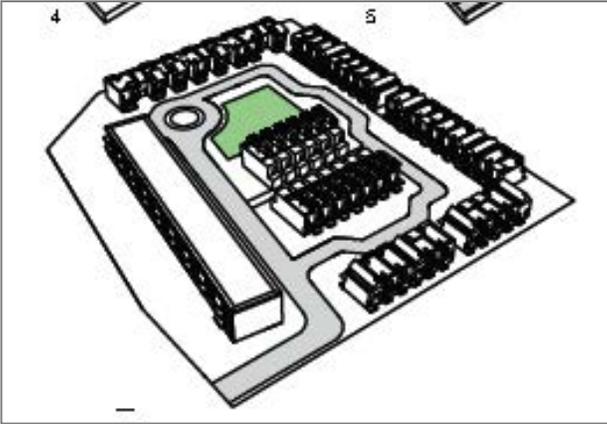


Figure 7: Massing Plan



Figure 8: Architectural Character of Row Houses

Access and Parking. The submitted plan includes 142 on-site spaces as tuck-under, garage and surface parking. Staff’s preliminary estimate for the required parking for the project based on P zoning is 149 on-site parking spaces. Under RMX-2 zoning, the project would be required to provide 104 spaces. Thus, a 10 percent parking reduction would be required at the Site Review stage under P zoning. The development would be accessed by Jay Rd. However, the site plan does not account for the existing shared access along the east property line. Refer to guideline 5 under Section III below for additional information regarding access.

Annexation and Initial Zoning. The applicant is requesting to annex the subject property into the City of Boulder. As part of that request, the applicant proposes a change to the BVCP land use designation on the property from Public to High Density Residential. Refer to analysis regarding a change to land use map under guideline 2 in Section III below. Allowable density and intensity in the RMX-2 zone district is determined based on both maximum dwelling units per acre and minimum open space. Residential uses in the RMX-2 zone district are required to provide 15% of the development as usable open space, meeting the requirements of section 9-9-11, B.R.C. 1981. There is no maximum Floor Area Ratio (FAR) under P or RMX-2 zoning. The proposed project includes approximately 114,950 square feet of floor area. The proposed Floor Area Ratio (FAR) is 0.55.

III. Concept Plan Review Criteria for Planning Section 9-2-13(e)

Guidelines for Review and Comment: The following guidelines will be used to guide the Planning Board’s discussion regarding the site. It is anticipated that issues other than those listed in this section will be identified as part of the Concept Plan review and comment process. The Planning Board may consider the following guidelines when providing comments on a concept plan:

- 1) Characteristics of the site and surrounding areas, including, without limitation, its location, surrounding neighborhoods, development and architecture, any known natural features of the site including, without limitation, mature trees, watercourses, hills, depressions, steep slopes and prominent views to and from the site;

Redevelopment of the site would include the demolition of an existing structure built in 1953. The majority of the subject property was undeveloped by the church use and contains an active prairie dog colony. Neighbors have commented that other wildlife can be seen on the property, including deer, fox and birds (refer to [Attachment B](#)). The property is essentially flat with a gentle slope from the northwest corner to the southwest corner. The site contains limited mature landscaping and trees and has views of the foothills to the west. A row of power lines runs along 28th St. and impacts views to the west. The property is less than a quarter mile from Elks Park. However, the park is located across busy 28th St. Farmer's Ditch is located to the east but the site is not impacted by floodplains.

A large property to the north is owned by the city and included in the [Boulder Parks and Recreation Department Master Plan](#), which is shown as area #4 on the map to the left. The 187 acres of property are described in the Plan as "Area II Park Reserve" planned for long-term future needs. The Parks Plan states that a master plan will be conducted at some point in the future to develop the area as a city park. However, there are no immediate plans to construct the park.

The surrounding area primarily consists of low-density single-family developments, as either large rural /estate lots or formal subdivisions. Apart from open space, the area is primarily designated as Very Low Density Residential or Low Density Residential in the BVCP. The corresponding Boulder County zoning is primarily RR – Rural Residential, with the exception of the Palo Park 2 Subdivision to the south, which is SR – Suburban Residential. Two worship uses and an animal clinic (Lubavitch Synagogue and Peace Evangelical Lutheran Church) are also located in the vicinity.

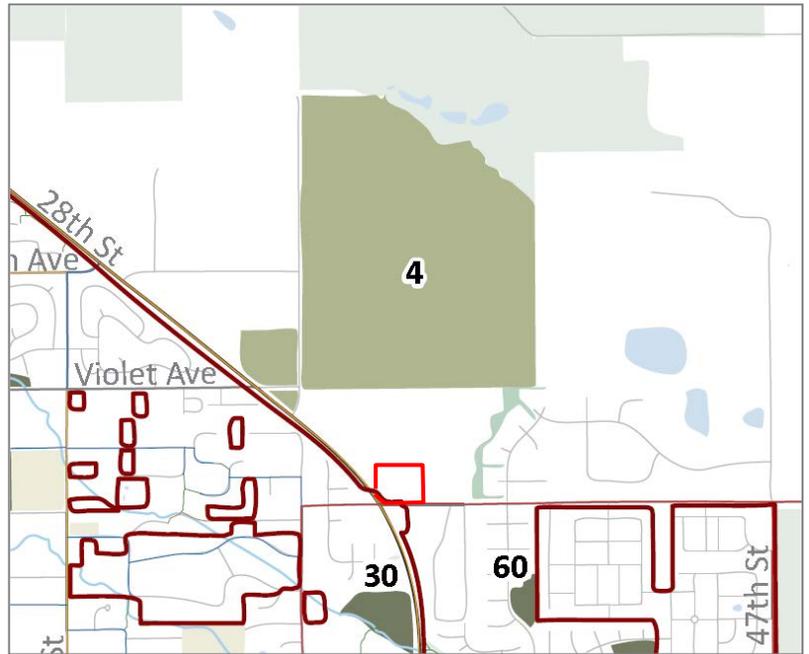


Figure 9: Parks Planning Area

The lots immediately to the east and south are large with homes built between 1900 and 1992. This area is semi-rural in character, due to the Farmer's Ditch, a significant number of mature deciduous trees along the ditch and throughout the neighborhood, the age and style of homes, the unpaved roads, and the large lots. The lots and layout of homes are in a relatively organic pattern. The lot to the east of the subject property is currently used for grazing for horses.



Figure 10: Adjacent Rural Property and Shared Access to the East

Further to the east along Jay Rd. are the Orange Orchard, Palo Park and Four Mile Creek neighborhoods. Orange Orchard is located in the county and is characterized by approximately half-acre lots in a suburban style pattern. The Palo Park neighborhood, also located in the

county, is characterized by modest homes on smaller approximately quarter acre lots (refer to **Figure 11**). Most homes in these developments were built in the late 1970's. The Four Mile Creek development to the east is zoned Residential – Low 2 (RL-2) and is annexed to the city. This neighborhood is characterized by approximately quarter acre lots with homes built in the late 1990's and 2000's. The Four Mile Creek neighborhood is primarily single-family but does contain some duplexes.



Figure 11: Palo Park Neighborhood



Figure 12: Sundance Neighborhood

To the west of the site, across 28th St. (U.S. 36), is land currently zoned RL-2 with low-density residential land use. These areas were annexed to the City in 1983 and 1984 and are comprised of several subdivisions. The Arbor Glen and Woodside developments are comprised of lots between 0.15 and 0.25 acres and are characterized by suburban style homes with attached garages built primarily in the late 1980's. The Sundance neighborhood to the southwest is characterized by small lots (0.10 acre or less) and modest homes (**Figure 12**).

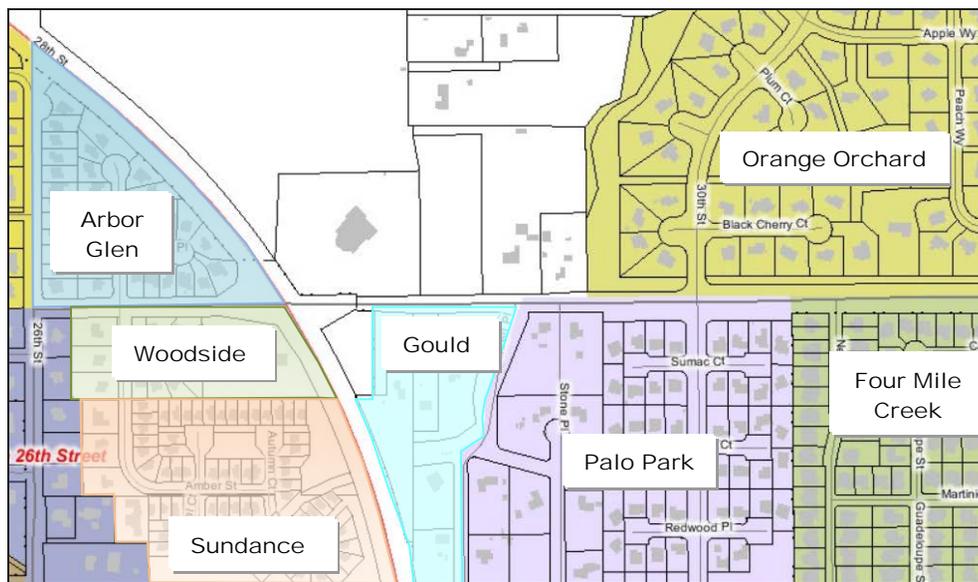


Figure 13: Surrounding Residential Neighborhoods

- 2) Community policy considerations including, without limitation, the review process and likely conformity of the proposed development with the Boulder Valley Comprehensive Plan and other ordinances, goals, policies, and plans, including, without limitation, subcommunity and subarea plans;

Review Processes:

- Annexation and Initial Zoning – The property would require annexation to be brought into the City limits and provided with City services. The property falls within BVCP Planning Area II, making the property eligible for annexation. In order for the property to be annexed to the City, the Planning Board and City Council must find that the criteria for Annexation (found under Policy 1.20 in the BVCP), as well as other BVCP policies, are met. Refer to the key issues discussion below for more information on the BVCP policies most applicable to the proposal.
- Change to Land Use Map – A change to the land use map in the BVCP is required to accommodate the proposed development. The change must be found to be consistent with the policies and overall intent of the comprehensive plan (Section II.a.1 of the BVCP).
- Site Review – The proposed project will be evaluated through the Site Review process for conformance with the following:
 - The land use designation in the BVCP;
 - All relevant policies of the BVCP;
 - The Site Review criteria of the Land Use Code;
 - Zoning regulations;
 - The criteria of Section 9-9-11 of the land use code for usable open space. Open space areas must be accessible from public areas and open to use by the public; and
 - The City of Boulder Design and Construction Standards (DCS).

BVCP Policies:

Approval of several of the above applications requires consistency with the comprehensive plan. A preliminary analysis with BVCP policies is provided under “Key Issues.” The property is located outside of boundaries for the North Boulder Subcommunity Plan.

3) **Applicable criteria, review procedures, and submission requirements for a site review;**

Annexation and Initial Zoning: As stated above, the property would require annexation to be brought into the City limits and provided with City services. City water is currently located in Jay Rd. However, the applicant would need to extend City sewer to the site at their expense. City data indicates that the extension of a wastewater main will likely require crossing the 28th St. right-of-way. Annexations are typically reviewed with Site Review applications in order for the City to understand how the property will be developed. Properties slated for annexation must also demonstrate community benefit associated with the proposed annexation. Refer to the key issues discussion below for more information on the BVCP policies most applicable to the proposal.

The applicant is proposing an initial zoning of Residential - Mixed 2 (RMX-2), which would accommodate the project as proposed. This is due to the possibility of the project to meet the standards for a density bonus up to 20 dwelling units per acre for the provision of permanently affordable housing, if it meets the provisions of section 9-8-4(c), B.R.C. 1981. All other districts evaluated in this memo restrict the number of units to far less than the number proposed.

If the proposal is supported by Planning Board and City Council, an annexation agreement will be drafted that would require a Site Review application be filed with the City post annexation. This is unless, of course, either body requires a Site Review prior to annexation to determine its consistency with the annexation criteria.

Change to Land Use Map: Since the proposed redevelopment would not meet the intent of the existing Public land use designation, the project would require a land use designation change. The requested change to the land use

designation is subject to city approval with county referral per section II of the BVCP. The change must be found to be consistent with the policies and overall intent of the comprehensive plan (Section II.a.1 of the BVCP). As noted above, the land use code defines the RMX-2 zone district as *"medium density residential areas which have a mix of densities from low density to high density and where complementary uses may be permitted"* (section 9-5-2(c)(1)(E), B.R.C. 1981). The BVCP mixed density land use designation is applied in 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 range of density allowed in the mixed density land use designation is from six to 18 units dwelling units per acre. The proposal is for 19.7 units per acre, which would require a high-density residential BVCP land use designation. The appropriateness of high density residential development is discussed below under Key Issue #1.

Site Review: If the property was annexed with an initial zoning that would allow the proposed development the applicant could submit a Site Review application. The proposed project will be subject to all applicable criteria in section 9-2-14(h) of the land use code. Special consideration will be given to the design of the building to ensure that the *"building height, mass, scale, orientation, architecture and configuration are compatible with the existing character of the area or the character established by adopted design guidelines or plans for the area"* (criterion (h)(2)(F)(I)). In addition, consideration should be given to utilizing a palate of simple, high quality building materials. The Site Review criteria state *"exteriors of buildings present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing."* The current palate of materials appears inconsistent with this criterion.

The applicant has not demonstrated that the provision of open space, particularly green space, will be sufficient to serve the residential use. Staff also has concerns about the provision of both public and private open space to serve the development. The design isolates the apartment units, with a lack of green space around the apartment building. The applicant may consider placing the neighborhood park in the center of the site and orienting more of the buildings toward the park. The design and functionality of the open spaces and its qualifying aspects would ultimately be reviewed in more depth at the Site Review stage.

At the time of Site Review, the following items will be required:

- a. Transportation Demand Management (TDM) Plan, which outlines strategies to mitigate traffic impacts created by the proposed development and implementable measures for promoting alternate modes of travel.
- b. Traffic Impact Study is required since the project's trip generation is shown to exceed the residential development threshold of 20 vehicles trips or greater during any single hour in the peak period.
- c. Water system distribution analysis in order to assess the impacts and service demands of the proposed development.
- d. Collection system analysis to determine any system impacts based on the proposed demands of the development.
- e. A Preliminary Storm Water Report and Plan to address storm water runoff and water quality treatment issues.
- f. Approvals for any relocations or modifications to irrigation ditches or laterals from the impacted ditch company. This includes the release of stormwater runoff into any ditch or lateral.
- g. Landscape plan that is consistent with, and exceeds, city code requirements.
- h. A detailed tree inventory including the species, size and condition of all existing trees on the site. The proposed site plan acknowledges the existing mature trees on the site, but does not appear to include them as elements worthy of preservation. Special attention should be given to incorporating any healthy mature tree into the overall layout and circulation plan.

All public infrastructure, improvements and landscaping built in the city's public rights-of-way and public easements must meet the City of Boulder Design and Construction Standards (DCS).

4) **Permits that may need to be obtained and processes that may need to be completed prior to, concurrent with, or subsequent to site review approval;**

Annexation. Prior to development within the City, the property must be annexed (with an approved and signed Annexation Agreement) and appropriate access to the site must be approved. If the project, as proposed, were supported by Planning Board and City Council, a land use map change from Public to High Density Residential would be required.

Use Review. Residential uses are permitted in the P zone district with use review approval, including a public hearing before Planning Board (section 9-6, "Use Standards," B.R.C. 1981). However, as stated above, the residential use would need to meet the public intent of the Public zone district. For the purposes of this discussion, the project has been reviewed against possible P (which is what the current BVCP Land Use map designation would support) or RMX-2 zoning. A comparison of the proposed uses to various applicable zoning districts is found in Table 1 below.

TABLE 1

	Attached dwellings	Duplexes	Row Houses/ Town Houses	Community room (accessory use)*
P	Use Review	Use Review	Use Review	Allowed
RMX-2	Conditional	Conditional	Conditional	Allowed

* As described, the community room would be considered an accessory use. If, however, the space were ever converted to be rented for events, etc. it would no longer be an accessory use and would be required to comply with the zoning. Depending on the operating characteristics, the use would likely be considered an indoor amusement establishment, which is prohibited in the zone districts listed.

Residential uses are considered conditional uses in the RMX-2 zone district because residential development in this zone district must meet the standards in section 9-8-4, "Housing Types and Density Bonuses within an RMX-2 Zoning District." For lots or parcels that are greater than one acre but less than five acres, at least two housing types must be provided. No more than fifty percent of any one housing type may be provided in the RMX-2 zoning district. Housing type means the particular form which an attached or detached dwelling unit takes, including, without limitation, the following: single-family detached houses and mobile homes; single-family attached dwellings such as townhouses and row houses; duplexes, triplexes, and apartments.

Off-Site Affordable Review: Proposals to meet inclusionary housing (IH) requirements with the development of Permanently Affordable units (PAs) off-site must first have the proposed off-site location approved. In addition, all application is required for an Off-site Affordable Housing Design Review for the Receiving Site. The review must be completed and approved prior to issuance of a building permit on both the Sending (3303 Broadway) and Receiving (2801 Jay Rd.) Sites. The purpose of the Design Review is to ensure that when affordable units are proposed to be constructed at a separate location from the one that generated the IH requirement (the "Sending Site") the new location (the "Receiving Site") meets the following criteria:

1. Ensure compliance with the Inclusionary Housing requirement that off-site affordable housing developments be of equal or better quality than the site that generated the need for the affordable units (sending site); and
2. Ensure that affordable units are indistinguishable from surrounding market housing in quality, design, and general appearance.
3. Ensure the affordable units meet or exceed the minimum standards and requirements in the Livability Standards for Permanently Affordable Housing.

The Design Review may be conducted concurrent to Site Review.

Demolition Review. County records show that the existing building was constructed in 1953. As a non-designated building over 50 years old, any proposal for demolition will need to be reviewed through the Historic Preservation program and/or the Landmarks Board in order to formally assess whether it may have historic or architectural significance per section 9-11-23, B.R.C. 1981.

Prairie Dog Lethal Control Permit. There is an active prairie dog colony on the subject site. In 2005, the City of Boulder passed a Wildlife Protection Ordinance limiting lethal means of control for prairie dogs (refer to section 6-1-11, B.R.C. 1981). The ordinance requires landowners to obtain a permit from the city before using any form of lethal control on prairie dogs.

Technical Documents. Following Site Review, technical documents would be submitted and final architecture, landscaping, drainage, lighting etc. evaluated. Engineering staff has indicated that groundwater may be an issue and that if it is encountered at this site, an underdrain/dewatering system may be required to reduce groundwater infiltration. Discharge of groundwater to the public storm sewer system may be necessary to accommodate construction and operation of the proposed development. City and/or State permits will be required for this discharge. In addition, off-site wastewater main construction is required, as necessary to serve the development per the City of Boulder Design and Construction Standards (DCS). On-site and off-site water main construction is required, as necessary to serve the development per the DCS

Building Permit. Once site conditions were found to be compliant with all applicable codes, a building permit for the new structure could be reviewed. The applicant is responsible for extending city sewer to the site at their expense. The applicant may be able to coordinate with the property owner at 2810 Jay Rd. to extend sewer services to serve both developments.

5) **Opportunities and constraints in relation to the transportation system, including, without limitation, access, linkage, signalization, signage, and circulation, existing transportation system capacity problems serving the requirements of the transportation master plan, possible trail links, and the possible need for a traffic or transportation study;**

Access: The subject property is located at the intersection of 28th St./U.S. 36, which is classified as a highway, and Jay Rd., classified as a minor arterial. The site currently contains two principal access points to Jay Rd. The access along the east property line is currently used as shared access to several properties to the north (Figure 14). It does not appear that the proposed site plan acknowledges this shared access. As part of Site Review, the applicant will be required to dedicate a public access easement over the existing access road. In addition, the property is limited to one access point and the existing curb cut serving the church use must be removed, with primary access taken from the shared driveway. The proposal includes emergency access from 28th St./U.S. 36, which is a state highway with limited access. At time of Site Review, the applicant must remove this access and provide the required emergency access and turnaround on the site. Annexation of the property opens the opportunity for coordinated access to several properties at the intersection of Jay Rd. and 28th St. Coordinated access to the site is crucial due direct access onto an arterial roadway (Jay Rd.) and the close proximity to the intersection.



Figure 14: Access Points

Transit: Public transit opportunities are limited. The site is served by the local 205 bus route, which runs between Gunbarrel and the downtown Boulder Transit Center. A bus stop is located on the south end of site, adjacent to westbound Jay Rd. As part of redevelopment, the applicant will be required to make improvements to the existing RED bus stop, including a new concrete pad, transit shelter, bench and two inverted “u” bicycle racks.

Connections: Jay Rd. contains an on-street bike lane but no other connections to the larger bike network exist. In addition, neither Jay Rd. nor 28th St. contains a shoulder or sidewalk for pedestrians. As stated above, the area to the north is planned for long-term future park needs. The City’s Transportation Master Plan includes a planned multi-use path across the subject property, as shown in blue in **Figure 15**, to provide access to a future park. A 14-foot wide public access easement will be required at Site Review to accommodate the path. Staff will evaluate the requirement for the applicant to construct a 10’ wide multi-use path to provide access from Jay Rd. to the City Park planned for the north of the site. The applicant could consider providing the multi-use path at the east end of the site in order to provide connectivity between the site and Jay Rd. In addition, a multi-use path and on-street bike lane are proposed on 28th St. adjacent to the site.

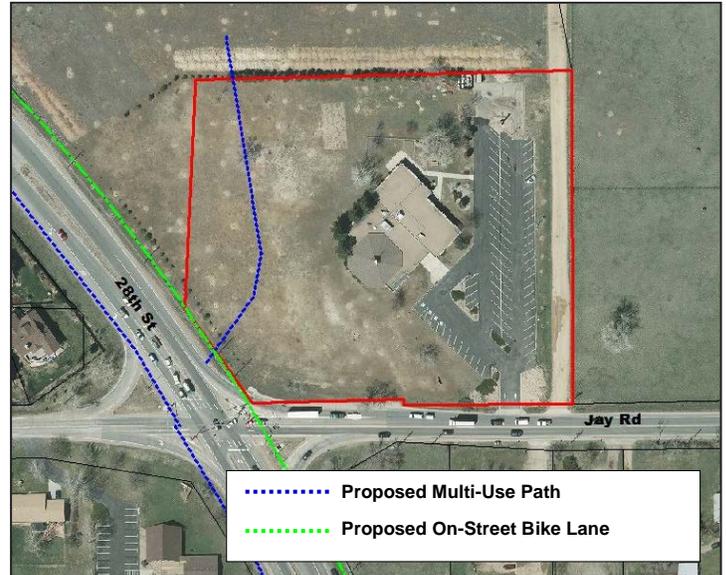


Figure 15: Planned Connections

Improvements: At time of annexation, the city will consider the annexation of the adjacent portion of Jay Rd. If the roadway is annexed, the applicant will be required to make improvements consistent with the City’s design standards for an arterial roadway, including additional right-of-way to accommodate a 12-foot wide center median/left-turn lane, 5-foot wide bike lane, 8-foot wide landscape strip and 8-foot wide detached sidewalk. The applicant will also be required to reconstruct Jay Rd. from the road’s existing centerline to the edge of pavement. Large maturing street trees are required along both Jay Rd. and 28th St. Refer to **Attachment A** for review comments submitted by Boulder County Transportation Department regarding the proposal.

Circulation: As described in section II above, the south end of the site is served by a drive access that wraps around the apartment building to surface parking. The north end of the site is served by a shared street concept (“woonerf”) where the “car is a guest” and allows low volume vehicular access yet also permits use of the space as an informal recreation area for children’s play and other activities. Preliminarily, staff is in support of using the drive access as a multi-functional space. However, additional analysis would need to be done to ensure the functionality of the street, particularly since parked vehicles are proposed to back into the shared space. The internal vehicular and pedestrian circulation pattern, although private, should establish a pedestrian friendly streetscape and shade hardscape whenever possible.

Traffic Study: The trip generation report submitted by the applicant estimates that 7 vehicles would enter and 30 vehicles would exit the site during the morning peak-hour and 29 vehicles would enter and about 14 vehicles would exit the site during the afternoon peak-hour (refer to **Attachment D**). The Applicant will be required to submit a Traffic Impact Study and Parking Study/Transportation Demand Management (TDM) Plan at the Site Review stage.

Parking: As stated above, on-street parking is very limited in the vicinity of the development. Possible insufficient parking on the site would impact the surrounding neighborhood. However, staff could support a parking reduction if the

request is supported by a robust Parking Study/TDM Plan.

6) Environmental opportunities and constraints including, without limitation, the identification of wetlands, important view corridors, floodplains and other natural hazards, wildlife corridors, endangered and protected species and habitats, the need for further biological inventories of the site and at what point in the process the information will be necessary;

Environmental opportunities on the site include the preservation of important wildlife habitat and corridors and preservation of view corridors to the west. The site contains a few mature trees. A tree inventory will be required at the time of Site Review to determine whether any of the existing trees should be preserved. The property has views of the foothills to the west. To the extent possible, viewshed corridors should be preserved through careful site design and building orientation. This is particularly important because the property is a gateway to the city and the development should not block views of those entering the city from Jay Rd.

There are no natural communities, rare plants, riparian corridors, or critical wildlife habitat as identified by the BVCP on the property. The applicant may be required to submit complete information regarding existing on-site environmental conditions with the annexation and initial zoning application. Prairie dogs are considered a species of local concern according to the BVCP and protected under Section 6-1-11, B.R.C., 1981. The Site Review criteria found in section 9-2-14, B.R.C., 1981, states that the project provides for the preservation or mitigation of adverse impacts to endangered species or species of special concern and their habitat. The prairie dog habitat as well as any habitat for the federally listed species will be an issue of concern in determining the community benefit and suitability of the site for annexation. In addition, upon annexation, any removal of the prairie dogs from the site would require notice to the city of relocation or a city-issued lethal control permit.

7) Appropriate ranges of land uses;

A residential use of the property is appropriate given the surrounding context. However, it does not appear that the proposed density and unit type mix are appropriate for this property. The property is surrounded by areas designated as planning reserve, low density and very low density residential in the BVCP. Staff has found that based on the criteria for Annexation and BVCP policies, the proposed high density land use would not be compatible with the pattern and density of development of property immediately around it. Refer to section IV "Key Issues" below for additional analysis.

8) The appropriateness of or necessity for housing.

Annexation of the property is an opportunity to gain more affordable housing in the city. The applicant is proposing one hundred percent of the units (94 units) as permanently affordable. A portion of the units are proposed as off-site permanently affordable units to meet inclusionary housing (IH) requirements generated at 3303 Broadway. Although the proposed affordable units exceed what has been required for other annexations, the density proposed is not consistent with the surroundings, and thus, the amount of housing proposed is not found appropriate.

The city's Housing Boulder initiative (currently underway) identifies a number of City Council-supported themes and goals that are consistent with the current proposal's housing types. The goals include a focus on middle income and family-supportive housing types. Given the surrounding area's low density, single family detached character, staff believes that a medium density (as defined by the BVCP medium density land use classification) project that is both context sensitive in its design and creates middle income, family-supportive housing types, would be supportable. Examples may include attached townhomes but likely not high density (over 14 dwelling units/acres, as defined by the BVCP). More information can be found on the [Housing Boulder website](#).

IV. KEY ISSUES ANALYSIS

Key Issue #1: Is the proposed annexation, initial zoning and concept plan compatible with the goals, objectives and recommendations of the Boulder Valley Comprehensive Plan (BVCP)?

Staff finds that the current proposal for Residential - Mixed 2 (RMX-2) zoning and high density residential is inconsistent with the goals, objectives and recommendations of the BVCP. The property is surrounded by low-density residential uses and zoning districts. However, the site is located on both a busy highway/principal arterial (28th St.) and minor arterial roadway (Jay Rd.). As a result, context sensitive medium density multi-family residential redevelopment of the site could potentially be supportable. However, the project would need to consider the property within the larger context of the area. However, as proposed, staff finds that the development is not compatible with the surrounding area and that density should be reduced to be more consistent with relevant policies found in the comprehensive plan. The table below provides a more detailed summary and analysis of related BVCP policies.

The current proposal appears consistent with the following BVCP goals and policies:

BVCP Policy	Excerpt from BVCP	How the Proposal is <u>Consistent</u> with BVCP Policies
1.24 Annexation	<i>"...the city will annex Area II land with significant development or redevelopment potential only if the annexation provides a special opportunity or benefit to the city. For annexation considerations, emphasis will be given to the benefits achieved from the creation of permanently affordable housing."</i>	The annexation request appears to meet applicable state annexation requirements. No new community investment in infrastructure is required to provide urban services, as the applicant would be required to construct all utility extensions to serve the property. The proposal is to provide 100% affordable housing. The project would serve an important aspect of housing needs in the Boulder community.
7.01 Local Solutions to Affordable Housing 7.02 Permanently Affordable Housing	<i>7.01 "The city recognizes that affordable housing provides a significant community benefit..." 7.02 "The city will increase the proportion of permanently affordable housing units to an overall goal of at least ten percent..."</i>	The creation of 94 permanently affordable housing units is consistent with this BVCP policy.
Sustainable Urban Form (Core Value) 2.31 Design of Newly-Developing Areas	<i>"A diversity of employment, housing types, sizes and prices, and other uses to meet the needs of a diverse community" "The city will encourage a neighborhood concept for new development that includes a variety of residential densities, housing types, sizes and prices..."</i>	The project has diversity of permanently affordable housing types.
7.06 Mixture of Housing Types 7.09 Housing for Full Range of Households	<i>7.06 "...encourage the private sector to provide and maintain a mixture of housing types with varied prices, sizes and densities..." 7.09 "...encourage preservation and development of housing attractive to current and future households, persons at all stages of life and to a variety of household configurations"</i>	The project has a balanced mix of unit types that are attractive to a wide range of households with 1, 2, and 3 bedroom units and row homes with some private outdoor space.
8.05 Diversity	<i>"...support the integration of diverse cultures and socio-economic groups..."</i>	94 permanently affordable, diverse housing types will promote socioeconomic diversity.

The current proposal appears inconsistent with the following BVCP goals and policies.

BVCP Policy	Excerpt	How the Proposal is <u>Inconsistent</u> with BVCP Policies
1.19 Jobs: Housing Balance	"...encouraging new housing and mixed use neighborhoods in areas close to where people work..."	The subject property is not in an area particularly close to where people work for the purposes of non-vehicular travel (see BVCP activity centers and employment centers maps).
1.24 Annexation 2.10 Preservation and Support for Residential Neighborhoods	1.24 "Annexation of existing substantially developed areas will be offered in a manner and on terms and conditions that respect existing lifestyles and densities." 2.10 "...protect and enhance neighborhood character and livability..."	With an existing church, BVCP policies consider the subject property "substantially developed". Existing lifestyles and densities in the immediate area are low density residential and rural land uses, as outlined in this staff report so a high-density project would be inconsistent with this policy and parts of policy 2.10. (BVCP policies define "high" density land uses as over 14 dwelling units per acre).
Sustainable Urban Form (Core Value) 6.12 Neighborhood Streets Connectivity	"Daily needs within easy access from home, work or school without driving a car" 6.12 "Neighborhood streets and alleys will be developed in a well connected and fine grained pattern..."	The property is surrounded by the Planning Reserve on most sides. As part of the 2015 BVCP update, the city decided not to advance any detailed planning for this area. With this, this project provides an opportunity to establish what may or may not be appropriate on this site relative to existing BVCP and other city policies. While the subject property is on a transit corridor, it is important to make the distinction with a high frequency transit corridor. RTD typically defines a high frequency transit corridor as having 15-minute service all day, or 4 buses an hour all day. The subject property is served by the 205 bus route, which provides connectivity to employment centers (including downtown and Gunbarrel). However, this route does not currently meet the definition of a high frequency transit corridor.
2.37 Enhanced Design for Private Sector Projects	"Projects should become a coherent part of the neighborhood in which they are placed" "Projects should relate positively to public streets...sidewalks, paths... Buildings and landscaped areas—not parking lots—should present a well-designed face to the public realm..." "Projects should provide multiple opportunities to walk from the street into projects, thus presenting a street face that is permeable..."	See note above regarding policy 6.12 and lack of connectivity to any existing neighborhood, and note regarding policy 2.10 (Preservation and Support for Residential Neighborhoods) regarding potential incompatibility with existing neighborhood. The site plan shows very limited permeability along Jay Rd, and very limited integration with the Jay Rd. public realm. In general, the site plan is insular and not integrated with any surrounding public or private property. The surface parking is placed along Jay Rd., which does not promote a safe and vibrant pedestrian experience along the public street.
2.05 Design of Community Edges and Entryways	"Well-defined edges and entryways for the city are important because they support an understanding and appreciation of the city's image, emphasize and preserve its natural setting, and create a clear sense of arrival and departure...As new areas are developed, the definition of a community edge will be a design priority. Major entryways into the Boulder Valley will be identified, protected and enhanced."	The subject property is considered a gateway site and the design of the site must be enhanced to meet this policy. The development should be outward focused and aligned toward the street to create a clear sense of arrival and departure to the city.

Key Issue #2: Would the project be compatible with the character of the surrounding area?

As described above, several BVCP policies were created to protect residential neighborhoods from overly intense or incompatible development, which could destabilize the established neighborhood character. Additionally, the Site Review criteria state, “the building height, mass, scale, orientation, architecture and configuration are compatible with the existing character of the area” (section 9-2-14(h)(2)(F)(i), B.R.C. 1981). Per the vision and recommendations in the BVCP, redevelopment projects should become a coherent part of the neighborhood in which they are placed (see policy 2.37(a) Enhanced Design for Private Sector Projects).

Per the analysis under guideline 1 above, the character of the surrounding area is primarily low-density single-family development. Staff is concerned that the scale, density and multi-family character of the buildings is not compatible with the character of the neighborhood.

Density: The proposed density does not appear to be sensitive to the density of development immediately around it (refer to **Table 2** below). Since the site is located along two arterial roadways, medium density development may be supportable. However, additional analysis and possibly a larger planning effort would be necessary to support such development.

TABLE 2

	Subdivision	Estimated Density (Dwelling Units Per Acre)
<i>Proposal</i>		19.7
Northeast	Orange Orchard	2.1
South	Gould	1.1
Southeast	Palo Park	5.9
Southeast	Four Mile Creek	5.6
West	Arbor Glen	5.6
West	Sundance	9.2
Average Density of Select Subdivisions		4.9

Notes: Residential density is reflected in dwelling units per acre. Calculations reflect select sum of select subdivision's area that includes lots with housing units. Common area/shared ownership lots without housing units and rights of way were excluded from the calculations, with the exception of the Palo Park townhomes (south side of Subdivision #4 above) which have individual lots for townhome units and shared open space. Subdivision boundaries based on city's GIS database.

Mass and Scale: Building mass and scale does not appear to be appropriate with the established character of the neighborhood surrounding the site. Despite the provision of a variety of housing types, the proposed design primarily “reads” like a high-density multi-family development because the 3-story apartment building and surface parking are located closest to the street. Staff finds that the proposed site layout does not match the pattern of development in the immediate area. The proposed development would function as a development largely independent from those surrounding areas, which is inconsistent with policies on neighborhood connectivity and design. The buildings, particularly the apartment building, would appear significantly larger, as compared to the generous spacing and more ranch-type homes surrounding the property.

Staff finds that the proposal represents a significant change in character and an appropriate future land use designation and zoning will need to be analyzed based on:

- Desired future of community;
- Character and mix of uses in light of surrounding context;
- Comprehensive plan policies;
- Other considerations.

V. PUBLIC COMMENT AND PROCESS

Required public notice was given in the form of written notification mailed to all property owners within 600 feet of the subject site and a sign posted on the property for at least 10 days. All notice requirements of section 9-4-3, B.R.C. 1981 have been met. The applicant has also engaged neighbors in several informal neighborhood meetings.

Neighborhood Comments

Staff has received several public comments regarding the project, which are found in [Attachment B](#). At the time of preparation of the memorandum, staff has received 18 emails and written statements regarding the proposed redevelopment. Many neighbors in the surrounding neighborhoods are concerned about the scale of the proposal and compatibility with the character of the area. The general themes of public comment have been summarized below.

- Traffic and Access – Jay Rd. is heavily trafficked and congested and the proposed project would exacerbate these issues. The intersection of Jay Rd. and 28th St./U.S. 36 is dangerous and very accident-prone (both automobile and bicycle). A large number of special events along Jay Rd. contribute to these issues.
- Compatibility – The proposal is not compatible with the comprehensive plan and the existing character of the surrounding area. The scale of the buildings is not compatible with the area.
- Wildlife – Proposal would affect the existing ecosystem, which includes prairie dogs, deer, fox and birds.
- Connectivity – There is not safe walking access to/from the site, especially along Jay Rd. The site needs to be integrated into a trail system.
- Density – The proposal includes too many units and is too intense to be compatible with the surrounding neighborhood.
- Parking – There is no consideration of overflow parking from residents in proposed development. Street parking is not available.
- Increased noise and air pollution.
- Proposal represents unnecessary sprawl. A larger planning effort needs to be undertaken if the property is to be redeveloped.
- The required affordable units created by the development at 3303 Broadway should not be segregated, especially in an area with minimal public transportation.

VI. PLANNING BOARD ACTION

No action is required on behalf of the Planning Board. Public comment, staff, and Planning Board comments will be documented for the applicant's use. Concept Plan Review and comment is intended to give the applicant feedback on the proposed development plan and provide the applicant direction on submittal of the Site Review plans.

Approved By:



David Driskell, Executive Director
Department of Community Planning and Sustainability

Attachments

Attachment A: Boulder County Review Comments

Attachment B: Public Comment Received

Attachment C: Applicant's Submittal Materials

Attachment D: Initial Staff Review Comment

MEMORANUM

Date: September 9, 2015

To: David Thompson, Civil Engineer II, City of Boulder Department of Public Works
Planning & Development Services Center

From: Anita Riley, Senior Planner, Boulder County Transportation Department

Re: Concept Plan Review Submittal for Fulton Hill Properties at 2801 Jay Road

The Boulder County Transportation Department has reviewed the documents provided for the Concept Plan Review Submittal for Fulton Hill Properties at 2801 Jay Road and has the following comments.

1. The County requests that the City annex the full width Jay Road right-of-way along the frontage of the proposed project.
2. Should the City not annex the right-of-way at this location, the following requirements will apply:
 - a. The right-of-way width at Jay Road is insufficient for a Minor Arterial. The applicant shall dedicate an additional 15 feet for right-of-way to Boulder County.
 - b. Road improvements at Jay Road shall conform to the Boulder County Multimodal Transportation Standards for the Minor Arterial road classification.
 - c. The sidewalk at the intersection of Jay Road and US 36 shall be extended along the frontage of the subject property. The sidewalk shall be at least 8 feet wide.
 - d. The width of the access shall be a minimum of 16 feet and shall not exceed 26 feet.
 - e. An access permit shall be required as the access will be modified and the use has changed.
 - f. A utility construction permit shall be obtained from Boulder County for any construction of or connection to utilities in the County right-of-way.
 - g. Any easements and right-of-way along Jay Road must be dedicated to Boulder County on the plat.
3. The applicant shall analyze the need for auxiliary lanes at the access.
4. The traffic study should be modified to reflect the change in dwelling units associated with this proposal.

The Boulder County Transportation Department can support the proposed development provided the concerns listed above are addressed and mitigated. Staff also requests that they remain engaged in the review process by being included on the list of referred agencies for this plan as it continues through the process. This concludes our comments at this time.

From: [Wyley Hodgson](#)
To: [Walbert, Sloane](#)
Cc: [Heather Hosterman](#)
Subject: Concept plan review comment period extension request
Date: Thursday, August 20, 2015 10:02:39 AM

Dear Ms. Walbert,

We received your letter in our mailbox regarding the concept plan review and comment for the proposed development at 2801 Jay Rd on August 18th. I am writing today to request an extension from **August 28th** to **September 4th** for ourselves and other neighbors to submit comments that will be included in the City's **initial** response to the applicant. Due to the scale and significance of the proposed development, we need more time to thoroughly understand and address the potential impacts.

Please let me know if you will grant our extension to September 4th.

Thank you.

Kind regards,
Wyley Hodgson and Heather Hosterman
2823 Jay Rd, Boulder

8/20/15 4:15 PM

Phone conversation with Richard Gilbert (2840 Jay Rd.)

Surprised about proposal, does not meet the land use designation of Public, not compatible with surroundings

Lives across the street and to the east

Traffic is a major problem, especially at intersection of Jay Rd. and 28th St., there have been a lot of accidents

From: wilangie@comcast.net
To: [Walbert, Sloane](#)
Subject: 2801 Jay Rd Project
Date: Sunday, August 23, 2015 3:26:49 PM

I'm writing to express my concern about the proposed development at 2801 Jay Road. This development conflicts with the surrounding residential area, in that we are single family homes along Jay and in the Welsh PI and Stone PI subdivision. Building row homes, apartments, condos, or whatever you call them is in complete contrast to this area. In addition, it will add a lot more traffic to an already congested Jay road. I strongly object to the rezoning proposal.

It also sounds like the reason for this development is only because the project at 3300 Broadway does not want to provide the required affordable housing at their more prestigious Broadway site, so they are moving their required lower income tenants out here. Or have I misinterpreted the "receiving site" statement?

I'm aware that Boulder proper is being saturated with housing and developers are now seeking property to the north, but further development needs to be slowed and re-evaluated before every piece of land is built on and/or paved over. Boulder has already lost much of its character and beauty due to overbuilding. Those of us who were born and raised here (I'm over 66 years old), are aware that progress is inevitable, but those who have moved here and are now in power should reconsider what we've lost already before we become just another brick and mortar city/county.

Angelina Garcia
4077 Welsh Pl.

August 26, 2015

Sloane Walbert
Planner I, Department of Community Planning and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791

RE: 2801 Jay Road Concept Plan Review and Redevelopment

Dear Ms. Walbert and the City of Boulder Planning and Development Services Center:

As residents at 2823 Jay Road, we are writing to express initial concern with the proposed development and associated re-zoning at 2801 Jay Road. We oppose the proposed development in its current form.

We have multiple issues with the proposed development, including:

- The re-zoning required for this development
- The conformity of this proposed project with respect to the neighborhood and Planning Reserve
- The inadequacy of information provided and time permitted by the City to the public to respond to this Concept Plan Review and Comment.

Before we can provide additional comments on the proposed development, we have several questions about the proposal. We believe a sound public process is needed before the City of Boulder, the County of Boulder, the City Planning Board, and the County Planning Commission are in a position to consider any particular proposals for redevelopment or rezoning of this property or the surrounding areas.

Sincerely,


Wyley Hodgson & Heather Hosterman
2823 Jay Road

August 26, 2015

Sloane Walbert
Planner I, Department of Community Planning and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791

RE: 2801 Jay Road Concept Plan Review and Redevelopment

Dear Ms. Walbert and the City of Boulder Planning and Development Services Center:

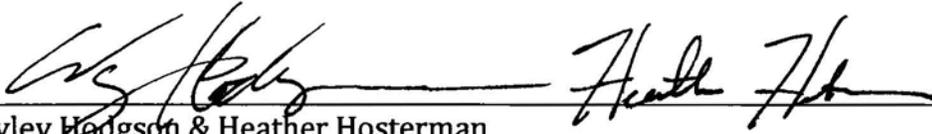
We are writing today to voice our collective concerns as the neighbors who are directly adjacent and physically closest to the proposed development and associated re-zoning request at 2801 Jay Road.

The proposed development does not take into consideration its affect and impact on the surrounding Area III—Planning Reserve. Boulder Valley is in the process of updating the Boulder Valley Comprehensive Plan (BVCP), and it will behoove the City to show patience in waiting for the outcome of the updated BVCP so it can ensure any development in the area conforms to the future strategy of the Planning Reserve.

Moreover, the proposed development and the zoning needed for its realization does not conform with the characteristic of our neighborhood. The photos of existing multi-family and high-density housing provided by the applicant in its Concept Plan are misleading and not representative of the actual neighborhood directly surrounding the 2801 Jay Road property. Rather, our neighborhood is comprised of dirt roads, horses in fields, and detached single-family homes that do not extend beyond one story above grade and are situated on one to eight acre plots per home. Our neighborhood is fitting of the Rural Residential zoning we, and the property in question, currently reside. The proposed development stands in stark contrast to this existing setting. The proposed re-zoning request from Public/Rural Residential to RMX-2 is inappropriate, and its approval would only set precedent for future re-zoning development requests within the Planning Reserve that are equally uncharacteristic.

Lastly, several questions remain unanswered regarding this proposed development. There has been limited information provided on the City website and the City itself has not been available to discuss the project. We feel this project is being rushed through the application process and should be delayed until the community can better understand the scale of the project and the impacts it will have. And as mentioned above, we strongly petition the City to delay the application process until the BVCP, and more importantly, the future of the Planning Reserve is known before proceeding with the Concept Review or the subsequent Site and Use Reviews.

Sincerely,

Handwritten signatures of Wyley Hodgson and Heather Hosterman in cursive script, positioned above a horizontal line.

Wyley Hodgson & Heather Hosterman
2823 Jay Road

Handwritten signature of Diana Zintel Karowe in cursive script, positioned above a horizontal line.

Matt & Diana Karowe
2825 Jay Road

Handwritten signature of Jean Feldman in cursive script, positioned above a horizontal line.

Jean Feldman
2827 Jay Road

From: [David Rose](#)
To: [Walbert, Sloane](#)
Subject: 2801 Jay Rd. concept plan
Date: Wednesday, August 26, 2015 1:44:43 PM

Sloane,

I am responding to the Concept Plan Review request for public comment for the proposed development at 2801 Jay Rd.

First let me say there is a BVCP, which was conceived to plan development within the City and County.

I find this project VERY much in conflict w/ the purpose of the BVCP and an attempt to expand the City Footprint into Unincorporated Boulder County.

BAD idea!!

Should we expect BIG BOX Stores next to the North of this project to make it convenient for the new residents to be able to shop close by?

This is an ill-conceived project that should never see the light of day.

Repeat the words: RURAL RESIDENTIAL several times. That is the nature of this location, as it should remain, not as an extension of the City. Dress it up as you may, this is just more sprawl.

I think this to be a very slippery slope to further development in the County, not something that I support or envision as what the BVCP has in mind.

Please reject this concept as ill-founded and inappropriate for the utilization of this site.

More traffic, more sprawl, more density in a country setting...not necessary. There are more suitable sites to accomplish this endeavor within the City.

Thanks,
David Rose
4134 Stone Pl.

From: [Lynn Lickteig](#)
To: [Walbert, Sloane](#)
Subject: 2801 Jay Road Concept Plan Review Comments
Date: Thursday, August 27, 2015 8:56:24 AM

Dear Mr. Walbert,

I am for progress, and I know that low income housing is certainly needed in Boulder.

Our concerns with the proposed 2801 Jay Road Redevelopment project are primarily traffic and safety along very busy Jay Road. We are long-time homeowners at 2830 Jay Rd, near the intersection of 28th and Jay Rd. Our experience has been that this is a *very accident-prone intersection* with the current traffic levels, as Jay Road is a main artery for traffic entering Boulder from Longmont and neighborhoods or towns east of Boulder, like Niwot and Erie, and 28th is impacted with traffic from the North from Lyons. We believe 28th/Jay to be one of the highest accident intersections in the city. I think this Concept Plan and Review phase needs to show the accident reports for the 28th/Jay intersection for the last several years, and carefully consider this proposed new development's negative impact for public safety.

With the 94 new units being proposed for 2801 Jay redevelopment, and assuming each unit's residents will have a one or more cars, (142 parking spaces are being proposed!), **this development will add potentially 284 new "in/out trips" MINIMUM** to the Jay Road and 28th Street per day!! **It is already difficult for us to be able to pull out of our yard onto Jay Road during peak morning and afternoon work/school commute traffic times.** I can't imagine the difficulty in accessing Jay if a high volume of new residential units are created which have egress in/out of Jay Road.

Also to be considered is the assumed additional traffic from "non-2801 Jay Road residents", e.g. people traveling to and from the proposed 3 new parks.

Jay Road also supports an ever-growing number of "Special Events" throughout the year which are always accompanied by "special traffic advisories" and which impact access to homes along Jay Road. Notices this past month include the "2015 B Strong" cycling event on August 8th, and the upcoming "Boulder Bicycle Classic" on September 13th. I think this Concept Plan and Review phase needs needs numbers on how many of these Special Events there are per year (many of which require police presence to deal with traffic concerns), and the additional safety concerns for these types of events which will occur with such a large new development and influx of new cars to the area.

My suggestion is that if this project goes forward, **that NO in/out access for vehicles of these units be allowed onto busy Jay Road**, but rather vehicle in/out should be routed further north along 28th street, which will likely would require a new traffic light to accommodate the 94 new units' residents getting to and from jobs, schools, etc.

I urge great caution and more research on traffic accidents and the impact this 2801 Jay Rd proposal might have on Special Events along Jay Road before the Boulder Valley Comprehensive Plan is amended.

Also, what are the plans for the **very large prairie dog colony** that currently occupies the land belonging to the Boulder First Church of the Nazarene? No small issue!

Thank you.

Respectfully,

Lynn M. Lickteig

Kevin S. Benjamin
2830 Jay Road
Boulder, CO 80301
303-447-2224

From: [David Welden](#)
To: [Walbert, Sloane](#)
Subject: 2801 Jay Road Developement
Date: Wednesday, August 26, 2015 8:49:53 PM

Dear Ms. Walbert,

I am writing as a concerned resident in the area of proposed development of 2801 Jay Road. My family and I have lived in the area just southwest of Jay Rd. and 28th St. for nearly 7 years. We very much enjoy the neighborhood and have even chosen to stay in the same community when changing homes. We are very concerned about the proposed residential redevelopment for many reasons:

1: Increased traffic in the area: There has been an issue with auto and bicycle accidents at the corner of Jay Rd. and 28th St. for many years. In our years in the area, we have witnessed multiple auto to auto accidents, single car accidents, auto to bicycle accidents, and bicycle incidents when bicyclists have had to avoid automobiles. An increase in traffic in the area would be detrimental to pedestrians, autos, and in particular bicyclists. I believe that developing the area in the proposed fashion would be dangerous with increased traffic.

2: Detriment to existing neighborhoods: Many of the people in the surrounding area moved to the area because of the neighborhood feel. Having open space so close to the neighborhoods has always been beneficial and caused many to enjoy the feeling of nature close to where we live. We have moved here knowing that the area is not zoned for residential development in this manner. Having large scale development of 2801 Jay Road would very much change this feel.

3: Detriment to wildlife in the area: Living in the area for many years, we have noticed the importance of the open space around 2801 Jay Road as an ecosystem. We have seen a wide variety of animals occupying the area including deer, fox, birds, and groundhogs. We enjoy being able to see these animals but this is secondary to their ability to exist with adequate space and resources. Developing the area would greatly decrease their ability to live and thrive in this ecosystem.

These are some of the reasons that we feel a change in zoning to 2801 Jay Road would be detrimental to the area in general as well as the residents of surrounding neighborhoods and wildlife in the area. Thank you very much for your time and consideration on the matter. Please let us know if there is any way in which we can further oppose a change in zoning to allow large development of 2801 Jay Road.

Thank you very much for your time,

Dave and Nora Welden
4184 Amber Place
Boulder CO 80304

From: [Paul Strupp](#)
To: [Walbert, Sloane](#)
Subject: 2801 Jay Road Residential Development Proposal (LUR2015-00074): Neighborhood Feedback
Date: Tuesday, August 25, 2015 2:42:19 PM

My name is Paul G. Strupp and I live at 4192 Amber Place, one block west of the proposed development at 2801 Jay Rd. I have been a home owner at this location for 23 years and care deeply about our neighborhood. This corner of Boulder often seems forgotten and overlooked, but has a strong sense of community with many long time residents who care about where we live.

I am writing to provide comment on the proposed zoning change and development at 2801 Jay Rd. I oppose the plan for the following reasons:

- The proposed zoning change is too radical, too dense, and completely out of character with the surrounding neighborhood. Zoning in the adjacent neighborhood is Residential Low, or Rural. The current zoning of RR or P for 2801 Jay Rd is long standing and appropriate for the site and its development.
- The developer's (Fulton Hill) assumption in the Concept Plan that the Area III planning reserve to the north will ultimately be developed as high density is far from a given. The theory that the 2801 Jay Rd development would function as a "transition" from the surrounding low density residential zoning is not adequate reason for such an abrupt change to the existing character of the surrounding neighborhood.
- Pages 50 and 51 of the Fulton Hill Concept Plan supposedly show the surrounding neighborhood context. These photos show other developments a mile away and are NOT! the surrounding neighborhood. I personally find these photos deliberately misleading and manipulative. Parts of the plan seem as if the developers have never even visited the site or area.
- Inclusion of a three story apartment building on this site is ridiculous. The closest three story building to this area is 2 miles away at in the Foothills Laboratories at 47th and the Diagonal Highway.
- The proposed plan does nothing to address the traffic problems which will be created by access to the site. 28th and Jay is a very busy, high speed intersection prone to violent crashes. Also, assuming that any of the residents in the proposed development actually use public transportation instead of driving, they will be at great risk accessing the bus stops.
- The plan gives no consideration to overflow parking from residents at the proposed development. There is not enough parking in the proposed plan, nor does it address whether all parking spaces will be free. If residents have to pay for parking, they will look elsewhere. Street parking is not available on 28th St nor Jay Road. These cars will ultimately end up parked in the existing neighborhoods west of 28th St. deteriorating the existing low density, residential character.
- The proposed development provides no benefit to the existing neighborhood. The "community room" and small park are hardly incentives for existing residents of this neighborhood to get excited about.

The entire proposal for 2801 Jay Road in my opinion is not well thought out, seems like an after thought tacked on to the development plan at 3303 Broadway, and does not appear to be part of a comprehensive strategy for the future of US36 between Jay Rd and Broadway.

I urge the city and county to reject this plan and zoning change.

Sincerely,
Paul G. Strupp

From: [Lisa Wood](#)
To: [Walbert, Sloane](#)
Subject: 2801 Jay Road Residential Redevelopment
Date: Thursday, August 27, 2015 4:11:06 PM

Dear Sloane Walbert,

I am writing to let you know I strongly disagree with the proposed 2801 Jay Road Residential Redevelopment.

This proposed project would increase traffic and congestion in Boulder and increase traffic dramatically in the immediate area. I feel that the City of Boulder did not allow its citizens adequate time for comment on this project. In addition, the proposed change of zoning from rural residential and the size of the project (this is a big jump), is not considering the surrounding characteristics of the area nor the citizens whom live close by.

As a long time citizen of Boulder I urge the City Counsel to consider the impact this proposed project would have on our City, the citizens, and the effect on neighbors of this project.

Sincerely,

Lisa Wood

From: [Carlos Espinosa](#)
To: [Walbert, Sloane](#)
Subject: LUR2015-00074-- 2801 Jay Rd. concept plan
Date: Thursday, August 27, 2015 11:35:37 AM

Sloane,

I am responding to the Concept Plan Review request for public comment for the proposed development at 2801 Jay Rd.

Boulder Fundamentals

Keeping development and sprawl to a minimum is one of the fundamental concepts to the city and county of Boulder—allowing for adjustments to zoning—as proposed--will only begin to open the door for future development and the loss of our precious and unique open space. Obviously as times change adjustments to the original zoning is going to occur to accommodate growth. However, keeping these initial concepts as a guiding principle is essential to keeping Boulder from turning into any number of our neighboring development-heavy counties. Such a large attraction, and part of the essence of Boulder, is the fact that we are not a cookie cutter development, that we are a compact community, and that we embrace our open space and promote the appropriate use of our City and County space. This development—and potential annexation of the County by the City—is a scary prospect as one looks north along 28th. When does this stop? Hopefully, before it begins.

Homogeneous Communities

A major contention that I have with the proposed development is the separation of the market-priced housing and permanently affordable housing. The original intention of these requirements was not to allow a developer to separate the “types” of housing into different locations but to help develop mixed and balanced housing in order to develop a more homogenous community. Allowing the initial development to offset their permanently affordable housing requirements into the county sets a precedent for future development and sets the County at a disadvantage to the city—taking what the city and developers are seeing as “unwanted” communities and moving them to the county. This is not only a bad move from a potential property value perspective but also from a PR perspective—not to mention the morality of the concepts. The loop hole that developers can already “buy their way out” of including the required number of permanently affordable housing is egregious enough but to now allow developers with deep pockets to move these required units out of the city and into the County is despicable. These rules and concepts were voted on and approved for a reason—this is giving these developers every way possible to work around the concepts of homogenous communities. Again—going against the fundamentals of our **community**.

Necessary Infrastructure

As a nearby resident to the proposed development I can only say that this concept is one which will permanently alter the intention of this neighborhood. ON paper some of the concepts appear great however, for example, the mixed use and community areas will not be shared by the neighboring areas/communities. This location—at the northeast corner of Jay and 18th—will keep this new development relatively isolated from the surrounding communities by the nature of the size and

traffic on these two streets. In order to open the concepts of “community rooms” and parks for nearby communities will mean major adjustments to 28th as well as Jay road in order to allow access. Again, opening this area up to more development and more sprawl to offset the costs of these sorts of changes to infrastructure. As it is, Jay road is a very heavily trafficked entrance into the city. Adding this development will only increase the usage and will, ultimately, call for more services and facilities...at the expense of the established neighborhood and at the expense of the County. And, all contrary to zoning.

Please reject this concept as ill-founded and inappropriate for the utilization of this site.
Please reject this concept as going against the principles of both the County and the City of Boulder .

More traffic, more sprawl, more density in a country setting...not necessary. There are more suitable sites to accomplish this endeavor within the City.

Thanks,
Carlos Espinosa
2892 Jay Road

From: [Peggy Bruehl](#)
To: [Walbert, Sloane](#)
Cc: [Peggy Bruehl](#)
Subject: Objection to 2801 Jay Road Residential Development Project
Date: Wednesday, August 26, 2015 1:15:55 PM

Greetings,

My name is Dr. Margaret Bruehl. I live at 4192 Amber Place in the city of Boulder Colorado. I have been a resident of the city of Boulder for over 25 years. I have lived in my current home in the neighborhood of the proposed 2801 Jay Road Residential Development Project for 23 years. I strongly object to this proposed development plan for the following reasons:

- 1) The location for the proposed development is zoned RR by Boulder County, which allows for four single-family dwellings. The proposed development goes far outside this zoning. The RR is an appropriate designation for the location, as it matches the character of the existing nearby homes and properties. I respect the decision of the county zoning board and their designation of this property. I do not agree that it should change.
- 2) The location for the proposed development is zoned P by the Boulder Valley Comprehensive Plan (BVCP), which allows for public areas. The proposed development is in no way in compliance with this zoning, and in fact goes directly against the BVCP intention for the property. I have great respect for the Boulder Valley Comprehensive Plan. I believe in its role as a guiding force for maintaining the integrity of beautiful Boulder Valley. I do not agree that this development project should go against the BVCP.
- 3) The proposed development represents a significant change to the character of the neighborhood. Our neighborhood reflects a well balanced mix of single family homes of varying sizes, along with homes on larger rural lots including horse properties. The proposed development represents excessive density, not in any way in keeping with the character of the neighborhood, nor is it reflective of our neighborhood appearance.
- 4) The proposed development will result in traffic complications at the intersection of Jay Rd and 28th Street. Included in the development is no proposal to change the access for the development, nor are there any proposals to make improvements to the turn lanes on and off of Jay Rd or 28th Street. The large number of people residing in this development would cause significant traffic problems for the residents of this neighborhood, as well as for those people passing through our neighborhood north/south on 28th Street and east/west on Jay Rd.
- 5) The proposed development will result in parking problems throughout the surrounding neighborhood. The proposed development includes limited parking spaces, which will certainly be too few for the proposed density of the development. And, there is no mention of what the cost of the available parking will be. As a result, we can expect that residents of this development will certainly park outside the development on the streets of the surrounding neighborhoods. We've seen this effect near many high density residential developments in Boulder. Again, this is not in keeping with the existing character of the neighborhood, nor is it reflective of our neighborhood appearance.

As a long time resident of the city of Boulder, I strongly object to this proposed development plan for the above reasons. I encourage the planning board and the city of government to remain true to our comprehensive plan (BVCP) and reject this plan.

Thank you for your consideration

Dr Margaret Bruehl

4192 Amber Place

Boulder, CO 80304

peggy.bruehl@gmail.com

[\(303\) 447-2954](tel:(303)447-2954)

From: [Maureen Taylor](#)
To: [Walbert, Sloane](#)
Subject: 2801 Jay Rd
Date: Thursday, August 27, 2015 7:05:17 PM
Attachments: [Review of the Fulton Proposal for 2801 Jay Rd V2.docx](#)

Dear Ms Walbert

I have attached a summary of points I would wish to raise on the above proposal.

I live in Orange Orchard and I find the lack of consultation with us and the last minute notice (shouldn't we get post cards or something?) of this very concerning as though we need to be silenced. I am sorry if some of the points are maybe not relevant at this stage in the application but I didn't have much time to pull this together.

Thanks

Maureen Taylor

Review of the Fulton Proposal for 2801 Jay Rd

- 1) It states in these documents that Orange Orchard Neighbors have had the opportunity to consider these proposals. Well I have been on the Board since 2011, both as Treasurer and President and I have never heard of it. Likewise the previous 2 Presidents and a direct neighbor of the Design Team member associated with the proposal are completely in the dark. Is there anyway that we can have this misleading remark removed? Is there some sort of policy of mailing notices?
- 2) Not sure that having been voted down by the neighbors about the prospective re-development of Broadway in 2008 and then spending more time and money to come up with alternatives that please the neighbors qualifies as a reason to abandon the local planning laws. It's what Accountants call a "sunk cost". The site and what the developer can do with it according to the local planning laws is what is reflected in the value.
- 3) Efficiency unit? Broadway sounds more like a high-end boutique hotel than a residential development. It is clearly all about providing amenities for the existing neighborhood and somehow putting up with the inconvenience of accommodating the "commuting workforce". Coffee shop, wellness and fitness center, a dedicated community room, micro-office spaces not to mention some dedicated housing units so that visiting family members can be sent there. Again, not a persuasive argument to abandon local planning laws.
- 4) All those available trails and direct access to the school next door, which children could safely walk to (no need to "Hug 'n Go") and they want to move larger families with school age children away? If most of the school aged children live on Jay Rd then they will definitely have to travel by school bus or car. No one should ever ask any child to cross Jay Rd or 28th St on a daily basis.
- 5) Before anyone develops land that abuts 28th St. then safe walking access into Boulder from east of 28th and Jay needs to be arranged so that it is fully integrated into the trail system. Underpasses?
 - a. All the open space, trails and parks are to the east along Jay Rd near 30th St. or directly across Jay Rd through the 28th St. junction.

- i. Despite what this brochure is trying to tell you, you cannot leave the Church and walk east towards the trails and parks. If you come from the church and travel east then you are frequently required to walk in the gutter, as the “path” is uneven, rutted, landscaped with tall grass that is not cut, and when it snows, it is never cleared. It is also part of the Farmers Ditch easement. The closest crossing is at 30th St., which is routinely ignored by all cars etc. This is not a safe place to unless you are 100% focused on the traffic.
- ii. Directly opposite the access to the Church site is a little burgeoning market garden adding to the traffic confusion along there.
- iii. Crossing over Jay Rd towards Amber means that you have to cross right hand turning traffic from Jay into 28th St, then 4 lanes of 28th St to arrive at again no discernible sidewalk or path. Again, you have to wade through unfinished scrub to get to what passes as a pathway. This is downright dangerous for adults let alone children

6) Before anyone develops land that abuts 28th St. then building policies need to be put into place that take account of the increased noise and air pollution of living beside such a busy road.

- a. There has been an increase in traffic along Jay Rd since 1996 when it was built to its existing configuration. This has also changed in composition. Back then 95% of the traffic was single axle passenger cars, 4% medium weight trucks and just 1% heavy trucks. In the 2013 survey conducted by BC Transport, the split is now 4% motor bikes / bicycles, 77% single axle passenger cars, 17% 2 axle trucks or buses and 2% articulated trucks. A single axle car travelling at 35mph measures about 64dbA at 50' from the observer. A truck will be at about 75dbA. This is mostly made up of tire-rolling noise. If you can see the tires then you can hear the tires! If the truck is accelerating or braking then this can easily exceed 80dbA due to the associated engine noises. The location of the development near the junction of Jay and 28th predictably makes this an extremely noisy place to live. Noise levels were measured 50' from the centerline of Jay before the changes in 1996 at 65dbA. Federal Law requires mitigation at 67dbA.
 - i. **There should be mandatory noise surveys and assessments with consequent actions needing to be delivered.**

- ii. Houses need to be built to a high degree of air tightness – 5% air leakage leads to 30% noise penetration. This should be both planned and achieved when complete (all measured and not on a sample basis).
- iii. Windows should also be sufficient for noise mitigation to protect the interior environment.
- iv. Berms along the road should be required and built sufficiently high that the peak is greater than 2' taller than the surface of the road. If you can't see the wheels then noise is reduced accordingly.
- v. Fences at least 6' should be required as part of the berm. These should be airtight and carry warranties to this effect for at least 25 years. To protect exterior environment enjoyment.

7) Before anyone develops land that abuts 28th St. existing neighbors in both the city and unincorporated Boulder County need to be canvassed and considered so that any increased exposure to greater noise and air pollution due to the expansion can be mitigated by the developer.

- a. The suggested Broadway development will see a reduction from the current 2480 car trips a day down to 720 car trips a day. So the streets should get quieter and safer because of the proposed redevelopment. Access to the site will also be via Hawthorne away from Broadway. However, as Jay Rd will have 50% more car parking spaces provided than at Broadway, and it is far less walk able (as discussed above) then all of this traffic reduction is a fiction. It has simply moved east. In 1996 Daily Average Traffic along Jay Rd before development of Four Mile Creek was 7600. In 2013 it was up to 10,200, so with the additional 1080 more car journeys generated by this development a roughly 10% growth in direct traffic has been generated. So Jay Rd and the surrounding streets are going to be far more crowded and therefore much more dangerous and noisier for everyone along that corridor.
- b. Jay Road speeds need to be reduced below 35mph and they need to be ENFORCED. Travelling at the correct speed along Jay from 47th to 30th St. results in tailgating then aggressive overtaking even if there is someone in the crossway ahead.
- c. It would be nice to remove the heavier articulated traffic from Jay Rd altogether but at the very least their speed should be restricted heavily. Braking and sharp acceleration needs to be kept to a minimum.

From: [D. Dexter](#)
To: [Walbert, Sloane](#)
Subject: 2801 Jay Road/3303 Broadway
Date: Thursday, August 27, 2015 7:44:31 PM

I am responding to the Concept Plan Review and Comment for the 2801 Jay Road Residential Redevelopment project.

I live in Orange Orchard and was contacted in late June by my neighbor who is a member of the design firm working with Margaret Freund on the 3303 Broadway/2801 Jay Road project. I believe I was the only one in Orange Orchard contacted at the time and do not know if anyone else has been contacted yet. None of us received the postcard about the project.

I spent a large part of my career in human services and I found the plan for affordable housing at 2801 Jay Road falls short in several areas.

The location 2801 Jay Road is:

- Is very car dependent.
- Ghettoizes affordable families
- Has minimal and infrequent public transportation
- Services, employment and shopping are quite distant.
- Presents Urban Sprawl and High Density residential as the gateway to Boulder.
- Start a precedent for high density in the Area 2 and threatens the future of of the beautiful open vista of Area 3.

Affordable housing at the Broadway location makes much more sense.

The location at 3303 Broadway is:

- Not "Too valuable" to be used for affordable or mixed affordable and worker housing.
- Very close to county services, schools, services and central Boulder employment of the lower and mid-level wage earners in our community.
- Much more accessible by frequent and extensive public transportation
- Would attract more short ride bicyclists.

- Could be co-coordinated with the possible development of the BCH Broadway site.

It would seem that in the current civic and political environment that discussion of a project that involves so many variances, zoning changes, exchanges of properties, transportation issues and vague assumptions, etc. should be put on hold until after the November growth initiatives on the ballot issues are resolved, the new city council is seated and the Boulder Valley Comprehensive Plan Update is complete.

David Correa

ROBYN W. KUBE
4160 AMBER PLACE
BOULDER, CO 80304
303.447.1375

August 27, 2015

Sloane Walbert
City of Boulder
Community Planning & Sustainability
1739 Broadway, Third Floor
Boulder, CO 80302

HAND DELIVERED

Re: 2801 Jay Road Residential Redevelopment
LUR2015-0074
Concept Plan Review Comment

Dear Sloane:

I have lived southwest of the proposed redevelopment on Jay Road since 1989. I realize that property will be redeveloped at some point in the future, given the minimal use made of the property as a church, but I was stunned to learn of the proposed redevelopment, which does not appear to have been subjected to the "Good Neighbor Meeting and Management Plan" requirements found at B.R.C. 9-2-4.

In general, I have no objection to the property being redeveloped to provide affordable housing. I do, however, believe the redevelopment as currently proposed is inconsistent with the Boulder Revised Code, out of character with the neighborhood and otherwise inappropriate for this location for the reasons detailed below. Further, the developer's plans do not seem to be adequately thought out or sufficiently specific to allow any purported community benefits to be assessed; the plans do not even identify the number of affordable housing units to be provided at the Jay Road site or how many of those units will be rentals vs. owner-occupied. I am also troubled by the linkage between this redevelopment and the proposed companion redevelopment at 3303 Broadway (which has many similar deficiencies), and the efforts by the developer to exploit the purported benefits of each development to justify the other.

1. The proposed up-zoning is excessive and inconsistent with the zoning the City has been willing to confer on other property recently annexed into the City. Among other thing, the City refused to up-zone the acre+ property at 2350 Norwood Avenue as part of its annexation last year and would agree only to a Residential - Estate zoning, refusing to consider the community benefits that might come with different zoning. Given the neighborhood surrounding the proposed development, zoning more consistent with its existing designation of Rural Residential, which would allow for four single-family dwellings, is more appropriate.
2. The proposed density of 20 units per acre is excessive and incompatible with the surrounding neighborhood. This property adjoins the Area III Planning Reserve, which is land that may only be annexed into the City under very specific conditions which are intended to be difficult to meet. As a result, the surrounding property is likely to remain in its current state of under

development for many years to come. Consequently, there is much *de facto* open space surrounding this property. The default density for the proposed RMX-2 zoning district is 10 units per acre, half of what is being proposed. Contrary to the photographic representations provided in the Concept Plan (which appear to be of the Holiday neighborhood), the adjoining neighborhood, to the extent it has been developed, is made up of single-family residences, many on very large lots. (The Comp Plan identifies the neighborhood as Low and Very Low Density.) Virtually all of the properties south of the site and east along Jay, including those in Orange Orchard, have a significant rural feel. Doubling the default density will not result in any sort of smooth transition in density, as alluded to in the Concept Plan. Rather, the redevelopment, as proposed, will be significantly out of place.

3. The placement of both the parking lot and 3-story apartment building along Jay Road is inappropriate and inconsistent with the North Boulder Subcommunity Plan, which emphasizes “[b]uildings, front doors, or front yards facing the street, rather than parking lots, back yards, or garages” and discourages excessive massing of structures fronting streets. There are no other 3-story developments anywhere near this one; even the closest taller developments (at Jay and 47th Street, and in Winding Trail and Palo Park) are not massed along the adjoining roads as is being proposed here. The parking area will cause the apartment building to be somewhat set back from the street, but will be visually unappealing. There is no indication the developer has even attempted to address the Vision Statement developed by the North Boulder Steering Committee and set forth on Page 2 of the Subcommunity Plan.¹ At a minimum, the developer should be required to re-configure this project to comply with the Vision Statement.
4. The uncertainty regarding the size and number of affordable housing units at the Jay Road site makes it virtually impossible to assess the project’s purported “community benefit”. The City appears to have to asked the developer to add units with three and four bedrooms, presumably to address the needs of the “affordable housing” market. This request/requirement will undoubtedly affect the economics of at least the Jay Road portion of the dual development, despite the developer’s purported willingness to do whatever the City wants vis-à-vis the affordable housing component, and will likely require additional changes, including the addition of more parking, per B.R.C. Table 9-1. Right now the primary community benefit will accrue to the coffers of church, which owns the property and now has an opportunity to sell it, and the developer. This was not the type of community benefit anticipated by the B.R.C.
5. The visual depiction of the “woonerf” feature of the development contained in the Concept Plan is misleading, or at least confusing. More than half of the open space in the proposed redevelopment is made up of the “woonerf” feature. This is verbally described as being for pedestrians, but it seems to be a parking feature. The visual depiction on p. 52 of the Concept Plan is of a narrow, winding street, with cars parked tightly against the buildings. In contrast, the Site Plan on p. 39 depicts many unidentified features and parking spaces. The City does not typically consider parking areas to be open space.
6. MOST IMPORTANTLY, THE CONCEPT PLAN COMPLETELY IGNORES THE IMPACT OF THE REDEVELOPMENT ON THE MOVEMENT OF TRAFFIC ON JAY ROAD AND, POTENTIALLY, 28TH

¹ The Comp Plan indicates that the North Boulder Subcommunity Plan is applicable to this site.

STREET/STATE HIGHWAY 36. I do not know if Jay Road is considered an arterial street or a collector street, but it is a busy, significant traffic route for both commercial and personal travel. As noted in the Concept Plan, it is a bus route and includes well-used bike lanes in both directions. It is on the route of virtually every bike event held in and around Boulder. In short, there already is a lot going on at the intersection of Jay and 28th Street. In addition, there are bus stops on Jay just east of the intersection, but no sidewalks and extremely poor lighting. Currently pedestrians must walk in the street. If this development is built, jay-walking is inevitable to get to and from the bus stop on the south side of Jay. As shown on the enclosed aerial photo, there are five curb cuts in the immediate vicinity of the proposed development - two on the north side of Jay, which provide access to the existing church and to a residence further north, and three on the south side, one of which is barely east of the turning lane off of northbound 28th Street and will serve the synagogue currently being built on the southeast corner of Jay and 28th Street.

B.R.C. 9-9-5(c)(2) provides that:

On arterial and collector streets, or if necessary for the safe and efficient movement of traffic, all accesses shall be designed and constructed with physical improvements and appropriate traffic control measures to assist or restrict turning movements, including, without limitation, acceleration or deceleration lanes, access islands, street medians, and signage, as may be required of the development if the city manager finds that they are necessary to preserve the safety or the traffic-carrying capacity of the existing street.

In the event the developer chooses to proceed with this project, the City must require "physical improvements and appropriate traffic control measures" given the inevitable increase in pedestrian and vehicular usage likely to result from this project. Also, the City and developer should be certain that the existing right-of-way for Jay is co-extensive with the constructed roadway (which is not always the case) since it will affect setbacks and other matters. Lastly, it seems highly unlikely CDOT will approve the emergency access proposed off of 28th Street as it is located at the south end of the acceleration lane for northbound 28th the Street.

Those of us who live along the north 28th Street corridor recognize our neighborhood is likely to change in the future. But the proposed project is too dense and insufficiently thought out for this location. In addition, and as evidenced by the lack of any "Good Neighbor Meeting", the developer has completely failed to take any steps to understand the neighborhood; it seems the developer is so eager to build its Broadway project (and to get approval before any development-related changes are made to the B.R.C.) that it is willing to do anything the City may ask of it on the Jay Road site, without regard to the impact on the adjoining neighborhood, which coincidentally happens to be largely in the County. This project should be rejected or at least sent back to the drawing board.

Thank you for the opportunity to comment.



Robyn W. Kube

Enclosure



Curb cuts

Bus stops

August 27, 2015

Sloane Walbert
Planner I, Department of Community Planning and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
P.O. Box 791
Boulder, CO 80306-0791

RE: 2801 Jay Road Concept Plan Review and Redevelopment

Dear Ms. Walbert and the City of Boulder Planning and Development Services Center:

We are writing today to voice our many concerns and objections to the proposed development and associated rezoning at 2801 Jay Road.

First and foremost, we think the proposed development and rezoning does not conform with the immediate neighborhood. In the concept plan it is stated that this continues an existing pattern of development along US 36 and that the proposed zoning and land use are appropriate to surrounding properties. The architectural character of the proposed development includes a three story apartment block along the south side on the north side of Jay Road. They state this is "an appropriate urban scale along the arterial street". The immediate properties to the south, north and east are all Rural Residential zoning. Our immediate neighborhood is made up of detached single family homes on one to eight acre lots, with dirt roads, open fields, small farms and horse fields. The photos in the concept plan are not from the immediate neighborhood and are misleading regarding the degree of density of the surrounding dwellings.

In addition, the proposed development is on the south-east corner of the surrounding Area III Planning Reserve. There are no developments to the north or northwest of 2801 Jay Road that are even close to this density of this proposed housing. If the proposed development goes through it will likely have a big impact on the type of future development in the Planning Reserve. Since Boulder Valley is currently in the process of updating the BVCP, it may be best for the City to wait for the updated BVCP to assure any development conforms to the future strategy for the Area III Planning Reserve. I also know that Boulder County has concerns about the possible intensity of development as it relates to unincorporated land.

The plan also calls for annexation into the city. The property has been designated in the Boulder County Comprehensive Plan and the Boulder Valley Comprehensive Plan as Planning Area II, which means that the county and city have agreed this parcel would be annexed into the City of Boulder someday. However, we do not feel that this proposed density is consistent with limited and carefully planned growth. They also state that no additional right-of-way will need to be annexed into the city. Yet, in their plan, row houses have garage access via an alley. It appears that the alley is my property and they do not have access to that easement.

The proposed density will significantly increase traffic at the Jay Road and 28th Street intersection. This is already a dangerous intersection that we don't like our children to cross without adult supervision. We see numerous accidents there each year. Bicycle traffic is very high along Jay Road and 28th street. There have been bicycle fatalities along this route. The high density development will only add to the traffic and risk for bicycle-automobile collisions. I noted a section on traffic in the concept plan for 3303 Broadway but none for 2801 Jay Road.

There was no detailed information regarding flooding risks for 2801 Jay Road either. As we saw from September 2013 and again this May, North Boulder is at risk for significant flooding. The water table and drainage has changed since the 2013 floods. The water table is at record high levels. The proposed development may affect the water table and will certainly affect the drainage. We are also on well water and septic and are concerned with the effect on those from this proposed development.

There was no environmental effect discussion either. There will be significant displacement of the animals that live there. They include the burrowing owl, kangaroo rat, and prairie dogs to name a few.

They also speak to the benefit to the community. Almost^{all} of that discussion is centered on the other location, 3303 Broadway. For the 2801 location, they speak only of the Church of The Nazarene, the current owners of the property. Their active Church is in South Boulder, very far from the proposed suite at 2801 Jay Road.

We feel there has been very little community outreach to the immediate neighbors who are in Rural Residential zones. In the concept plan they state there have been dozens of one-on-one meetings with neighbors, two neighborhood gatherings for immediate neighbors and emails with community members. I have spoken to my immediate neighbors and none of us were aware of any of these. They did meet with neighbors in Orange Orchard as a member of the design firm lives there. Orange Orchard is not the immediate neighbor of the 2801 Jay Road property and is not in a Rural Residential Zone.

In summary, we feel the density of proposed development is out of character to the surrounding neighborhood and annexation and rezoning from Rural Residential to RMX-2 will have negative effects on the surrounding community and the adjacent Area III Planning Reserve. We also feel it is not in line with the growth requirements outlined in section 1:18 of the BVCP that state "the overall effect of urban growth must add significant value to the community, improving quality of life. The city will require development and redevelopment as a whole to provide significant community benefits, achieve sustainability goals for urban form, and to maintain or improve environmental quality as a precondition for further housing and community growth." In November, the City Council declared that the comprehensive plan update was the best place to address the big-picture issues of growth and development. This is a not a small scale development and it will have significant impact on the immediate neighborhood, surrounding community and also throughout Boulder County. We strongly request the City stop, or delay until after the BVCP and the future of

the Planning Reserve is known, the application process and not proceed with the Concept Review or the subsequent Site and Use Reviews.

Sincerely,

A handwritten signature in cursive script that reads "Matthew W. Karowe M.D." written over a horizontal line.

Matthew W. Karowe, M.D.
2825 Jay Road

A handwritten signature in cursive script that reads "Diana Z. Karowe" written over a horizontal line.

Diana Z. Karowe
2825 Jay Road



View East from 2801 Jay Rd



View North from 2801 Jam Rd



Unincorporated Boulder County, Rural Residential, directly East (next door) of 2801.



Facing 2801 Jay, View to North



Residents of Prairie Dog Colony on 2801 Jay Grounds



View North along Rt. 36 behind 2801 Jay Rd.



North along Rt 36 Directly Behind 2801 Jay



Directly South (across the street) of/from 2861 Jay Rd

From: [Robyn Kube](#)
To: [Walbert, Sloane](#)
Subject: RE: Staff Initial Review Comments - Concept Plan Review at 2801 Jay Rd.
Date: Wednesday, September 02, 2015 9:02:34 AM

Sloane,

Thank you for providing a copy of Staff's report concerning the proposed development.

That report raised a few questions I was hoping you could answer:

1. Where is the expected location of the City Park north of the site?
2. Where is the water coming from for the synagogue being built at 2810 Jay?
3. Why will the required path easement be only 14' wide? The City has previously sought to require my clients to provide 16' wide easements (so that 12' wide paths can be constructed).
4. Is Concept Review for the 3303 Broadway site also scheduled to be considered at the October 1 Planning Board meeting?
5. As I read the report, Staff would require the applicant to obtain a public access easement over the existing access road for properties to the east. Does that mean that access would now become "shared access" for both the site to be developed and the properties currently served by the access road? Does it also mean the existing driveway curb cut serving the property would be abandoned?

Thank you for your time,

Robyn Kube

From: Walbert, Sloane [mailto:WalbertS@bouldercolorado.gov]
Sent: Tuesday, September 01, 2015 11:02 AM
To: 'reboulder@aol.com'; 'wyleyhodgson@gmail.com'; 'heatherhosterman@gmail.com'; 'lynnlickteig@aol.com'; 'dwelden460@yahoo.com'; 'david@rosewoodconstruction.com'; 'peggy.bruehl@gmail.com'; 'paul.strupp@gmail.com'; 'wilangie@comcast.net'; 'heatherhosterman@gmail.com'; 'carlos@carlospinoso.com'; 'ddex2002@yahoo.com'; 'maureen.taylor@me.com'; 'mkarowe@wispertel.net'; 'hoa@oohaboulder.org'; 'lisazahn@hotmail.com'; 'Paulina Hewett'
Subject: Staff Initial Review Comments - Concept Plan Review at 2801 Jay Rd.

Hello all,

You are receiving this email because you either provided feedback on the development proposal at 2801 Jay Road or requested to be kept informed of the project. I have attached staff's initial review comments on the project for your reference. We are in the process of preparing a more detailed staff memorandum to Planning Board for the meeting on October 1st. I will forward this memo once it has been completed.

Please let me know if you have any questions or if you would like to provide additional feedback

From: [Ernie & Sandy A.](#)
To: [Walbert, Sloane](#)
Cc: e.anderson@juno.com
Subject: LUR2015-00074
Date: Monday, September 14, 2015 1:58:04 PM

Dear Sloane Walbert
Case Manager
2801 Jay Road
LUR2015-00074
City of Boulder
Community Planning & Sustainability

I had called and left a message on Aug. 25th, stating that we were against this proposed development. We would like to follow up with this e-mail.

I, and my parents before me, are natives of BoulderCounty. I have lived most all my life, 60+, years in northeast Boulder area and we have lived 39 years in the Gould Subdivision. This proposed development at 2801 Jay is just not compatible with the surrounding area and would devastate the style and spirit of the neighborhood. This unnecessary sprawl is not progress.

"Environmental Preservation" should take into account this neighborhood's lifestyle, surroundings and atmosphere (what the people are comfortable with and why they live here). "Community Benefit" provided by annexation would seem to only benefit the developer. Most residents of the area are living in the county because that is what they want.

Many homes in the area now are using well water. Any disturbance of ground water on the proposed site could have an effect on our wells, both quality of water and lowered water tables by discharging ground water away from the area.

Also, it was our belief that the veterinary clinic was restricted to 8 trips per day based on a county study and the proximity to the 28th Street intersection. How can a city study with just some street modifications be so different?

We saw no mention of the impact this could have on the local schools with a large increase in children.

The density of this development would be a blight to the area and seems way out of character to be compatible with the neighborhood! Not the best "gateway site"!

Please keep us updated on this project.

Ernest Anderson
Sandra Anderson

e.anderson@juno.com
4080 Welsh Place
Boulder, CO80301

..

From: [Ernie & Sandy A.](#)
To: [Walbert, Sloane](#)
Cc: e.anderson@juno.com
Subject: LUR2015-00074
Date: Monday, September 14, 2015 1:58:04 PM

Dear Sloane Walbert
Case Manager
2801 Jay Road
LUR2015-00074
City of Boulder
Community Planning & Sustainability

I had called and left a message on Aug. 25th, stating that we were against this proposed development. We would like to follow up with this e-mail.

I, and my parents before me, are natives of BoulderCounty. I have lived most all my life, 60+, years in northeast Boulder area and we have lived 39 years in the Gould Subdivision. This proposed development at 2801 Jay is just not compatible with the surrounding area and would devastate the style and spirit of the neighborhood. This unnecessary sprawl is not progress.

"Environmental Preservation" should take into account this neighborhood's lifestyle, surroundings and atmosphere (what the people are comfortable with and why they live here). "Community Benefit" provided by annexation would seem to only benefit the developer. Most residents of the area are living in the county because that is what they want.

Many homes in the area now are using well water. Any disturbance of ground water on the proposed site could have an effect on our wells, both quality of water and lowered water tables by discharging ground water away from the area.

Also, it was our belief that the veterinary clinic was restricted to 8 trips per day based on a county study and the proximity to the 28th Street intersection. How can a city study with just some street modifications be so different?

We saw no mention of the impact this could have on the local schools with a large increase in children.

The density of this development would be a blight to the area and seems way out of character to be compatible with the neighborhood! Not the best "gateway site"!

Please keep us updated on this project.

Ernest Anderson
Sandra Anderson

e.anderson@juno.com
4080 Welsh Place
Boulder, CO80301

..

From: [Howdy Pierce](#)
To: [Walbert, Sloane](#)
Cc: [Maureen Taylor](#)
Subject: LUR2015-00074 / 2801 Jay Road
Date: Wednesday, September 16, 2015 12:54:14 PM

Sloane—

Could you let me know the details of the public hearing on this development? The public notice says it will be held Oct 1 but does not give a location or time.

Thank you,
—Howdy Pierce

September 16, 2015

Sloane Walbert
Planner I, Department of Community Planning and Sustainability
City of Boulder
1739 Broadway, 3rd Floor
Boulder, CO 80306-0791

Dear Sloane,

Below is the information you requested regarding site metrics - a confirmation of unit types and counts as well as percentage of site dedicated to open space.

Unit types and counts

Original scheme as presented in the **Concept Review** package:

	unit count	area per unit	total area
2 bedroom row houses	30	1260	37800
3 bedroom row houses	13	1500	19500
3 bedroom townhouses	8	1536	12288
2 bedroom apartments	38	770	29260
1 bedroom apartments	5	680	3400
apartment circulation (15%)			7789
totals	94		110037

Scheme modified after meeting with City of Boulder **Inclusionary Housing** to meet their needs:

	unit count	area per unit	total area
3 bedroom row houses	26	1400	36400
4 bedroom row houses	17	1650	28050
4 bedroom townhouses	8	1700	13600
2 bedroom apartments	38	770	29260
1 bedroom apartments	5	680	3400
apartment circulation (15%)			7789
total unit count	94		118499

Open space for either scenario

overall site area	207,274 sf (4.76 acres)
planted areas	56,427 sf
public plazas	4,550 sf
total open space	60,978 sf
open space as percentage of overall site	29.4%

The above totals exclude sidewalks, the Woonerf area, as well as all other vehicular surfaces.

Let me know if you need additional information.

Regards,

Ali Gidfar

Dear Sloane

Below you will find conceptual counts and unit sizes for 2801 Jay Road's proposed redevelopment.

We have met with both Jeff Yegian and Michelle Allen to help us better understand the needs surrounding inclusionary housing.

They have voiced strong preference for larger units that will meet housing needs for families. Current units coming on line in the affordable category are heavily weighted toward efficiency, one and two bedroom units. Jeff and Michelle believe that the needs of the community will be better served by three and four bedroom units, and have asked that we increase the number of three bedrooms, and include four bedroom units on site. Our meetings with Jeff and Michelle have occurred after our conceptual plans were developed and submitted for review by you and others in the City. As a result, the data provided below deviate from the documents presented for review. The fine tuning of the mix of units (sizes, count of bedrooms and bathrooms), as well as what proportion may be affordable versus market rate, will be determined through input from inclusionary housing, neighbors, as well as other city departments. The developer has stated that any mix from 100% to a lesser amount of affordable housing is acceptable on the Jay Road site.

Please note that it is imperative that, 3303 Broadway and 2801 Jay Road be considered as "sister" properties. The former fulfills the needs for workforce housing, while the latter meets the needs of affordable housing for larger families.

Respectfully,

Ali Gidfar, Architect.

Unit counts and sizes:

Apartment block (along Jay Road):

- two bedrooms = thirty eight at 850 sf each = 32,300 sf
- one bedrooms = five at 650 sf each = 3,250 sf
- efficiencies = 0
- **total area, including circulation = 37,300 sf**

Town Homes (along west property line)

- four bedroom units = eight units at 1600 sf each = 12,800 sf (does not include one car garage per unit)
- **total area of town homes, less garages = 12,800 sf**

Row homes (along north and west property lines, no garages):

- three bedroom row homes = nineteen at 1450 sf = 27,500 sf
- four bedroom row homes = eleven at 1600 sf = 17,600 sf
- **total area of row homes = 45,100 sf**

Alley homes (center of site, one car garage each):

- three bedroom units = seven at 1450 sf = 10,150 sf
- four bedroom units = six at 1600 sf = 9,600 sf
- **total alley home area less garages = 19,750 sf**

Total for all finished area = 114,950 sf

Open space for entire site:

- Park = 9,200 sf
- dog park = 3,700 sf
- yoga park = 3,100 sf
- woonerf = 44,600 sf
- back yards = 13,700n sf
- apartment balconies + plaza = 5,000 sf

Total proposed usable outdoor space = 79,300 sf (does not include drives and parking surfaces)



Fulton Hill

PROPERTIES

Concept Plan | 3303 Broadway *and* 2801 Jay Road | June 15, 2015

www.FultonHillProperties.com

2801 Jay Road



2801 Jay Road Concept

2801 Jay Road: family focused affordable housing

2801 Jay Road will be a family oriented residential neighborhood with a mixture of row houses and apartments. Approximately one half of the row houses on site will be large three-bedroom units providing affordable living space for families. The remainder will be primarily two-bedroom row house and apartment units with only a small number of one-bedroom apartments. This focus on larger units is dramatically different from what is happening in affordable housing across the City of Boulder today.

A portion of the row houses will have attached garages, some with alley access.

Neighborhood amenities will include a community room dedicated to serving both the residents of the development and residents of surrounding neighborhoods.

The neighborhood will have a streetscape that encourages resident interaction and a small pocket park with playground and open space.

2801 Jay Road is currently outside the city boundaries but the site is designated as Area II which indicates that the site is planned to be annexed into the city.

2801 Jay Road Program:

21 three-bedroom row houses

30 two-bedroom row houses

38 two-bedroom apartments

5 one-bedroom apartments

142 parking spaces



2801 Jay Road Concept: *site plan*



- 2 bedroom row house on street parking
- 3 bedroom row house alley access garage
- 3 bedroom row house with attached garage
- apartment block 1 & 2 bedroom flats
- community park
- dog park
- yoga park
- private yard
- woonerf

Highest and Best Use: *Affordable Multi-family Housing*

Analysis of the site conditions and opportunities, discussions with City staff and consultation with the Church of the Nazarene, the current owner of the site, indicates that the highest and best use of the site is as an affordable residential neighborhood tailored to families. Development of the site with the proposed mix of residential units is supported by the following factors:

■ **Continues an existing pattern of development on US 36 north of Iris**

■ **Zoning and land use appropriate to surrounding properties**

■ **Multi-modal transit opportunities to minimize vehicular traffic: bus route and bike lanes connect the site to commercial centers**

■ **Close proximity to commercial and retail services at 28th and Iris.**

■ **Quick and easy access to major employment centers: Center Green, 29th Street, Downtown**

■ **Close to recreational assets: Open Space, Boulder Reservoir, Palo Park, Pleasant View soccer fields.**

- Onstreet Bike Lane
- Designated Bike Route
- Multi Use Path
- Paved Shoulder
- 205 Bus Route
- 208 Bus Route
- BOLT Bus Route
- BOUND Bus Route
- school
- rec center
- market
- cafe or restaurant
- bank
- beauty salon
- small specialty retail
- medical center
- outdoor swimming
- gas station
- open space
- shopping center



Multi-modal Access



This site offers excellent multi-modal access. It is served every 30 minutes by the 205 bus route along Jay Road. The 205 bus connects the site to the downtown transit center with linkages to nearly the entire RTD service area. The 205 provides access to job centers in the Gunbarrel area, the 29th Street area and Downtown.

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



- Onstreet Bike Lane
- Designated Bike Route
- Multi Use Path
- Paved Shoulder
- Underpass
- 205 Bus Route

Proximity to Shopping

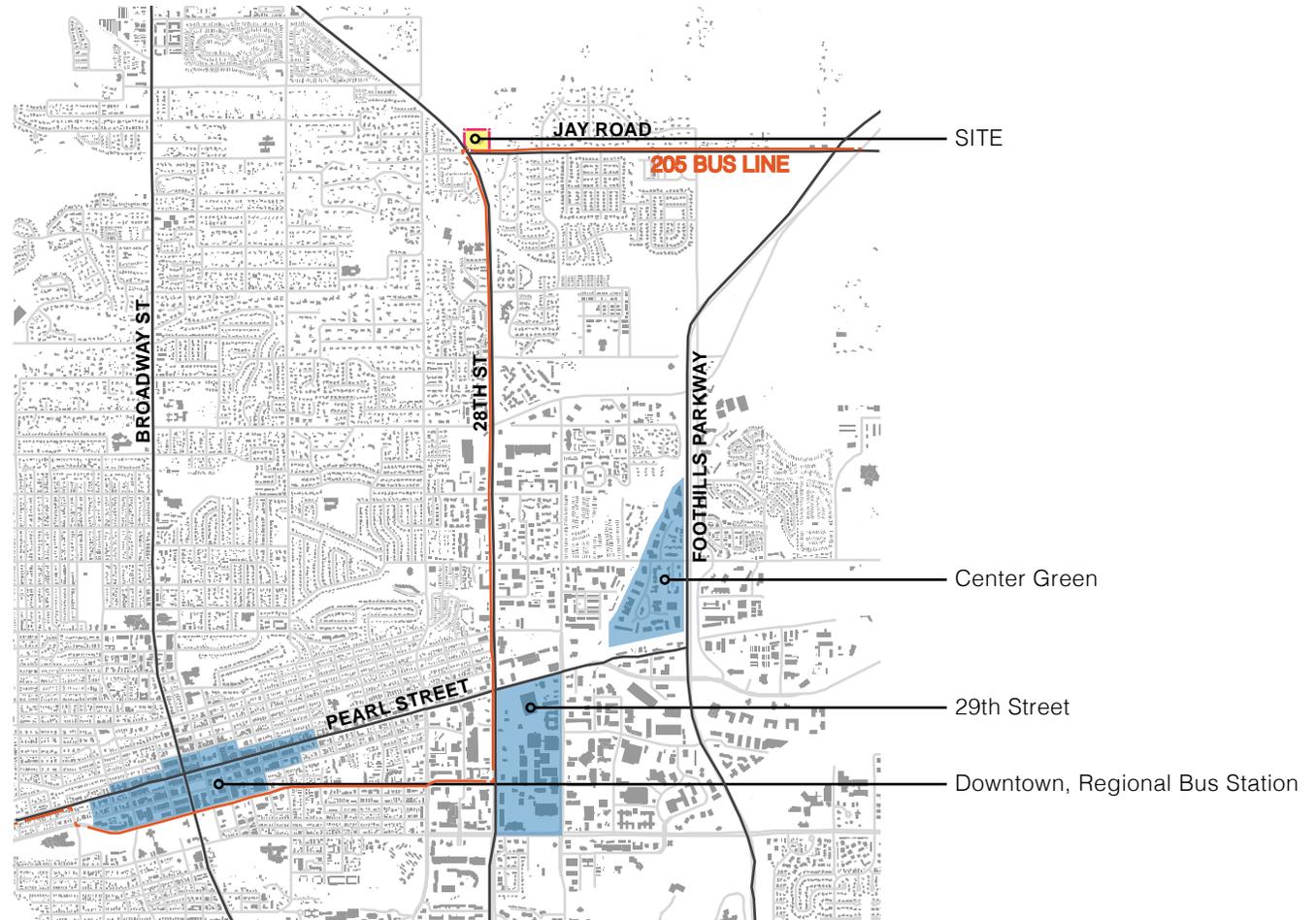
A wide range of commercial services are available on 28th Street. Within one mile south of the site are two grocery stores, a pharmacy, a laundromat, a dry cleaner, an urgent care facility, a fitness center, a bank, a hair salon, and cafes and restaurants.



Shopping Center,
home of Safeway and Walmart

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, 29th Street, Center Green. 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

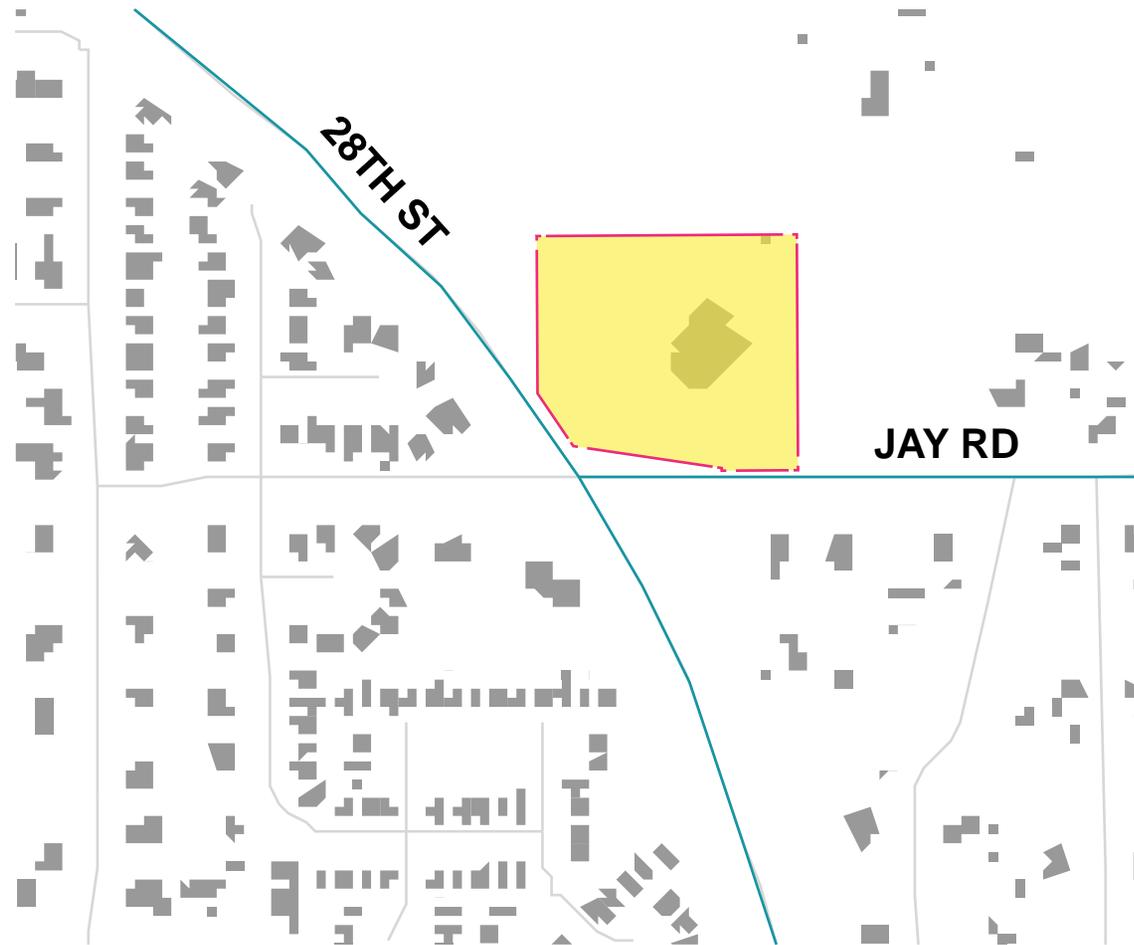
Nearby is the Four Mile Creek path which links to hiking trails on OSMP land both west of Broadway and east of the Diagonal Highway. Along this path are also Pleasant View soccer fields and the Elks Club pool. A little farther away is the Boulder Reservoir with links to open space.

Palo Park is within five blocks to the south of the site.



Site Access

The site is easily accessed by two major arterial roads, US 36/28th Street and Jay Road. US 36 provides easy access to much of central Boulder's commercial core. Jay Road provides a convenient connection to Foothills Parkway and the Diagonal Highway providing linkages to the greater Front Range metro area.



Annexation/Planning Reserve

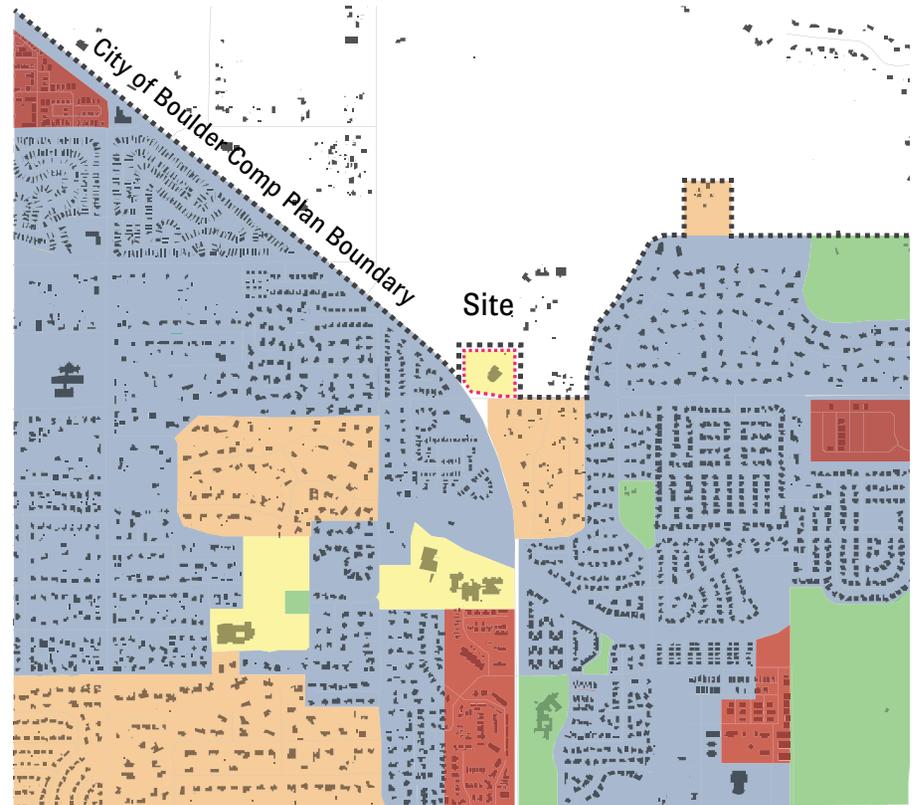
The project site currently sits outside of the city limits. Land to the west and south is within the City of Boulder. The site is currently served by an out of city utility agreement and has sufficient contiguous boundary with existing city property to meet the state mandated 1/6th contiguous border with the municipality to allow annexation. No additional right-of-way along Jay Road will need to be annexed into the city.

The City of Boulder and the Boulder Valley Comprehensive Plan have designated the land as Area II, within the service area of the city, and eligible for future annexation into the city.

Annexation of the site fits within both the city's long term goals and objectives of careful, limited and carefully planned growth while addressing its short term goals as well.

Development of this site today in no way limits or diminishes the

future development possibilities of the Area III Planning reserve to the north. Given the city's current need for housing and the likelihood of a continuing need for housing in the future, it seems that development of the Planning Reserve will contain some form of housing within its program. It seems equally unlikely that the Planning Reserve would ever be developed with low density single family residential. Viewed through this lens, the medium density multi-family housing proposed for the site at 2801 Jay Road acts as an appropriate transition between the single family neighborhoods to the west and south and a future development of the Planning Reserve whether that be as a commercial, mixed use or medium to high density residential use. The program proposed at 2801 Jay Road addresses the City of Boulder's current needs while leaving many options open for the Planning Reserve in the future.



- Very Low Density Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Public
- Park, Urban and Other

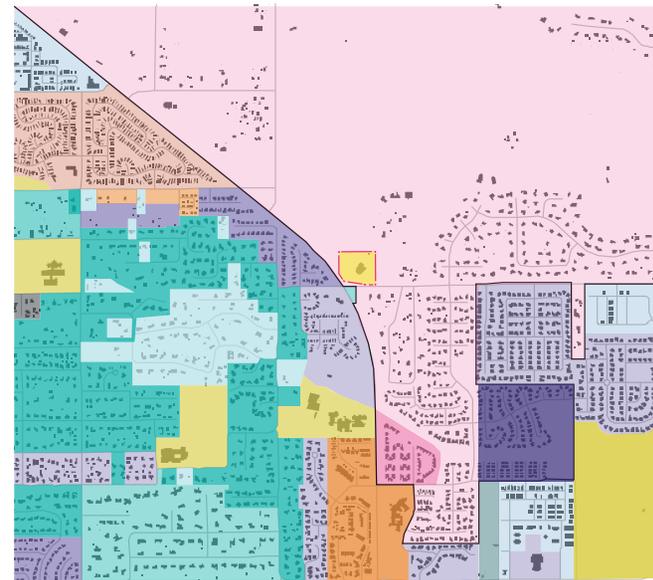
Existing and Proposed Zoning

The current zoning designation of the site is P / Public.

In order to provide affordable housing, a stated high-priority goal of the Boulder Valley Comprehensive Plan, the development team proposes the site be annexed into the City of Boulder and assigned a zoning designation that allows a mix of densities that will provide a framework for a flexible and successful residential development. The RMX-2 zone classification meets these requirements as stated in 9-5-2 of the Boulder Land Use Code:

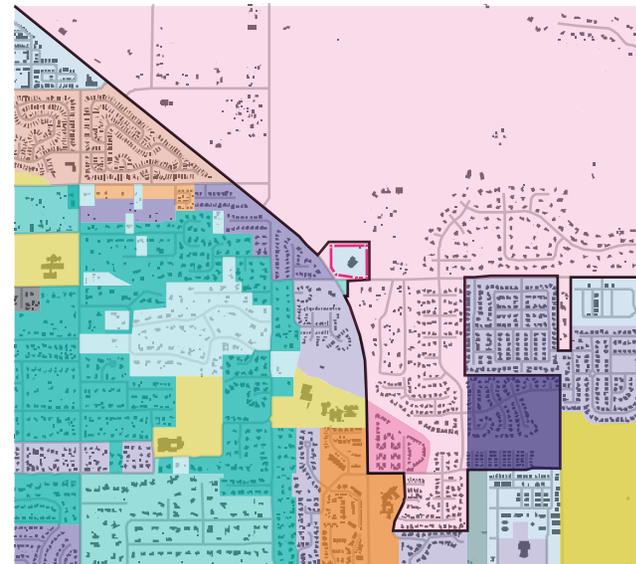
RMX-2 (Residential - Mixed 2): Medium density residential areas which have a mix of densities from low density to high density and where complementary uses may be permitted.

This is a common zone designation in the north Boulder area where new medium density multi-family housing is to be constructed adjacent to or nearby low density single family neighborhoods. Three sites near 2801 Jay: Northfield Commons between Palo Parkway and Kalmia, Northfield Village at 47th and Jay Road and the Holiday Neighborhood along US 36 between Yarmouth and Lee Hill have been recently developed with an RMX-2 zone designation.



Existing Zoning

- city of boulder**
- public
 - mobile home
 - residential low 1
 - residential low 2
 - residential rural 1
 - residential estate
 - residential-mixed 2
 - residential-medium 1
 - residential-medium 2
 - enclave
 - flex
- boulder county**
- suburban residential
 - rural residential
 - multiple family



Proposed Zoning

- city of boulder**
- public
 - mobile home
 - residential low 1
 - residential low 2
 - residential rural 1
 - residential estate
 - residential-mixed 2
 - residential-medium 1
 - residential-medium 2
 - enclave
 - flex
- boulder county**
- suburban residential
 - rural residential
 - multiple family

Existing Pattern of Multi-family Development Along 28th Street and Jay Road

Twenty-eighth Street between Iris and Jay is characterized by a substantial amount of multi-family housing along both sides of the street. Farther to the north on the west side of US 36 is the multi-family development at Holiday.

Although development of the Planning Reserve remains out in the future it will in all likelihood contain some housing, probably at densities greater than what is proposed at 2801 Jay Road.



Existing Site and Surrounding Context



The site is at the northeast corner of the intersection of Jay Road and US 36. The site has a single point of vehicular access, at the southeast corner of the site onto Jay Road.



An existing church building is sited in the center of the property. Parking paved with asphaltic concrete occurs along the eastern edge of the site.



The western half of the site is minimally landscaped with native short grasses.



Surrounding Neighborhood Context

These images illustrate the context in and around the project site.



Surrounding Neighborhood Context

These images show structures near the project site.



Architectural Character: 2801 Jay Road

Site organization and building form/massing/organization

The new neighborhood at 2801 Jay Road is planned to be family friendly and create a strong sense of place and neighborhood identity. The development is focused around a small pocket park at the heart of the site and a "woonerf" approach to streets and vehicular circulation in order to make the site as kid safe as possible.

A three story apartment block sets the south edge of the site along Jay Road providing an appropriate urban scale to the arterial street. Parking along the south side of the building under the building's second floor minimizes ground surface area dedicated to parking. This still allows residential units on the north side of the ground floor that face the small neighborhood street and enhance the pedestrian experience.

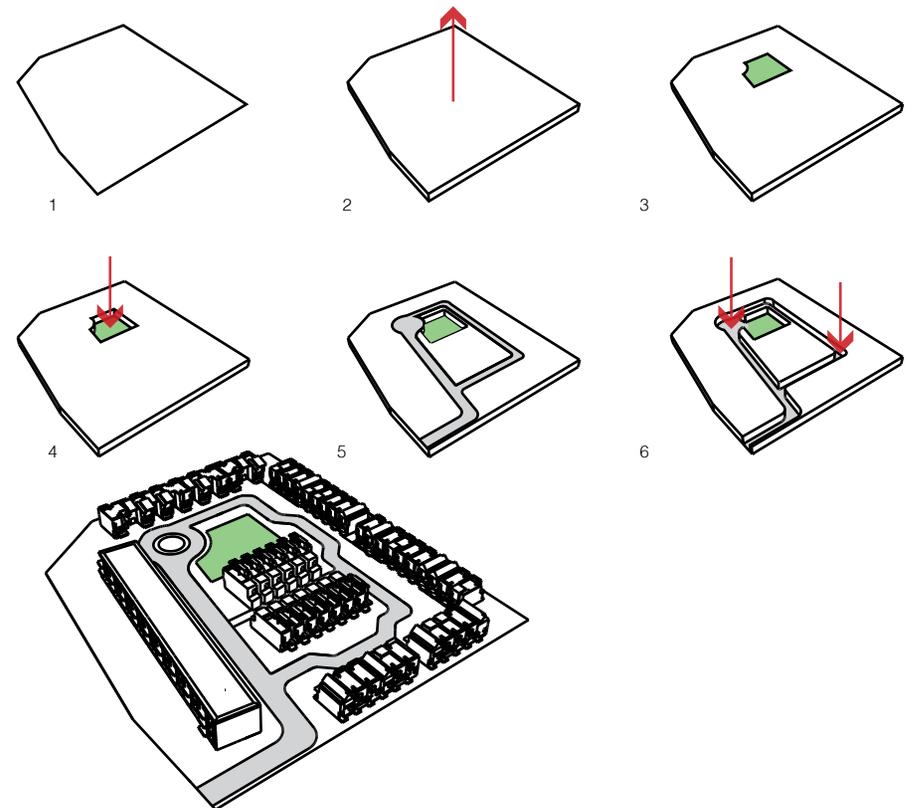
On the north end of the ground floor of the apartment structure

a community room faces north across a small plaza and the street to the pocket park. In the south-east corner of the park is a small playground with play equipment but also a varied environment of natural elements that support play and engage the imaginative minds of children: mounds to roll down, rocks to hide behind and trees to climb. Parents will be able to gather and sit at a table in the community room or on chairs on the plaza and watch their children play.

The Woonerf concept uses winding streets and blurred boundaries between areas for cars and areas for pedestrians. People and cars share the same space, effectively giving the street back to people. This causes cars to slow down making the neighborhood safer for children.



Woonerf concept: pedestrians first Park



Architectural Character: 2801 Jay Road

To the north of the apartment structure blocks of row houses wrap the edges of the site, define internal streets and enclose the pocket park. Each row house is articulated as a distinct volume to give individual identity and variety and to break down the scale of the overall mass. The row houses are two stories in height, some with a small stair tower giving access to a roof deck.

Every row house has a small covered front porch, just big enough to hold two chairs and flower pot. Many of the row houses have a private fenced backyard for kids, pets and gardens.

The row houses are divided among two-bedroom units with on-street parking, three-bedroom units with attached garages and three-bedroom units with attached garages and alley access.

Architectural expression

Building volumes, both on the row houses and the apartment building, are clad in varied materials to reduce the scale of the structure and give visual interest to the streetscape. A material palette of stucco, cement fiber and metal panels and a small amount of wood will be intermixed with the varied plans and forms of the structures to create a significant amount of variety so that the property does not feel like a repetitive set of elements.

Large windows admit lots of natural light and on the ground floor connect the interior of the units to the streetscape. Covered front porches and small gardens in front of every unit give scale, character and an opportunity for individual expression to the neighborhood.



Broader Community Benefit

We propose a unique solution, two sites in different parts of the community with vastly different programs, to provide more high quality affordable housing in the configuration the city needs than could be achieved by either site developed separately. In this instance it's true, the whole is greater than the sum of its parts.

This is a project that does so much more than just provide housing on two sites. The effects of this project will be felt by the people who live on the sites, by the residents of the neighborhoods surrounding the sites who work in the micro offices and use the community rooms, by the people who stop at the coffee shop to chat

with friends. It doesn't stop there, however. The effects of this project will extend far and wide to people who live across the entire community:

- **Mental Health Partners**
- **Church of the Nazarene**



Community Benefit: *Church of the Nazarene*

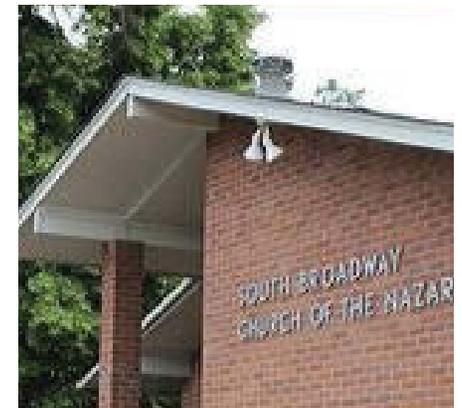
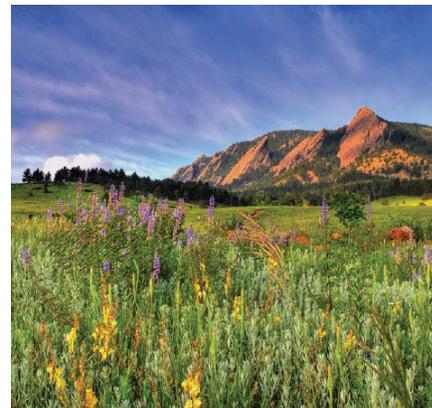
The Colorado District Church of the Nazarene owns the site at 2801 Jay Road. Although they no longer operate a church at this location, they do have an active congregation in Boulder, the South Broadway Church of the Nazarene. In its own words, the South Broadway Church of the Nazarene is "a varied group that includes children and teenagers, students, singles, married couples, parents, and grandparents and range in age from newborn to 98! We live in and around Boulder including Golden, Longmont, Superior, Broomfield, Louisville and, of course, the Martin Acres neighborhood in Boulder."

The Church of the Nazarene has a strong commitment to community development. As part of their mission, they offer space and facility free or at low cost to outside groups for uses such as, but not limited to: Community groups, other non-profit organiza-

tions, government organizations, schools, day-cares, disaster shelters, distribution centers for food and clothing to the needy, scouting and other youth organizations, sports leagues, substance abuse and rehabilitation organizations and its subsidiaries, and others, in keeping with the furtherance of their religious mission.

The Church has programs to sponsor children, eliminate poverty, provide education, health care, economic development and disaster relief and many other programs to help women and children locally and worldwide. The Nazarene Compassionate Ministries (NCM) partners with local Nazarene congregations around the world to clothe, shelter, feed, heal, educate, and live in solidarity with those who suffer under oppression, injustice, violence, poverty, hunger, and disease.

The Church is a partner on this project, as they believe the development of affordable housing in Boulder is in keeping with their mission.



Summary:

The conversation about housing in Boulder is inextricably linked with conversations about the number of workers commuting into the City and the need for affordable and workforce housing. Boulder has set goals for the direction of housing that will allow the character and spirit of the community to continue while accommodating growth. These goals include: making 10 percent of housing be permanently affordable units; the creation of a variety of housing options in every part of the city, including existing single-family neighborhoods, while preserving neighborhood character; establishing minimum density standards or alternative approaches to managing density to avoid creating new areas that offer only large, high-priced, single-family homes; provide developers with

an incentive to go above and beyond the current Inclusionary Housing requirements by providing a density bonus for additional affordable units. Our vision is to help the City meet these goals. We believe we have demonstrated a level of community benefit that warrants a Special Ordinance, so that we may work with staff to realize our project on these two sites. We hope that staff, Planning Board members and members of Council will walk with us towards this vision, and provide support.





1889 York Street
Denver, CO 80206
(303) 333-1105
FAX (303) 333-1107
E-mail: lsc@lscdenver.com

June 12, 2015

Ms. Margaret Freund
Fulton Hill Properties, LLC
1000 Carlisle Avenue
Richmond, VA 23231

Re: 2801 Jay Road
Boulder, CO
(LSC #150540)

Dear Ms. Freund:

In response to your request, LSC Transportation Consultants, Inc. has prepared this Trip Generation and Assignment Report for the proposed 2801 Jay Road redevelopment. As shown on Figure 1, the site currently includes a church and is located north of Jay Road, west of Voilet Avenue, and east of 28th Street (US 36) in Boulder, Colorado.

IMPACT AREA

Figure 1 shows the vicinity map.

Area Roadways

The major roadways in the site's vicinity are shown on Figure 1 and are described below.

- **Jay Road** is an east-west, two-lane roadway south of the site. The intersection with US 36 is signalized with auxiliary turn lanes. The posted speed limit in the vicinity of the site is 35 mph.
- **28th Street (US 36)** is a north-south, two-lane street west of the site. It is classified as NR-A (Non-Rural Principal Highway) by CDOT. The intersection with Jay Road is signalized with auxiliary turn lanes. The posted speed limit in the vicinity of the site is 45 mph.
- **Voilet Avenue** is a north-south, two-lane local gravel street east of the site that provides access to a few individual residential properties. The intersection with Jay Road is unsignalized.

PROPOSED LAND USE AND ACCESS

The development is proposed to include 51 residential townhome dwelling units and 43 apartment dwelling units. The conceptual site plan is shown in Figure 2. The existing church on

the property will be removed as part of the redevelopment. A portion of the units will be affordable and a portion will be market rate.

ALTERNATIVE TRAVEL MODES

An alternate travel mode share of 20 percent is expected. The site is well positioned to take advantage of the City’s extensive network of bike lanes and bike routes as well as the existing bus routes along 28th Street (US 36) and Jay Road. A Travel Demand Management (TDM) Plan will be provided with Site Review if appropriate.

TRIP GENERATION

Table 1 shows the estimated typical weekday, morning peak-hour, and afternoon peak-hour trip generation for the site based on the rates from *Trip Generation, 9th Edition, 2012*, by the Institute of Transportation Engineers (ITE) and the implementation of a TDM Plan.

The proposed land use on the site is projected to generate about 466 new vehicle-trips on the average weekday, with about half entering and half exiting the site during a 24-hour period. During the morning peak-hour, which generally occurs for one hour between 6:30 and 8:30 a.m., about seven vehicles would enter and about 30 vehicles would exit the site. During the afternoon peak-hour, which generally occurs for one hour between 4:00 and 6:30 p.m., about 29 vehicles would enter and about 14 vehicles would exit the site.

TRIP DISTRIBUTION

Figure 3 shows the estimated distribution of site-generated traffic.

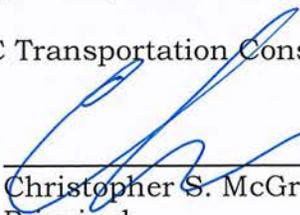
TRIP ASSIGNMENT

Figure 4 shows the assignment of site-generated traffic.

* * * * *

We trust this information will assist you in planning for the proposed 2801 Jay Road development.

Respectfully submitted,
LSC Transportation Consultants,

By: 
Christopher S. McGranahan, P.E.
Principal



6-12-15

CSM/wc

Enclosure: Table 1
Figures 1 - 4

**Table 1
ESTIMATED TRAFFIC GENERATION
2801 Jay Road
Boulder, CO
(LSC #150540; June, 2015)**

Trip Generating Category	Quantity	Trip Generation Rates ⁽¹⁾					Vehicle - Trips Generated					
		Average Weekday	AM Peak Hour In	AM Peak Hour Out	PM Peak Hour In	PM Peak Hour Out	Average Weekday	AM Peak Hour In	AM Peak Hour Out	PM Peak - Hour In	PM Peak - Hour Out	
Townhomes												
2-Bedroom Row Homes ⁽²⁾	30 DU ⁽³⁾	5.81	0.075	0.365	0.348	0.172	174	2	11	11	5	
3-Bedroom Townhomes ⁽²⁾	8 DU	5.81	0.075	0.365	0.348	0.172	47	1	3	3	1	
3-Bedroom Row Homes ⁽²⁾	13 DU	5.81	0.075	0.365	0.348	0.172	76	1	5	5	2	
Apartments												
2-Bedroom Flats ⁽⁴⁾	38 DU	6.65	0.102	0.408	0.403	0.217	253	4	16	15	8	
1-Bedroom Flats ⁽⁴⁾	5 DU	6.65	0.102	0.408	0.403	0.217	33	1	2	2	1	
Total	94 DU						583	9	37	36	17	
							20% Alternative Travel Mode Reduction	117	2	7	7	3
							Net Total Trips	466	7	30	29	14

Notes:

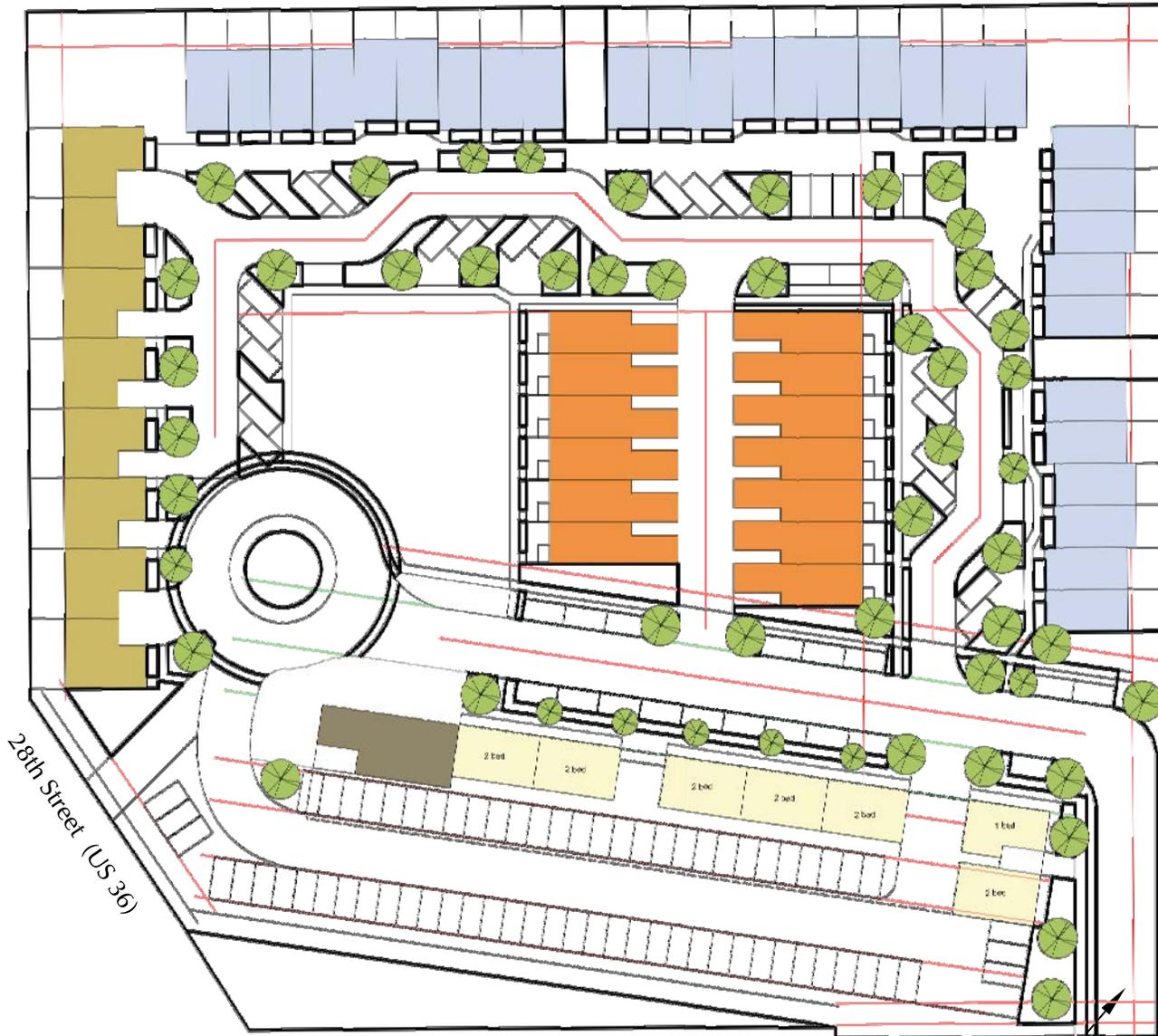
- (1) Source: *Trip Generation*, Institute of Transportation Engineers, 9th Edition, 2012.
- (2) ITE Land Use No. 230 - Residential Condominium/ Townhouse
- (3) DU = Dwelling Units
- (4) ITE Land Use No. 220 - Apartment



North Arrow
Approximate Scale
Scale: 1"=600'

Figure 1
**Vicinity
Map**

2801 Jay Road (LSC #150540)



Approximate Scale
Scale: NTS

28th Street (US 36)

Jay Road

Access Point

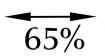
2801 Jay Road (LSC #150540)

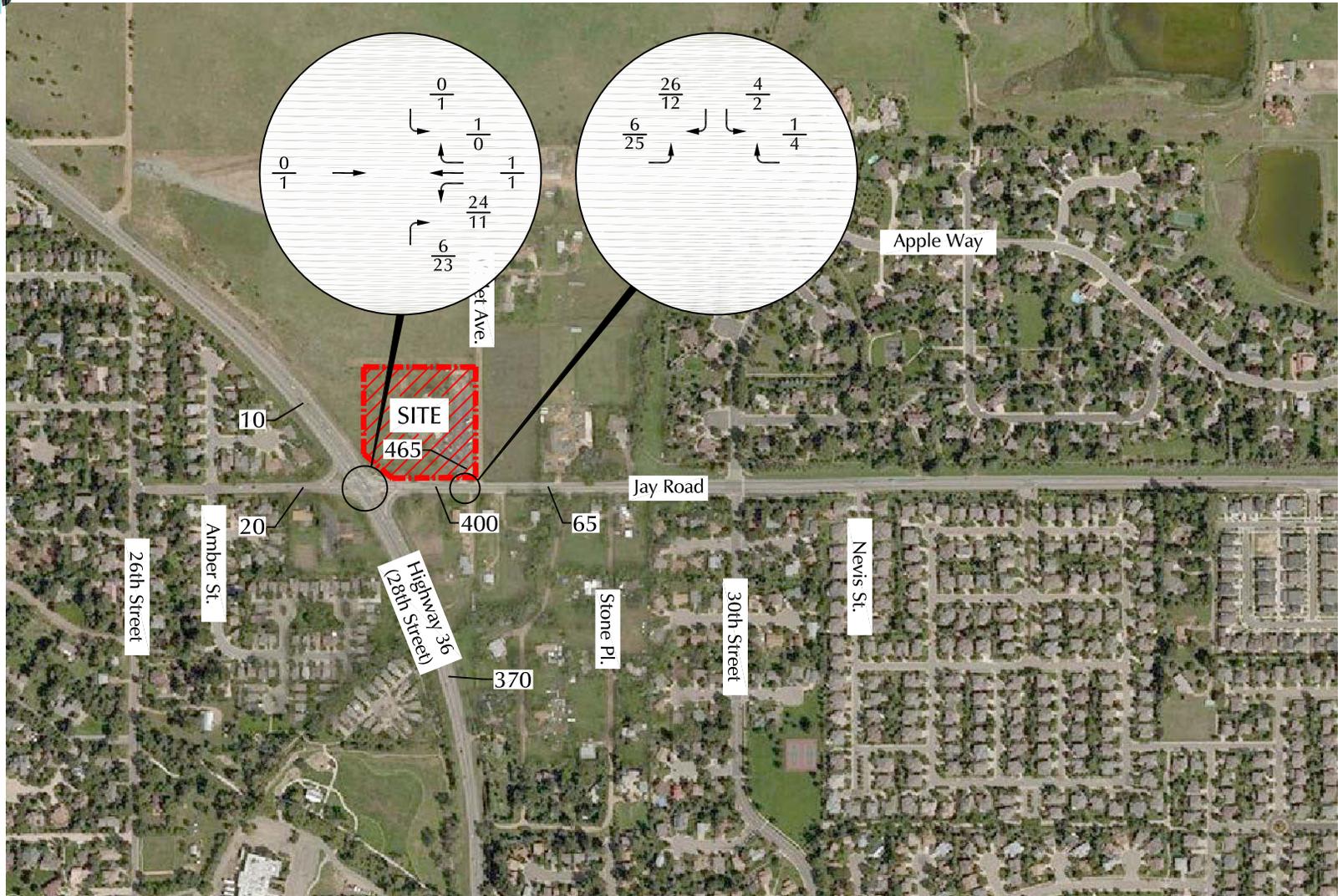
Figure 2
**Rough
Site Plan**



Approximate Scale
Scale: 1"=600'

Figure 3
*Directional Distribution
of Site-Generated Traffic*
2801 Jay Road (LSC #150540)

LEGEND:
 = Percent Directional Distribution



Approximate Scale
Scale: 1"=600'

LEGEND:

- $\frac{26}{35}$ = AM Peak Hour Traffic
PM Peak Hour Traffic
- 2,500 = Average Daily Traffic

Figure 4
**Assignment of
Site-Generated Traffic**
2801 Jay Road (LSC #150540)

CITY OF BOULDER
Community Planning & Sustainability

1739 Broadway, Third Floor • P.O. Box 791, Boulder, CO 80306-0791
 phone 303-441-1880 • fax 303-441-3241 • web www.bouldercolorado.gov

CITY OF BOULDER
LAND USE REVIEW RESULTS AND COMMENTS

DATE OF COMMENTS: **August 31, 2015**
 CASE MANAGER: **Sloane Walbert**
 PROJECT NAME: **2801 JAY ROAD RESIDENTIAL REDEVELOPMENT**
 LOCATION: **2801 JAY RD**
 COORDINATES: **N08W04**
 REVIEW TYPE: **Concept Plan Review & Comment**
 REVIEW NUMBER: **LUR2015-00074**
 APPLICANT: **MARGARET FREUND**
 DESCRIPTION: **CONCEPT PLAN REVIEW AND COMMENT on a proposal for a new 94-unit multi-family development. Development consists of 30 two-bedroom row houses in four buildings, 21 three-bedroom row houses in three buildings and 38 two-bedroom and 5 one-bedroom apartments in one building. Proposal includes a community room, 148 parking spaces and a neighborhood pocket park. Reference LUR2015-00058 for additional information.**

REQUESTED VARIATIONS FROM THE LAND USE REGULATIONS:

No variations indentified at this time. Proposal would require annexation, land use designation change and initial zoning.

I. REVIEW FINDINGS

This plan will be neither approved or denied, but rather is an opportunity for the city staff, the Planning Board and residents to comment on the general aspects of the proposal. Based on our initial analysis, medium density residential development on this site could potentially be supportable if the residential design is found to be compatible with the surrounding area. As proposed, staff finds that the proposal is not compatible with the surrounding area and should be modified to be sensitive to the existing neighborhood character and to meet the policies in the [Boulder Valley Comprehensive Plan \(BVCP\)](#). The area is surrounding by single-family residential development to the south and west and the planning reserve to the north and east. Any proposed land use should be appropriate to the context. Several policies are designed to protect and enhance neighborhood character and promote sensitive redevelopment, including [2.10](#) Preservation and Support for Residential Neighborhoods, [2.14](#) Mix of Complementary Land Uses and [2.30](#) Sensitive Infill and Redevelopment. In addition, the BVCP states that private sector projects should become a coherent part of the neighborhood in which they are placed (see [policy 2.37\(b\)](#) Enhanced Design for Private Sector Projects). This issue is discussed more depth below under 'Land Use' and 'Zoning'.

These comments and all neighborhood correspondence received will be forwarded to the Planning Board for review. The Planning Board hearing on this item is tentatively scheduled for [October 1, 2015](#). While the applicant is welcome to submit a written response to all the comments found herein prior to that hearing, it should be noted that the Concept Plan process is not an iterative process and that alternative designs cannot be considered without an additional Concept Review application.

II. CITY REQUIREMENTS (TO BE COMPLETED PRIOR TO MEETING)

Plan Documents, Sloane Walbert, Case Manager, 303-441-4231

1. Please clarify the proposed unit mix. The application states the proposal is for 30 two-bedroom row houses, 21 three-bedroom row houses and 38 two-bedroom and 5 one-bedroom apartments. However, the letter dated 8/14/2015 describes 26 three-bedroom and 17 four-bedroom row houses, 8 four-bedroom town houses and 38 two-bedroom and 5 one-bedroom apartments. Update the letter describing the proposed unit mix, floor area and open space accordingly. Note that staff review was based on the proposal included on the application.

2. Provide add a scale bar to all site plans contained in the plans (not necessary for vicinity maps). Forward copies of the revised digital copies to staff.
3. Provide eight 11' by 17' paper copies of the plans for distribution to the Board prior to the meeting.

III. STAFF REVIEW AND COMMENT

Access/Circulation, David Thompson, 303-441-4417

1. As a condition of annexation and pursuant to [section 9-9-8\(d\)](#) of the Boulder Revised Code 1981 (B.R.C.), the applicant will be required to dedicate right-of-way for the following public improvements:
 - A 14-foot wide public access easement parallel to the property's west boundary line from Jay Road to the property's north property line in order to accommodate a planned multi-use path as shown in the City's Transportation Master Plan, which will provide access to a future City Park.
 - A public access easement for the existing shared driveway at the east end of the site, which provides access from Jay Road to the properties east of the site.
 - The additional right-of-way required on Jay Road to accommodate a 12-foot wide center median/left-turn lane; a 5-foot wide bike lane, 8-foot wide landscape strip along with a 8' wide detached sidewalk on the north side of Jay Road consistent with the City's design standards for an arterial roadway.
2. As a condition of annexation and pursuant to [section 9-9-8\(g\)](#), B.R.C. 1981, the applicant will be required to construct the following public improvements at either subdivision or any redevelopment application for the site:
 - a. Reconstruct Jay Road from the road's existing centerline to the edge of pavement to include the following:
 - A 2-inch mill of the roadway
 - Removal and replacement of failed sections of asphalt with an asphalt patch
 - A 2-inch asphalt concrete overlay of the roadway.
 - b. Construction of the following improvements to the existing RTD bus stop on westbound Jay Road:
 - A 10' x 40' concrete bus stop pad on Jay Road
 - A 8' x 30' concrete boarding area between the back of curb and sidewalk
 - A 7' x 20' concrete shelter pad behind the sidewalk
 - One RTD standard transit shelter, bench and two inverted "u" bicycle racks.
 - c. Construction of the following public improvements on Jay Road:
 - A 12' wide center median/left turn lane on Jay Road
 - A 5-foot bike lane on the north side of Jay Road
 - An 8-foot wide landscape strip and 8' wide detached sidewalk on the north side of Jay Road.
3. At the time of Site Review:
 - a. In accordance with [section 2.02](#) of the City's Design and Construction Standards (DCS), a Traffic Impact Study is required since the development's trip generation is shown to exceed the residential development threshold of 20 vehicles trips or greater during any single hour in the peak period. The transportation consultant preparing the Traffic Impact Study should contact David Thompson after the project is heard by Planning Board and City Council to discuss staff's review comments on the trip generation letter and to discuss the study parameters prior to initiating the study.
 - b. A Transportation Demand Management (TDM) plan consistent with [section 2.03\(I\)](#) of the DCS and [section 9-2-14\(h\)\(2\)\(D\)\(iv\) and \(v\)](#) of the B.R.C. is required to be submitted which outlines strategies to mitigate traffic impacts created by the proposed development and implementable measures for promoting alternate modes of travel.
 - c. Please show the short-term and long-term bicycle parking to be provided on the site following the requirements found in [section 9-9-6\(g\)](#), B.R.C. 1981.
 - d. Please remove the fire truck access off US-36, which is a CDOT highway with limited access and provided the required emergency access circulation / turnaround on the site.

- e. In accordance with [section 9-9-5](#), B.R.C. 1981, which limits the number of access points serving the property to one, please remove the curb cut being shown serving the property and show access to the site being taken from the shared driveway at the east end of the site.
- f. Please detail the design elements of the proposed Woonerf along with the pedestrian and bicycle circulation/connections to be provided within the site and connecting to Jay Road.
- g. Staff will evaluate the requirement for the applicant to construct a 10' wide multi-use path to provide access from Jay Road to the City Park planned for the north of the site. That said, the applicant might consider showing the multi-use path at the east end of the site in order to provide connectivity between the site and Jay Road.

Affordable Housing, Michelle Allen, 303-441-4076

Applicant proposes to meet the inclusionary requirement for 3303 Broadway by providing the required affordable units off-site at this site, 2801 Jay Road.

2801 Jay Rd. was submitted for review and approval through a pre-application on February 9, 2015. Applicant requested consideration of the location based on development of between 96-143 units, approx. 30 units per acre. The location was denied based on the following criteria:

- a. The site is surrounded on three sides, to the north, east and west, by the Area III Planning Reserve Area. Across 28th Street and directly to the east of the site are zones RL-1 and RL-2, low density residential. To the south and southeast of the site is Area II Service Area. Further east and south of the site are zones RL-2 and RMX-2, low-density residential and residential mixed 2.
- b. The planned density of the proposed receiving site is incompatible with the three mixed-income developments, Northfield Commons, Kalmia38, and Northfield Village, which are affordable to low to moderate, middle, and market-rate households. The three sites have significantly less density e.g. Kalmia38 an approximately 10 acre site with 57 units, 5.7 dwelling units per acre.
- c. Without a study of the Area III Planning Reserve staff finds it premature to consider this site for high density residential.

Based on Planning Board feedback for this Concept Plan, applicant may consider resubmitting this site as a location for off-site affordable units.

Acceptance of this concept plan is dependent on the following factors:

- Approval of the site as an off-site affordable housing location;
- Successful completion of annexation including a land use map change and appropriate zoning;
- Successful completion of Site Review;
- Agreement on the number and details of the affordable units;
- Timing for the off-site units; concurrency with the development that created the requirement;
- Provision of security to ensure performance;
- Execution of required documents; and
- Successful completion of all required inspections.

If the above requirements can be met, staff is supportive of this site as an off-site affordable housing development. Many aspects of this concept plan meet city affordable housing objectives including:

- Affordable units in addition to those required to meet the IH and annexation requirements for both sites.
- Three and four bedroom family friendly units;
- Private yards;
- A pocket park; and
- Possible mix of for-sale and rental affordable units.

Area Characteristics and Zoning History, Sloane Walbert, 303-441-4231

The subject property is located in Boulder County near the intersection of 28th Street and Jay Road. 28th Street/U.S. 36, serves as the general city limits for the City of Boulder in this area, although incorporated portions of the city can be found further east. The 207,274 square foot lot is located immediately east of the city limits. The subject property contains a church constructed circa 1953 and a parking lot. The Boulder First Church of the Nazarene operated on the property for many years and the property is currently owned by the Colorado District of the Church of the Nazarene. The property is served by city water per an out-of-city utility agreement and revocable permit signed in 1987. The property contains a 42-

foot tall monopole for telecommunications equipment, which would not be permissible per city zoning standards. The site was approved in 1997 for a daycare center (which operates at night) for over-flow activity from the Boulder Shelter for the Homeless.

The surrounding area is characterized by primarily low-density single-family residential development. However, a variety of uses exists in the immediate area. A single-story worship building (the Lubavitch Synagogue) is currently under construction immediately to the south, across Jay Road (2810 Jay Road). The Foothills Animal Clinic is located east of the synagogue (2810 Jay Road). In addition, the Peace Evangelical Lutheran Church is located catty-corner to the site on the southwest corner of the intersection of Jay Road and 28th Street.

Building Design, Sloane Walbert, Case Manager, 303-441-4231

Staff is concerned that the scale and multi-family character of the buildings is not compatible with the character of the surrounding area, which is primarily low-density single-family development. If the proposed development advances to the Site Review phase, consideration should be given to utilizing a palate of simple, high quality building materials. The site review criteria state "exteriors of buildings present a sense of permanence through the use of authentic materials such as stone, brick, wood, metal or similar products and building material detailing."

Community Benefit, Michelle Allen, 303-441-4076

Annexation including a land use designation change would be necessary to support the proposed Concept Plan.

Proposed annexations with additional development potential need to demonstrate community benefit consistent with [BVCP](#) policies in order to offset the negative impacts of additional development in the Boulder Valley. For proposed residential development, emphasis is given to the provision of permanently affordable housing. The BVCP lists the following additional benefits that may be considered as part of an annexation request: Receiving sites for transferable development rights; Reduction of future employment projections; Land or facilities for public purposes over and above that required by the land use regulations; Environmental preservation; or other amenities determined by the city to be a special opportunity or benefit.

The policy and practice for the past several years has been that 40 to 60 percent of the new residential development in annexations be permanently affordable.

For-sale pricing would typically be split between low/moderate (inclusionary housing) prices and prices affordable to middle income households. If the affordable units were offered for rent, rents would be set to be consistent with inclusionary housing low/moderate rents. Pricing and rents would be set when the affordable covenant is put in place prior to building permit submittal. The overall percentage of affordable units is based on the level of additional community benefit provided by the annexation.

Drainage, Scott Kuhna, 303-441-4071

1. Storm water runoff and water quality treatment are issues that must be addressed during the Site Review Process. A Preliminary Storm Water Report and Plan in accordance with the City of Boulder *Design and Construction Standards (DCS)* is required at time of Site Review application. The required report and plan must also address the following issues:
 - Storm water detention
 - Water quality for surface runoff using "Best Management Practices"
 - Minimize Directly Connected Impervious Areas (MDCIA)
 - Water Quality Capture Volume (WQCV)
 - Storm sewer construction
 - Farmer's Ditch Company
 - Groundwater discharge
 - Erosion control during construction activities
2. Discharge of groundwater to the public storm sewer system may be necessary to accommodate construction and operation of the proposed development. City and/or State permits will be required for this discharge. The applicant is advised to contact the City of Boulder Storm Water Quality Office at 303-413-7350 regarding permit requirements. All applicable permits must be in place prior to building permit application. Additionally, special design considerations for the properties to handle groundwater discharge as part of the development may be necessary.
3. A construction storm water discharge permit is required from the State of Colorado for projects disturbing greater than 1 acre. The applicant is advised to contact the Colorado Department of Public Health and Environment.

Groundwater, Scott Kuhna, 303-441-4071

Groundwater is a concern in many areas of the city of Boulder. Please be advised that if it is encountered at this site, an underdrain/dewatering system may be required to reduce groundwater infiltration, and information pertaining to the quality of the groundwater encountered on the site will be required to determine if treatment is necessary prior to discharge from the site. City and/or State permits are required for the discharge of any groundwater to the public storm sewer system.

Historic Preservation, Marcy Cameron, 303-441-3209

County records show that the existing building was constructed in 1953. As a non-designated building over 50 years old, any proposal for demolition will need to be reviewed in order to formally assess whether it may have historic or architectural significance per [section 9-11-23](#), B.R.C. 1981.

Irrigation Ditches, Scott Kuhna, 303-441-4071

The applicant is responsible for obtaining approvals for any relocations or modifications to irrigation ditches or laterals from the impacted ditch company. This includes the release of stormwater runoff into any ditch or lateral. The applicant is advised that revisions to any approved city plans necessary to address ditch company requirements may require reapplication for city review and approval at the applicant's expense.

Land Uses, Sloane Walbert, Case Manager, 303-441-4231 and Jeff Hirt, 303-441-4497

Land Use Designation and Zoning:

The property is located in unincorporated Boulder County with a county zoning of RR – Rural Residential, which is defined as “Residential areas developed at a density and character compatible with agricultural uses (Article 4-103, Boulder County Land Use Code). The underlying Boulder Valley Comprehensive Plan (BVCP) land use designation is Public (P), which reflects the current religious assembly use. Public land use designations encompass a wide range of public and private nonprofit uses that provide a community service.

The property is located in Area II in the BVCP, which is the “area now under county jurisdiction, where annexation to the city can be considered consistent with [policies 1.16](#) Adapting to Limits on Physical Expansion, [1.18](#) Growth Requirements and [1.24](#) Annexation. New urban development may only occur coincident with the availability of adequate facilities and services and not otherwise.” Per Annexation [Policy 1.24\(b\)](#), the city will actively pursue annexation of county enclaves, Area II properties along the western boundary, and other fully developed Area II properties. [Policy 1.24](#) states that annexation shall provide some type of special opportunity or community benefit.

The subject property is surrounded to the north and east by the Area III-Planning Reserve. This area is that portion of Area III with rural land uses where the city intends to maintain the option of limited Service Area expansion. The location and characteristics of this land make it potentially suitable for new urban development, based on the apparent lack of sensitive environmental areas, hazard areas, and significant agricultural lands, the feasibility of efficient urban service extension, and contiguity to the existing Service Area, which maintains a compact community.

Given the BVCP Public land use designation, the zone district designation assigned to the property would be Public. The Public zone district is defined as “*public areas in which public and semi-public facilities and uses are located, including without limitation, governmental and educational uses*” ([section 9-5-2\(c\)\(5\)](#), B.R.C. 1981). Since the predominant proposed use is residential it cannot be considered a public land use. Annexation of the subject property provides an opportunity to make the zoning and land use designation more consistent with the proposed use and surrounding area. Since the proposed redevelopment would not meet the intent of the land use designation or zoning, the project would require a rezoning and BVCP land use designation change. The criteria for requested changes to the land use map can be found in [Section II.a.1](#) of the BVCP.

The applicant has proposed a zoning designation of Residential - Mixed 2 (RMX-2) as part of annexation. This zone district is described as “*medium density residential areas which have a mix of densities from low density to high density and where complementary uses may be permitted*” ([section 9-5-2\(c\)](#), B.R.C. 1981). However, note that the comprehensive plan defines medium density residential development as six to 14 dwelling units per acre. Thus, the proposal of 19.7 dwelling units per acre would be considered high-density development (more than 14 units per acre).

The property is surrounded by low-density residential uses and zoning districts. However, the site is located on both a busy highway/principal arterial (28th Street) and minor arterial road (Jay Road). As a result, as discussed in the Review Findings and Building Design sections above, well-scaled, contextual, medium density multi-family residential could potentially be supportable. However, staff would need to consider the property within the larger context of the area. Staff would be glad to work with the applicant to do more research and analysis to determine what this might look like relative to the immediate and broader areas.

The city is currently updating the Boulder Valley Comprehensive Plan, which brings with it an opportunity to request BVCP future land use changes. Please contact Jeff Hirt at the phone number above if you wish to proceed with this process outside of the concept plan process.

Proposed Uses:

For the purposes of this discussion, the project has been reviewed against possible P (which is what the current BVCP Land Use map designation would support) or RMX-2 zoning.

Residential uses are permitted in the P zone district with use review approval, including a public hearing before Planning Board ([section 9-6](#), "Use Standards," B.R.C. 1981). However, as stated above, the residential use would need to meet the public intent of the public zone district. A comparison of the proposed uses to various applicable zoning districts is found in Table 1 below

TABLE 1

	Attached dwellings	Duplexes	Row Houses/ Town Houses	Community room (accessory use)*
P	Use Review	Use Review	Use Review	Allowed
RMX-2	Conditional	Conditional	Conditional	Allowed

* As described in the concept plan review application the community room would be considered an accessory use. If, however, the space were ever converted to be rented for events, etc. it would no longer be an accessory use and would be required to comply with the zoning.

Residential uses are considered conditional uses in the RMX-2 zone district because residential development in this zone district must meet the standards in [section 9-8-4](#), "Housing Types and Density Bonuses within an RMX-2 Zoning District." For lots or parcels that are greater than one acre but less than five acres, at least two housing types must be provided. No more than fifty percent of any one housing type may be provided in the RMX-2 zoning district. Housing type means the particular form which an attached or detached dwelling unit takes, including, without limitation, the following: single-family detached houses and mobile homes; single-family attached dwellings such as townhouses and row houses; duplexes, triplexes, and apartments.

In 2014-2015, the Housing Boulder initiative developed a set of goals to advance the city's housing priorities. These city council-supported goals include a focus on middle income and family-supportive housing types. Given the surrounding area's low density, single family detached character, staff would support a medium density (as defined by the [BVCP medium density land use classification](#)) product that is both context sensitive in its design and creates middle income, family-supportive housing types. Examples may include attached townhomes but likely not high density (over 14 dwelling units/acres, as defined by the [BVCP](#)). More information can be found on the [Housing Boulder website](#).

Landscaping, Elizabeth Lokocz, 303-441-3138

1. Modifications – Please be aware that per the Site Review criteria, this project should exceed the by-right landscaping standards of [section 9-9-12](#), "Landscaping & Screening" and [section 9-9-13](#), "Streetscape Design," B.R.C. 1981, in quantity and size. Any requested modifications should be called out and an explanation of how the project continues to meet the Site Review criteria included at the time of Site Review submittal.
2. A detailed tree inventory including the species, size and condition of all existing trees on the site will be a requirement at Site Review (see 9-2-14(h)(2)(iii), B.R.C. 1981) and should be submitted with the initial application. The proposed site plan acknowledges the existing mature trees on the site, but does not appear to include them as elements worthy of preservation. Special attention should be given to incorporating any healthy mature tree into the overall layout and circulation plan. An update to the previously submitted plan is required. The project should consider the current condition of the trees and the probability of being able to protect them during construction.
3. Parking areas containing more than five cars are required to be screened from the street and adjacent lots per 9-9-14(b) and (c), B.R.C. 1981. The proposed parking lot adjacent to Table Mesa does not seem consistent with current design practices and a building forward solution. Evaluate if the Site Review Criteria of [section 9-2-14\(h\)\(2\)\(E\)](#) can be better addressed especially relevant to efficiency of the parking layout, separation of pedestrian movements and impacts on adjacent properties.
4. The internal vehicular and pedestrian circulation pattern, although private, should establish a pedestrian friendly streetscape and shade hardscape whenever possible. Refer to the site review criteria of [section 9-2-14\(h\)](#), B.R.C. 1981 as a guide for designing the streetscape elements

5. It is unclear how detention and/or water quality will be accommodated on the site. Consider low impact techniques such as pervious paving systems, porous landscape detention and green roofs.
6. Large maturing street trees are required along all streets per section [9-9-13](#) B.R.C. 1981. Identify any potential utility conflicts as early as possible in the design development process. Please see access/circulation comments for coordination with sidewalk and multi-use path locations.

Neighborhood Comments, Sloane Walbert, Case Manager, 303-441-4231

Staff has received a large number of written and verbal responses regarding the proposed project (refer to **Attachment A**). Many neighbors in the surrounding neighborhoods are concerned about the scale of the proposal and compatibility with the character of the area. The general themes of public comment have been summarized below.

- Traffic and Access – Jay Road is heavily trafficked and congested and the proposed project would exacerbate these issues. The intersection of Jay Rd. and 28th St./U.S. 36 is dangerous and very accident-prone (both automobile and bicycle). A large number of special events along Jay Road contribute to these issues.
- Compatibility – The proposal is not compatible with the comprehensive plan and the existing character of the surrounding area. The scale of the buildings is not compatible with the area.
- Wildlife – Proposal would affect the existing ecosystem, which includes prairie dogs, deer, fox and birds.
- Connectivity – There is not safe walking access to/from the site, especially along Jay Rd. The site needs to be integrated into a trail system.
- Density – The proposal includes too many units and is too intense to be compatible with the surrounding neighborhood.
- Parking – There is no consideration of overflow parking from residents in proposed development. Street parking is not available.
- Increased noise and air pollution.
- Proposal represents unnecessary sprawl. A larger planning effort needs to be undertaken if the property is to be redeveloped.
- The required affordable units created by the development at 3303 Broadway should not be segregated, especially in an area with minimal public transportation.

Parking, Sloane Walbert, Case Manager, 303-441-4231 and David Thompson, 303-441-4417

Staff's preliminary estimate for the required parking for the project based on P zoning is 149 on-site parking spaces. Under RMX-2 zoning the project would be required to provide 104 spaces. The submitted plan shows 142 on-site spaces located in attached and detached garages, along drive aisles and in parking lots. Thus, a 10 percent parking reduction would be required at the Site Review stage under P zoning. Very limited on-street parking is available in the vicinity of the site. The site is served by the local 205 bus route, which runs between Gunbarrel and the downtown Boulder Transit Center. A bus stop is located on the south end of site. Jay Road contains an on-street bike lane but no other connections to the larger bike network exist. A parking reduction could only be supported if the specific criteria found in [section 9-9-6\(f\)](#) can be satisfied and supported by a robust Parking Study/TDM Plan.

Review Process, Sloane Walbert, Case Manager, 303-441-4231

The project is required to complete Concept Plan and Site Review concurrent with annexation because the site meets the minimum thresholds in both the P and RMX-2 zone districts. Projects that contain 100,000 square feet of floor area in the P zone district and projects over 2 acres or 20 dwelling units in the RMX-2 are required to complete a Concept Plan Review and Site Review. The applicant has submitted a Concept Plan Review prior to an application for Annexation in order to receive initial feedback on the proposal before submitting an annexation package. "Concept Plan Review and Comment" requires staff review and a [public hearing](#) before the Planning Board. Planning Board, staff and neighborhood comments made at the public hearings are intended to be advisory comments for the applicant to consider prior to submitting any detailed "Site Review" plan documents. Note that Concept Plan review applications may be called up for consideration after Planning Board's review. While a second Concept Plan would not be required, a post annexation, second Concept Plan may be helpful for the applicant.

The project is scheduled to go before the Planning Board on **October 1, 2015**. The plan will neither be approved nor denied, but rather is an opportunity for the City and residents to comment on the general aspects of the proposal. The Planning Department and Planning Board will review the applicant's Concept Review and Comment plans against the

guidelines found in [section 9-2-13\(f\)](#), B.R.C. 1981.

Site Design, Sloane Walbert, Case Manager, 303-441-4231

Despite the provision of a variety of housing types, the proposed design primarily “reads” like a high-density multi-family development because the 3-story apartment building is located closest to the street. The site design should be modified to be sensitive to the existing neighborhood character. In addition, consideration should be given to locating parking on the interior of the site rather than along the street. Staff has concerns about the function of the “woonerf” and circulation throughout the site.

The subject property is considered a gateway site and the design of the site must be enhanced to meet [policy 2.05](#) Design of Community Edges and Entryways in the BVCP. This policy states that well-defined edges and entryways for the city are important because they support an understanding and appreciation of the city’s image, emphasize and preserve its natural setting, and create a clear sense of arrival and departure.

Urban Wildlife, Valerie Matheson, 303-441-3004

There is an active prairie dog colony on the 2801 Jay Road site. In 2005, the City of Boulder passed a Wildlife Protection Ordinance limiting lethal means of control for prairie dogs (refer to [section 6-1-11](#), B.R.C. 1981). The ordinance requires landowners to obtain a permit from the city before using any form of lethal control on prairie dogs. In order to obtain a permit, the landowner must demonstrate the following:

- A reasonable effort has been made to relocate the prairie dogs to another site;
- The most humane method of lethal control possible will be used;
- One of the following three conditions exists:
 1. The land on which the prairie dogs are located will be developed within 15 months of the date of the application,
 2. A principal use of the land will be adversely impacted in a significant manner by the presence of prairie dogs on the site, or
 3. An established landscaping or open space feature will be adversely impacted by the prairie dogs; and the landowner has an adequate plan designed to prevent the reentry of prairie dogs onto the land after the prairie dogs are lawfully removed.

The Prairie Dog Lethal Control Permit Application Form can be found on the city website or by following this link: https://www-static.bouldercolorado.gov/docs/PDS/forms/312_prairie_dog_pmt_app.pdf. The waiting period after the submission of an application is a minimum of three to five months. If the city determines that relocation alternatives exist during or after the initial three-to-five month period, it may delay issuing the permit for an additional 12 months in order to allow relocation to occur. The basic administrative fee for a lethal control permit is \$1,500. An applicant for a prairie dog lethal control permit must also pay a fee of \$1,200 per acre of active prairie dogs habitat lost, pro-rated for any partial acres of lost habitat.

Utilities, Scott Kuhna, 303-441-4071

1. There is no city wastewater main near this property. City data indicates that the extension of a wastewater main will likely require crossing the 28th Street right-of-way, which is a Colorado Department of Transportation (CDOT) highway. CDOT will not permit open cuts within the highway. Off-site wastewater main construction per the City of Boulder *Design and Construction Standards (DCS)* as necessary to serve the development is required. All proposed public utilities for this project shall be designed in accordance with the *DCS*.
2. On-site and off-site water main construction per the City of Boulder *Design and Construction Standards (DCS)* as necessary to serve the development will be required. All proposed public utilities for this project shall be designed in accordance with the *DCS*.
3. A water system distribution analysis will be required at time of Site Review in order to assess the impacts and service demands of the proposed development. Conformance with the city’s *Treated Water Master Plan, October 2011* is necessary.
4. A collection system analysis will be required at time of Site Review to determine any system impacts based on the proposed demands of the development. The analysis will need to show conformance with the city’s *Wastewater Collection System Master Plan, March 2009*.
5. The applicant is notified that, though the city allows Xcel and Qwest to install their utilities in the public right-of-way, they generally require them to be located in easements on private property.

6. Fire hydrants will need to be installed to meet the coverage requirements outlined in [Section 5.10](#) of the DCS. Per the standards, no portion of any building shall be over 175 feet of fire access distance from the nearest hydrant. Fire access distance is measured along public or private (fire accessible) roadways or fire lanes, as would be traveled by motorized fire equipment. All fire hydrants and public water lines will need to be located within public utility easements.

Zoning, Sloane Walbert, Case Manager, 303-441-4231

For the purposes of this discussion, the project has been reviewed against possible P or RMX-2 zoning. A comparison of the project to other possible zoning districts is found in Tables 2 and 3 below:

Density

Under P zoning, 29 residential units would be possible with use review approval. The P zone permits up to 6.2 units per acre. The base density in the RMX-2 zone district is 10 dwelling units per acre, which would allow 47 residential units on the subject property. However, up to 20 dwelling units per acre is allowed with density bonuses in the RMX-2 district through Site Review as long as the proposal meets the criteria in [section 9-8-4\(c\)](#), B.R.C. 1981 for the provision of affordable housing. The proposal includes a request for 94 permanently affordable residential units, or a proposed density of 19.7 dwelling units per acre. The project would be eligible for a ten unit per acre bonus, for a total density of 20 dwelling units per acre, which is consistent with the RMX-2 zone district. However, the proposal is not consistent with P zoning. For the proposal to move forward, a land use designation and rezoning or an ordinance (approved by the City Council) would be required. The applicant has requested preliminary consideration of these possibilities.

Floor Area

There is no maximum Floor Area Ratio (FAR) under P or RMX-2 zoning. The proposed project includes approximately 114,950 square feet of floor area. The proposed FAR is 0.55.

Building Height

It does not appear that any of the building will exceed the permitted 35 feet.

Building Setbacks

The side of the property facing 28th Street is considered the 'front' yard since the open space adjacent to the shorter street right of way is considered the front yard. It appears that the building meets the setback standards of both the P and RMX-2 districts. Any setback modifications proposed through the Site Review process would be evaluated against the Site Review criteria.

Open Space

The allowable intensity of residential development in the P zone district is determined based on a minimum lot area per dwelling unit and a maximum number of dwelling units per acre. As noted in "density" comments above, the proposal far exceeds these limitations. However, allowable intensity in the RMX-2 zone district is determined based on both maximum dwelling units per acre and minimum open space. Residential uses in the RMX-2 zone district are required to provide 15% of the development as usable open space, meeting the requirements of [section 9-9-11](#), B.R.C. 1981. The proposal would meet this requirement with 79,300 square feet of open space. The proposal includes a formal neighborhood park for the central part of the site to be used for active recreation with formal elements like a playground. Two smaller parks are proposed for the northwest and northeast corners of the site, bordering the planning reserve. The design and functionality of the open spaces and its qualifying aspects would ultimately be reviewed in more depth at the Site Review stage.

Parking

Refer to "parking" comments above.

Solar Access

The property would be located in Solar Access Area III under P or RMX-2 zoning, where a twenty-five foot solar fence is hypothesized. It does not appear that shading caused by the proposed structures would exceed this hypothetical fence. Please review [section 9-9-17](#), Solar Access, of the Land Use Regulations before Site Review submittal to determine compliance with the requirements of that section.

Initial Rezoning Analysis:

Table 2 on the following page is a summary comparing the proposal to various applicable zoning districts and their specific floor area limits, open space minimums, and parking space requirements. Setbacks are not included as they can be modified through Site Review if found compliant with the criteria in [section 9-2-14\(h\)](#).

TABLE 2

	Density	# of Units	Floor Area	Open Space	Parking
<i>Proposal</i>	19.7 du/ac	94	114,950 sf	79,300 sf	142 spaces
P	6.2 du/ac	29	Determined by bulk standards and other requirements	Determined by bulk standards and other requirements	149 spaces
RMX-2	10 du/ac (up to 20 du/ac with review)	47 (95 with review)	Determined by bulk standards and other requirements	31,091 sf (15%)	104 spaces
RM-2	12.4 du/ac	59	Determined by bulk standards and other requirements	Determined by bulk standards and other requirements	149 spaces
RMX-1	7.3 du/ac	34	Approximately 87,055 sf (max FAR is 0.42)	56,400 sf (600 sf per DU)	149 spaces
RL-2	Determined by open space	13 (based on open space provided)	Approximately 51,819 sf (max FAR is 0.25)	564,000 sf (6,000 sf per DU)	149 spaces
RM-1	Determined by open space	26 (based on open space provided)	Determined by bulk standards and other requirements	282,000 sf (3,000 sf per DU)	149 spaces

Conclusion

Based on Table 2, the only feasible zoning district to accommodate the project as proposed would be RMX-2. This is due to the possibility of the project to meet the standards for a density bonus up to 20 dwelling units per acre, if it meets the provisions of [section 9-8-4\(c\)](#), B.R.C. 1981. All other possible districts restrict the number of units to far less than the number proposed.

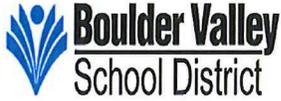
V. NEXT STEPS

These comments and neighborhood correspondence will be forwarded to the Planning Board to review. The Planning Board hearing on this item is tentatively scheduled for **October 1, 2015**. The applicant is welcome to submit a written response to these comments prior to that hearing, if desired. Alternative designs that have not yet been evaluated by Planning Staff are not encouraged at the public hearing.

Staff will forward a final staff memorandum to the applicant upon completion.

VI. CITY CODE CRITERIA CHECKLIST

Concept Plans are reviewed in accordance with the guidelines for review and comment under [section 9-2-13](#) of the Land Use Regulations. A complete checklist will be provided with the staff memorandum to Planning Board.



Planning Office
 720-561-5794
 Fax: 720-561-5118
www.bvds.org

6500 East Arapahoe, PO Box 9011
 Boulder, CO 80301

September 22, 2015

City of Boulder
 Planning and Development Services
 Attn: Sloane Walbert
 P.O. Box 791
 Boulder, CO 80306

RE: 2801 Jay Concept Plan LUR2015-00074

Dear Sloane:

Thank you for submitting the 2801 Jay Concept Plan referral application for review by the Boulder Valley School District (BVSD). BVSD reviews development application in terms capacity impacts on neighborhood schools and impacts on school land or facilities. This new development application proposes to add 51 townhomes and 43 apartment units with an expected maximum student impact of 18 additional students in the Crest View Elementary, Centennial Middle and Boulder High school feeder system. The current school capacity status and status including this project's impacts are as follows:

School	Current Capacity Status (Oct. '14)				Project Impact		
	Student Population*	Program Capacity '14	School Enrollment	Perc. Capacity	Student Impact	New Enrollment	New % Capacity
Elementary	853	674	586	86.9%	9	595	88.3%
Middle	778	750	595	79.3%	4	599	79.9%
High School	2154	1984	1978	99.7%	5	1983	99.9%
Total	3785		3159		18		

*represents the number of BVSD students for the given grade level living within the attendance area.

BVSD can serve this development at all grade levels with existing capacity. Although Boulder High School may be approaching its program capacity, the school has a sizeable open enrollment population that can be managed to accommodate additional neighborhood students.

If you have any other questions, concerns, or further clarifications, feel free to contact me at 303-245-5794 or via e-mail at glen.segrue@bvds.org.

Sincerely,

Glen Segrue, A.I.C.P.
 Senior Planner