

**Twin Lakes Stakeholder Group (TLSG)  
Public Comment Questions  
5.11.16 through 6.30.16**

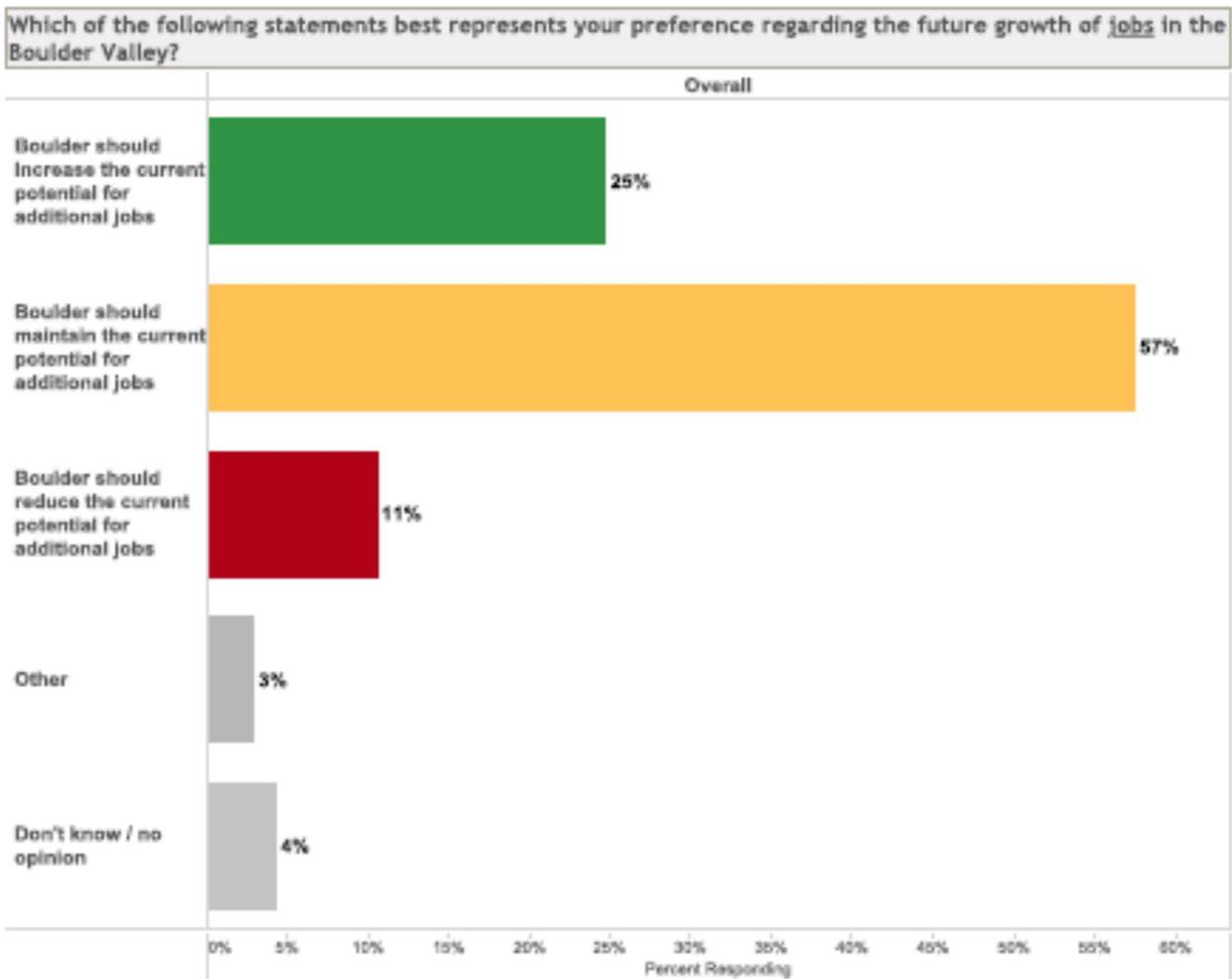
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**City/County Staff: Comp Plan**

1. In the BVCP Survey, what percent of respondents thought that Boulder should maintain or reduce the current potential for additional jobs? And what percent thought that Boulder should maintain or reduce the current potential for additional housing? (*Source: Bjornsen 6.6.16*)

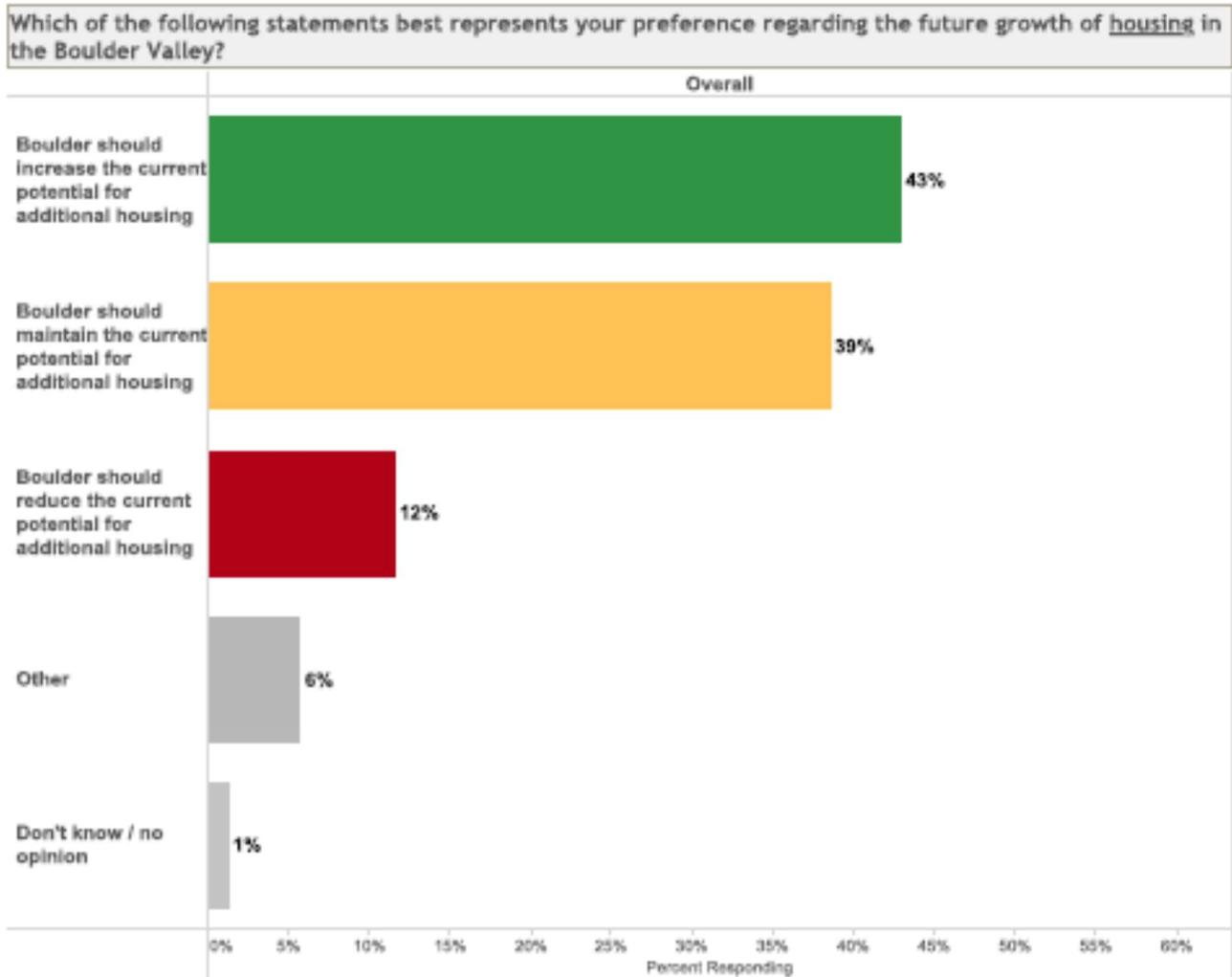
The figures below are sourced from a report summarizing the results of the BVCP survey conducted during the fall of 2015. As shown in Figure 8 from the survey summary, 57 percent of respondents thought Boulder should maintain the current potential for additional jobs and 11 percent thought Boulder should reduce the current potential for additional jobs. On the topic of housing, as shown in Figure 9 from the summary, 39 percent thought Boulder should maintain the current potential for additional housing, while 12 percent thought Boulder should reduce current potential for additional housing.

**Figure 8: Preference for Future Growth of Jobs in the Boulder Valley**



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**Figure 9: Preference for Future Growth of Housing in the Boulder Valley**



Additional information on housing affordability and what people like/don't like about their neighborhoods is in the survey summary report.

[https://www-static.bouldercolorado.gov/docs/BVCP\\_Survey\\_Results\\_FINAL-1-201512041113.pdf](https://www-static.bouldercolorado.gov/docs/BVCP_Survey_Results_FINAL-1-201512041113.pdf)

2. In the BVCP Survey, what responses did you get from the Gunbarrel sub-community? (Source: Bjornsen 6.6.16)

One-quarter of respondents live in Central Boulder (25 percent), 15 percent live in South Boulder, 14 percent in Southeast Boulder, 13 percent in Gunbarrel, and 12 percent in North Boulder. Smaller shares of respondents reside in Crossroads (7 percent), University of Colorado (4 percent), East Boulder (4 percent), Palo Park (3 percent), and other areas/rural (3 percent). The results were not cross tabulated to see how one subcommunity responded versus another.

The listening sessions were designed to gather subcommunity-specific feedback on the BVCP process. The Gunbarrel & Area III Listening Session was held on December 7, 2015 and a

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meeting summary is available at [https://www-static.bouldercolorado.gov/docs/Gunbarrel\\_and\\_Area\\_III\\_Listening\\_Session\\_Summary\\_Notes-1-201512280814.pdf](https://www-static.bouldercolorado.gov/docs/Gunbarrel_and_Area_III_Listening_Session_Summary_Notes-1-201512280814.pdf).

3. Other than the need for Affordable housing in general in Boulder, I would like to know why the City and County staff think that the Twin lakes site, which is in a hydrologically and ecologically sensitive area is such a great place to develop for Affordable housing compared to a location closer to transportation, services and jobs. *(Source: Shida 5.23.16)*

Staff is still in the process of analyzing the proposed land use map changes related to the BVSD and BCHA parcels. However, staff recognizes that developable land is scarce in the Boulder Valley. Local governments and housing providers pursue opportunities as they arise. The Twin Lakes site is no less appropriate for affordable housing than it is for market rate housing which is permitted and has been anticipated for this location, by its location in Area II and BVCP land use designations, for over 30 years.

In comparison to many other sites, this particular site is considered an "infill" development site due to its proximity to a built community with streets and infrastructure, as opposed to "greenfield" development sites that require construction of many linear feet of streets to access the site and all new sewer, water, and power utility services. This site will need upgrades to utilities, stormwater systems, and private streets and bike paths, but that is less costly than developing a suburban or rural "greenfield" site that is not contiguous to a developed community.

Specific to the Boulder County Housing Authority (BCHA), BCHA provides the following background information regarding the selection of the Twin Lakes sites on its website:<sup>1</sup>

In 2013, acknowledging the extensive need for affordable housing in our community BCHA began a comprehensive search for new parcels of land for future affordable housing. At the time of the Twin Lakes acquisition, BCHA had informally looked at dozens of properties throughout Boulder County and more thoroughly evaluated 15 potential acquisitions. BCHA found very few options, as land prices throughout Boulder County had risen substantially over the past decade and many available lots did not fit BCHA's criteria for housing. BCHA also purchased a 13-acre site in Louisville in early 2013. BCHA continues to search actively for additional suitable sites for affordable housing in Boulder County.

Prior to the time of BCHA's search, when contemplating selling the 6655 Twin Lakes Road property, the Archdiocese of Denver had approached Boulder County as a potential buyer and indicated a preference for the land to be used for social good. Boulder County assessed purchasing the land for use by the public as open space. Although the land is next to the county's Twin Lakes open space property, it did not present a priority for the county's open space program because the land is within a developed area. The land that the county targets for purchase and management as open space is typically on the edge of urban development rather than in the middle of a developed area such as Gunbarrel. Consequently, Boulder County Parks

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<sup>1</sup> See <https://www.ourbouldercounty.org/info-gunbarrel#background>.

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and Open Space long ago concluded that the property was not appropriate as open space. Boulder County and BCHA found the Twin Lakes site to have several attractive aspects for affordable housing, including:

- location in an area with limited affordable housing and limited available land;
- fair asking price;
- location in 'Area II' of the BVCP, indicating potential for annexation into the City of Boulder and development in a manner consistent with the surrounding area;
- residential land use designation; and
- good proximity to public infrastructure, parks, trails and open space.

4. If affordable housing (AH) is really an important goal of the City and County, how come they are not actively working to change the laws that currently allow developers cash-in-lieu of providing AH in areas that will truly serve those needing it? Gunbarrel Center is a perfect example of a bungled opportunity, does it make sense to create an even bigger mistake by putting hundreds of affordable housing units in one area poorly serviced by public transportation? *(Source: Shida 5.23.16)*

Cash-in-lieu is one option for a housing developer to meet the inclusionary housing requirements. The other options include: (1) provide permanent affordable units onsite; or (2) dedicate offsite, newly constructed, or existing units as permanently affordable; or (3) dedicate vacant land for affordable unit development. Options are needed to ensure that the inclusionary housing requirements withstand legal challenges. Cash-in-lieu was seldom used when the vast majority of housing constructed was for sale. Unfortunately, the state's prohibition on rent control and condominium litigations makes providing both market rate and permanently affordable housing on the same site challenging. Currently, the market is producing almost entirely rentals.

The Apex (the example presumably provided in the question) is a project that is entirely rental. The developer did not pay cash-in-lieu, rather the inclusionary housing requirement was met by building off-site units on 29<sup>th</sup> Street (called Lumine). The city and county recognize this is an issue and continue to work toward a state legislative solution while encouraging all applicants to meet the inclusionary housing requirements on-site whenever feasible.

Regarding access to public transportation, the 205 bus route serves the area with a stop at 63rd and Twin Lakes Road, approximately 0.5 miles from the BCHA and BVSD parcels. Over time, RTD will continue to expand both local and regional service.

5. 80% of the population that BCHA serves has an Area Median Income of 0-30%, does it make sense to ghettoize hundreds of people to one area? Do you think these residents will be happily welcomed if the development causes area homes to be flooded? As an already vulnerable and disenfranchised person, how will these neighborhood interactions affect these people? How do the planners feel about creating this sort of environment / atmosphere in the Twin Lakes neighborhood? *(Source: Shida 5.23.16)*

The proposed housing is not for "vulnerable and disenfranchised" persons. The housing will provide opportunities for seniors and families to live in Boulder who earn between approximately \$30,000-60,000 a year for a family of four.

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There are numerous examples of affordable housing developments built near existing single-family neighborhoods (e.g. BHP's Lee Hill, BHP's Foothills, and BCHA's Josephine Commons). Many of the same concerns were expressed by the single family residents when the projects were initially proposed, but once the projects were built and families moved into the new homes they were welcomed into the community and the fears were not realized.

Given income-qualified seniors, families and individuals who would occupy the affordable housing units could be our own parents, our children's teachers, or the people who provide the services on which we depend in the valley, it is reasonable to expect that neighbors would treat occupants of the new units with the same respect and consideration they would show toward their existing neighbors.

6. On Sept. 30, 2015, TLAG submitted a formal request letter to the Boulder County Commissioners to review the Boulder County property at 6655 Twin Lakes Road purchased with public funds for public use as Open Space before selling the property to the Boulder County Housing Authority. The Boulder County Commissioners quickly deeded the property to BCHA the very next day at a meeting with no public comment allowed. The Commissioners never ever responded to this formal request letter by TLAG and in emails received by CORA request, it was revealed that TLAG's formal request letter was intentionally ignored. What do you say to that about every citizen's request regarding a land-use designation receiving consideration? *(Source: McKay 5.18.16)*

Prior to September 30, 2015 and several times since that date, Boulder County Parks and Open Space has made it clear that the parcel in question does not meet their criteria for acquisition, and, given competing requests for limited acquisition and management resources, there is no interest in the inclusion of this parcel in the county's open space portfolio. The parcel was purchased by the County from the Archdiocese with the intent to deed this parcel to the Housing Authority. In order for the Housing Authority to apply for the land use change through the BVCP update, the transfer of the parcel was needed and was approved at the Business Meeting on October 1, 2015 in accordance with the county's normal processes.

The process moving forward regarding appropriate land use designation under the BVCP is separate and apart from any interest by the county in acquiring this parcel as open space. City and county planning staff are currently working through the analysis for all the requests approved by the four-body review for inclusion in this update. That analysis will be presented to the County Commission / Planning Commission and the City Council / Planning Board later this year for their review and consideration. It should be kept in mind that an Open Space designation under the BVCP does not require that County Parks and Open Space acquire the parcel.

7. It was said that all BVCP policies are equal (none are weighted above others). TLAG has identified at least 19 BVCP policies that the MXR request violates, while the Open Space request doesn't violate any and upholds many. Should the violations of the former be taken into account? *(Source: Del Samet 5.22.16)*

Policies may appear to compete with each other because a comprehensive plan by definition

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addresses many areas of importance and need to the larger community. Thus, different change requests need to be looked at and considered in their context, understanding that differing policies will likely be involved. Staff will give consideration to BVCP policies highlighted by the public, but staff's own professional judgment and analysis will guide staff's evaluation of the requests as they relate to BVCP policies. In the end, the BVCP change requests are a policy decision by elected officials. There is no weighting, no zero sum analysis, or scorekeeping of policies to support a decision. The final decision should be consistent, on balance, with the policies and goals of the Boulder Valley Comprehensive Plan.

8. From the BVCP Survey and Focus Groups, what were the results regarding:
  - neighborhoods and community character?
  - open-space and natural environment?
  - Gunbarrel?

*(Source: Del Samet 5.22.16)*

The number of references to these topics are too numerous to cite. Below is a link to the full summary report. [https://www-static.bouldercolorado.gov/docs/BVCP\\_Survey\\_Results\\_FINAL-1-201512041113.pdf](https://www-static.bouldercolorado.gov/docs/BVCP_Survey_Results_FINAL-1-201512041113.pdf)

9. Regarding the BVCP policy on affordable housing, it states that the goal is to have AH integrated and dispersed. How does this proposal, which, for the north field, will concentrate at least 33% of all the county's AH in one spot, fit with that goal? *(Source: Del Samet 5.22.16)*

Policy 7.13, Integration of Permanently Affordable Housing, states that "Permanently affordable housing, whether publicly, privately or jointly financed will be designed as to be compatible, dispersed, and integrated with housing throughout the community." Gunbarrel currently has only a handful of permanently affordable units and the proposed 120-240 dwelling units would not "concentrate" permanently affordable housing more than other areas of the city, with nearly 4,800 units distributed throughout the city.

BCHA currently owns and maintains approximately 600 affordable housing units and has another 200 under construction in Louisville. The portfolio of BCHA properties is much greater than the homes that they own and manage. In fact, BCHA Property Maintenance consists of 13 staff and maintains 600 units, the Building Rehabilitation program consists of 4 staff and is responsible for flood disaster recovery work on 250 units on average each year as well as a smaller program that serves City of Boulder Residents and Boulder County Residents with minor accessibility upgrades and handicap ramps. BCHA's Weatherization Department consists of 28 staff and weatherizes and improves over 250 homes per year throughout Boulder County. Finally, BCHA also manages the housing voucher program that operates within the private rental market and provides housing for over 700 Boulder County households, many elderly and disabled. If you include the units that BCHA owns and manages plus the homeowners and renters served, then BCHA's housing services include approximately 2,000 units throughout Boulder County.

10. The BVCP's Growth Requirements stipulate that development must "maintain or improve environmental quality as a precondition for further housing and community." How can this development proposal be reconciled with building on a wildlife corridor, negatively impacting wetlands and the nearby Twin Lakes Open Space, and paving over habitat for at-risk species?

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*(Source: Del Samet 5.22.16)*

The BCHA and BVSD parcels are located within Area II and have been contemplated for development since the 1970s. Any development that would occur on the parcels would be subject to the City of Boulder's high standards for environmental protection, including ensuring proper precautionary treatment of any wetlands or wildlife species of concern identified on the properties. Presence of wetlands and wildlife on the property would not preclude development, or a change in land use designation. Stakeholder discussions to date indicate the potential for arriving at a development site plan that could accommodate the range of stakeholder interests, and possibly enhance some community amenities available in the neighborhood. The results of wildlife and hydrology studies undertaken by BCHA will provide valuable data to inform actual site design should development on the parcels move forward. See also the response to question 7.

11. Did I understand Susan Richstone when she said that when they discuss the "community", that it is the broader general Boulder valley community and not the smaller subcommunities and neighborhoods that are actually mainly impacted by BVCP policies that they are concerned with? I would like to know how she justifies this line of reasoning since in the BVCP, it clearly states how neighborhood character is important and all the BVCP events are asking for people to come and let their voices heard....? If they have no say, or control in what happens right next to them, why do the planners even bother to hold these sessions? How is this different to the Colorado Courts telling Longmont and Lafayette that their fracking bans are meaningless because fracking will benefit the state as a whole, regardless of what individual communities want? *(Shida 5.11.16)*

The use of the term "community" in the Boulder Valley Comprehensive Plan depends on the context in which it is used. In most instances, community means the entire Boulder Valley (both residents and workers). For example, refer to Chapter I - Core Values and Sustainability Framework of the 2010 BVCP to see how "community" is applied. Specific regulations do refer to neighborhood character or more local community. For example, the site review criteria for new development describe community as follows ... "Projects should preserve and enhance the community's unique sense of place through creative design that respects historic character, relationship to the natural environment, multi-modal transportation connectivity and its physical setting..."

12. [previous question] What is the current projected build out for Gunbarrel in terms of housing? Job projections?

Staff previously reported the following numbers for a year 2040 projection:

Housing: +825 (current dwelling unit number for Gunbarrel is 5,117)

Jobs: +2,429 (current employee number for Gunbarrel is 12,747)

These were preliminary numbers that were subsequently modified with further analysis (e.g., corrected for recent development and rounded). Below are the corrected numbers published in the BVCP Projections Summary Report of 2015. [https://www-static.bouldercolorado.gov/docs/BVCP\\_Projections\\_Summary\\_Formatted\\_082815-1-201508281637.pdf](https://www-static.bouldercolorado.gov/docs/BVCP_Projections_Summary_Formatted_082815-1-201508281637.pdf)

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Housing: +200 units (current dwelling unit number for Gunbarrel is 5,600)

Jobs: +12,850 (current employee number for Gunbarrel is 12,750)

13. [previous question] What does the existing sub designation of open space on 6655 Twin Lakes mean?

The City's Geographical Information Systems (GIS) has boundaries for properties and boundaries for land use designations. Many of the boundaries in this area do not line up perfectly although the intent of the land use designation is to follow property boundaries in the majority of cases. The land use designation from the open space to the north crosses over in two tiny slivers along the north side of the BCHA property. As part of this BVCP update, GIS staff is working to rectify the land use mapping to be more coincidental with property boundaries.

14. [previous question] What are the lighting requirements for any new development? The neighbors value the lack of street lights and relative darkness of the area.

With regard to the property itself, the city does not require street lighting. Any lighting that the developer installs on private property would need to be compliant with the city's Dark Sky Ordinance ([https://www2.municode.com/library/co/boulder/codes/municipal\\_code?nodeId=TIT9LAUSCO\\_CH9DEST\\_9-9-16LIOU](https://www2.municode.com/library/co/boulder/codes/municipal_code?nodeId=TIT9LAUSCO_CH9DEST_9-9-16LIOU)).

Any lighting along Twin Lakes Road would follow lighting standards from the city's Design and Construction Standards (<https://bouldercolorado.gov/plan-develop/design-construction-standards>). In this case, there could be a need to add a light at the site access with Twin Lakes. The light would become a part of the Xcel inventory and would need to follow Xcel's design guidelines as a part of the overall street lighting system. Xcel does have options other than the standard cobra head lights.

**BCHA, City/County Staff**

15. The water table is high in the Twin Lakes area. So far I have been fortunate to not have any flooding in my house, although many surrounding neighbors have. What will happen to the hydrology of the area if these fields are built on with impervious surfaces causing the water that would normally be absorbed by the soils to be dispersed elsewhere. Will my house then flood? (Source: George 5.23.16b)

In 2013, many households in Boulder county experienced flooding that never experienced flooding before. BCHA is currently undertaking a geotechnical and hydrology investigation to inform any future development on the properties, including any potential impacts to adjacent neighbors.

16. Why was this property chosen over other possibilities for developing public housing units for BCHA? (Source: George 5.23.16b)

There are not multiple properties available for affordable housing. Very few parcels remain in

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Area I and Area II to develop affordable housing. Local governments and non-profit housing providers are typically not able to pay market rates for the few pieces of land that do become available. For additional information, see response to question #3.

**BVSD**

17. In an article published on 3/30/2011 in the Longmont Times-Call, it was reported that a 10-acre parcel of undeveloped land at Stearns Avenue and Glenmoor Road east of Boulder, belonging to the Boulder Valley School District, was being prepared for an eventual sale by adding sewer and water lines. [http://www.timescall.com/ci\\_17737312](http://www.timescall.com/ci_17737312) That parcel backs up to a small Boulder County residential neighborhood. The property was dedicated to Boulder Valley School District as a school site when this neighborhood was built back in the 1960s. The article indicated BVSD wished to sell this property for the highest market value rate they could get. The same article further states: "After several years of selling unwanted properties, this is one of the district's last properties to be sold, [Joe Sleeper, BVSD's assistant superintendent of operations] said. The district also has sold Washington Elementary School to a developer and an 8.9-acre property in Lafayette to Peak to Peak Charter School. Other unsold and unwanted properties include a piece of land in the Twin Lakes area that would need to be annexed for it to be of any value and a two-acre property in Gilpin County." The piece of "unsold and unwanted" land in Twin Lakes is the very BVSD-owned parcel being discussed in these talks. BVSD now claims they want very much to develop this previously unwanted land into teacher housing, once they get a new land use designation and annexation. How did the BVSD-owned Twin Lakes property go from being unwanted land as cited in this article, to suddenly being a highly-valued piece of land that BVSD is fighting to develop? Does it have anything to do with the fact that the fair market value of your 10-acre parcel will perhaps quadruple or more if annexation is achieved? (Source: Lambert 5.24.16)

At the time the article was written, no use for the Twin Lakes property was conceived of by the District. The purchase of the adjacent property by BCHA and the potential collaboration for affordable units for BVSD employees changed that. Although annexation would certainly allow more uses and intensity than under the County domain and increase property value, this would be true whether the District partnered with BCHA or not, since that organization has made clear its intention to annex regardless of any partnership with BVSD. This would give BVSD contiguity and likewise also increase potential uses of the property and property values. The reason BVSD is participating in this partnership is because the potential of providing affordable units to employees is important to District administration.

18. Glen mentioned during the 2nd TLSG meeting on April 27, 2016 that the school district has been looking into finding affordable housing for teachers in the BVSD for about 20 years. So my question is why did they sell the Washington School site to a private developer and the Palo Park site to the city (which in turn sold it to Boulder Housing Partners)? Both of these sites would have been great opportunities for providing deed restricted condos/homes for teachers in the district. These could have been built by Habitat for Humanity. Now they are looking at the Twin Lakes site. If this site is sold to Boulder Housing Partners how can the school district ensure that all (or at least most) of the housing built will be for school district teachers and employees? When I asked Willa and Ian about how many teachers and police officers were in their housing units they informed me that they do not collate that data. Although, I believe it

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should not be too hard to obtain. Also, the housing authorities, both Boulder County Housing Authority and Boulder Housing Partners, are federal programs. They fall under the fair housing laws and also their units are open to all U.S. citizens from any state. There are residents in these units that have moved into them from out of town as well as out of state. The housing authorities have priorities for those most in need such as veterans, etc. If the BVSD property is sold to Boulder Housing Partners, how will this solve the housing situation for BVSD teachers and staff? Does BVSD plan on holding on to the site and building housing specifically for their employees? *(Source: George 5.23.16a)*

The district has had conversations in the past about affordable housing options for BVSD employees, mostly with private developers. Those discussions never came to any fruition. In disposing of the Washington School parcel, a wide array of district uses and potential buyers were reviewed by a different administration and school board, who decided on the best approach for that parcel at that time. To my knowledge, no affordable housing opportunities were presented at that time. Neither were there similar opportunities with the disposal of the Palo Park Property in 2006.

Since then, the affordable housing shortage has become more acute, with district administration fielding greater concerns from new hires. Administration is also looking to the future and seeing additional concerns as the district's large population of baby boomers enters retirement and Colorado universities and colleges are not able to keep up with the anticipated demand for new teachers. With these concerns, the district welcomes the opportunity to work with BCHA to provide homes to future district employees and retain a robust workforce in the BVSD community. Although BVSD is not certain what form this will take and many of the questions on exactly how housing will be provided remain unanswered, it is clear that such a program is possible since numerous school districts, including several in Colorado, already have similar successful programs. BVSD continues to work closely with these school districts and with legal counsel to negotiate the various federal requirements around affordability and fair housing, and work towards a plan suitable to BVSD.