

Civic Use Pad Update

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Discussions are ongoing regarding the potential for a mixed-use building on the pad adjacent to the St. Julien Hotel, which could include a “civic use” space on the first floor, along with hotel uses above. The multi-use space on the first floor (approximately 14,700 square feet with 3,200 square feet of mezzanine/storage) is envisioned as a flexible space to be available at a discounted rate to community and nonprofit groups for civic and cultural functions. The civic use space is proposed to be built and managed by the St. Julien pursuant to a development and management agreement to be approved by City Council. St. Julien estimates the current cost of building out the civic use space on the first floor at approximately \$6 million (\$300-400/sf).

Background

An urban renewal plan adopted in 1988 for the Ninth and Canyon site in downtown Boulder called for hotel and convention facilities, including retail, restaurants, entertainment, transportation facilities and underground parking. In 1995, City Council modified the plan to include design guidelines for the site, as well as requiring that a minimum of 20 percent of the gross floor area be committed to civic uses. The urban renewal plan envisioned a development to be built on property owned by the downtown parking district, Central Area General Improvement District (CAGID), at Ninth Street and Walnut and property owned by St. Julien Partners located to the south of the CAGID property. The two properties were combined pursuant to a Condominium Association. The CAGID below-grade parking facility constructed under both properties opened in November 2004 and the St. Julien hotel fronting on Walnut opened in February 2005. Incorporated in the mixed use project is an 11,000 square foot pad east of the hotel constructed with a concrete structural deck capable of supporting a building (“the civic use pad”).

The stated purposes of the Ninth and Canyon Urban Renewal Plan adopted by the Boulder City Council in July 1995 were:

1. To implement the Boulder Valley Comprehensive Plan.
2. To eliminate existing conditions in the Urban Renewal Area that are detrimental to the project area, adjacent neighborhoods and facilities, and to the City as a whole.
3. To redevelop and rehabilitate the area in a manner which is compatible with and complementary to existing development and uses in the general area, and to provide an improvements framework which is based on community-wide goals and values.
4. Through redevelopment, contribute to a sustainable downtown Boulder community and economy.
5. To facilitate the redevelopment of the area by private enterprise by cooperating with other public bodies to provide needed infrastructure improvements.
6. To effectively utilize undeveloped and underdeveloped land.

The context of the project at the time was quite different from what exists in the area today. As stated in the URP, the Walnut/Canyon corridor of downtown Boulder, located between the historic commercial area and the civic park, had limited retail uses, street life and pedestrian

activity. Since the implementation of the URP, the community has received the following benefits, which were consistent with the plan's original purposes:

- Development of a quality hotel in downtown Boulder as the primary use, meeting the URP design guidelines including:
 - Retail activity at the street level
 - 50,000 sf of south facing urban open space and landscaping
 - Landscaping along Canyon Boulevard and amenities for public enjoyment
 - Pedestrian access corridor through the site – the 10th Street alley – and improved pedestrian access across Canyon connecting to the civic area
 - Unique western gateway to downtown
 - Establish the project area as a community focal place with uses, buildings and improvements that attract community activities and interaction, including public outdoor spaces oriented to views of the Flatirons and mountains to the west, with ample places to site, relax and eat meals
 - Floodplain improvements
 - Construction of a below-grade off-street parking structure that (1) replaced a CAGID surface parking lot, (2) provided parking for the hotel uses and (3) – provided additional parking for the anticipate additional development/redevelopment that the hotel project was expected to generate along the corridor
- Hotel and parking structure development has, in fact, served as a catalyst for redevelopment on and activation of Walnut.
- The civic use anticipated in the URP to occupy a minimum of 20% of the gross developed floor area (civic uses “such as recreation center, museum, cultural center, City office space, and transit facilities”) was determined after 20 years of exploration of financial and operational feasibility to be best achieved through provision of flexible event/meeting space on the first floor of a new building to be constructed on the portion of the site known as the Civic Use Pad, for use by local community groups and nonprofit organizations with a priority for scheduling and a discounted rate. The new building would house hotel uses (currently anticipated to be extended stay suites) on the second, third and fourth floors, connecting to the main hotel building. The hotel would construct, manage and operate the civic use space on the first floor.

In May 2015, the city and the St. Julien signed a letter of intent that outlines the key issues, process, and responsibilities for moving forward. The project has a deadline of Jan. 1, 2020 as outlined in Article 6 of the condominium agreement, which governs the relationship between the St. Julien and the Central Area General Improvement District (CAGID). The relevant language in the condo agreement is as follows: “...in the event the [condominium] Association fails to enter into a Civic Use Lease on or before January 1, 2020, the [St. Julien] will be free to construct improvements, lease, operate, use and otherwise manage the Civic Use Site in any manner without requiring the consent of the Association or any other Unit Owner, but subject to all other provisions of this Declaration and applicable Laws, including any zoning requirements.” The proposed project, as reflected in the Letter of Intent, will not require a civic

use lease as envisioned in the condominium agreement, but execution of a civic use management agreement and completion of the project before Jan. 1, 2020 will ensure the deadline never becomes an issue.

Rooftop Public Space

City staff have been working with the St. Julien on some threshold design issues, most notably the potential rooftop patio. A preliminary analysis shows that a rooftop patio, as previously imagined through the Civic Use Taskforce process, would not be feasible with the proposed building program as it would exceed the legal height limit (see **Civic Use Pad Height Illustrations** for details).

April 5, 2016 City Council Meeting & Follow-up Actions

At an April 5, 2016 City Council Meeting, Council Members expressed concern that the rooftop patio might not be a part of the eventual project. City Council indicated that the rooftop access is an important aspect of the community benefit gained from this building, and future work should support this outcome. Council emphasized the importance of ensuring the average person has appropriate access to the space and that it should be addressed in the management agreement.

One council question related to how project timing would be affected if changes were made to the city's Charter, via a 2016 ballot process, to allow an exception to the height limit. This scenario would extend the project timeline by 5 or 6 months. Other council comments were about the infrastructure for the rooftop access and the 25 percent of roof space limit. There was acknowledgment that changes to the charter and height limits would have much larger implications, beyond this project.

Council requested that the City Council's Charter Committee consider the possibility of proposing an amendment to the city's Charter which would be placed on the ballot for the 2016 election. The potential amendment would allow exceptions to the city's 55-foot height limit under certain circumstances. In late April, City Council's Charter Committee withdrew a request for a ballot amendment for the exception citing the complexity of the issue. During conversation with the full council at its May 10 study session, however, it was determined that the City Attorney's office should provide options for council consideration later in the year.

Next Steps

As staff and the St. Julien have come to a better understanding on the building's design, likely construction costs can be projected with better accuracy. In turn, the St. Julien's financial needs related to construction and future management of the civic use space will be better understood and movement can then be made toward a management agreement.

To ensure the management agreement will address the needs of future civic space users, input will be sought from community groups later in 2016. Staff is planning for a process of convening a limited duration advisory group to provide input on the terms of use for the space as well as potential costs. The advisory group's input will be critical in helping staff and the St. Julien craft a proposed agreement for council consideration in late 2016.

Council will consider potential ballot items in July and August, including options for a charter amendment which would allow exemptions to the height limit. Staff will provide additional information about the Civic Use project to help frame and inform council's discussion of the item.

First reading, public hearing, second reading, and council approval of the management agreement for the Civic Use space are tentatively scheduled for November.

Alongside the processes related to the management agreement and the height limit, staff and the St. Julien will continue to study the financial viability of the project. Conditions in the local hotel market are evolving and construction costs have escalated significantly in recent years. These factors and others may contribute to uncertainty about the project's feasibility.

Civic Use Pad will help shape future of West Bookend of the Civic Area

The final determination on the Civic Use Pad site, combined with updates to master plans to both Human Services Strategy and the Library Comprehensive Plan, will help inform the desired mix of uses and activities as well as facility design parameters for each of the West Bookend.

Civic Use Pad Height Illustrations

4240 Architecture, the firm that provided the original conceptual design for the civic pad in 2013, has provided revised illustrations which measure height per the city's code. They show that elevators and other infrastructure necessary to support access and events, as previously considered, will exceed the height limit. Both figures below show the height limit in red.

Figure 1 – Aerial View of Civic Pad Looking Northeast



Figure 2 – Diagrammatic Building Section

