

MEMORANDUM

To: City of Boulder Planning and Development Services
From: Adrian Sopher
Project: WASHINGTON VILLAGE
Date: 07 October 2013

Re: ADMINISTRATIVE REVIEW APPLICATION FORM / Washington Village II; Minor Modification #3 – Supplemental information for Minor Modification to Approved Discretionary Review for Site & Use Review LUR 2008-00083.

NOTE: All areas in this application are based on proposed area increases allowable by Minor Modification (ADR) to the original approved Discretionary Review. Subsequent to that approval, the method for calculating allowable area in the RH-2 has been significantly modified and increased. However, this application is solely based on the allowable areas from that previous era, as well as increases allowable through the Minor Modification process. Therefore all area calculations are referencing the method of calculation in use under that previous code.

Application form

Legal Description:

A parcel located in the northeast quarter of Section 30, Township 2 North, Range 69 West of the 6th P.M., County of Boulder, State of Colorado.

DATA REQUIRED – MINOR MODIFICATION

MODIFICATION PROPOSAL, IN GENERAL: To add up to 10% of the approved floor area per the original Disposition approved by City Council dated 25 February 2009. As a part of this request and future requests, no significant modification to the intent of that approval will be proposed.

This request will include:

- No more than a 10% total area increase overall, for that which is allowed under the Disposition.
- No more than a 5% total area increase in any structure over 35' tall (Broadway Building).
- No change to the total number of residential units on site.
- No increase in the parking requirement, without adding additional spaces to accommodate the increase, on site.

ALLOWABLE UNDER LUR DISPOSITION:

- The original approval allowed the following in the RH-2 portion of the site...
37,199 sf Total Area, or .5 FAR of the site area.
27 Dwelling Units.
38 cars to serve residential uses on site (a 60% parking reduction for residential uses).
Broadway Building up to 41' in height.
All other new structures to be within 35' in height.

CHANGES TO RH-2 ZONE:

- Since the date of the approval, the Land Use Code has changed significantly in relation to the regulations that limit the RH-2 zone. Most importantly relative to this application, there is no longer a limitation on maximum area. But in order to not change the intent of the project, and thereby limit the modifications requested to that which is possible under a Minor Modification, we are limiting our requests as follows...

ITEMS APPROVED IN PREVIOUS PROPOSAL: The following changes HAVE BEEN APPROVED in previous administrative reviews:

- **School Building:** Building height over 35', but has no change in floor area – Adjust the maximum allowable area under the Disposition to allow for the actual area within the perimeter of the existing Historic School structure. No contributing area is being added on the site with this adjustment. This is simply an accommodation to reflect the

way area was previously calculated for the interior of the existing school structure, from the previous RH-2 regs to how it is calculated today. This request reflects the need to accurately track contributing and non-contributing areas towards the limitations of the SPR approval. The increase itself was previously approved under ADR 2013-000132.

- **South & North Duplex Buildings:** Building height under 35' – (total of 4 units), **548 contributing sf** added in each of 4 units...
 - *449 contributing sf* at Basement – increasing depth of crawlspace to allow for a full-height Basement Level Media Room & 1/2 Bath.
 - 69 sf at 2nd Level – enclosing a portion of the east-facing Deck for a Laundry Room.
 - *<39 contributing sf>* at 1st Level – miscellaneous deductions for non-habitable mechanical space.
 - 69 sf at 3rd Level – deleting the east-facing Deck and enlarging the adjacent Study.
 - **2192 sf Total Contributing Area added in East Buildings.** *(Note that no bedrooms are being added by these requested changes, and no modification to the parking counts will be required to accommodate them).*
 - Non-contributing Garage & Trash Areas are hereby being identified and noted in the attached spreadsheet.
- **South & North Duplex Buildings:** the following additional minor modifications...
 - *Moved buildings 6" westward to allow for roof overhangs adjacent to east property line.*
 - *Revisions to garage depth.*
 - *Minor design changes associated with the additions in areas noted above.*
 - *Minor grade adjustments and modifications to retaining walls & site drainage.*

ITEMS FOR THIS PROPOSAL: The following changes are being requested here (refer to spreadsheet attachment COMPREHENSIVE LIST OF MINOR MODIFICATION REQUESTS for additional information on changes to areas, and MINOR MODIFICATION COMPREHENSIVE BEDROOM & PARKING ANALYSIS for tabulation of parking requirements associated with these modifications):

- **Broadway Building:** Building height over 35' –(total of 9 units)
 - Building height has been lowered 5'-0" (46'-0" to 41'-0") as required in the condition of approval to the Disposition approved by City Council dated 25 February 2009.
 - The unit count has been reduced from by one unit to account for the additional unit added in the School
 - The 2-story units (B4-S and B6-N) have been removed and replaced by 1-bedroom flats (B4-N and B4-S)
 - *<938 contributing sf>* at 2nd Level- The central 1-bedroom flats (B5-S and B5-N) have been modified to create a single 2-bedroom flat (B5). The contributing SF removed has been replaced with non contributing unit storage
 - 2460 sf at 3rd Level – the third level contributing sf has been changed from the disposition by converting the sf approved (it was previously the second story to units B4-S and B6-N,) to one penthouse unit (B6). The increase in sf is gained mostly by filling void in the middle of the approved plan, with slight additions coming from changes in the perimeter. ***The sf added falls under the same basic hipped roof that was approved in the Disposition.***
 - **1522 sf Total Contributing Area added in Broadway Building.** This does not exceed 5% total area increase allowed on site, 3,720 sf. *(Note the additional sf added to the 3rd level does not occur above 35', see elevation included.)*
 - Hipped roof includes the addition of shed dormers in key areas of the plan. See elevations included.
 - The changes to the Broadway building **will not** negatively affect the approved solar shadow approved by City Council in the Disposition.
 - The bedroom count in the school has been modified since the Disposition and the parking count has been adjusted in this modification to account for the additional parking needed. The previous submittal provided 4 Handicap parking place in the garage of the Broadway, three of these (plus one standard) have been removed to accommodate **3** more standard and **3** more compact parking spaces. For a total residential parking count of 40.

WRITTEN STATEMENT

The extent of this application is limited to a request to make a minor modification to the floor area allowable on site, within the context of that which is allowed by administrative review only. When the project was originally approved, there were far more stringent requirements for the RH-2 zone in place, which now no longer exist. With the code change, we believe it is supportable to allow for an area increase of up to 10% by Minor Modification to the SPR Disposition, without changing

the intent of the original approval. Our proposal in no way affects the character or the specifics of the project in a manner which modifies that intent.

The areas that we are proposing changes as a part of this application make no noticeable impacts on neighboring properties or structures, either in their height or solar shadows. Both the height and, as a result, the solar fence are being reduced. Further, the vast majority of the changes are *within* the approved hipped roof as approved in the Disposition. The only other areas of change are in the addition of shed dormers in key view areas of the plan.

CRITERIA (CITY CODE EXCERPT OF SECTION 9-2-14(k), B.R.C. 1981):

(1) Setbacks on the perimeter of a development can not be varied by a minor modification to less than the minimum setbacks permitted by the underlying zoning district.

No setbacks on the perimeter of the development are affected by this application.

(1) The floor area of the development, including principal and accessory buildings, may be expanded by the cumulative total of no more than the greater of ten percent or 200 square feet or, in the case of a building that exceeds the permitted height, no more than five percent, except that the portion of any building over thirty-five feet in height may not be expanded under the provisions of this paragraph;

Please refer to the attached spreadsheets for area tabulations for this modification. All requested modifications do not exceed the total allowable by administrative review.

(1) Commercial and industrial building envelopes may be moved or expanded by no more than the greater of ten feet, or ten percent of the length of the building, measured along the building's axis in the direction that the building is being moved;

No modification to commercial application envelopes are proposed by this application.

(1) Principal and accessory buildings not within an approved building envelope may be expanded or moved by no more than ten feet in any direction within the development in residential districts and lots abutting residential districts. The resulting setbacks shall not be less than the minimum allowed setback of the underlying zone.

No modification to the building envelope greater than 10' is proposed by this application.

(1) Dwelling unit type may not be changed;

No dwelling unit type is proposed by this application.

(1) The portion of any building over the permitted height under Section 9-7-1, "Schedule of Form and Bulk Standards," B.R.C. 1981, may not be expanded under the provisions of this Subsection;

There is no change to the building height over the permitted height is associated with this application.

(1) No increase may be granted to an open space reduction or to a parking reduction in excess of that allowed in Subsection 9-9-6(f), "Parking Reduction," B.R.C. 1981; and

No modification to the proposed open space is requested in this application.

(1) No change may alter the basic intent of the site plan approval.

No change to the basic intent of the project is implicit in this application.

Drawings included with application

I. COMPREHENSIVE LIST OF MINOR MODIFICATION REQUESTS

Revised and dated 07 October 2013`

II. MINOR MODIFICATION COMPREHENSIVE BEDROOM & PARKING ANALYSIS

(updated from previous submittal)

III. Comprehensive plans at each level (3)

Dated 07 OCT 2013 (updated from previously submitted)

Showing Areas of change in all buildings associated with this application.

IV. Broadway Building elevations (3)

Dated 07 OCT 2013

Showing changes relating to height and roof.

V. Solar Shadow diagrams (3)

Dated 07 OCT 2013

Showing changes relating to solar shadow as they related to the Red Arrow townhomes to the North.

Notification of affected property owners

The Applicant has provided this documentation to property owners at 1225 & 1227 Cedar Avenue.