

6400 Arapahoe Road
Annexation Application
Written Statement
March 18, 2011

Contents

- A. Project Description,
- B. How the Application meets the Boulder Valley Comprehensive Plan Policies

A. Project Description

Annexation of an existing Boulder County parcel into IG zoning district for the relocation of Eco-Cycle's office, commercial hauling operations and Center for Hard to Recycle Materials (CHaRM) to be called the 6400 Arapahoe facility. The use of the site for various waste reduction facilities will be considered through annexation. Total of two lots and one outlot for storm drainage and detention to be established under a separate Site Review and Preliminary Plat application. The annexation will also include that portion of Arapahoe Road that extends from 62nd Street to the east side of the frontage.

The property was previously used as a lumber yard and currently houses ReSource, a used building materials sales and donation yard. ReSource moved its operations to the property in November 2009, an allowed use under current county zoning. The site has a large warehouse, an office/showroom building, and a large covered shed, along with parking, walks, and a significant amount of paved area.

When the property is annexed into the city, it will be zoned IG and will include a use review (as part of annexation) to allow for planned uses, which include Eco-Cycle's office, commercial hauling operations, the CHaRM, and the continued operation of ReSource. Additional uses on the "Phase III" portion of the property will be compatible uses to these and which further the community's goal of moving toward zero waste. The update to the Master Plan for Waste Reduction will continue to engage stakeholders and hold meetings that will assist in identifying additional potential uses.

Please refer to the Site Review application materials for more detailed information on current and future operations at 6400 Arapahoe.

B. How the Project Meets Applicable BVCP Policies

BOULDER VALLEY COMPREHENSIVE PLAN ANNEXATION POLICIES

The policies in regard to annexation to be pursued by the city are:

- (a) Annexation will be required before adequate facilities and services are furnished;
[City utilities are currently provided to the property.](#)
- (b) The city will actively pursue annexation of county enclaves, Area II properties along the western boundary, and other fully developed Area II properties. County enclave means an unincorporated area of land entirely contained within the outer boundary of the city. Terms of annexation will be based on the amount of development potential as described in (c), (d), and (e) of this policy. Applications made to the county for development of enclaves and Area II lands in lieu of annexation shall be referred to the city for review and comment. The county shall attach great weight to the city's response and may require that the landowner conform to one or more of the city's development standards so that any future annexation into the city will be consistent and compatible with the city's requirements.
[Not applicable. This property is not a county enclave.](#)
- (c) Annexation of existing substantially developed areas will be offered in a manner and on terms and conditions which respect existing lifestyles and densities, and the city will expect these areas to be brought to city standards only where necessary to protect the health and safety of the residents of the subject area or of the city. The city, in developing annexation plans of reasonable

cost, may phase new facilities and services. The county, which now has jurisdiction over these areas, shall be a supportive partner with the city in annexation efforts to the extent the county supports the terms and conditions being proposed.

Boulder County supports the annexation of this property. Current zoning and historical use of this property is industrial. It is anticipated that, once annexed, this property will be zoned IG.

- (d) In order to reduce the negative impacts of new development in the Boulder Valley, the city shall annex Area II land with significant development or redevelopment potential only on a very limited basis. Such annexations will be supported only if the annexation provides a special opportunity or benefit to the city.

This project has a direct benefit to the city by providing additional waste reduction facilities and capacity. It also will house two non-profits that are important to the city's environmental sustainability goals.

For annexation considerations, emphasis shall be given to the benefits achieved from the creation of permanently affordable housing. Provision of the following may also be considered a special opportunity or benefit: receiving sites for transferable development rights (TDRs), reduction of future employment projections, land and/or facilities for public purposes over and above that required by the city's land use regulations, environmental preservation, or other amenities determined by the city to be a special opportunity or benefit. Parcels that are proposed for annexation that are already developed and which are seeking no greater density or building size would not be required to assume and provide that same level of community benefit as vacant parcels unless and until such time as an application for greater development were submitted.

Not applicable.

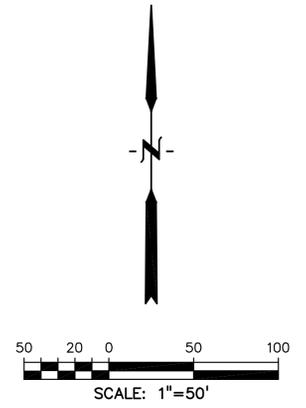
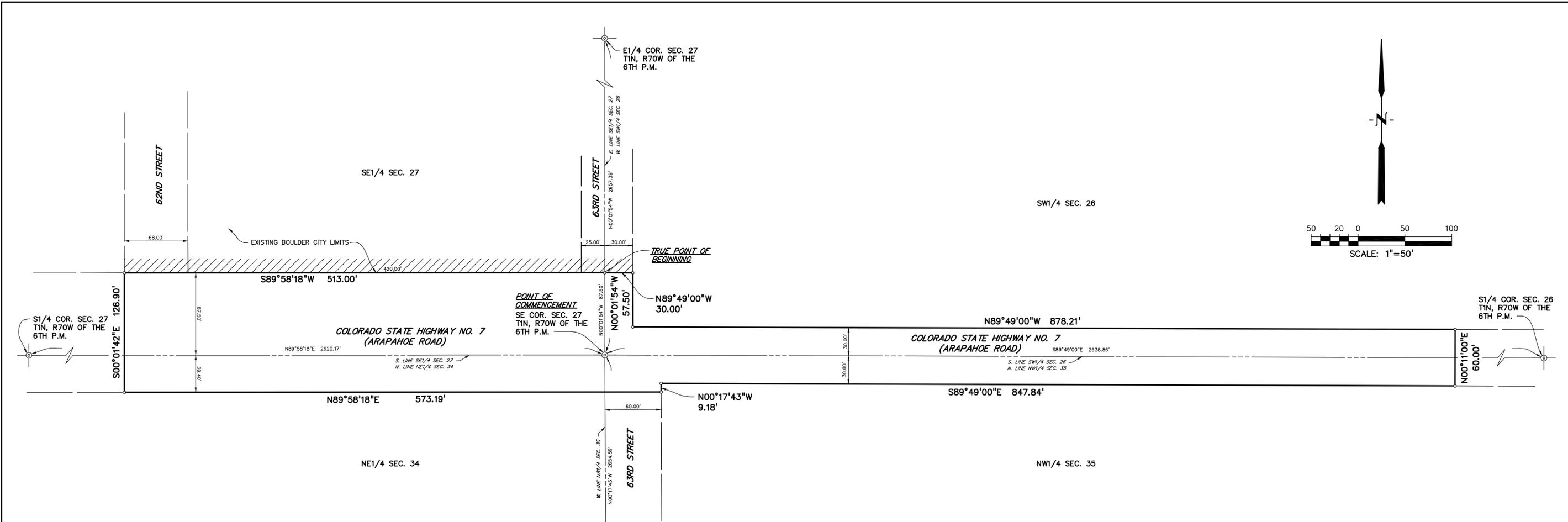
- (e) Annexation of substantially developed properties that allows for some additional residential units or commercial square footage will be required to demonstrate community benefit commensurate with their impacts. Further, annexations that resolve an issue of public health without creating additional development impacts should be encouraged.

This project has demonstrated community benefit as mentioned above.

- (f) There will be no annexation of areas outside the boundaries of the Boulder Valley Planning Area, with the possible exception of annexation of acquired open space.

This area is currently in Area II.

- (g) Area II is anticipated to become part of the city within the planning period. Area III is not anticipated to become part of the city within the planning period. However, publicly owned property located in Area III and intended to remain in Area III may be annexed to the city if the property requires less than a full range of urban services or requires inclusion under city jurisdiction for health, welfare and safety reasons.



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SW1/4 OF SECTION 26, THE SE1/4 OF SECTION 27, THE NE1/4 OF SECTION 34 AND THE NW1/4 OF SECTION 35, ALL IN T1N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27, THENCE N00°01'54"W, 87.50 FEET ALONG THE EAST LINE OF THE SE1/4 OF SAID SECTION 27 TO THE TRUE POINT OF BEGINNING;

THENCE S89°58'18"W, 513.00 FEET ALONG A LINE 87.50 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SE1/4 OF SECTION 27;

THENCE S00°01'42"E, 126.90 FEET TO A POINT 39.40 FEET SOUTH OF THE NORTH LINE OF SAID NE1/4 OF SECTION 34;

THENCE N89°58'18"E, 573.19 FEET ALONG A LINE 39.40 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE NE1/4 SECTION 34 AND SAID NORTH LINE EXTENDED EASTERLY TO A POINT 60.00 FEET EAST OF THE WEST LINE OF SAID NW1/4 OF SECTION 35;

THENCE N00°17'43"W, 9.18 FEET ALONG A LINE 60.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF THE NW1/4 OF SECTION 35 TO A POINT 30.00 FEET SOUTH OF THE NORTH LINE OF SAID NW1/4 OF SECTION 35;

THENCE S89°49'00"E, 847.84 FEET ALONG A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE NW1/4 OF SECTION 35;

THENCE N00°11'00"E, 60.00 FEET TO A POINT 30.00 FEET NORTH OF THE SOUTH LINE OF SAID SW1/4 OF SECTION 26;

THENCE N89°49'00"W, 878.21 FEET ALONG A LINE 30.00 FEET NORTH OF SAID SOUTH LINE OF THE SW1/4 OF SECTION 26 TO A POINT 30.00 FEET EAST OF THE WEST LINE OF SAID SW1/4 OF SECTION 26;

THENCE N00°01'54"W, 57.50 FEET ALONG A LINE 30.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF THE SW1/4 OF SECTION 26 TO A POINT 87.50 FEET NORTH OF SAID SOUTH LINE OF THE SW1/4 OF SECTION 26;

THENCE N89°49'00"W, 30.00 FEET ALONG A LINE 87.50 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE SW1/4 OF SECTION 26 TO THE TRUE POINT OF BEGINNING.

LEGAL DESCRIPTION PREPARED BY:
 MATHEW E. SELDERS
 DREXEL, BARRELL & CO.
 1800 38TH STREET
 BOULDER, CO 80301
 (303) 442-4338

TOTAL PERIPHERY OF AREA TO BE ANNEXED = 3095.82 FEET
 ONE SIXTH OF TOTAL PERIPHERY = 515.97 FEET
 CONTIGUITY TO EXISTING CITY LIMITS = 543.00 FEET

NOTES

1. THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT.
2. THIS ANNEXATION MAP IS BASED UPON PREVIOUS SURVEYS AND LEGAL DESCRIPTIONS PROVIDED TO DREXEL, BARRELL & CO.

I, MATHEW E. SELDERS, A DULY LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MAP WAS MADE UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

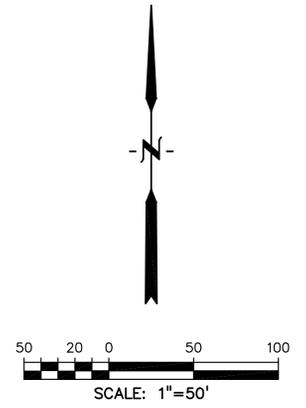
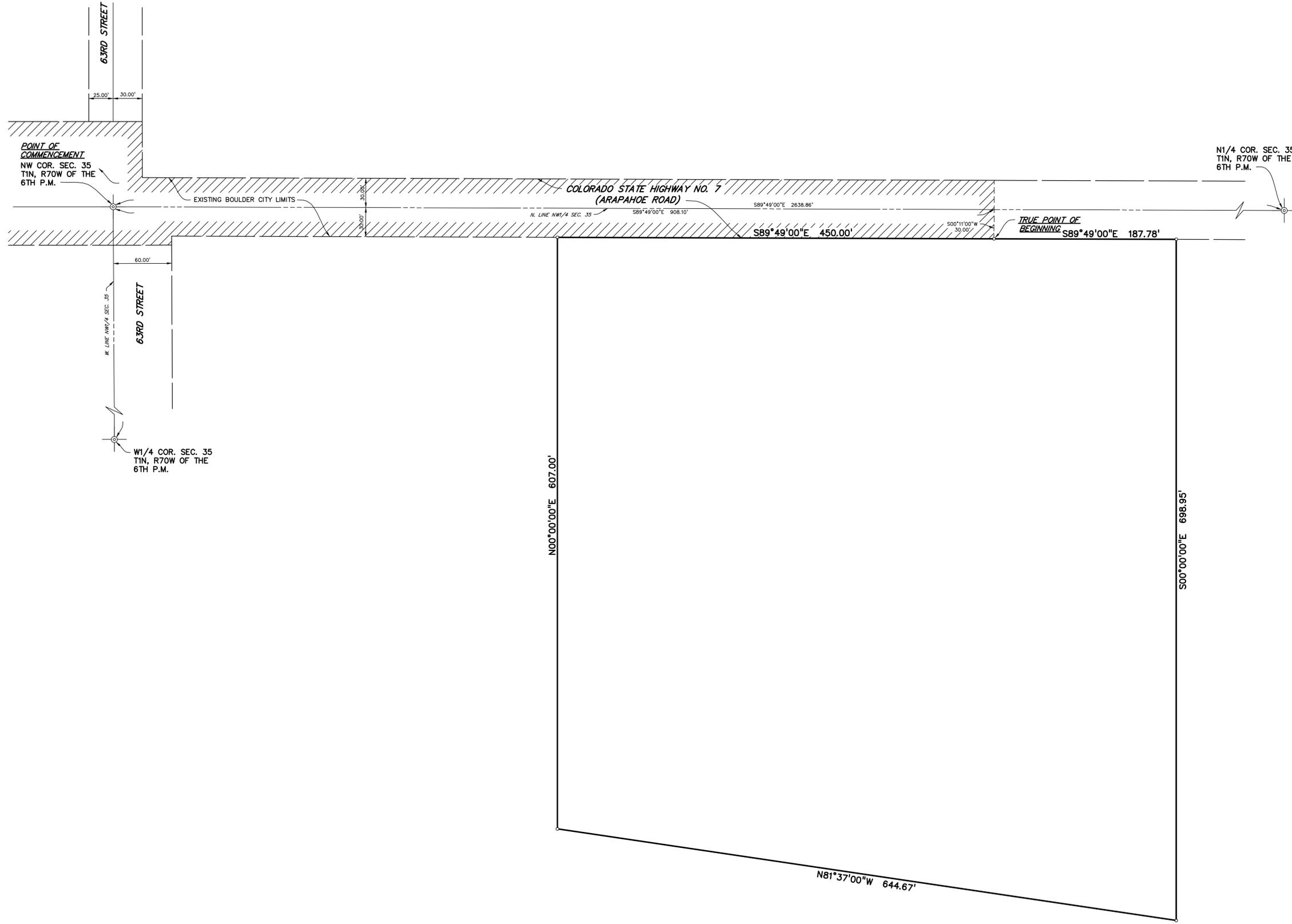
ANNEXATION MAP OF A TRACT OF LAND LOCATED IN THE SW1/4 OF SECTION 26, SE1/4 OF SECTION 27, NE1/4 SECTION 34 AND NW1/4 OF SECTION 35 ALL IN T1N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO. FOR: CITY OF BOULDER

MATHEW E. SELDERS
 COLORADO LICENSED PROFESSIONAL
 LAND SURVEYOR NO. 27275

IN ACCORDANCE WITH CRS 13-90-105,
 NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co. Engineers/Surveyors
 1800 38TH STREET BOULDER, COLORADO 80301 (303) 442-4338
 COLORADO SPRINGS, COLORADO (719) 260-0887
 DENVER, COLORADO (720) 214-0955
 GRAND JUNCTION, COLORADO (970) 267-1550
 GREELEY, COLORADO (970) 351-0845
 STEAMBOAT SPRINGS, COLORADO (970) 679-1523

Revisions - Date	Date	Drawn By	Job No.
	3/3/10	GJM	6085-3
		Checked By	Drawing No.
		MES	B84-61



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NW1/4 OF SECTION 35, T1N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 35, THENCE S89°49'00"E, 908.10 FEET ALONG THE NORTH LINE OF THE NW1/4 OF SAID SECTION 35; THENCE S00°11'00"W, 30.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE S89°49'00"E, 187.78 FEET ALONG A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF SAID NW1/4 OF SECTION 35;

THENCE S00°00'00"E, 698.95 FEET;

THENCE N81°37'00"W, 644.67 FEET;

THENCE N00°00'00"E, 607.00 FEET TO A POINT 30.00 FEET SOUTH OF SAID NORTH LINE OF THE NW1/4 OF SECTION 35;

THENCE S89°49'00"E, 450.00 FEET ALONG A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF THE NW1/4 OF SECTION 35 TO THE TRUE POINT OF BEGINNING.

LEGAL DESCRIPTION PREPARED BY:
 MATHEW E. SELDERS
 DREXEL, BARRELL & CO.
 1800 38TH STREET
 BOULDER, CO 80301
 (303) 442-4338

TOTAL PERIPHERY OF AREA TO BE ANNEXED = 2588.40 FEET
 ONE SIXTH OF TOTAL PERIPHERY = 431.40 FEET
 CONTIGUITY TO EXISTING CITY LIMITS = 450.00 FEET

NOTES

1. THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT.
2. THIS ANNEXATION MAP IS BASED UPON PREVIOUS SURVEYS AND LEGAL DESCRIPTIONS PROVIDED TO DREXEL, BARRELL & CO.
3. PROPERTY IS IN SOLAR AREA ACCESS II. NONE OF THE BUILDINGS ARE OVER 25 FEET IN HEIGHT, THEREFORE A SHADOW ANALYSIS PLAN IS NOT REQUIRED. BUILDING HEIGHTS ARE NOTED ON THE ARCHITECTURAL ELEVATIONS.

ANNEXATION MAP OF A TRACT OF LAND LOCATED IN THE NW1/4 OF SECTION 35, T1N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO. FOR: CITY OF BOULDER

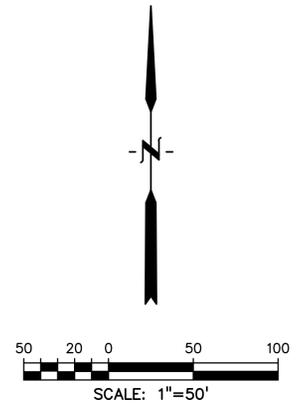
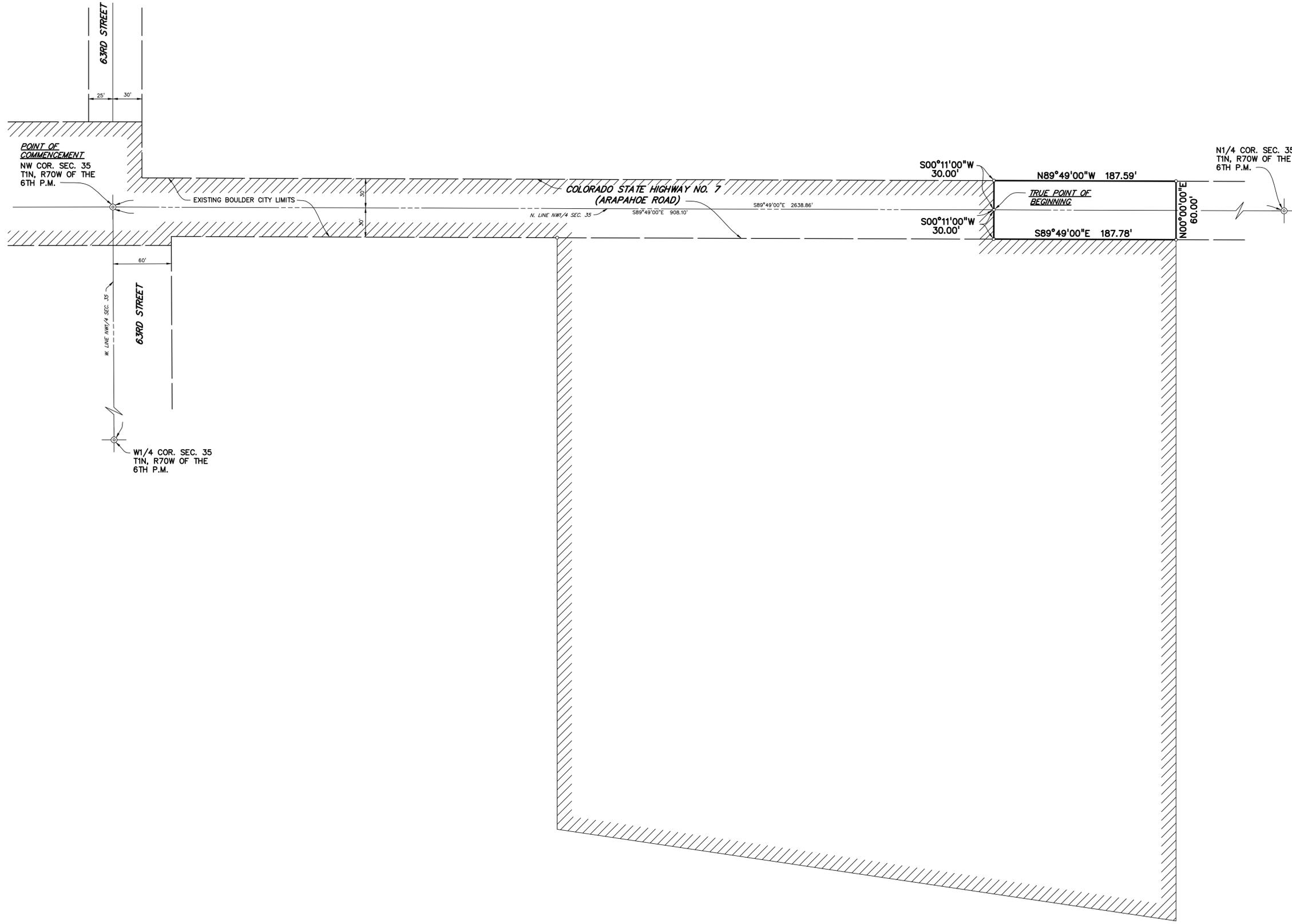
I, MATHEW E. SELDERS, A BULLY LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MAP WAS MADE UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN ACCORDANCE WITH CRS 13-90-105, NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co. Engineers/Surveyors
 1800 38TH STREET BOULDER, COLORADO 80301 (303) 442-4338
 COLORADO SPRINGS, COLORADO (719) 260-0887
 DENVER, COLORADO (720) 214-0955
 GRAND JUNCTION, COLORADO (970) 267-1550
 GREELEY, COLORADO (970) 351-0545
 STEAMBOAT SPRINGS, COLORADO (970) 679-1523

Revisions - Date	Date	Drawn By	Job No.
	3/3/10	GJM	6085-3
		Checked By	Drawing No.
		MES	B84-62

MATHEW E. SELDERS
 COLORADO LICENSED PROFESSIONAL
 LAND SURVEYOR NO. 27275



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NW1/4 OF SECTION 35, T1N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 35, THENCE S89°49'00"E, 908.10 FEET TO THE TRUE POINT OF BEGINNING;

THENCE S00°11'00"W, 30.00 FEET;

THENCE S89°49'00"E, 187.78 FEET ALONG A LINE 30.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF SAID NW1/4 OF SECTION 35;

THENCE N00°00'00"E, 60.00 FEET TO A POINT 30.00 FEET NORTH OF SAID NORTH LINE OF THE NW1/4 OF SECTION 35;

THENCE N89°49'00"W, 187.59 FEET ALONG A LINE 30.00 FEET NORTH OF AND PARALLEL WITH SAID NORTH LINE OF THE NW1/4 OF SECTION 35;

THENCE S00°11'00"W, 30.00 FEET TO THE TRUE POINT OF BEGINNING.

LEGAL DESCRIPTION PREPARED BY:
 MATHEW E. SELDERS
 DREXEL, BARRELL & CO.
 1800 38TH STREET
 BOULDER, CO 80301
 (303) 442-4338

TOTAL PERIPHERY OF AREA TO BE ANNEXED = 495.37 FEET
 ONE SIXTH OF TOTAL PERIPHERY = 82.56 FEET
 CONTIGUITY TO EXISTING CITY LIMITS = 247.78 FEET

NOTES

1. THIS MAP IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT.
2. THIS ANNEXATION MAP IS BASED UPON PREVIOUS SURVEYS AND LEGAL DESCRIPTIONS PROVIDED TO DREXEL, BARRELL & CO.

ANNEXATION MAP OF A TRACT OF LAND LOCATED IN THE NW1/4 OF SECTION 35, T1N, R70W OF THE 6TH P.M., COUNTY OF BOULDER, STATE OF COLORADO. FOR: CITY OF BOULDER

I, MATHEW E. SELDERS, A DULY LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MAP WAS MADE UNDER MY DIRECT RESPONSIBILITY, SUPERVISION, AND CHECKING AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

IN ACCORDANCE WITH CRS 13-80-105:
 NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT; IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co. Engineers/Surveyors
 1800 38TH STREET BOULDER, COLORADO 80301 (303) 442-4338
 COLORADO SPRINGS, COLORADO (719) 260-0887
 DENVER, COLORADO (720) 214-0955
 GRAND JUNCTION, COLORADO (970) 257-1550
 GREELEY, COLORADO (970) 351-0645
 STEAMBOAT SPRINGS, COLORADO (970) 879-1523

Revisions - Date	Date	Drawn By	Job No.
	2/8/11	G.M.	6085-3
		Checked By	Drawing No.
	1" = 50'	MES	B84-62A

MATHEW E. SELDERS
 COLORADO LICENSED PROFESSIONAL
 LAND SURVEYOR NO. 27275