



**CITY OF BOULDER
CITY COUNCIL AGENDA ITEM**

MEETING DATE: January 15, 2018

AGENDA TITLE: Continuation of Concept Plan Review for feedback on an updated proposal for Shining Mountain Waldorf School to redevelop the campus with new lower/middle and high school buildings and entitle the remaining land for redevelopment as residences (999 Violet Ave, 1100 Violet Ave, 1101 Union Ave, 1179 Union Ave, 0 Locust Ave, 934 Locust Ave, 4395 Broadway). Reviewed under case no. LUR2018-00014.

PRESENTER/S

Jane S. Brautigam, City Manager
Chris Meschuk, Asst. City Manager/Interim Planning Director
Charles Ferro, Development Review Manager – Planning
Shannon Moeller, Planner II

EXECUTIVE SUMMARY

On July 24, 2018, City Council reviewed and commented on the above-referenced item and moved to continue the item with updated information. The [staff memorandum](#) and [meeting minutes](#), as well as video and related materials are available on the city website for Council: www.bouldercolorado.gov → *City Council*. The memorandum includes a summary of Planning Board feedback, public feedback, and project background.

No action is required on behalf of the City Council. Input and comments by the public, staff, Planning Board, and City Council will be documented for the applicant's consideration. 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 a future site review application.

COUNCIL FEEDBACK

At the City Council hearing on July 24, 2018, the applicant provided an alternative proposal to the one reviewed by staff and commented on by the Planning Board, which would include greater retention of land by the school for open space and an alternative

site design which could potentially include a multi-family residential building at the southwest corner of Broadway and Violet.

City Council provided feedback to the applicant, including:

- Floodplain: The school should be made as safe as possible regarding flooding. The floodplain development permit review process and location and alignment of buildings was discussed.
- Transportation: The inclusion of both an alley and the proposed 11th Street connection did not seem necessary. Suggestions were provided for parking areas and traffic.
- Site Design: There did not appear to be a consensus on whether the land along Broadway south of Locust should include buildings or should be an open area for detention and community gardens.
- Housing: Permanently affordable housing was a key concern.

The item was continued to allow for additional discussion of the revised site plan presented at the hearing.

PUBLIC FEEDBACK

At the Council hearing on July 24, 2018, two members of the public spoke. One resident expressed concern with the proposed 11th Street connection and support for the revised proposal presented at the meeting which did not include the 11th Street connection; did not see the need for an alley; and supported the inclusion of affordable housing. A representative of the school's board expressed that the community would be welcome on the school's land outside of secured hours during school days and times.

Public feedback received prior the Council hearing is contained in the July 24, 2018 [staff memorandum](#).

UPDATED PROJECT PROPOSAL

The applicant has provided an updated written statement and concept plan set (included as **Attachments A** and **B**, respectively). The written statement describes the efforts made since the prior Council hearing to explore a permanently affordable housing development at the southwest corner of Broadway and Violet. The applicant has determined that permanently affordable housing is not financially viable on the site. The updated concept plan set includes options for approximately 18 three-story market-rate townhomes, or, approximately 30 three-story market-rate flats. The written statement also provides additional information regarding the use of shared open space on the school site with the community and proposed residences.

STAFF ANALYSIS

Consistency with Land Use Map and Zoning: The applicant's updated site plans are intended to be consistent with the [Boulder Valley Comprehensive Plan](#) (BVCP) land use designation and current zoning designation in order to move forward without the need for a land use map change and rezoning (as previously proposed). As depicted in **Figure 1**, the majority of the project site is located in the Low Density Residential (LR) land use

designation which is described as consisting of predominantly single-family detached units at a density of 2 to 6 dwelling units per acre.

As shown in **Figure 2**, the area at the southwest corner of Broadway and Violet is zoned RL-2, Residential – Low 2, which is described as a medium density residential area used for small-lot development including duplexes, triplexes and townhouses, where each unit generally

has direct access to ground level. Based on these descriptions, the proposal for a townhome-style development would generally be more in keeping with the type of unit anticipated by the BVCP and current zoning designation.

Consistency with North Boulder Subcommunity Plan: The property is part of the Union-Utica neighborhood of the [North Boulder Subcommunity Plan](#). Specific guidelines for the Waldorf School within the Subcommunity Plan include developing traffic management and parent education programs to minimize traffic impacts on the surrounding residential neighborhoods. The proposal would also be evaluated under the Development Guidelines for All Neighborhoods within the plan (page 10).

Location of High School and Parking Area: The updated proposal to locate the high school and its parking area closer to Broadway rather than west of the Festival Hall could assist with the goal of minimizing traffic impacts on the neighborhood. The placement of

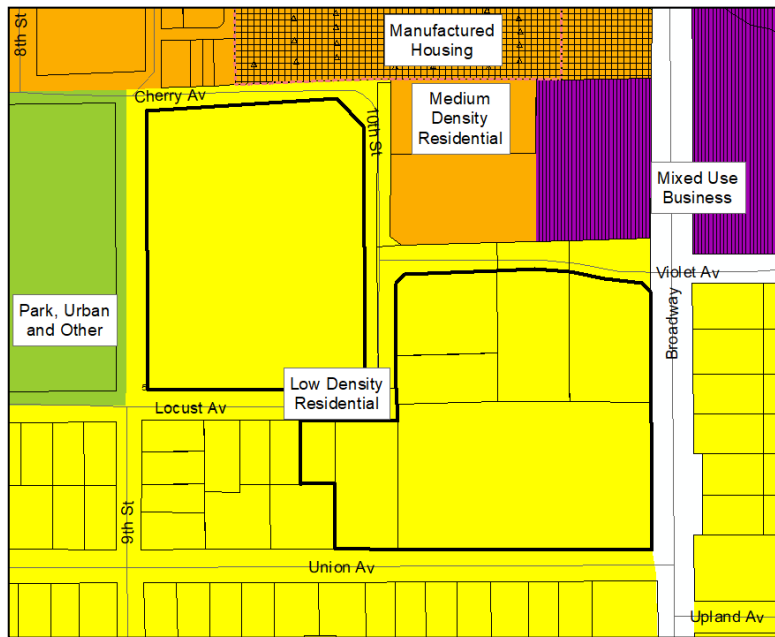


Figure 1 – BVCP Land Use Designations

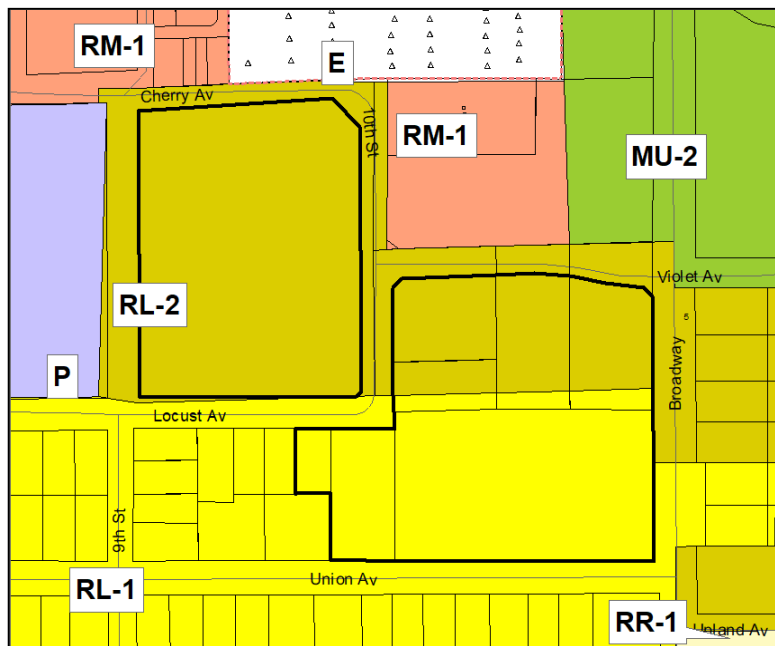


Figure 2 – Zoning Districts

the high school parking area internal to the parcel rather than along the public right-of-way is supported by the Development Guidelines for All Neighborhoods, which recommends placing parking in the back of buildings, not in front.

Elimination of Alley: The proposal includes single-family homes in the RL-1 zoned portion of the property (south of Locust). While the Development Guidelines for All Neighborhoods encourage the use of alleys wherever possible, at the Council hearing in July, several Councilmembers expressed support for a design which did not include an alley. The updated proposal has eliminated the alley and instead provided shared driveways to minimize the number of driveway curb cuts and provides a pedestrian connection between Locust and Union Avenues.

Pedestrian Friendly / Human Scale Design: The proposal would be further evaluated for consistency with the Development Guidelines for All Neighborhoods at the time of Site Review; including street and landscaping cross-sections, building setbacks, and design standards.

Consistency with Minimum Open Space: The RL-2 zoning district requires a minimum provision of 6,000 square-feet of open space per dwelling unit. Where a proposal includes both residential and non-residential uses, the greater open space requirement applies. For 18-30 dwelling units, between 108,000 and 180,000 square-feet of open space would be required. The applicant has provided additional details regarding sharing of open space between the school property and the residences in the updated written statement (**Attachment A**) and on sheet 5 of the updated plan set (**Attachment B**). Generally, the proposed plan appears to provide more than adequate open space to support the requested number of dwelling units. Additional details would be necessary at the time of Site Review to document how open spaces will remain accessible and shared over time and comply with all standards of section 9-9-11, “Useable Open Space” and sections 9-2-14(h)(2)(A) “Open Space” and (B) “Open Space in Mixed Use Developments”, B.R.C. 1981.

Floodplain: As shown in **Figure 3**, the site is impacted by the 100-year and 500-year floodplains of Fourmile Canyon Creek. All structures within the 100-year and 500-year floodplain require a Floodplain Development Permit. The school is

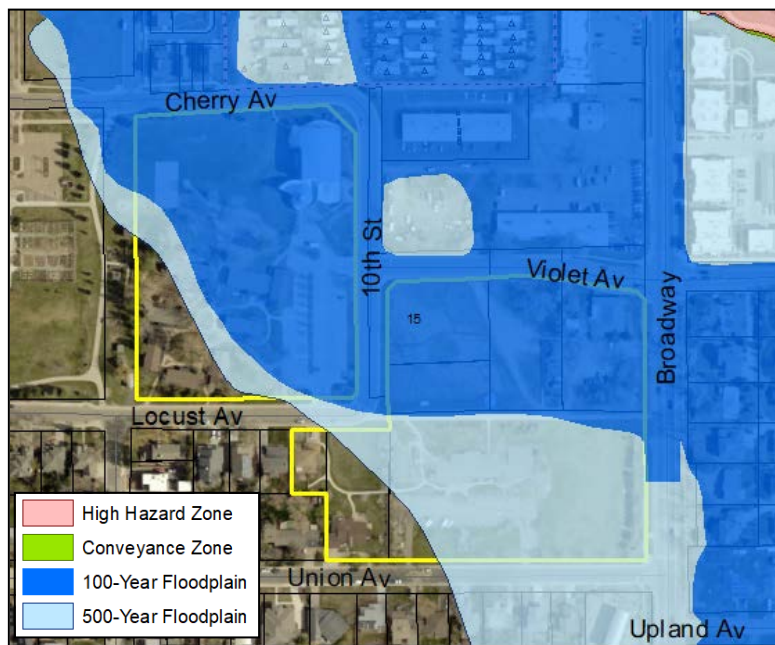


Figure 3 – Floodplain

considered a critical facility and must also comply with [9-3-2\(i\)](#), B.R.C. 1981, which requires development and approval of an emergency management plan that addresses activities and procedures for effective response from flood and disaster events in addition to requirements for floodproofing or elevating all structures in the floodplain. Any new residential structures within the 100-year floodplain are required to be elevated 2 feet above the base flood elevation per [9-3-3\(a\)17](#), B.R.C. 1981. City flood control standards also require that longitudinal building axes are placed parallel to the predicted direction of flow of floodwaters in the 100-year floodplain. **Figure 4** depicts the 2013 flood event.

MATRIX OF OPTIONS

No action is required on behalf of the City Council.

Input and comments by the public, staff, Planning Board, and City Council 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.

ATTACHMENTS

- A. Applicant's Updated Written Statement
- B. Applicant's Updated Concept Plan Set



Figure 4 – 2013 Flood Event

NOTE: The 2013 urban flood extent data was developed using field surveys completed by City of Boulder staff and consultants, Digitalglobe Worldview-2 satellite imagery (9/13/13), Boulder County October 2013 Pictometry imagery, public input from the Boulder Crowd Sourcing online map, public input in community meetings, online flood survey data, and input from discussions with affected property owners. Only drainages with a FEMA mapped floodplain were surveyed. Other areas of Open Space and Mountain parks land without a regulatory floodplain were not included.

The 2013 urban flood extent data does not supersede the Special Flood Hazard Area Designation (SFHA), or 100 yr floodplain, used by FEMA for Digital Flood Insurance Rate Maps or the proposed floodplain delineations from ongoing flood studies. This data is provided as graphical representation only. The City of Boulder provides no warranty, expressed or implied, as to the accuracy and/or completeness of the information contained hereon.



MEMORANDUM

To: Charles Ferro, Land Use Review Manager – CITY OF BOULDER Planning & Sustainability
Shannon Moeller – CITY OF BOULDER Planning & Sustainability
From: Adrian Sopher - SOPHER SPARN ARCHITECTS LLC
Project: SHINING MOUNTAIN WALDORF SCHOOL Concept Plan Review
Date: 27 December 2018

Re: CITY COUNCIL CONCEPT PLAN REVIEW – Key issue for 15 January Council Continuance Hearing

The following is a description of the School's efforts relative to discussion points arising from the City Council Hearing on 24 July 2018. At that time, Council requested that the Concept Plan Hearing be continued to allow the school to investigate what would need to occur, in order to achieve a Permanently Affordable Deed Restricted Housing Project at the southwest corner of Violet and Broadway.

Violet and Broadway Site

Providing an opportunity for affordable housing has always been Shining Mountain's preference for this location. However, the reality remains that the School needs to raise enough money to facilitate the construction of permanent structures and fulfill its primary mission of providing Waldorf Education to the Boulder Community.

Shining Mountain believes the market rate value of the land to be a minimum of \$4.0m, and as a non-profit, the school has the fiduciary responsibility to sell the land at that value. Additionally, the school requires the sale at full market value of the parcel, along with the sale of the RL-1 zoned land south of Locust as single family residential lots, in order to raise sufficient funds for the school's construction.

Affordable Housing Options and Needs

Since the time of the hearing, Shining Mountain Waldorf School leadership has had multiple conversations with key members of Boulder Housing Partners, Thistle Communities, a local for-profit affordable housing developer, and with members of city staff leadership. A number of approaches were jointly investigated, including:

- the outright purchase of the 45,000 square foot parcel by a non-profit
- a long-term land lease arrangement, whereby the property would remain in the ownership of the school, while a non-profit affordable housing provider would build and manage the facility
- the sale of the parcel to a for-profit affordable housing developer
- a joint venture between a for-profit and a not-for-profit for the purpose of providing affordable housing.

In the process, it was jointly determined that in order for such a project to work, at least 50 units of housing needed to be provided to effectively fund and manage the facility. Since the zoning on the Shining Mountain property is RL-2, the allowable housing density on the site will be determined by the amount of open space provided, and the determination that the open space is contributing sufficiently to support the housing as well as other uses on the property (as per the requirements of Site Plan Review in the Land Use Code).

Zoning Options

Under the best of cases, we have calculated that under the current zoning, probably no more than 40 units could be supported. In order to achieve the 50 units necessary, a Land Use Map change from Low Density Residential to Medium Density Residential would be necessary, as well as rezoning from RL-2 to RM-2, for all of the Shining

Mountain property north of Locust. Notwithstanding the processes involved, if this is the pleasure of Council and Planning Board, no doubt this could be achieved.

Financial Shortfall

But presuming that City Council and Planning Board were supportive of making such a change, there is still the issue of whether or not sufficient funds could be raised by an affordable housing developer to support the project. There has been no clarity to date, that this is the case.

At best, as described through discussions with the groups noted above, there has not been more than \$2.5 million offered for the land, even if the rezoning were to occur. This was the outcome after discussions with affordable providers under four different configurations were considered, leaving a \$1.5 million shortfall for the school's construction.

Additionally, since Council initiated the continuance at the last hearing, Shining Mountain alone, has spent another \$25,000 and 6 months to investigate these options with local affordable housing providers. It is not a viable option for a non-profit like Shining Mountain, to move forward without greater clarity about the outcome and with the expenses involved.

Under these circumstances, Shining Mountain is not requesting a rezoning at this time.

Market Rate Multi-Family Housing Options

This being the case, Shining Mountain still needs to sell the Violet & Broadway parcel to raise the funds necessary for the school's construction. The site, still under current RL-2 zoning, can support multi-family housing in at least the following ways (please again, refer to drawings attached):

- 3-story townhouses fronting onto Violet, Broadway and Locust Streets; ±18 dwelling units, Sheet 12.2
- 3-story multi-unit flats at the corner of Violet & Broadway; ±30 dwelling units, Sheet 12.3.

The school is asking that Council support Shining Mountain to moving forward with this approach.

The open space provided north of Locust Street, is sufficient to support this density of housing, and also to provide more than adequately for the school's use during school hours. Sheet 12.4 shows the extent of open space that would be available on the land north of Locust Street. A limited amount of the land would be behind a 4' fence that secures the Lower and Middle Schools.

The remainder of the Shining Mountain land would be available for general public use and the residents of the multi-family structure. This would be equal to ±80% of the hours that City owned Parks are open to the public. A cross access agreement with hours of availability for public use can be agreed to as a part of the Site Plan Review process (much as was done with the Spark Project).

cc Jane Zeender, SHINING MOUNTAIN WALDORF SCHOOL
Michael Shaun Conaway, SHINING MOUNTAIN WALDORF SCHOOL
Brian Buckley, SHINING MOUNTAIN WALDORF SCHOOL

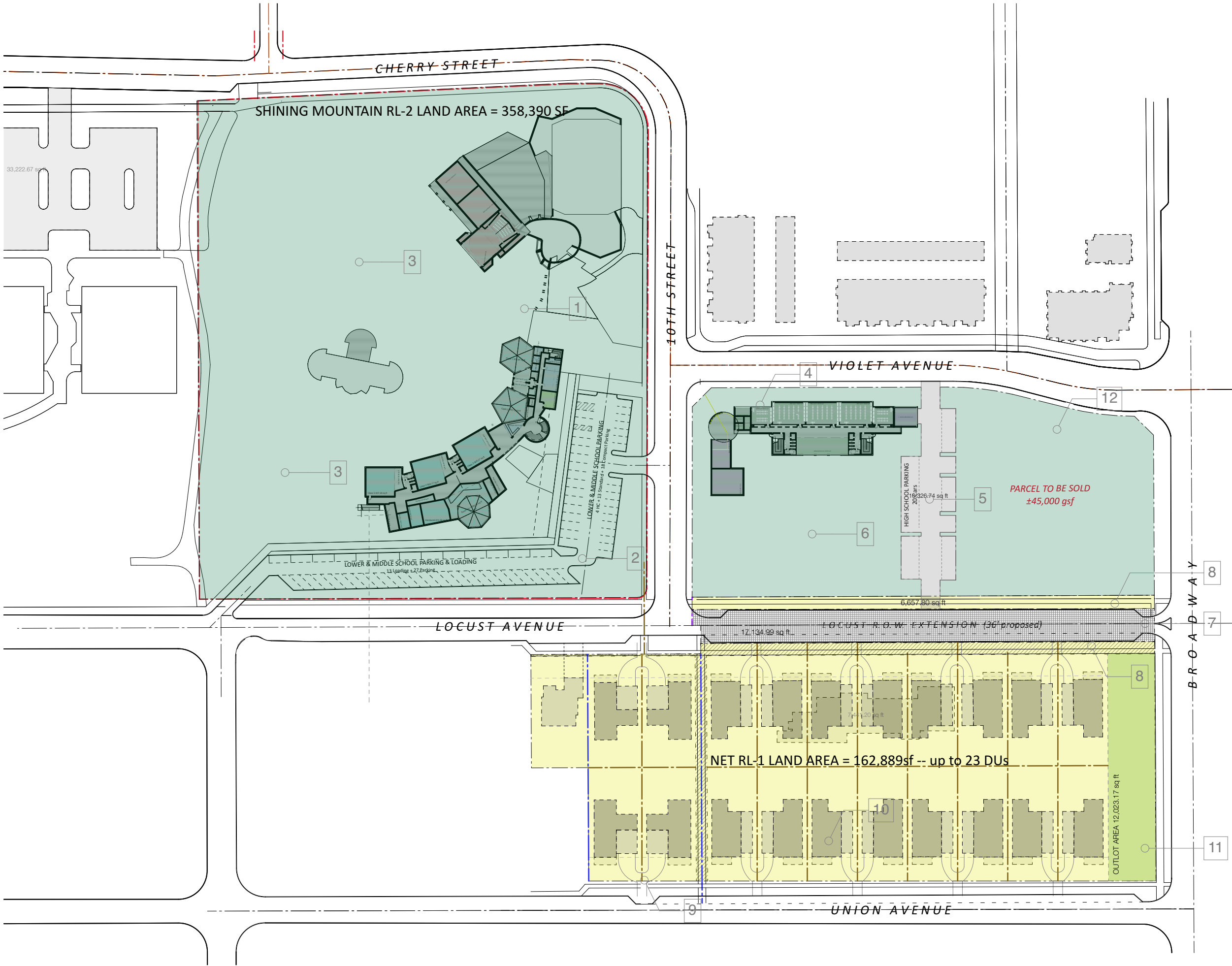


NOTES

Extents of previously proposed rezoning

- 1 Shining Mountain Waldorf School existing RL-2 zoned land
- 2 Shining Mountain Waldorf School existing RL-1 zoned land
- 3 Extent of previously proposed RL-2 zone change (±60' wide along Broadway)



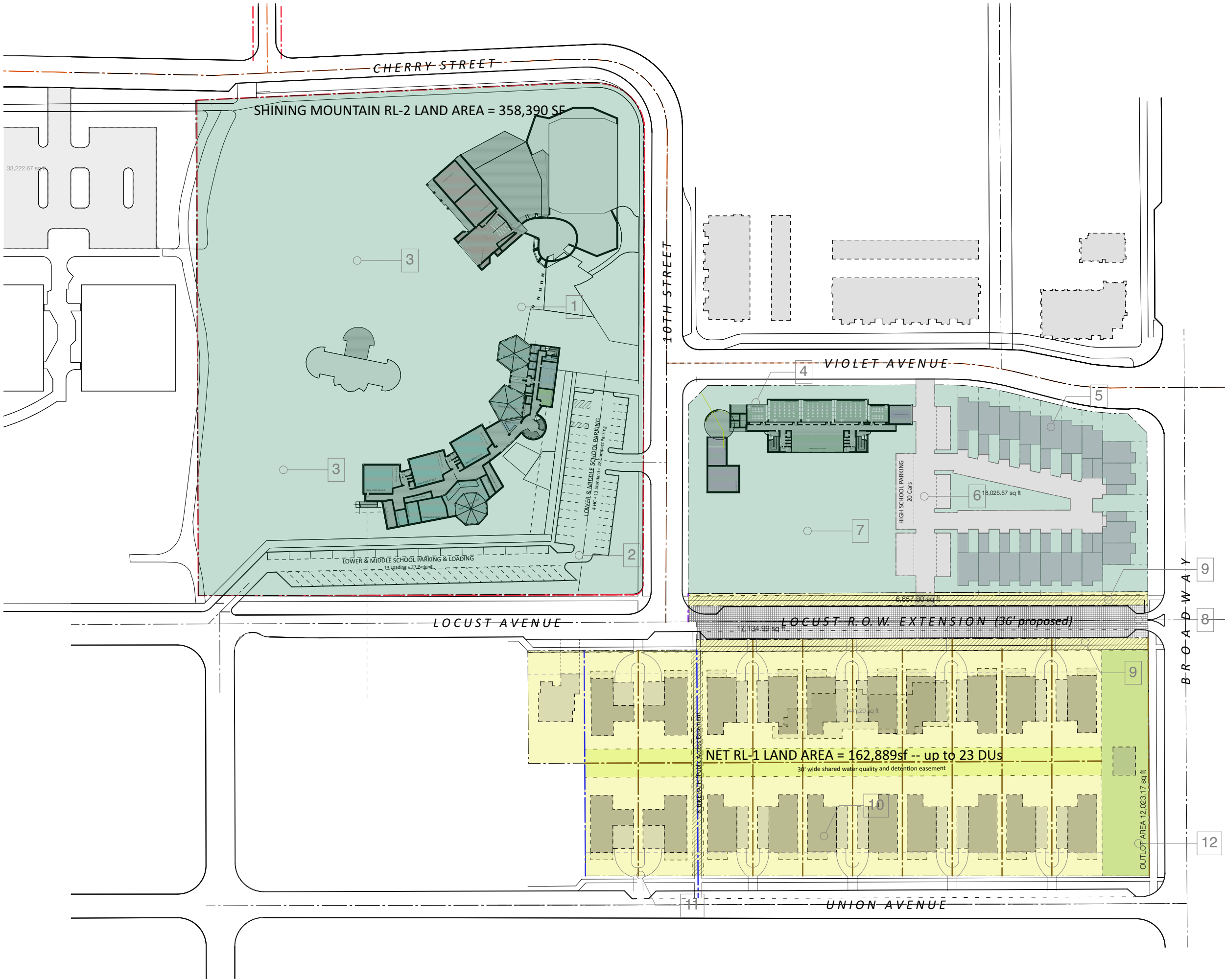


NOTES

Master Plan with available RL-2 Zoned Parcel without rezoning...

- 1 6+ acre Main Campus with Lower & Middle Schools plus expanded Performing Arts Facilities
- 2 Lower & Middle School Parking Area
- 3 Lower & Middle Commons
- 4 High School & Practical Arts Facilities on Shining Meadows
- 5 High School Parking Area
- 6 High School Commons & Shared Green
- 7 Locust Street ROW dedication (36')
- 8 Public Access Easement (to back of sidewalk +6")
- 9 10' thru-block Bike Path easement
- 10 23 Detached Single Family Residences in RL-1 zoned land
- 11 ±50' wide outlot in RL-1 zone along Broadway
- 12 ±45,000 gsf RL-2 zoned lot for sale

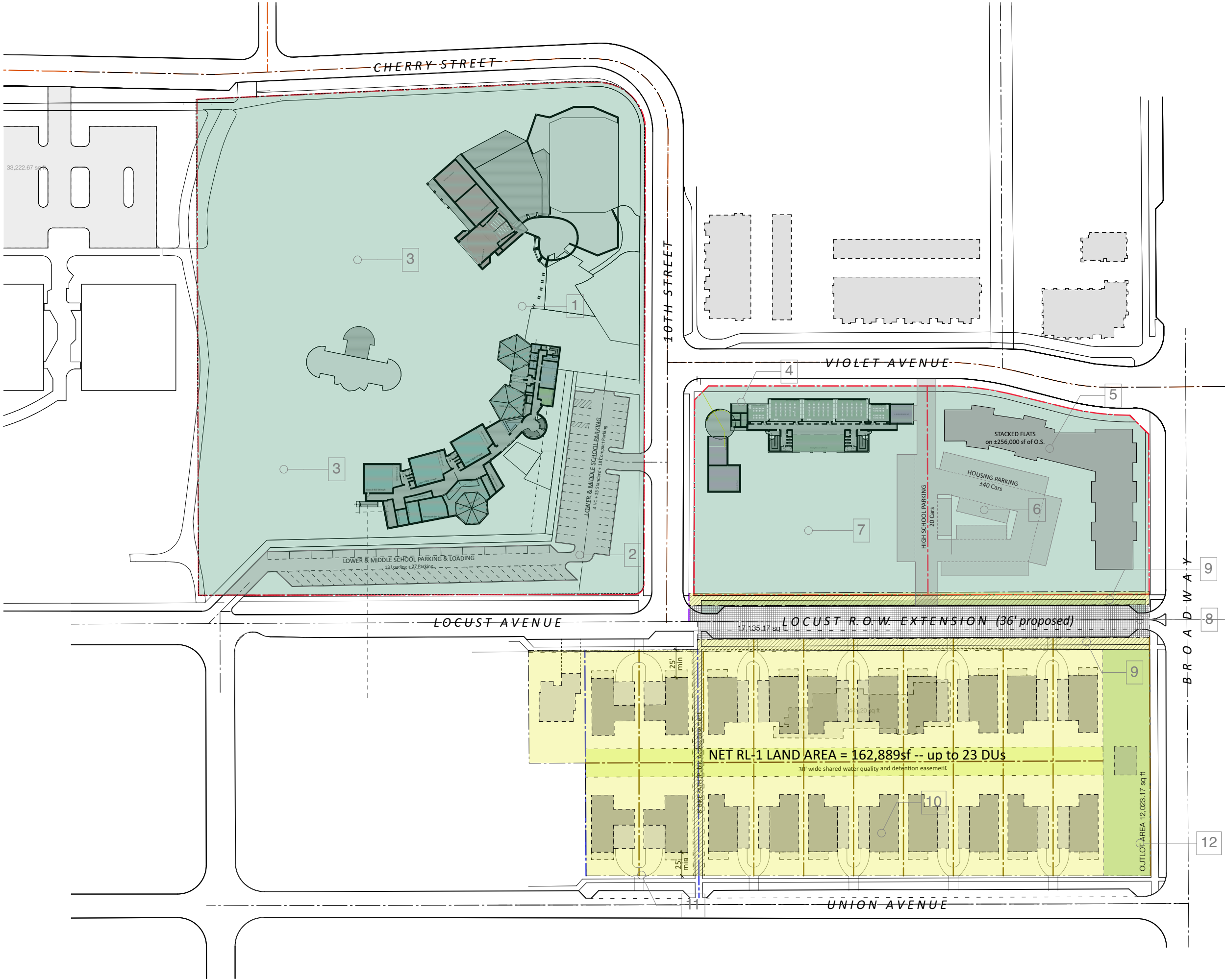




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**Master Plan with Townhomes in RL-2 Zone
and without rezoning...**

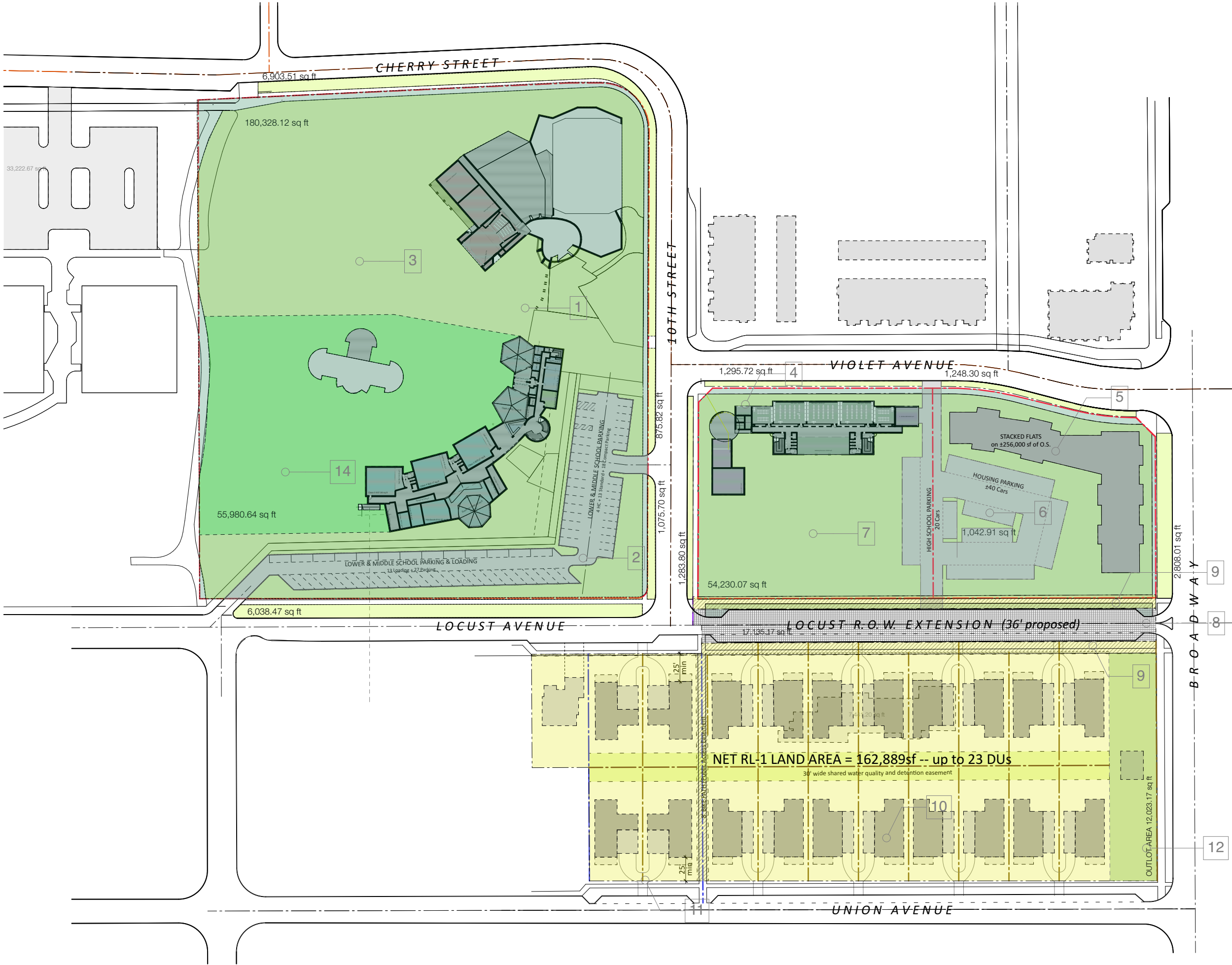
- 1 6+ acre Main Campus with Lower & Middle Schools plus expanded Performing Arts Facilities
- 2 Lower & Middle School Parking Area
- 3 Lower & Middle Commons
- 4 High School & Practical Arts Facilities on Shining Meadows
- 5 ±18 Townhomes
- 6 High School & Townhome Guest Parking Area
- 7 High School Commons & Shared Green
- 8 Locust Street ROW dedication (36')
- 9 Public Access Easement (to back of sidewalk +6")
- 10 23 Detached Single Family Residences in RL-1 zoned land
- 11 10' thru-block Bike Path easement
- 12 ±50' wide outlet in RL-1 zone along Broadway



NOTES

Master Plan with Senior Housing

- 1 6+ acre Main Campus with Lower & Middle Schools plus expanded Performing Arts Facilities
- 2 Lower & Middle School Parking Area
- 3 Lower & Middle Commons
- 4 High School & Practical Arts Facilities on Shining Meadows
- 5 Possible Senior Housing Facility
- 6 High School & Housing Parking Area
- 7 High School Commons & Shared Green
- 8 Locust Street ROW dedication (36')
- 9 Public Access Easement (to back of sidewalk +6")
- 10 23 Detached Single Family Residences in RL-1 zoned land
- 11 10' thru-block Bike Path easement
- 12 ±50' wide outlot & shared Garden on RL-1 zoned land along Broadway



- NOTES**
- Master Plan with Affordable Senior Housing and limited rezoning on Broadway...**
- 1 6+ acre Main Campus with Lower & Middle Schools plus expanded Performing Arts Facilities
 - 2 Lower & Middle School Parking Area
 - 3 Lower & Middle Commons
 - 4 High School & Practical Arts Facilities on Shining Meadows
 - 5 Possible Senior Housing Facility; ± 30 units
 - 6 High School & Housing Parking Area
 - 7 High School Commons & Shared Green
 - 8 Locust Street ROW dedication (36')
 - 9 Public Access Easement (to back of sidewalk +6")
 - 10 23 Detached Single Family Residences in RL-1 zoned land
 - 11 10' thru-block Bike Path easement
 - 12 ±50' wide outlot & shared Garden on RL-1 zoned land along Broadway
 - 13 **Open Space contributing to Housing Density = 256,088 gsf**
180,328 west of 10th (main block)
14,894 misc.
54,230 east of 10th (main block)
6,636 misc.
 - 14 **Open Space behind 4' high fence & gate =55,981 gsf**